

A divided Germany: the *Mainlinie*, 1866-1870

The difficulties of Bismarck's unification explained in terms of
southern German defiance

MA Thesis History
Leiden University

S.J. Duits
s0930091
s.duits@gmail.com

30 ECTS
Supervisor: dr. P.G.C. Dassen
February 11th, 2015

Table of contents

Introduction	03
1 <i>Schutz- und Trutzbündnisse</i>	10
2 <i>The Zollverein</i>	26
3 <i>The Südbund</i> project	47
Conclusion	63
Bibliography	66

Introduction

The historical discussion about the German unification is situated in a larger ongoing theoretical, conceptual and methodological debate about the impact of nationalism on modern European history. Inspired by philosophers such as Ernest Gellner, some participants of this debate tend to view nationalism as a rather unstoppable and inevitable force.¹ In this discourse there is a general consensus on how the powerful forces of the nineteenth century put quite a lot of nations of Europe on a trajectory towards the formation or founding of a nation-state. With emperor Napoléon I having spread most of the ideals of the French Revolution across a large part of Europe, the century after him witnessed a slow yet steady development of democratic movements in many countries on the continent. During this period the process of industrialization gained speed and created an urban workforce necessitating some form of standardized language and education. Meanwhile, the increasingly popular ideology of nationalism, of which the zeal and fervor of its adherents during the armed conflicts of the twentieth century were bitterly displayed, created the ideal circumstances during the nineteenth century for the rise of grassroots political movements on a grand scale, demanding a democratic state as home for the nation they were part of. For the German people, too, a nation-state appeared to be in reach as that century progressed. The idea quickly gained popularity with the population of numerous German states during and after the 1840s. All the unification movement claimed to need was a competent and powerful leader, such as Prussian chancellor Otto von Bismarck. Unification was a matter of time – or so it would seem.

This functionalist portrayal of nationalism is lacking regarding the difficulties of national unification. To employ such teleology when describing the history of one of its variants equals simplifying the strenuous nature of the process. Nations are not that easily unified and to stress the troubles faced and the setbacks experienced during the German unification, I have written this thesis. Prior to this unification, southern Germany was politically organized in four separate and relatively independent entities. These four states put up a great deal of resistance against the idea of integration with the rest of Germany. They ultimately succumbed to the nineteenth-century tidal wave of nationalism, but to focus on this end result in research dealing with the German unification is to omit the ability and willingness of certain German states to combat this outcome. Teleology involves underestimating and misjudging the difficulties that arise when trying to achieve unification of an entire nation. By ascribing inevitable or natural characteristics to them, nationalists from the nineteenth century are depicted by Gellner as a party destined to win. In seeking the ultimate consequence of democracy and industrialization, namely a nation-state in order to facilitate both, they seem to have time on their side as the logical outcome of the processes of their time would unescapably be the realization of their

¹ E. Gellner, *Nations and nationalism* (Oxford 1983).

dream. This picture does not do justice to the vehemently regionalist and particularist political arena which nationalism as an ideology joined over the course of the nineteenth century. Certainly in southern Germany both regionalism and particularism were dominant prior to its political integration with the rest of the nation. That's why I will amply demonstrate the extent to which the four German states in the south resisted the political unification of Germany.

The span of my research ranges from August 23rd, 1866, to July 19th, 1870. Although these dates may seem rather arbitrary, they are easily explained. As it turned out, the German unification was a process of multiple steps. In 1866, it entered a stage during which northern and central Germany were more or less politically unified, whereas the south remained independent. This was caused by the outcome of the Austro-Prussian War, which ended on August 23rd, 1866. The details of this aftermath will be explained in my first chapter. For now, it suffices to say that after that date, German unification seemed closer to reality than ever before. Meanwhile, precisely because of this prospect, the resistance to this idea reached critical heights. To present clear and multiple pieces of evidence of this resistance, I thought it wise to focus on the period after the Austro-Prussian War. The German national debate on unification intensified and escalated after this military conflict. That's why the sources I chose to present will be from this time span. The end date, then, is the declaration of the Franco-Prussian War, which led directly to the German unification, rendering my research question invalid after 1870.

I will conduct research in a multitude of newspaper archives stemming from said period. In order to find articles covering the unification process, I will not go through these newspapers chronologically, searching from issue to issue. In my search, I will focus on several key events during this period, for example the signing of the peace treaty concluding the Austro-Prussian War, the negotiations for a new customs union and several elections that took place during the period I will research. To show the liberal and nationalist sentiments that were present in southern Germany, I will consult the *Freiburger Zeitung*. Located on the border between the German and French nations, the predominantly catholic city of Freiburg felt threatened by the possibility of a Franco-German War. Its nationalist inhabitants thought the safe and secure solution for this was unification with Germany. Apparently, the French threat to the west was more profoundly experienced than the protestant threat to the north. The nationalists in this city found their platform in this newspaper and although I could not ascertain by how many people it was read, a paper that was in business from 1784 to 1943 must have more or less successfully expressed the sentiments of some of the the city's inhabitants. To nuance this point of view, I will use issues of the *Rosenheimer Anzeiger*, a newspaper from a small catholic town in Upper Bavaria. With a readership that was more liberal than nationalist, the authors in this newspaper do not principally oppose the idea of national unification but would like to go about it in a democratic manner. Another newspaper from Bavaria that will be displayed in this

thesis is the protestant *Coburger Zeitung*, from Coburg in northern Bavaria. In this newspaper, national unification is regarded as inevitable, almost in line with Gellner's thinking. With Prussia being predominantly of the same religion as most of its readership, this newspaper had no difficulty preaching Prussia's alleged leadership over the German nation. I will also consult the rather conservative *Preußische Zeitung* and the official *Bayerische Zeitung* for general comments on the political developments of the period. These two newspapers were written for a respectively protestant and catholic readership, but as more or less official government papers they did not express this identity very explicitly and the editorial staffs of both tried to focus on reporting the news as objectively as possible.

Where then is the source material that puts public the regionalist and particularist sentiments of southern Germany during this period, one might ask. I will evidence their existence with *Der Volksbote für den Bürger und Landmann*, a catholic-conservative Bavarian newspaper principally opposed to political integration with the rest of Germany. It was a platform for regionalist Bavarians who wanted to oppose Prussia as well as protestantism, hence popular amongst an anti-nationalist readership in the south. Most evidence of this school of thought was not published in newspapers, however, which is why most papers mentioned up until this point might come across as rather liberal or nationalist. The opponents of national unification made themselves known through other various publications. A great many of these are captured in Karl Georg Faber's *Die nationalpolitische Publizistik*.² The book is littered with statements from politicians, speeches by professors and treatises by philosophers. In many of these sources runs a strong undercurrent of regionalism as well as particularism. The extent to which they represent popular opinion seems to be limited, as most of their pieces didn't manage to make their way to newspapers or other larger readerships. The speakers and writers in Faber's book are generally from the elite and it is unknown whether they were engaged in a meaningful conversation with the general audience. Still, in their role as opinion-makers, the opinions of these people must have influenced others and at least from some of the speeches it is known that they were given in front of an audience of hundreds of people. Also, as far as politicians are concerned, the German political system of the time made use of electoral districts, bringing representatives and voters very closely and locally together. The election of particularist candidates, then, is powerful evidence for dominant regionalist sentiments in certain districts. That's why a great many sources from Faber's work will be employed to answer my research question. Because Faber deals with authors from all ideologies and all religions from the whole of Germany and even Austria, I will make a certain selection while consulting this tome, namely the chapters that cover elections as well as the small yet significant part that deals with southern Germany from 1867 to 1870.

² K.G. Faber (ed.), *Die nationalpolitische Publizistik Deutschlands von 1866 bis 1871. Eine kritische Bibliographie* 1 (Düsseldorf 1963).

When closely studying this political arena and its peculiar complexity, one will find that nationalism was met with fierce resistance throughout this period and that the ideal of one nation-state was initially the goal not of many politicians, but a few. Partly because of this reason, Gellner's propositions have been heavily criticized, for instance in Anthony Smith's *Nations and Nationalism*³ and *Nations and Modernism*⁴, as well as in Damian Tambini's *Explaining monoculturalism*⁵. Unfortunately, most English authors writing about the German unification still employ a teleological spirit when dealing with this subject, compatible with the logical and natural aspects of the historiographical paradigm on nationalism discussed above. They claim the forces of that paradigm – whether it be democracy, industrialization or nationalism itself – not only created the necessary framework within which German unification *could* take place, but that they more or less created the prerequisites that made sure it *did* take place. The unification is described as a logical consequence of earlier political decisions and an outcome desired by the majority of the German people. Furthermore, in most of this literature the German unification is summarized as a fast process and a relatively easy to achieve result, exemplary of national movements all over Europe. Characteristic of this teleological outlook are works such as Dennis Showalter's *The Wars of German Unification*⁶ and William Carr's *The origins of the wars of German unification*.⁷ Both books describe the unification process as quite fast and, more significantly, rather unopposed.

Of course, when writing about this history, an author has little choice but to gradually approach the unification itself and end his or her book with the actual realization of the process. While working through the subject, however, the end result of the process should not be presented as inevitable as long as the process is still ongoing. Also, by ignoring major problems that were encountered whilst trying to achieve unification of the German nation, authors such as Showalter and Carr fail to pay respect to the amount of resistance against a unified Germany put up by the southern German states during this period. To present a truthful story of the process, it's essential to account for factors that tried to withstand, alter or ignore its eventual outcome – which I have attempted as much as possible during my research. Only then, a comprehensive and integral picture emerges of an arduous, awkward and inexpedient German unification. By putting teleology aside, I will be able to create a space in which such an image is able to appear. In displaying to the English-speaking world the wealth of sources depicting an anti-central tendency in Germany, I hope to show that there was more than

³ A.D. Smith, *Nations and Nationalism in a Global Era* (Cambridge 1995).

⁴ A.D. Smith, *Nations and Modernism: A Critical Survey of Recent Theories of Nations and Nationalism* (London 1998).

⁵ D. Tambini, 'Explaining monoculturalism: beyond Gellner's theory of nationalism', *Critical Review* 2 (1996) 251-270.

⁶ D. Showalter, *The Wars of German Unification* (London 2004) 201-240.

⁷ W. Carr, *The Origins of the Wars of German Unification* (New York 1991) 161-164.

Prussia or Bismarck to the nineteenth-century German people. By expanding this picture to the south of Germany, I do justice to the regionalist and particularist sentiment present there. Southern Germany was a significant and troublesome factor in the German unification, but is usually absent in English works dealing with the process. I will give it the problematic, ambiguous and controversial role in this story which it historically deserves.

A glance at some German literature dealing with the subject reveals that the undertaking was indeed more complicated than most English writers would have us believe. Enjoying easier access to the source material from the unification period, certain German authors outline a far more laborious, burdensome and time-consuming unification process. Accounting for the gravitational centers of nationalism that spawned all over Europe according to the historiographical nationalist paradigm, they point to multiple areas from which the German nation might have emerged. To only look at the Kingdom of Prussia as a means of unifying the German nation, as a lot of English authors tend to do, is a teleological error and fails to account for the unification efforts undertaken by other German states. In the German literature, then, southern Germany appears as a gravitational center for German nationalism, rivaling Prussia on many levels. Authors dealing with the southern regions, although potentially subjective, present viable historical alternatives to the 'Prussia must lead Germany' rationale. Although some German books follow the dominant teleological pattern in English literature dealing with this subject, such as Reinhard Rürup's *Deutschland im 19. Jahrhundert*⁸ and Elisabeth Fehrenbach's *Verfassungsstaat und Nationsbildung*⁹, others resist the temptation of resorting to such simplified explanations. Works as Rolf Wilhelm's *Das Verhältnis der süddeutschen Staaten zum Norddeutschen Bund*¹⁰ and Walter Schübelin's *Das Zollparlament und die Politik von Baden, Bayern und Württemberg*¹¹ account for particularist tendencies and regional difficulties with German nationalism, thereby presenting a much more comprehensive picture of the German unification. That's why I will feature them extensively, just as Thomas Nipperdey's *Deutsche Geschichte*.¹² Nipperdey tries to combat teleology whilst dealing with German history and will therefore prove to be a concise yet useful author to consult when answering my research question.

Any academic researching this subject should include at least an assessment of regional resistance – unfortunately, this element is circumvented in quite a lot of books and articles describing the German unification. That's why, to account for the difficulties and

⁸ R. Rürup, *Deutschland im 19. Jahrhundert. 1815 – 1871* (Göttingen 1992) 222-225.

⁹ E. Fehrenbach, *Verfassungsstaat und Nationsbildung 1815 – 1871* (Munich 1992) 63-69.

¹⁰ R. Wilhelm, *Das Verhältnis der süddeutschen Staaten zum Norddeutschen Bund (1867-1870)* (Husum 1978).

¹¹ W. Schübelin, 'Das Zollparlament und die Politik von Baden, Bayern und Württemberg 1866-1870', in: E. Ebering (ed.), *Historische Studien* 262 (Berlin 1935) 1-142, there: 11-13.

¹² T. Nipperdey, *Deutsche Geschichte, 1866-1918. Bd. 2: Machtstaat vor der Demokratie* (Munich 1992) 1-24.

problems that the German unification movement encountered, I will show a picture of a divided nation with a possibly incoherent and disjointed political future – in sharp contrast with the teleological view of an ordered and connected nation. Also, I aim at adding to the theoretical and conceptual debates on German unification by providing nuances to the historiographical nationalist paradigm of Gellner and others. I will achieve this by presenting a methodological addition to this scholarly debate: asking whether a region deemed peripheral should be viewed as centrifugal in its own regard. Answering this question forces the study of obstacles and difficulties encountered by the ‘victorious’ gravitational center of nationalism while trying to unite the country in question. This, in turn, potentially prevents a teleological view on the unification process, which is unfortunately dominant amongst English authors dealing with German history of the 1860s.

Today still, it is abundantly clear that the gospel of unifying a nation in one state is not universally accepted. A nation is a nation as long as its members accept it as such. The fact that one nation endures, is not automatically evidence for its entire population merrily being a part of it. Discussions about national identity are of an everlasting nature, logically always causing certain demographics to be unhappy with the current state of the nation to some extent. Just recently, on September 18th, 2014, Scotland conducted an official referendum on independence from the United Kingdom. Although the “No” side won, 44.7% of the Scottish population voted “Yes” – showing a considerable minority trying to overthrow the British national idea.¹³ Elsewhere in Europe, on November 9th, 2014, Catalan voters went to the polls in a citizen participation process – a euphemism for a non-binding referendum. Over 80% of the people that showed up to vote, chose for the option of an independent Catalonia. Though without official consequences because of its non-binding nature, obviously the Spanish national state does not command widespread popular support in all of its regions.¹⁴ Evidently, national unity is still a fiercely debated topic in today’s politics.

The situation in Germany before 1870/71 could not have been much different. That’s why I researched to what extent the southern German states defied and obstructed the unification movement from 1866 to 1870. During this period the rivalry between northern and southern Germany reached a critical stage, because they were politically separated. This was caused by circumstances that will be explained in the first chapter. Furthermore, in this part I will deal with the nature and balance of the relations between the several German states, focusing on 1866 itself. In the next chapter I will discuss the subject of the German customs union and the political deliberations on the future of economic cooperation, concentrating on 1867 and early 1868. Subsequently, in the third and last part I will contemplate the viability and

¹³ BBC, *Scotland Decides* (September 19th, 2014) – bbc.com/news/events/scotland-decides/results.

¹⁴ NOS, *Rajoy: peiling was propaganda* (November 12th, 2014) – nos.nl/artikel/2003414-rajoy-peiling-was-propaganda.html.

probability of a major contender for German unity coming together, spanning a period from late 1867 to early 1870. Taken together, I believe a comprehensive picture will emerge from this period of southern Germany being unwilling and uncooperative towards national unification.

1 *Schutz- und Trutzbündnisse*

Created by the Congress of Vienna in 1815, the German Confederation was an association of thirty-nine states and had been under the leadership of the Austrian Empire until 1866. After Prussia defeated Austria in the armed conflict of that year, the issue of leadership over the German nation was settled. In fact, the reason why these two great powers went to war in the first place was the struggle for dominance over the thirty-seven other members of the Confederation – which is one of the reasons why this war is known as *Deutscher Krieg* or *Bruderkrieg* in German. Having overcome the Habsburg emperor of Austria, Franz Joseph I (r. 1848-1916), in this fraternal feud, the Hohenzollern king of Prussia, Wilhelm I (r. 1861-1888), was now in a position to reshape the internal hierarchy of the German Confederation and, for that matter, the political organization of the German nation.¹⁵

Since Prussia had succeeded in driving the armies of the emperor of Austria to the point of exhaustion and desperation, it sought to transform its military achievements into longer-lasting political changes favorable to the Hohenzollern dynasty. Its supreme military commander during the Austro-Prussian War was Helmuth von Moltke the Elder (1800-1891), Chief of the Prussian General Staff and *General der Infanterie* at the time. After the decisive battle of the war at Königgrätz on July 3rd, 1866, he had pushed on further into enemy territory with the specific aim of extorting an optimal peace settlement for Wilhelm I – capturing and occupying Bohemia and Lower Austria, the Habsburg Monarchy's wealthiest and most industrialized provinces, in the process. When these military feats caused the Austrian government to capitulate, it enabled the Prussians to make the most out of the ensuing peace talks. They wanted to solidify their gains by making changes to the German Confederation, preferably ones increasing Prussia's dominance over the other members whilst decreasing Austria's prestige not just militarily, but also politically.¹⁶

Because power relations between the German states were likely to be changed by the outcome of the Austro-Prussian War, the conflict had gathered interest from Paris: Napoléon III, emperor of the Second French Empire (r. 1852-1870), offered to mediate between the warring parties. Vienna accepted this offer as the Prussian armies were inflicting an ever-increasing amount of losses to the Austrians. Franz Joseph I thus asked Otto von Bismarck (1815-1898), foreign minister of Prussia from 1862 to 1890, for an armistice. Berlin agreed to the cease-fire on July 21st, 1866, because cholera was running rampant in the Prussian armies and Bismarck feared Napoléon III might intervene militarily if the conflict dragged on for too long. Subsequently, delegates from Prussia, Austria and the minor German states convened

¹⁵ G. Wawro, 'Austro-Prussian war', in: R. Holmes, C. Singleton & S. Jones (ed.), *The Oxford Companion to Military History* (Oxford 2001) 1.

¹⁶ G. Wawro, *The Austro-Prussian War. Austria's War with Prussia and Italy in 1866* (Cambridge 1996) 274-276.

in the city of Prague in the summer of 1866 to talk about peace. A preliminary peace deal was struck on July 26th, 1866. The big question of the talks, the political reorganization of the German nation, kept the representatives deliberating for quite some time after that. Under French supervision, a final agreement wasn't reached until August 23rd, 1866, called the Peace of Prague.¹⁷

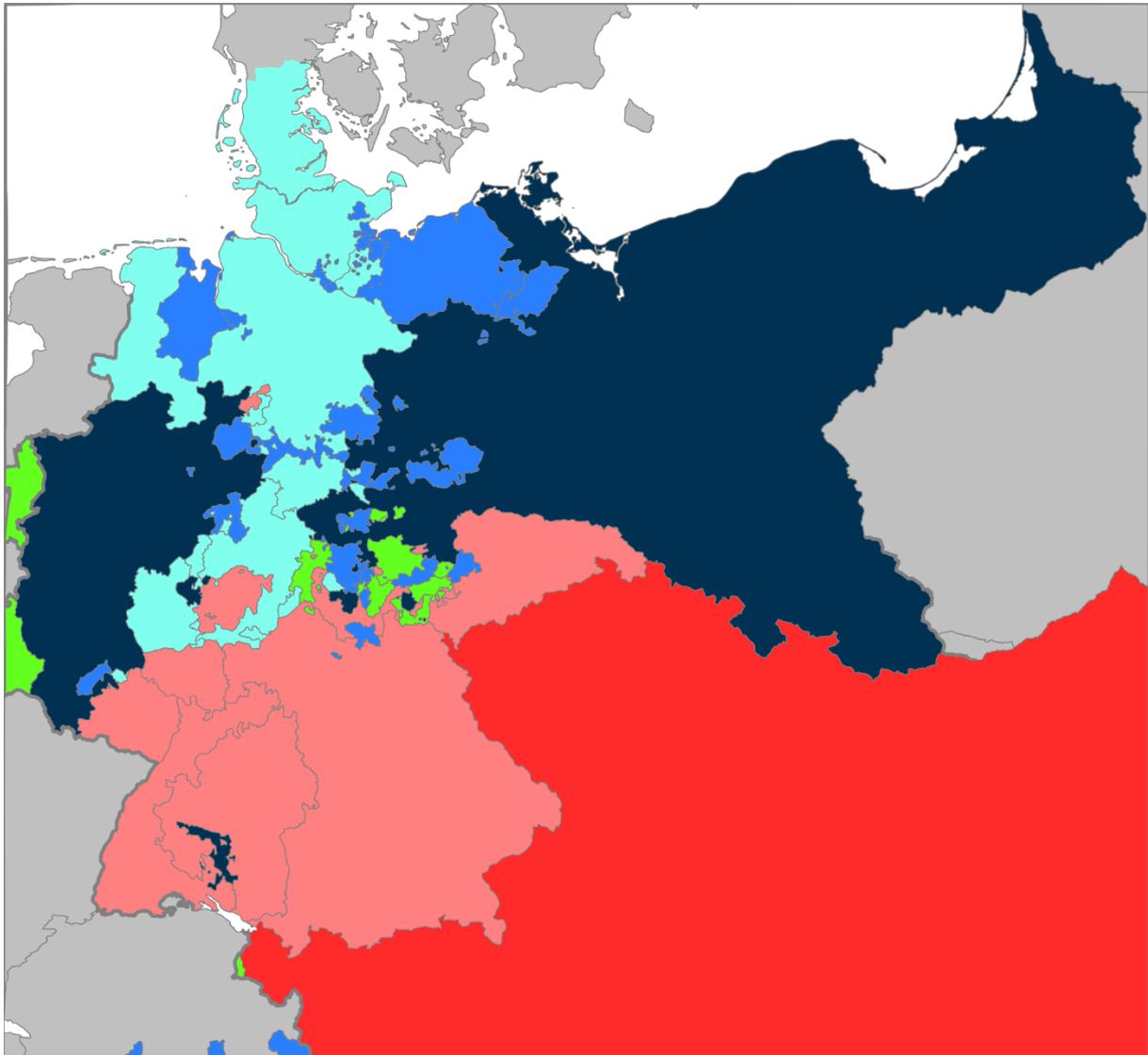
At first sight, the result of these peace talks were not as favorable to Prussia as one might expect, judging by the far-reaching military successes of Moltke the Elder and his soldiers. This is caused by the international context within which these events took place: post-1815 Europe was created by the Congress of Vienna and almost obsessively preoccupied with maintaining the balance of power. Consequently, political or territorial changes in the relations between two of the Great Powers of Europe – Austria and Prussia, in this case – could not go without the consent of the other three – the United Kingdom of Great Britain and Ireland, the Second French Empire of Napoléon III and the czarist Russian Empire. Changes in power relations between any of the German states exerted direct influence on the political constellation of the European political system, not in the slightest because of the central geographical position the German people occupied on the continent. Therefore, even after defeating one of the Great Powers in a convincingly fast fashion, Bismarck could maximize his benefits from the Prague peace talks only as much as the confines of this international diplomatic framework allowed him to.¹⁸

For the Prussian foreign minister this meant making no territorial demands on Austria, despite already having seized most of it militarily. By respecting the territorial integrity of the Habsburg Monarchy, he did not attempt to excessively aggrandize Prussia's surface area or population, thus easing French, British and Russian fears of the House of Hohenzollern spinning out of control. Since Bismarck is not remembered for being the most generous or charitable of statesmen, the gains he was looking to achieve were obviously located elsewhere. Expansionist Prussia may not have taken Austrian territory for itself during 1866, but during the Prague deliberations it did secure the assent of the other major powers for its outright annexation of the Kingdom of Hannover, the duchies Schleswig, Holstein and Nassau, the Electorate of Hesse, and the Free City of Frankfurt – vastly increasing the size of the Prussian kingdom as well as linking its eastern and western parts solidly together. Of course, the Austrian Empire did not simply get away with keeping its territorial integrity intact either. Though Vienna could count on the other Great Powers for forcing Prussia to return occupied Bohemia and Lower Austria to Habsburg control, even London, Paris and Moscow could not

¹⁷ G.E. Rothenberg, 'The Shield of the Dynasty: Reflections on the Habsburg Army, 1649-1918', in: G.B. Cohen & P.M. Judson (ed.), *Austrian History Yearbook* 32 (Minnesota 2001) 169-206, there: 190-193.

¹⁸ Nipperdey, *Deutsche Geschichte*, 2.

deny that Wilhelm I was entitled to demanding a large indemnity to be paid by Franz Joseph I.¹⁹



Map 1 – The situation during the Austro-Prussian War, showing the Kingdom of Prussia (dark blue), its allies (blue), the hostile territories it annexed (light blue), the Austrian Empire (red), and the allies of the Habsburgs (pink). Neutral members of the German Confederation are shown in green.²⁰

With Prussia enlarged and Austria humiliated, one could have argued that Bismarck and Wilhelm I got what they came for in Prague. However, there was more at play here. Even though Berlin, and Bismarck to a greater extent, was enthusiastic about territorial expansion, the goal of going to war with Austria was usurping the so-called *Vorherrschaft* of the German nation – a dominant position of leadership over the lesser German states. Annexing the states

¹⁹ G. Wawro, *The Austro-Prussian War*, 276-277.

²⁰ CC-BY-SA-2.5 2006, Wikimedia Commons.

of northern and central Germany named above was not sufficient for achieving this level of supremacy. Even though this accomplishment considerably strengthened Prussia's position in relation to the minor states of the Confederation, Bismarck was looking for something more permanent. For him, the time had come to put an end to this loose association of a thirty-some states. He was looking to replace it with something that would be more of a political tool in his hands, so he could more effectively wield it.²¹

Already in the preliminary peace of July 26th, 1866, Bismarck had extorted from the Austrians a significant promise: emperor Franz Joseph I was to withdraw Austria from the German Confederation and whatever political structure Prussia might design to succeed it. The Prussian foreign minister employed considerable foresight in forcing the latter stipulation. The new political organization came to be known as the North German Confederation. It inherited the states of northern and central Germany from the old one, with the exception – of course – of the ones just annexed by the Prussian kingdom. Accordingly, the Kingdom of Saxony, the northern half of the Grand Duchy of Hesse, the Free Cities of Hamburg, Bremen and Lübeck, and the scattered duchies of Thuringia and Mecklenburg all joined this new *Norddeutscher Bund*. Although they remained independent and sovereign states on paper, military and foreign affairs of the confederates became a domain exclusively accessible to Prussian decision-makers. With the Kingdom of Prussia much enlarged by the earlier annexations and Austria expelled from Confederations both old and new, Berlin was in a position to dominate northern and central Germany – half of which it now had direct control over by means of annexation, the other half it gained indirect control over through the new North German Confederation. The *Vorherrschaft* was now firmly in Bismarck's hands. An advisor of Napoléon III made mention of "*une Prusse colossale*" with regards to the North German Confederation.²²

Although the year 1866 marked a tremendous increase in Prussian power in just one summer, there was a collection of German states that fell outside the borders of the new Confederation. In addition to, firstly, the Great Power of Prussia, secondly, the states that were formally annexed by Prussia, and, thirdly, the *Klein- und Mittelstaaten* that co-founded the North German Confederation while remaining nominally independent, there was a fourth category that didn't join it, namely the south. There, the Kingdom of Bavaria, the Kingdom of Württemberg, the Grand Duchy of Baden and the southern half of the Grand Duchy of Hesse – thence referred to as Hesse for the sake of conciseness – endured as sovereign states. The reason for this division is, once more, the international context. Whereas Great-Britain and Russia were largely neutral with regards to Prussia's surge in power, France was especially concerned about it. In both the preliminary peace of July 26th and the definitive Peace of Prague

²¹ Nipperdey, *Deutsche Geschichte*, 13.

²² G. Wawro, *The Austro-Prussian War*, 276-277.

of August 23rd, the delegates of Bismarck and Napoléon III had agreed upon the compromise that the four southern states named above were to carry on as independent political entities. Because they are largely located south of the river Main, this rigorous north-south divide of the German nation during these years is referred to as the *Mainlinie*. Henceforth, Napoléon III hoped to posture himself in central Europe as a champion of the sovereignty of the southern German states, because he had protected their independence from the Prussian onslaught. However, Bismarck – again with foresight – had demanded that the Peace of Prague prohibited these states from creating a confederation of their own with France or Austria at the helm, as well as formally allowing Prussia and the North German Confederation to forge “national connections” with them.²³ Quite clearly, the *Mainlinie* was of a temporary nature to the Prussian foreign minister, thus a satisfactory compromise for now.



²³ R. Wilhelm, *Das Verhältnis*, 13.

Map 2 – The North German Confederation from 1866 to 1871, showing the dominant Kingdom of Prussia in blue and the border of the new union with a solid red line.²⁴

The southern German states were more than mere spectators during the Peace of Prague negotiations. All four of them – Bavaria, Württemberg, Baden and Hesse – had chosen the side of Austria during the war, during which they were witness of the failures by the champion of their camp, emperor Franz Joseph I. After the preliminary peace was signed by the belligerents, three southern states were quick to change sides. Württemberg concluded a secret deal with Prussia on August 13th, Baden on August 17th and Bayern on August 22nd, 1866, one day before the signing of the Peace of Prague – Hesse followed their example in the spring of next year. These secret bilateral treaties between Berlin and the southern German states were called the *Schutz- und Trutzbündnisse*, which roughly translates to offensive and defensive alliances. The need for these rose from the failure of Vienna to champion the southern German interests. Additionally, as much as Napoléon III hoped to succeed Franz Joseph I in this regard, the French proclivity for intervening in southern German affairs actually made this region look for a German protector able to withstand the interference from Paris.²⁵

All four treaties were drawn up in the same fashion by Otto von Bismarck, so as to extract identical advantages for and from all the southern German states. The opening parts of the documents was made up of paying lip service to the sovereignty of both states in question – a token agreement on Prussia as well as the southern German state that signed the treaty being fully independent and sovereign on paper, literally. After that, the subsequent article stated, in the example of Bavaria: “*Zwischen seiner Majestät dem Könige von Preußen und Seiner Majestät dem Könige von Bayern wird hiermit ein Schutz- und Trutzbündnis geschlossen. Es garantieren sich die hohen Kontrahenten gegenseitig die Integrität des Gebietes ihrer bezüglichen Länder und verpflichten sich, im Falle eines Krieges ihre volle Kriegsmacht zu diesem Zwecke einander zur Verfügung zu stellen.*” Both parties promised to respect one another’s territorial integrity and, more dramatically, to commit one’s entire armed forces to the assistance of the other should this integrity be threatened by a third power. Compared to most mutual defense or protection treaties, this was rather common content. The most striking part of the *Schutz- und Trutzbündnisse*, then, was in the next article. Again in the example of the Kingdom of Bavaria, it ruled as follows: “*Seine Majestät der König von Bayern überträgt für diesen Fall den Oberbefehl über seine Truppen Sr. Majestät dem Könige von Preußen.*”²⁶

²⁴ CC-BY-SA 3.0/GFDL 1.2, Wikimedia Commons.

²⁵ Nipperdey, *Deutsche Geschichte*, 19.

²⁶ L. Hahn, *Der Krieg Deutschlands gegen Frankreich und die Gründung des Deutschen Kaiserreichs. Die Deutsche Politik 1867 bis 1871* (Berlin 1871) XIV.

Bavaria's far-reaching concessions in this treaty stemmed from a relieved sentiment following the signing of the preliminary peace deal on July 26th, 1866. Overall, the kingdom's inhabitants were simply glad the war was over. Defeating the Kingdom of Prussia militarily had seemed a daunting task from the get-go, so a quick conclusion of the armed conflict seemed like a good deal. In their first meeting after July 1866, Bavarian members of parliaments were reported to have expressed feelings of thankfulness that they were able to meet in less fatal circumstances than last time. Happily one speaker proclaimed: "*Zwischen Sr. Maj. dem König von Bayern und Sr. Maj. dem König von Preußen ... soll fortan Friede und Freundschaft auf ewige Zeiten bestehen!*"²⁷ Newspapers commented in snarky tones on the naivety of such a claim, but evidently some sign of relief was felt throughout Bavaria during August 1866. The fact that Bavaria was also forced to pay a hefty indemnity to the Kingdom of Prussia was, for the moment, overlooked.²⁸

Still, for a nineteenth-century constitutional monarchy such as Bavaria, which claimed to be sovereign in the introduction of the very same treaty just a few paragraphs earlier, the last article of the treaty transferred a substantial amount of control over the Bavarian state from Munich to Berlin, should a new armed conflict arise. The main reason why the Kingdom of Bavaria and others decided to conclude these *Schutz- und Trutzbündnisse* had to do with looming foreign intervention. The centuries-old French tradition of meddling in southern German affairs, financially, diplomatically, politically, and – sometimes, though not in 1866 – militarily, was progressively aggravating the states in the region. With nationalist thought spreading extensively and thoroughly throughout Europe, the patronizing attitude of Paris, and especially of Napoléon III, was increasingly perceived as condescending and insulting by the minor German states. Prussia presented a strong countermeasure for France's interference in the affairs of the states of southern Germany. Exemplary of this sentiment towards the French empire was the publication of these treaties in the spring of 1867, which were originally signed as secret documents as ruled in article three, as a warning towards France that the North German Confederation and the southern German states were determined to stand together in the face of foreign aggression. The permanent nature of the treaties – they could not be terminated by either party – strongly linked southern Germany with the Kingdom of Prussia.²⁹

Reactions to the Peace of Prague

The new situation, of the *Mainlinie* dividing the German states, evoked mixed reactions from the population of said states. For one category at least, the nationalists, this border was perceived as foreign-imposed and detrimental to the German national project. In August 1866,

²⁷ R.G., 'Der Vetter in der Residenz an Hans Michl Oberlandler', *Rosenheimer Anzeiger* 36 (1866) 1.

²⁸ 'Telegramme der Freiburger Zeitung', *Freiburger Zeitung* 199 (1866) 1.

²⁹ Nipperdey, *Deutsche Geschichte*, 19.

only one month after the armies of southern Germany were diametrically opposed to the Prussian troops of Moltke the Elder nationalist calls were already made in the region for a *Bruderbund* with Prussia. One of their proponents, Gustav Georg Lange, a librarian, printer and publisher from Hesse, wrote a dramatic appeal to “*unsere lieben Landleute in Bayern*”. In it, he asked the people of southern Germany to connect with Berlin and “*den übrigen deutschen Brüdern nördlich des Mains*” to form “*ein einiges und mächtiges Vaterland*”, showing the fraternal character of the bonds nationalist Germans felt with one another as well as the strength of the image of the river Main dividing the German people. Quite realistically, he subsequently admitted that the *Klein- und Mittelstaaten* of the Confederation had not seriously influenced the peace talks in Prague. From this assumption, he concluded Prussia had showed its excellence in military organization during the war, whilst exposing the inadequacy of the forces of both the Austrian Empire and its allies within the German Confederation. With Prussia now being “*dem mächtigsten Staat*”, according to this author, it was now not only logical but also wise to cede supreme military command of the German nation to it, in order to prevent a new “*Bruderkrieg*” as well as “*einen Angriff auf Deutschland von außen abwehren zu können*”³⁰ – once again showing the threat felt from the French presence to the west, whether justified or not. With the *Schutz- und Trutzbündnisse* still being a formal secret at the time, this nationalist subscribed unknowingly to their content by advocating the very same things the treaties stipulated.

The unnatural character of the *Mainlinie* was continuously emphasized by nationalists. The river border came to symbolize the shortcomings of the unification movement for the adherents of that ideology. Simultaneously, time and time again they evoked this strong image of a French-imposed border dividing the German nation in order to motivate themselves to step up their game. In newspapers this was most strongly expressed, one example being a poem published on August 26th, 1866, three days after the Peace of Prague:

*Der Main soll uns nicht trennen, er hat uns nie getrennt,
So lang an seinen Ufern das Volk nur deutsch sich nennt!
Was in der Welt kann scheiden die solch ein Band umschlingt?
Es wird so lange halten als deutsches Wort erklingt.*

*Der Main soll uns nicht theilen, ein Ganzes ist das Land
Vom hohen Wall der Alpen bis zu der Ostsee Strand.*

³⁰ G.G. Lange, ‘Was wir wollen! Eine Ansprache an unsere lieben Landsleute in Bayern, Württemberg, Baden und im Großherzogthum Hessen-Darmstadt (1866)’, in: K.G. Faber (ed.), *Die nationalpolitische Publizistik Deutschlands von 1866 bis 1871. Eine kritische Bibliographie 1* (Düsseldorf 1963) 106-107, there: 106.

*Ein Volk sind wir gewesen in Gottes Schirm und Schutz!
Ein Volk, wir wollens bleiben, jedwedem Feind zum Trutz!*

*Steig' auf, du goldne Sonne, nach sturmbedrängter Nacht!
Führ' uns zu neuem Tage, führ' uns zu neuer Macht!
Der Franzmann soll nicht haben den freien deutschen Rhein,
Und Deutschland soll nichts theilen, nicht Berge, nicht der Main!³¹*

Clearly the stipulations of the Peace of Prague were not universally rejoiced in by the German public. Although in other newspapers it was written, for example on August 24th, that the German people should be glad that “*an dem nutzlosen Vergießen von Bruderblut ein Ende gemacht ist*”³², the diplomatic and political consequences of the war were not satisfactory to everyone. Nationalists in particular were glad that the North German Confederation seemed to bring them closer to unification, but like-minded individuals in the south felt somewhat cut off from the project by the Peace of Prague. Unsurprisingly, they were annoyed by the French meddling in German affairs, especially when Napoléon III seemed to obstruct their unification attempts by dividing their nation with borders they deemed artificial.

There was a deeply rooted sense of suspicion towards the French. A newspaper from Freiburg, approximate to the Rhine and thus the border with France, summarized the situation of 1866 with great insight on August 25th. While some of the city’s inhabitants celebrated that the Second French Empire had not demanded territorial compensation in Prague for the Prussian annexations in northern Germany, worries of the majority of the city were not so easily put at rest. The *Freiburger Zeitung* warned them that a military conflict with France had not been put off for the long-term by the Peace of Prague. The newspaper questioned the argument that Napoléon III would be enduringly satisfied by it. Surely, he would come to long for more, its editors argued, because “*Napoleon seine Dynastie nicht für gesichert halten kann, so lange er nicht Träume seiner Nation, die sich seit 1815 unablässig mit der Wiederherstellung der früheren Grenzen beschäftigen, zu Wahrheiten gemacht hat*”. Clearly the expansionist spirit of the French emperor’s uncle and namesake, Napoléon I, still frightened the population of Freiburg. Precisely because the Austrian empire, one of the counter-weights to France in the post-1815 European power system, had been humiliated and weakened by Prussia, this newspaper suspected that it would not be long before Napoléon III made his move on southwestern Germany: “*[wie sollte er] es vor seiner Nation verantworten können, daß in Deutschland Krieg geführt, Frieden geschlossen und eine neue Gestaltung geschaffen wird, ohne daß Frankreich eine Beute zufiele?*” It concluded that the German nation had more

³¹ ‘Das Lied vom Main’, *Rosenheimer Anzeiger* 35 (1866) 1.

³² ‘Der Friede’, *Freiburger Zeitung* 199 (1866) 1.

reason than ever before to be alert and vigilant on its southwestern border, despite all niceties and cordialities exchanged with the French delegates in Prague.³³

The French threat was not the only thing moving the southern German states and the North German Confederation more closely together. The Prussian army had exposed the shortcomings of its adversaries during the *Bruderkrieg* of 1866 in a quite spectacular fashion. Consequently, some of the defeated were quick to admit their armies as out-of-date and looked to other German states for military innovations. They started analyzing the war, trying to find the elements of Moltke's organization that had allowed him to achieve such a swift victory in order to match or copy these features. Already in October 1866, Siegmund von Pranckh (1821-1888), the Bavarian war minister from 1866 to 1875, recommended an army reform resembling the Prussian army organization, including conscription. After some editing and rewriting, the proposal was sent to the *Landtag*, the Bavarian parliament, on February 12th, 1867. With Pranckh's efforts, the largest southern German state initiated military harmonization with the Kingdom of Prussia within six months after the signing of the Peace of Prague on August 23rd, 1866 – bringing the two German states closer together on a military organizational level.³⁴

The governments of Bavaria, Württemberg, Baden and Hesse tried to foster support for reorganizing their militaries after the Prussian model. However, the conscription element in Moltke's and, accordingly, Pranckh's proposed vision on military organization was unpopular. The introduction of compulsory military service in the southern German states sparked a wave of protests. The *Landtage* in these states mounted fierce resistance to the plans put forward for it. Besides the unpopularity of general conscription, this opposition was not in slightest caused by the financial ramifications these army reforms implied. A larger, better trained and more adequately equipped military meant higher taxes. Paired with compulsory military service for multiple years, the modernizing efforts of Pranckh and his fellow southern German Ministers of War were hotly debated. Out of respect for the hostility of their *Landtage*, the governments of the four states in question had to limit their envisioned army reforms, financially as well as in terms of planned manpower.³⁵ This setback in the copying or approximation process of Moltke's war machine by southern Germany was an indication of a regional sentiment that was resentful towards the practical implications of further integration with either Prussia or the North German Confederation – which turned out to mean the same thing. At least partially, the parliaments of the region disagreed with passionate nationalists such as Lange, who appeared willing to give up anything sovereign in order to achieve further integration with "*den übrigen deutschen Brüdern*".

³³ 'Der Ernst der Lage', *Freiburger Zeitung* 200 (1866) 1-2.

³⁴ Wilhelm, *Das Verhältnis*, 18.

³⁵ Nipperdey, *Deutsche Geschichte*, 19.

While the hostility towards conscription and a tax increase was of a quite practical nature, others voiced their opposition towards Prussia with more intellectual arguments. Karl Christian Planck (1819-1880) was a professor teaching philosophy at the University of Tübingen, in the Kingdom of Württemberg. He condemned the violence of the Austro-Prussian War in a speech he gave at Ulm, located in the same state. Where nationalists might have cheered at Berlin's military successes in the 1866 armed conflict because of the possible implications for German unification, Planck looked back at the war with revulsion. On July 27th, 1866, a day after the signing of the preliminary peace, he condemned the Prussian annexations as suppression of the "*Bruderstammes im Norden*" and labeled the conflict as a civil war. The professor continued with the expectation that the *Kleinstaaterei* – in other words, the sovereignty of the minor German states – was at an end, a statement that would prove to be of prophetic value. He criticized the nationalists for chasing after German unification without questioning what the German nation-state to-be should entail on a moral and philosophical level. As a result of a headlong pursuit of their ideals, Planck argued, the nationalists had enabled Prussia to submit Germany in a compulsory and violent manner, causing the south to be permanently surrendered to northern dominance. He denounced the "mechanical" north and saw no upside of a unification with Prussia. The professor concluded that, if southern Germany was genuinely interested in German unification, it should happen in a justified manner, which – for him – meant resisting the forced attempts by Prussia by thoroughly thinking the process through, allowing the south to define the identity of the future German nation-state for a proportion representative of the region's size. Only then, Planck believed, could the dangers of particularism and a mechanical unitary state both be simultaneously averted.³⁶

This tendency towards particularism, putting the regional interests above the national issues, was beginning to cause issues between the minor German states. Particularism had been strong in the German Confederation. While idealist intellectuals and nationalist members of the *Landtage* were plotting their way towards German unification, the actual governments in the German nation were mostly concerned about their sovereignty and security: Munich put Bavaria's interests first, Dresden was preoccupied with the issues of Saxony, and so forth. Whereas in northern Germany, Prussia was steadily overcoming the other states during 1866 by sheer military power, outright annexations and founding the North German Confederation, the political entities of the south kept one another in balance, therefore they also kept each other weak. The Prussian aggrandizement during the course of the *Deutscher Krieg* could have galvanized Bavaria, Württemberg, Baden and Hesse into common action. In the face of

³⁶ J.E. Ling, 'Sechs Vorträge, gehalten in Lokale der Bürgergesellschaft zu Ulm (1866)', *Die nationalpolitische Publizistik*, 109-110, there: 109.

aggression from the north, southern Germany could have bonded more strongly in order to be able to provide a counterweight to Berlin. Particularism prevented all of this.

Others in the Kingdom of Württemberg also displayed antagonism towards northern Germany, just like professor Planck. The *Mainlinie*, by nationalists perceived as a foreign-imposed border dividing the German nation, was a natural demarcation, according to a magazine published in that kingdom in the autumn of 1866. Its editors claimed to have detected an extensive political, cultural and scientific gap between northern and southern Germany from the beginning of the decade. According to them, this was caused by a fundamentally different view on history, religion, philosophy and aesthetics. With disgust, the magazine spoke about Prussia as trying to be modern and freedom-loving, whilst maintaining theocratic, feudal and absolutistic elements. The editorial continued with a rejection of Berlin's emphasis on strict authority and military hierarchy. It concluded with claiming that all this was different from southern Germany, where philosophy and art were still valued. The inhabitants of Swabia, the ancient Germanic region that was now covered by Württemberg and western Bavaria, were historically destined to lead the south of Germany in a spiritual and moral way, according to this magazine.³⁷ Though using a different vocabulary, its editors seemed to have subscribed to the same school of thought as Planck, namely a conservative and Romanticist perspective on southern Germany. For these intellectuals, it seemed logical for this region to stay independent from the "mechanical" north and particularly desirable to stay away from the rational and protestant Prussian kingdom. The thought of unification with the North German Confederation abhorred them on a philosophical, religious and spiritual level.

Not everyone in Württemberg was anti-Berlin, but its nationalist inhabitants also noticed the enmity of southern Germany towards Prussia. Though some nationalists viewed the unification under the leadership of that kingdom as probable and desirable, others – such as August Ludwig Reyscher, jurist and politician – hoped that such an outcome was a possibility in the future but feared that the national project was also in danger of taking a turn for the worse. He dreaded the eventuality that Berlin might hold off on unifying Germany because of the "*feindlichen Stimmung im Süden*". If the nationalists were to achieve their dreams, they had best set about changing the sentiment in the south, Reyscher argued – quite fittingly, with the previously mentioned magazine selling copies at the time in his home state of Württemberg. This nationalist jurist was frightened by the firmness with which the kingdom he lived in kept proclaiming its sovereignty, even in the wake of the events of the summer of 1866. The fervor displayed when the rights and peculiarities of the "*süddeutsche Stämme*" were defended gave him reason to doubt the willingness of Berlin to unite the German nation. If the regional identity of the grand duchies and kingdoms of southern Germany was to be

³⁷ anon., 'Strauß und der Gothaismus' (Stuttgart 1866), *Die nationalpolitische Publizistik*, 111, there: 111.

maintained as strictly as its particularists desired, why would Prussia have any interest in integrating with said states, Reyscher questioned somewhat fearfully.³⁸

Otto Wigand, a Saxon publisher used even stronger expressions in 1867 when he spoke of “*in Süddeutschland weit verbreiteten Preußenhaß*”. He perceived the amount of opponents to a Prussian-led German unification as so numerous that he was able to identify four categories in their ranks. According to Wigand, this group consisted of *Gefühlspolitiker*, formal *Rechtspolitiker*, *Moralpolitiker*, and the confessional politicians. The first category viewed the Austro-Prussian War as a *Bruderkrieg* and frowned upon the Prussian annexations of a number of minor northern German states. The *Rechtspolitiker* used the formal point of view of international law, by which standards Prussia had operated technically illegally in the build-up to the war of 1866. The third category argued, or so Wigand stated, that power trumped law in the Kingdom of Prussia – an accusation of a moral nature, that Planck and the magazine from Württemberg might well have agreed with. Lastly, the confessional politicians in southern Germany were concerned about the status of the Catholic Church in the predominantly protestant North German Confederation.³⁹ Albeit rather arbitrary, this classification showed that there was a multitude of groups in southern German politics disagreeing with nationalists such as Lange. Whereas the latter category was enthusiastic, sometimes even evangelical, about unification, this Saxon publisher pointed out at least four other groups that had reason to regard Prussia with disdain, distrust or disgust. Not all members of these groups were necessarily opposed to the principle of German unification. They simply didn’t want to see the Prussian kingdom spearheading the process. One mantra, widespread through southern Germany during these years, summarized this rationale rather comprehensibly: “*Wir wollen Deutsche sein, aber nicht Preußische!*”⁴⁰

Yet, even in Berlin, not everyone was of the opinion that the events of 1866 should or could be a lead-up towards German unification. While nationalists obviously hoped and planned for such a move in the aftermath of the Austro-Prussian War, conservatives voiced concern mixed with disbelief about such a future. In September 1866, Ernst Ludwig von Gerlach, a Prussian editor, published a booklet which stresses that German unification was not necessarily logical, useful or desirable. He stated that Germany south of the Main river was technically foreign territory for the North German Confederation and should be treated as such. Next, he scorned nationalist thinking for viewing every development in German affairs as a

³⁸ A. Kröner, ‘Die Ursachen des Deutschen Krieges und seine Folgen’ (Stuttgart 1867), *Die nationalpolitische Publizistik*, 115-117, there: 115-116.

³⁹ O. Wigand, ‘Der Preußenhaß. Beleuchtet von einem Süddeutschen’ (Leipzig 1867), *Die nationalpolitische Publizistik*, 113-114, there: 113.

⁴⁰ H.W. Schlaich, ‘Bayern und Deutschland nach dem Prager Frieden. Die deutsche Frage im Spiegel der nationalpolitischen Publizistik 1866/67’, in: R. van Dülmen, *Gesellschaft und Herrschaft. Forschungen zu sozial- und landesgeschichtlichen Problemen vornehmlich in Bayern* (Munich 1969) 301-338, there: 313.

step towards unification. Why would the *Südstaaten* only consider integrating with northern Germany, rather than building their own *Bund* or uniting with Austria, Switzerland, or even France, Von Gerlach asked. He argued that, with the right vicissitudes of politics and war, Napoléon III could genuinely contemplate building a *Rheinbund* with southern Germany to prop up the security of the region as well as France's own geographical situation. For this Prussian editor, integration of the south with the North German Confederation was just an eventuality, and an unlikely one at that. According to Von Gerlach, the southern German sovereigns and their conservative subjects had precious little to gain from national unification and could just as well integrate with one another as opposed to linking up with northern Germany or the Kingdom of Prussia.⁴¹

Particularism triumphant yet self-defeating

Particularism, however, was too strong a force in the region and prevented thorough planning in unison by the southern states. Not only did a South German Confederation fail to materialize, which would have been a logical answer to its northern counterpart, but the four states that were excluded from this Prussian state-building endeavor also had wildly different attitudes towards Berlin, the other states in the north, and German unification altogether. Hesse, for example, was ruled by an anti-Prussian grand duke, Louis III (r. 1848-1877), who opposed any nationalist unification attempt, and Reinhard Carl Friedrich von Dalwigk (1802-1880), a reactionary prime minister from 1850 to 1871, who openly presented himself as an "*unpatriotischer Partikularist*" and hoped for a large European war involving France and Austria, after which the settlement that Prussia was forcing upon Central Europe during 1866 could be overturned. The Hessian grand duke counted on his family ties with the imperial houses of France and Russia to keep him safe from actual Prussian military aggression, while his prime minister was also concerned about the financial ramifications of army reforms caused by following Franckh's example, the Bavarian Minister of War.⁴² The Grand Duchy of Baden, on the other hand, enjoyed the combination of having a liberal prime minister, Karl Mathy (1807-1868), who led a parliamentary majority at the time that was unmistakably "*einigungswillig, pro-preußisch, anschlussgeneigt*", and a sovereign, Frederick I (r. 1858-1907), who happened to be the son-in-law of Wilhelm I, king of Prussia – needless to say, Baden was one of Berlin's staunchest allies in the south and might well have joined the North German Confederation in 1866, would the international context of the Peace of Prague, and particularly France, have allowed it.⁴³

⁴¹ E.L. von Gerlach, *Die Annexionen und der Norddeutsche Bund* (Berlin 1866) 24.

⁴² Wilhelm, *Das Verhältnis*, 24.

⁴³ Nipperdey, *Deutsche Geschichte*, 18.

In Württemberg, the situation was more complicated. The political sentiment in the kingdom was more of a grey area, rather than strongly pro-Prussia, such as Baden, or vehemently opposing Berlin, such as Hesse. First of all, Oskar von Hardegg (1815-1877), the war minister of Württemberg from 1866 to 1867, wasn't as interested in considering military reforms as his Bavarian colleague Pranckh, mainly because his military had just been reorganized in the spring of 1866. Hardegg did send a note, however, to the Württemberg Ministry of Foreign Affairs, on August 8th, 1866, less than a week before the signing of the *Schutz- und Trutzbündnis* between his kingdom and that of Prussia. In it, Hardegg proposed to create a supreme command for southern Germany as soon as the war was over, which would be manned by officers from all over the region and would be in a position to harmonize the southern militaries in terms of armaments and logistics. The plan received zero response from the ministry and a negative response from Karl von Varnbüler (1809-1889), the leading *Staatsminister* of the Kingdom of Württemberg from 1864 to 1870, who occupied a position comparable to that of prime minister in other countries and was senior to Hardegg. Varnbüler feared the project might threaten the relation with the North German Confederation and doubted the willingness of the other southern German states to consent to Hardegg's ideas. That's why Varnbüler called the scheme of his war minister to an early halt. It could have turned out to be the lead-up to a South German Confederation, thus proving Prussian conservatives such as Von Gerlach right, but because Varnbüler torpedoed it Bavaria, Baden and Hesse never even got to know of the plan, let alone acquiesce it.⁴⁴

Munich took yet another position in the aftermath of the Austro-Prussian War and the debate about *Deutschlandpolitik* that was growing ever more intense. The Prince of Hohenlohe (1819-1901) started serving as Prime Minister of Bavaria from late 1866 and he was initially neither interested in a Hessian-like policy of staying as strictly sovereign as possible nor in an independent southern Germany, the likes of which Hardegg ultimately hoped to realize. Hohenlohe simply recognized Prussia and the North German Confederation as a power that was not to be neglected, hence the Kingdom of Bavaria should cooperate and align with it as much as possible. He thought it futile to resist Bismarck's attempts to strengthen Prussia's position in Europe, but simultaneously accepted that the international context wouldn't allow Bavaria to unite with northern Germany. For the moment, the Bavarian sovereignty had to be maintained and Hohenlohe set out to do just that at the beginning of 1867, without strongly supporting or opposing Prussia.⁴⁵

Obviously, the *Südstaate* did not reach an agreement on the optimal course of action in the aftermath of the 1866 armed conflict they participated in. If anything, these disagreements caused increased particularism, which in turn caused more disagreement. This

⁴⁴ Wilhelm, *Das Verhältnis*, 19.

⁴⁵ Nipperdey, *Deutsche Geschichte*, 18.

kept the four states weak in comparison with a Prussia that had grown vastly in size and power during the course of 1866. A little less particularism could have given a lifeline to the formation of a southern bloc, as Prussian conservatives thought feasible and Hardegg viewed desirable. Such a federation in the south could have had the power to resist or delay further Prussian unification or nationalist integration attempts. However, as much as Hesse under Louis III and Dalwigk wanted to oppose Berlin, their uncooperative and radical point of view ultimately left them isolated and the south divided. The Hessian prime minister was quite clear on how he viewed giving anything to Prussia: when asked how he thought about financially and logistically contributing to the military organization that Berlin was forcing upon the southern German states, he answered that it was “*Geld, das man besser verwenden könne, zum Fenster hinauswerfen*”.⁴⁶ Needless to say that opinions in southern Germany, both on a personal as well as an institutional level, differed greatly in the period directly following the *Deutscher Krieg*. Coordinated action by southern Germany seemed, at least during late 1866 and early 1867, impossible. The one thing Bavaria, Württemberg, Baden and Hesse did in common was signing the *Schutz- und Trutzbündnisse* with Prussia, and they didn't even do that openly or together – they were four separate bilateral treaties.

The sovereignty that the states of southern Germany sought to maintain cost them dearly in the end. As one nationalist from Baden predicted already in October 1866: “*Der Traum von der Neutralität der Südstaaten ist eine Illusion*”.⁴⁷ As much as nationalists were preaching the legitimacy and necessity of a German unification, they did not manage to convince all their *deutschen Brüdern*, as they were so fond of calling them. Nationalist liberals increased the gravity of their nationalist preaching during 1867 and started using terminology like “*deutsche Mission*”, the mandate to unify the German nation. According to them, this mission had to be accomplished by the Kingdom of Prussia, since the Austrian Empire had failed during the war and Bavaria and Saxony were not up for the task. In liberal thinking, whoever did not take the question of uniting the German people seriously, was “*kaum ein minder gefährlicher Feind*” of Germany than the Frenchmen⁴⁸ – once again showing that Paris was the ultimate enemy in a German nationalist perspective. In an unflinching stream of requests, debates, petitions and other writings, the nationalist lobby stepped up their game after the Austro-Prussian War. At long last, their dreams seemed to come true. Only the *Mainlinie*, that wretched French construct in their eyes, was standing in their way.

⁴⁶ quoted in: Wilhelm, *Das Verhältnis*, 24.

⁴⁷ C. Winter, ‘Eine Stimme aus Süddeutschland diesseits der Mainlinie. Als Mahnruf an Preußen. Von einem Süddeutschen, gewesenem Mitgliede des Erfurter Unionsparlaments’ (Heidelberg 1866), *Die nationalpolitische Publizistik*, 110, there: 110.

⁴⁸ C.H. Beck, ‘Über den Anschluß Süddeutschlands an den norddeutschen Bund. Betrachtungen eines Süddeutschen im Spätherbste 1866’ (Nördlingen 1867), *Die nationalpolitische Publizistik*, 111-113, there: 111-112.

2 The Zollverein

Inside the framework of both the German Confederation and the North German Confederation, another institution operated with great effectiveness: the customs union, known as the *Zollverein*. This union was of vital importance if the German nation was to have a functional common economy. As late as 1790, the territory that would become the Second German Empire in 1871 had contained over 1,800 customs barriers and tolls, greatly hampering trade between the German states. Inside any given German principality, the situation had not been much better: at the start of the nineteenth century, the Kingdom of Prussia itself had used 67 different tariffs. A shipment sent in this period from Königsberg, in East Prussia, to Cologne, next to the Rhine – both Prussian territory – passed 80 border controls and was checked and tolled as many times. Even a trip from Dresden to Magdeburg, which is less than 250 kilometers, went through sixteen customs stations at the time.⁴⁹ Needless to say, a single market was far off for the German people when the German Confederation was founded in 1815.

The victors of that year, the nations which had defeated Napoléon I once and for all, acknowledged this fact. Article 19 of the Congress of Vienna dealt with the economic situation in Central Europe and called upon the German states to strive for and facilitate more trade and traffic between them. Prussia took the lead and passed a customs act in 1818, establishing a single market within that kingdom. This step inspired politicians within the Confederation to propose a similar course of action, but the example of Berlin was not that easily followed. For example, conservative and reactionary members of the Bavarian *Landtag* put up fierce resistance to proposals of Munich to follow Prussia's footsteps in this regard. They were afraid it would turn out to be a trailblazer for further integration of the south with central and northern Germany. Even an internal single market posed a threat to Bavarian sovereignty for them, because it implied doing things the Prussian way – a tribute to that strong particularist sentiment in Bavaria which emphasized the desirability and necessity of keeping an ideological distance to Berlin.⁵⁰

In spite of heavy resistance, the Prussian customs union was gradually rolled out through the German Confederation, because its economic benefits were, in the end, unquestioned. Still, the process was painstakingly slow and could count on particularist hostility at every step. Especially the southern states tried to resist economic integration with the north for as long as they could. Bavaria and Württemberg even went so far as to create their own bilateral customs union on January 18th, 1828. In the end though, under pressure both

⁴⁹ F. Siedel, 'Das Armutzproblem im deutschen Vormärz bei Friedrich List', in: H. Kellenbenz (ed.), *Kölner Vorträge zur Sozial- und Wirtschaftsgeschichte* 13 (Cologne 1971) 1-56, there: 4.

⁵⁰ J. Schmidt, *Bayern und das Zollparlament. Politik und Wirtschaft in den letzten Jahren vor der Reichsgründung (1866/67-1870)* (Munich 1973) 2.

externally from Prussia and internally from merchants and traders, even they succumbed to the nationalist customs union campaign. In 1834, the *Zollverein* came into being: all members of the Confederation except protectionist Austria eventually joined this toll union, creating a common market for the German people. A significant step towards integration of the German nation, at least economically speaking, was made.⁵¹ Distrust of Prussia remained high in the south, however: even after the *Zollverein* was already up and running, Bavaria and Württemberg concluded a secret treaty on October 9th, 1834, that would force both states to return to their bilateral union of 1828, should the *Zollverein* fail to effectively materialize.⁵²

Just prior to the *Deutscher Krieg*, the constituent members of the customs union had renegotiated a *Zollvertrag* on May 16th, 1865. The internal political and economic constellation of the single market was directed and altered by treaties such as these. Since they were deliberated upon once every few years, the *Zollverträge* facilitated as well as intensified the discussion about the integration of the German nation, economically and otherwise. This debate left many Germans unsatisfied about the current status of the customs union. Otto von Bismarck, for example, had wanted to change the *Zollverein* from the early 1850s. He was especially aggravated by the seemingly endless southern opposition to any reforms and was looking for ways to reduce the influence of the *Südstaate*. To his anger, every member of the *Zollverein* had veto rights and could thus very easily thwart Prussian plans with it. For years on end, during the late 1850s and early 1860s, Bismarck had reasoned and negotiated with the southern *Zollverein* members on reforms but failed to convince them of the desirability of decreasing their own influence within the customs union.⁵³

The armed conflict of 1866 changed the power relations within the German nation. Quite a lot of members of the Confederation had joined either Prussia or Austria in the war, creating the peculiar situation of a political and military status of war within an economic union. Since the Austro-Prussian War was short, the issues it caused for the survival of the *Zollverein* evaporated before a political or economic solution could be found. The customs union was still in effect after the summer of 1866, but most confederate members joined the new North German Confederation. The aftermath of the conflict, then, spawned a complicated situation for the economic future of the German nation. The question of what was to be done with the *Zollverein* states that were part of the old confederation but didn't join the new one, i.e. the south, was to plague German politicians – Bavarian and Prussian policy-makers, in particular – over the end of 1866 and the beginning of 1867. With the *Vorherrschaft* now firmly in Prussian hands, Bismarck was in a position to force the reforms to the customs union he had been trying to accomplish for so long. This situation was comparable with the Austrian territorial gains,

⁵¹ Nipperdey, *Deutsche Geschichte*, 20.

⁵² Schmidt, *Bayern und das Zollparlament*, 6.

⁵³ Schmidt, *Bayern und das Zollparlament*, 26-27.

however, which he was forced to go easy on by the international diplomatic context – in the end, he had to give back all of it. He had to be careful not to alienate too much the states he was trying to integrate with his newly founded North German Confederation – lest they turn away from the project altogether.

Though most parties involved were convinced of the economic benefits of continuing the *Zollverein* with the North German Confederation, Bavaria, Württemberg, Baden and Hesse, others were of the opinion that the *Bruderkrieg* had torn apart all existing treaties. From this perspective, the economic unity of the German people should be renegotiated. To take away lawful complaints like this, Prussia resigned the earlier *Zollvertrag* of May 16th, 1865 with all constituent members in August 1866. This maintained the moral and judicial respect of the customs union, sidelining those of the opinion that the war had terminated all earlier economic agreements. This move did not put an end to the *Zollverein* debate; rather, it reenergized it. Economists added to this discussion that the customs union, while beneficial to the internal market, was hurting and hampering trade with France and Italy and therefore deserved renovation, whereas politicians were concerned that the *Zollverein* could count on little popular support, though it was theoretically raising the standard of living of every German. In short, from numerous sides requests were voiced during late 1866 for a reform of the economic integration of the German nation.⁵⁴

Negotiating a new *Zollvertrag*

The new Prime Minister of Bavaria, the Prince of Hohenlohe, who came into office on December 31st, 1866, tried to capitalize on the exploding *Zollverein* debate by proposing a “*weitere Bund*”. Not content with a customs union that only dealt with tolls and economic questions, he wanted to expand it with further competencies in the areas of traffic, transportation and justice. Respecting the post-*Bruderkrieg* status quo, Hohenlohe went out of his way to emphasize his proposal was just a small expansion of the *Zollverein*’s jurisdiction rather than another step towards integration with the North German Confederation. Dreading the prospect of a misinterpretation by anti-Prussian elements in Bavaria after the war, time and time again he tried to explain that he was not scheming for the German national project – something the conservatives of his electorate kept suspecting him from. With eloquent wordplay, the Bavarian Prime Minister summarized his plan as more *staatenbündisch* than *bundesstaatlich*. A major point in his idea was that decisions made by the *Zollverein* had to be ratified by the *Landtage* of the southern German states, maintaining popular legitimacy.⁵⁵

Despite his oratory skills, Hohenlohe had a hard time selling this idea in Bavaria, especially in early 1867 – just months after the defeat inflicted upon the kingdom at the hands

⁵⁴ W. Schübelin, ‘Das Zollparlament’, 11-13.

⁵⁵ Nipperdey, *Deutsche Geschichte*, 20.

of Moltke the Elder. As much as he stated that he was just trying to expand the competencies of the *Zollverein* bit by bit, the Bavarian *Landtag* remained worried about where this might lead in the distant future. Hohenlohe kept preaching his maxim of maintaining the status quo and – above all – Bavarian sovereignty, but the second chamber of the Bavarian parliament questioned the fresh prime minister over and over again about his true motives. Finally, on January 19th, 1867, in a speech there, he was forced to admit that – on a strategic level, at least – he was looking to initiate the process that would ultimately end up with all the German states in one political body, one way or the other. Still trying to ease particularist fears, Hohenlohe added that this did not necessarily imply submitting to a Prussian-led unitary state but that his wish could also come to fruition in the form of a *Staatenbund* or loose confederation.⁵⁶

The fresh prime minister danced dangerously close to the fire by being so *anschlusgeneigt* in his rather particularist parliament. His reasons for doing so were made clear in his speech as well. Hohenlohe observed that “[n]ach der Auflösung des deutschen Bundes und mit der Austritte Oesterreichs aus Deutschland ist die Stellung der deutschen Mittelstaaten vollkommen verändert und unläugbar gefährdet”. The developments of 1866 had worsened the security situation of Bavaria as well as the other southern German states. This left Hohenlohe no other option than to strive for “*die Erhaltung Deutschlands, die Einigung der Gesamtzahl der deutschen Stämme ... zu einem Bunde, geschützt nach Außen durch eine kräftige Centralgewalt ... unter gleichzeitiger Wahrung der Integrität des Staates und der Krone Bayern*”. Obviously, the new prime minister was looking for security solutions in foreign policy. The disbandment of the German Confederation had left southern Germany out in the cold and as much as Hohenlohe proclaimed he worked to maintain Bavarian sovereignty, he thought it dangerous and even foolish to remain isolated. In other words, Munich was looking for partners and according to its prime minister there was only candidate: “*Der Großstaat aber, an welchen Bayern sich anzuschließen und als dessen Bundesgenossen im Falle eines Krieges gegen das Ausland es sich offen zu erklären hat, ist Preußen*”. Bitterly aware of the fact that France had forced Prussia to exclude southern Germany from a new Confederation in 1866, Hohenlohe argued that his goal could still be reached by accomplishing a “*würdige und den Interessen des Landes entsprechende Lösung*” in “*den gewichtigen Fragen über Reorganisation des Zollvereines*” – hence, his enthusiasm for new plans regarding this question.⁵⁷

Opponents of the *weitere Bund* plan outside of Bavaria, including Otto von Bismarck, argued that the reforms Hohenlohe envisioned were not radical enough to reduce the democratic deficit of the *Zollverein*. The ever-ongoing debate about the *Zollverträge* offered a

⁵⁶ Wilhelm, *Das Verhältnis*, 57.

⁵⁷ *Bayerische Zeitung* 20 (1867) 1-2.

solution. Since so many people took part in it, many possibilities and eventualities had been discussed and considered. An old idea, contemplated since 1848, resurfaced and was reintroduced during 1866 and 1867: the customs union was to have an elected parliament. If this came into being, there was no need for the *Landtage* of the south to ratify decisions made by such a *Zollparlament*. For unitarists and nationalists alike, this would be a great way to bypass particularism and still go about it in a democratic manner. In this process, they witnessed an optimal way to appeal to the population in southern Germany without having to go through their respective governments. This would have decreased the weight of the dynasties of the *Südstaate* just as much or even more as Bismarck's reform proposals of the late 1850s and early 1860s.

Unsurprisingly, the idea of a *Zollparlament* met fierce resistance in southern Germany in early 1867. Munich opposed the plan: Hohenlohe was looking to reinvigorate the *Zollverein* as well but a democratic reform such as Bismarck and others envisioned was too big a threat to Bavarian sovereignty for him. He wanted ratification by member states in any *Zollverein* reform that was to come. Württemberg was also against a *Zollparlament*. This kingdom was looking for integration with the North German Confederation but wanted to restrict that to a military level. The other two *Südstaate*, Baden and Hesse, resisted both the *Zollparlament* as well as Hohenlohe's plan for very different reasons. For Hesse both meant increasing Prussian influence over its internal affairs, which was a process it was – in fact – looking to suppress. For Baden, the *Zollparlament* meant the same, but it was actually too small a step in that direction.⁵⁸ The Grand Duchy of Baden was hoping and planning for thorough integration with northern Germany and thought a democratic reform of the customs union not nearly enough to achieve that. The Badensian prime minister, Karl Mathy, was convinced that Prussia would eventually succeed in creating a German nation-state and he absolutely wanted Baden to be a part of it.⁵⁹ For him, the *Zollparlament* was an unnecessary interim solution that didn't actually serve a purpose for his grand duchy.

Recognizing how much the *Zollparlament* discussion was dividing all of Germany, the Kingdom of Prussia tried to work out a democratic solution that would be beneficial for all constituent members. With the exception of hardline reform opponents such as Hesse, all parties were convinced that such a reform was necessary. The democratic deficit was increasingly perceived as a threat and the risk of the southern states returning to their own customs union was an economic nightmare for the North German Confederation. As a result, as much as Bismarck wanted to reform the *Zollverein* into something that aligned with Prussian interests, he had to convince the other parties that his plan was beneficial for them as well – regardless of whether that was true or not. In order to accommodate the southern

⁵⁸ Nipperdey, *Deutsche Geschichte*, 20.

⁵⁹ Schübelin, 'Das Zollparlament', 18.

Zollparlament opponents, the Prussian prime minister forged a compromise between the independent customs union parliament he envisioned and Hohenlohe's steady yet slight expansion of the *Zollverein's* legal competencies. On January 31st, 1867, Bismarck came up with a solution where, on economic matters, representatives of the *Südstaate* could attend and participate in the *Reichstag* of the new North German Confederation. By offering a proportional amount of weight to the southern speakers, he hoped to offer them an appealing platform where they could join their northern colleagues in debates on financial affairs. Borrowing from the political vocabulary of his Bavarian colleague Hohenlohe, Bismarck spoke of a "*weitere Reichstag*". Meanwhile, since Prussia exclusively enjoyed veto powers in this *Reichstag*, the Prussian prime minister had finally found a way to take the southern vetoes away.⁶⁰

With Bismarck slowly but steadily becoming the main protagonist of the *Zollparlament* plan – albeit modified – over the course of the first months of 1867, the Bavarian prime minister became his main competitor, with his plan for a *weitere Bund*. Whereas Bismarck had hoped to outmaneuver him by giving Bavaria ample mass in the *Reichstag*, Hohenlohe was still concerned about the possible limitations that it might imply for Munich's influence. The *Reichstag* was an excellent platform where he could secure his kingdom's interests, but Hohenlohe was not that easily fooled. The removal of veto power of Bavaria sounded as nothing less than ultimately surrendering to northern German interests – at least as far as economic matters were concerned. Therefore, the Bavarian prime minister started searching for common ground with the other southern German opponents of the *Zollparlament*. He tried to poach the Kingdom of Württemberg to subscribe to his vision. So far it had not supported his project but was not principally opposed to it, like Baden or Hesse. Hohenlohe, then, travelled to its capital Stuttgart in order to meet with his colleague Varnbüler. On February 5th, 1867, Hohenlohe spoke to him in strong terms: "*Ich kann mich von der Idee nicht trennen, daß das Parlament zum Anschluß an den Norddeutschen Bund und in den Einheitsstaat führt*". The Bavarian prime minister concluded the conversation with Varnbüler even more succinctly: "*Die parlamentarische Verbindung mit dem Norden wird uns zu Preußen machen*".⁶¹ Obviously, Bavaria's stance on inter-German cooperation and integration hadn't changed much since 1818, when the Prussian single market was created, frightening policy makers in Munich.

Varnbüler, the leading minister of Württemberg – an office comparable to that of prime minister – at the time, shared the fears of his Bavarian colleague. However, when the future of the *Zollverein* was concerned he tried to be more realistic than Hohenlohe. Varnbüler deemed the southern vetoes impossible to retain and had accepted the prospect he was going to lose his kingdom's veto power in an upcoming customs union reform. He was just as concerned with maintaining southern sovereignty as the Bavarian prime minister and was therefore

⁶⁰ Schübelin, 'Das Zollparlament', 14-15.

⁶¹ quoted in: Wilhelm, *Das Verhältnis*, 68.

opposed to a *Zollparlament*. For Varnbüler, the most desirable way to go forward with the *Zollverträge* was the formation of *Zollausschüsse*, tariff committees in which representatives of the southern *Landtage* and the North German Confederation's *Reichstag* would be seated proportionate to the population of the states they came from.⁶² Though he did not envision to place these committees under supervision of the northern *Reichstag* or to have its members democratically elected, Varnbüler evidently leaned more towards Bismarck's *weitere Reichstag* concept than Hohenlohe's *weitere Bund* plan. As a result, no agreement was reached in Stuttgart between the kingdoms of Bavaria and Württemberg in February 1867.

The pragmatic outlook of Varnbüler on the economic future of the German nation inspired Hohenlohe later on. During the same month still, his rhetoric changed and seemingly started to accept that, especially on an economic level, northern Germany was going to take away at least some of the sovereignty of the Kingdom of Bavaria. On February 24th, 1867, Hohenlohe spoke to a Prussian diplomat, Georg von Werthern-Beichlingen (1816-1895), about the maxims of Bavaria's foreign policy. In this meeting the kingdom's prime minister stated that his first and foremost duty was to make everything work towards the independence of Bavaria and the sovereignty of its dynasty. Hohenlohe expressed the wish for an international alliance with the North German Confederation, simultaneously hoping to maintain Bavarian moral, economic and military power. He doubted, however, if that solution would genuinely ensure the sovereignty of his kingdom in the long term. To Werthern-Beichlingen, he complained: "*Wäre Bayern ein Staat, der sich selbst genügen könnte, wären wir in volkswirtschaftlicher Beziehung auf uns allein angewiesen und in der Lage, unabhängig und getrennt vom übrigen Deutschland wie die Schweiz oder Belgien zu bestehen, so würde die Gefahr geringer sein. Allein wir stehen in so enger historischer, nationaler und kommerzieller Verbindung mit dem übrigen Deutschland, daß die Gefahren in einer Isolierung ..., unsere politische Stellung und unsere materiellen Interessen in gleichem Maße gefährden würde*".⁶³ Obviously, the economic reality was taking its toll on the fortitude of the Bavarian prime minister. Desperately trying to improve his kingdom's economic standing whilst maintaining its sovereignty, he gradually came to accept the fact that the two seemed irreconcilable.

There were others who voiced their objections to the *Zollparlament* not with economic arguments, but using moral and philosophical reasoning. In doing this, they used the Swabian school of thought as preached by professor Planck on July 27th, 1866. This ideology rejected the notion of integrating with northern Germany on the basis of the south – in other words, Swabia – being spiritually, culturally and religiously different from the North German Confederation. This reasoning drew increasing irritation and hostility, especially in Prussia. The *Berliner Revue* published a scathing analysis of the Swabians on April 18th, 1867. Its very

⁶² Schübelin, 'Das Zollparlament', 20-21.

⁶³ quoted in: Schmidt, *Bayern und das Zollparlament*, 45.

first sentence read “[v]on allen Deutschen sind die Schwaben die am wenigsten deutschen!”. The point of the article revolves around a complaint that the Swabians will never join the new Confederation unless they would be forced to do so. In a shocking example of the dialogue conducted between northern and southern Germany, the *Revue* remarked that, rather than taking the “*erste Platz unter der deutschen Stämmen*”, a Swabian “*beschwert ... sich in bitterem Argwohn gegen Preußen, daß dieses bei einem etwaigen Kriege mit dem Franzosen die Schwaben als Kanonenfutter in die erste Linie würde stellen wollen, wozu sie aber nicht die geringste Lust hätten*”. Fearfully, the magazine prophesized: “[m]an gebe den Schwaben den gesicherten Besitz des Zollverbandes mit Norddeutschland, und man wird eine stärkere Scheidelinie zwischen ihnen und dem Norden ziehen, als es die vielverschiedene Mainlinie jemals geworden wäre” – the inexcusable existence of the *Mainlinie* to nationalists once again strongly demonstrated. The accusations mounted as the article ran on, concluding “*daß in Schwaben ein selbstüchtiger, zugleich von einer unglaublichen Selbstgenügsamkeit und Selbstüberschätzung getragener und gefärbter Partikularismus in höchster Blüte steht*”.⁶⁴ Certainly, frustration about and hostility towards particularism was growing in the Kingdom of Prussia. Pressure on the major participants in the *Zollverträge* negotiations increased unabatingly.

Therefore, in the spring of 1867, the kingdoms of Württemberg and Bavaria were driven more closely together. Hohenlohe tried to persuade his monarch, king Ludwig II of Bavaria (r. 1864-1886), multiple times to accept some form of parliamentary representation in a future customs union reform, to no avail. Varnbüler, in turn, saw his project for the *Zollausschüsse* receiving little to no enthusiasm. On the contrary, as time passed by, Bismarck was increasingly convinced that a new *Zollvertrag* would need to place the customs union under *Reichstag* supervision – something Württemberg was still vehemently opposing. As a result, Hohenlohe and Varnbüler finally found common ground, hoping to resist growing Prussian and Badensian pressure to give the *Zollverein* a democratic body. Together, the two prime ministers declared on May 6th, 1867, that any further decisions regarding the customs union would still be dependent on the approval of the *Landtage* of the south. This meant retaining *de facto* veto power for the southern states and, more importantly, explicitly rejecting any notion of a *Zollparlament* or *Reichstag* supervision.⁶⁵

A Zollverein conference

The Prussian government was appalled that its pressure on southern Germany had somehow welded Bavaria and Württemberg into a bloc. The resistance of both kingdoms forced Bismarck

⁶⁴ ‘Die Schwaben’, in: G. Hickethier (ed.), *Berliner Revue. Social-politische Wochenschrift* 49 (Berlin 1867) 44-50, there: 44-45.

⁶⁵ Schübelin, ‘Das Zollparlament’, 35.

to try a different approach. Rather than going to and fro with different proposals between Berlin and the southern capitals, which were also negotiating plans with one another, he decided to get all parties involved together in Berlin. Thus a *Zollkonferenz* commenced at 14:00 on June 3rd, 1867. Rather than extensively deliberating with the representatives of Bavaria, Württemberg, Baden and Hesse, the Prussian prime minister simply presented a draft on the very first day, punctuating that the four states of the south, when economic and financial matters were discussed, were to attend *Bundesrat* and *Reichstag* meetings – the upper and lower chamber of the North German Confederation, respectively. Of course Hohenlohe protested bitterly against this draft, but Bismarck was unimpressed. The latter quite clearly informed his Bavarian colleague that he had to cooperate on this proposal or should choose to build a southern German *Zollverein*. The second option was obviously unimaginable for Bavaria, as Hohenlohe had already communicated to the Prussian emissary Werthern-Beichlingen in February earlier that year. It was made even more unattainable by the fact Württemberg and Baden agreed to Bismarck's plan on the same day it was presented; Hesse, then, felt forced to join them four days later, on June 7th, 1867. The Prussian prime minister had escalated the conference into a crisis from the get-go and within hours Hohenlohe seemed cornered and without options.⁶⁶

The true character of the *Zollkonferenz* was made pointedly clear by a newspaper from Coburg, part of the North German Confederation. The conference was never intended to be the ultimate showdown between Bismarck and Hohenlohe, where both would be able to work out a compromise. The Prussian prime minister had meant for the conference to force the southern states to accept his point of view. On top of that, he left for Paris to join his king on a state visit to the French empire, leaving the four southern ministers with the options of accepting or rejecting only – no further room for deliberation was available. The quartet had basically been summoned to Berlin to subscribe to the plan for a *Zollparlament*, as pointed out in the *Coburger Zeitung* of June 5th, 1867: "*Man hält die Annahme der Grundlagen durch Zuziehung von süddeutschen Abgeordneten zu dem erweiteren Reichstage ad hoc für wahrscheinlich*". Clarifying Hohenlohe's position after the consent of Württemberg and Baden, the paper wrote two days later that "[d]er Vertrag ist indeß keineswegs von Bayerns Beitritt abhängig gemacht, und da Bayerns isolirte Stellung unhaltbar wäre, so ist schon deswegen gegründete Hoffnung vorhanden, daß Bayern schließlich keine Schwierigkeit erheben werde".⁶⁷ Obviously, the dilemma the Bavarian prime minister found himself in during the *Zollkonferenz* was well-known. Hohenlohe had vehemently opposed the draft during the early hours of the meeting, but Bismarck had simply left him with his objections and made way to

⁶⁶ Wilhelm, *Das Verhältnis*, 75.

⁶⁷ *Coburger Zeitung* 134 (1867) 1 & *Coburger Zeitung* 136 (1867) 1.

the French capital. It seemed as if Bavaria was forced to sacrifice some of its sovereignty no matter what.

The Bavarian prime minister had tried his best, but without result. Bismarck's ironic proposal for a southern German *Zollbund*, the apparent willingness of Württemberg and Baden to reach a compromise with Prussia, and the surprising approval by Hesse of Bismarck's proposal illustrated the hopelessness of Hohenlohe's position. Knowing Ludwig II's particularist stance on the matter, the Bavarian prime minister saw no other option than to leave the conference without any concessions and to return to Munich to receive further instructions. Upon arriving, he came under immediate fire by his critics in a cabinet meeting on June 9th, 1867. Contrary to the forecast of the June 7th *Coburger Zeitung*, it seemed like Bavaria was planning on mounting *Schwierigkeit* after. A message from the king, however, turned the discussion. Despite having been a staunch dynasticist up until then, Ludwig apparently had a slight change of mind as a result of the latest development in Berlin. Because their potential allies had changed sides to Bismarck's camp, the monarch saw little opportunity for extorting significant concessions from the Prussian prime minister. Furthermore, the Bavarian king communicated to his cabinet that he had changed his opinion on *Reichstag* supervision. Although he had always opposed, in particularist fashion, making Bavarian affairs subordinate to federal German matters, he was now of the insight that forcing *Zollverein* decrees through *Landtag* ratification, as Hohenlohe's *weitere Bund* plan projected, would achieve the opposite. Ludwig thought it unreasonable to ask such a thing from the Prussian government. That would submit *Reichstag* decisions to Bavarian approval, subjugating the federal level to the regional. Even for a king of a regional power such as Bavaria, this was too extreme a variant of particularist thinking. Consequently, Ludwig argued to his cabinet, Bavaria had just two choices in this situation: accepting the Prussian draft for a *Zollparlament* or leaving the *Zollverein* altogether, without the opportunity of building a customs union of itself, since Württemberg, Baden and Hesse had already agreed to join Bismarck's version.⁶⁸

The cabinet meeting continued in an unordered fashion. Conservative and reactionary ministers present lashed out at Hohenlohe for returning from Berlin with such a terrible dilemma. The prime minister recognized that the economic reality of Bavaria's ties with the rest of Germany had obstructed him in Berlin from safeguarding his kingdom's sovereignty, as his fellow cabinet members would have liked to see him do. Having worked hard to satisfy his critics, Hohenlohe felt defeated by his Prussian colleague. Even though his king seemed to offer a way out, Ludwig's new stance was quite a deviation from Hohenlohe's *weitere Bund* plan, so he could not communicate his monarch's changed opinion to Berlin without losing face. Out of options again, Hohenlohe offered a resignation letter to his monarch – after barely

⁶⁸ Schmidt, *Bayern und das Zollparlament*, 70-72.

six months in office. Ludwig of Bavaria would have none of it, but sent the diplomat Carl von Tauffkirchen (1826-1895) to Berlin instead. The new emissary quickly reached an agreement with Otto von Bismarck on June 18th, 1867 – surprisingly not altering a single thing from the June 3rd draft. Ludwig II officially surrendered to the Prussian agenda for customs union reform. As a subscriber of the new *Zollvertrag*, Bavaria would become part of the reformed *Zollverein*. On financial and economic matters, its representatives would join the *Bundesrat* and *Reichstag* meetings, creating an assembly that was now indeed called the *Zollparlament*. The Kingdom of Bavaria received six seats in the upper house, as opposed to Prussia’s seventeen, and in the lower house it commanded 48 seats, where Prussia occupied 236. The distribution of seats between the members of the *Zollparlament* plainly demonstrated who occupied the *Vorherrschaft*. Berlin’s power spoke unmistakably through the sheer number of votes it could wield in both houses of parliament.⁶⁹

	Bundesrat (upper house)	Reichstag (lower house)
Prussia	17	236
other NGC members	25	61
<i>(subtotal, north/central)</i>	42	297
Bavaria	6	48
Württemberg	4	17
Baden	3	14
Hesse	3	6
<i>(subtotal, south)</i>	16	85
(total)	58	382

Table 1 – The distribution of seats in the *Zollparlament* between the North German Confederation, consisting of Prussia and other states, and the *Südstaate* Bavaria, Württemberg, Baden and Hesse. Note that the *Bundesrat* and *Reichstag* normally consisted of 42 and 297 representatives, respectively, but on financial and economic matters they were joined by the southern delegates, creating – for those occasions – the *Zollparlament* consisting of 58 and 382 members.

A conservative magazine, usually of a particularist mindset, responded disappointed to the recent developments in Berlin. In July 1867, it complained that the proposed reorganization of the *Zollverein* encompassed far-reaching changes for Bavaria. It protested against the power relations in the projected *Zollparlament*: “*nichts wird im neuen Zollverein durchgesetzt und nichts verhindert werden können als was Preußen will oder nicht will*”. Its editors called the agreement between Tauffkirchen and Bismarck a subjugation of Bavaria to Prussia. The

⁶⁹ Schübelin, ‘Das Zollparlament’, 47-49.

article contained an indictment of what it suspected the true nature of the *Zollparlament* to be: “... es ist eine Institution deren absorptive Kraft vom ersten Moment an zu verspüren haben werden. Eine Institution bei der alle Vortheile auf preußischer Seite liegen...; eine Institution bei der alle Andern ihr Veto einbüßen, mit Ausnahme des Mächtigsten im Bunde, ...” As Hohenlohe had suspected and feared, the loss of veto powers in the new *Zollparlament* did not sit well with the particularists in his electorate. This magazine labeled the *Zollkonferenz* a mockery and a puppet-show. To cut to the chase, the article concluded briefly and condemningly: “die oberste Leitung der bayerischen Finanzen und Volkswirtschaft ist nach Berlin verlegt und die maßgebende Richtschnur dieser Leitung ist einzig und allein das preußische Bedürfnis”.⁷⁰ Needless to say, the new *Zollvertrag* was quite unpopular with at least some segments of the conservative demographic in Bavaria.

The *Freiburger Zeitung* of December 1st, 1867, cast more light on the sentiment in southern Germany regarding the *Zollparlament*. The new treaty had just been ratified by the *Landtage* of Bavaria and Württemberg, spawning a storm of protests. Hardline regionalists had hoped that the parliamentary bodies in both kingdoms would thwart the *Zollkonferenz* conditions at the eleventh hour. They were disappointed. The consequences of the ensuing outburst were summarized by said *Freiburger Zeitung*: “Die Zahl derer, die in München und Stuttgart den Anschluß an den Norden als ein ohne alle Vorbehalte an sich durchaus erstrebenswerthes Ziel aufgefaßt haben, ist eine sehr geringe und man sieht daraus, daß der nationale Gedanke in Württemberg und Baiern noch lange nicht in dem Maße erstreckt ist, als in unserem [Baden]”. In both kingdoms, the economic benefits of the *Zollverein* were clear to all, but its new parliament was still viewed with reservations and cautiousness, if not enmity and hostility, by the end of the year. To the description of the current sentiment there, the paper added: “Der Glaube, daß Preußen ein Land des Hungers, der Unkultur, der trostlosesten Knechtschaft, der schrankenlosesten Beamtenwillkür sei, wird noch heute in Baiern und Württemberg mit der schamlosesten Verlogenheit von zahlreichen Federn genährt”.⁷¹ If the observations by the editors of the *Freiburger Zeitung* are representative in any way, an anti-Prussian sentiment was clearly recognizable in southern Germany following the *Zollkonferenz*.

When viewed from a particularist perspective, the turnaround by southern Germany when meeting Bismarck face-to-face seemed like a defeat. For months on end, the *Südstaate* had plotted, planned and projected alternatives for a *Zollverein* reform, alternatives which specifically did not limit their sovereignty. Then, when the *Zollkonferenz* started, Baden and Württemberg submitted to a Prussian-dominated *Zollparlament* within twenty-four hours, Hesse in four days and Bavaria after the duration of two weeks. Berlin booked a score of

⁷⁰ E. Jörg & F. Binder (ed.), ‘Der fortschreitende Mediatisierungs-Proceß im deutschen Süden’, *Historisch-politische Blätter für das katholische Deutschland* 60 (1867) 73-84, there 73-75.

⁷¹ *Freiburger Zeitung* 283 (1867) 2.

diplomatic victories in quick succession during June 1867, seemingly edging ever closer to incorporating all German *Klein- und Mittelstaaten* into a political body under its direction. In less than one year, Otto von Bismarck had not only managed to boot the Austrian emperor out of the Confederation, he had also built a new *Zollverein* and finally accomplished stripping the southern kingdoms and grand duchies of their veto powers. To complete his triumph, all the Prussian prime minister had to do during the second half of 1867 seemed to be holding elections for the sixteen *Bundesrat* and eighty-five *Reichstag* seats the south was allowed to hold – having just been elected in early 1867, the northern seats were already occupied and could simply join the new representatives from southern Germany on *Zollverein* matters.

The *Zollparlament* elections of 1868

German nationalists in southern Germany had high hopes regarding the upcoming *Zollparlamentswahlen*. Like-minded individuals in the North German Confederation had already happily participated in federal *Reichstag* elections there in 1867. Nationalists had gone to those polls in great numbers – delighted they could vote with male universal suffrage for a federal institution, as opposed to the old Confederation's parliament, which members were appointed by the constituent states. In 1868, then, nationalist inhabitants of the four southern German states were glad they received a similar opportunity. They expected an electoral victory, hoping to show the power and size of the unification movement to their more skeptical or conservative fellow citizens. It was expected that nationalist representatives would come to outnumber their opponents, turning the new *Zollparlament* into a forum and instrument for *Deutschlandpolitik*. Bismarck wanted to use such an institution as a significant pressure tool on the *Südstaaten*, longing to eradicate any particularist vestiges in the region.⁷²

The opposition, too, looked towards these elections as more or less a referendum on Prussia's vision regarding the future of Germany. Candidates who were not nationalist, tried to reach out to voters with the message that if they wanted to oppose Bismarck's project, that was now rapidly and publicly unveiling, they should vote for any particularist candidate. As a result, the election achieved a somewhat bipartisan nature: though people could vote for several candidates from a multitude of political parties, the fundamental choice was nationalist or particularist. For example, in the Kingdom of Bavaria, particularist candidates were quick to declare that the election was about one question, and one question only: "*ob Bayern noch länger ein selbständig regierten Staat sein wolle oder eine preußische Provinz*".⁷³ Democrats in the Kingdom of Württemberg voiced their opposition to a unitary state that Prussia might force upon them in the future even more strongly, yet concisely. Their campaign slogan embodied everything they feared a Berlin-led unification of Germany would entail: "*Steuern*

⁷² Nipperdey, *Deutsche Geschichte*, 20-21.

⁷³ Wilhelm, *Das Verhältnis*, 107.

zahlen, Soldat werden, Maulhalten". Liberals, trying to achieve a democratic unification rather than one forced by Prussia but usually overshadowed by the more radical nationalists, tried to step up their game and came up with a reply: "*Von Zollparlament zum Vollparlament*". This battle cry expressed the liberal wish of extending the legal competencies of the *Zollparlament* immediately during its first term, alienating particularists even more than the nationalist candidates did. Clearly there was no middle ground during this *Zollparlamentswahlen* campaign. The liberals could have been a center party in this election, forming a bridge between nationalists and particularist regionalists, but in their efforts to outdo the nationalist candidates they ended up in the same camp as the more radical nationalists and unitarists. The *Vollparlament* idea left the particularists with no other option than to view all the unification movements with the same aversion, whether liberal or nationalist.⁷⁴

Consequently, nationalists and liberals advocating unification were squared against particularists and regionalists preaching conservatism. Southern voters basically had to choose between a "yes" or "no" on further political integration of the German nation, now that the economic homogenization was more or less complete. To all, it was clear that the *Zollparlament* would prove to be a vehicle for this should the unification movement come out on top in the election. The general consensus was that it would, profiting from Bismarck's diplomatic victory during the *Zollkonferenz*. In particularist fashion, the elections were not held on the same date. Every southern state had picked a date for itself, meaning the *Zollparlamentswahlen* were spread out over the winter and early spring of 1868.

The first round was held in the Kingdom of Bavaria, where 48 representatives had to be elected. Results came in on February 10th, 1868. To nearly everyone's surprise, including their own, particularist or regionalist candidates managed to acquire 27 seats in the *Zollparlament*. The unification movement suffered a humiliating defeat in the southern kingdom. All hope was not yet lost for the nationalists, however, as three more elections were to be held. In the Grand Duchy of Baden, the nationalists had enjoyed the full support of unitarist and liberal prime minister Karl Mathy. Therefore, pro-unification candidates assumed they would at least here secure a lot of seats, compensating for the disappointing numbers coming in from Bavaria. On February 18th, 1868, the picture became clear: the nationalist liberals in Baden had managed to win eight seats, leaving six seats for particularist candidates. Though able to claim a victory, nationalists were once again disappointed – surely in liberal Baden, they had hoped to score a landslide victory. On March 19th, then, the unification movement received a confidence boost. Surprisingly, it became clear on that day that particularists in Hesse had won zero seats in the election. The consolation was small, though – six seats, to be precise. Afterwards, all eyes were therefore on the Kingdom of Württemberg,

⁷⁴ Nipperdey, *Deutsche Geschichte*, 21.

where on March 24th, 1868, seventeen *Zollparlament* seats were up for grabs. The nationalists won none. The unitarists – nationalists and liberals alike – overall suffered a staggering loss in southern Germany in the first *Zollparlamentswahlen*. Apparently, the idea of a unified Germany did not, for the moment, enjoy enough popular support. Bismarck's *Zollkonferenz* victory of June 1867 looked a little less impressive after March 1868.⁷⁵

	particularist seats	nationalist seats	(total)
Bavaria (10/02)	27	21	48
Württemberg (24/03)	17	0	17
Baden (18/02)	6	8	14
Hesse (19/03)	0	6	6
(total)	50	35	85

Table 2 – The outcome of the February and March 1868 *Zollparlamentswahlen*, where 85 *Reichstag* seats were to be distributed. Overall, particularist candidates won the election.

Responses to the outcome of the 1868 elections

The character of these *Zollparlamentswahlen*, campaign slogans aside, became even clearer when the results reached the press. A newspaper from Rosenheim, located in the very south of Bavaria, contained a letter of a particularist voter on February 16th, 1868. Explaining his choice, he wrote, using a colorful analogy: “*Wir brauchen dem Preußen nicht ganz und gar so ohne Weiters in dem aufgesperrten Rachen hinein zu rennen, so daß es ihm nur einen Schluck und einen Druck kostet, uns zu verspeisen, und wir uns später, wenn's uns in seinem Bauch schlecht ginge, nicht einmal beklagen könnten, weil's uns selbst so preffirt hat*”. This voter was not principally opposed to further integration with northern Germany, but saw no reason to chase after a *Vollparlament*, as the liberals had cried for during the campaign. He explained his stance thusly: “*Ich bin für ein einiges Deutschland ..., aber eben weil ich für ein einiges Deutschland bin, möcht' ich nicht gerne für ein Aufgehen unseres Bayerlandes in Preußen arbeiten und stimmen, möcht ich uns nicht die Hände binden und 's Maul verstopfen lassen und selber noch dazu helfen*”⁷⁶ – once again showing the fear of bringing in Prussian rule being identical to silencing all resistance to such a regime, similar to the distress expressed by the Württemberg democrats in their slogan. Comparable to Hohenlohe's speech to the Bavarian parliament on January 19th, 1867, when the prime minister explained that defying Prussian-led unification should not be equal to leaving Bavaria diplomatically isolated, this voter also was

⁷⁵ Wilhelm, *Das Verhältnis*, 107-108.

⁷⁶ H.M. Oberlander, ‘Hans Michl Oberlander an seinen Vetter in der Residenz’, *Rosenheimer Anzeiger* 7 (1868) 1-2.

looking for ways to connect his kingdom with the North German Confederation without the total surrender of its sovereignty, in contrast with the future fervent nationalists envisioned.

A liberal Badensian newspaper found reason to celebrate about the election results in that grand duchy. Having displayed its disappointment in the Bavarian election results one day earlier, on February 20th, 1868, it could nonetheless happily proclaim that at least in Baden *“nach langer Nacht der Täuschung und des Aberglaubens ein neuer, goldener Frühlingsmorgen angebrochen ist!”* Pompously, the paper continued that *“[d]er achtzehnte Februar war ein Tag voll hoher Bedeutsamkeit für die Zukunft unseres engeren wie weiteren Vaterlandes; ohne Unterschied des Standes und des Vermögens trat das Volk an die Wahlurne, um aus seiner Mitte einen Vertreter zu wählen für die Vereinigung deutscher Männer...”* Naturally, liberal and unitarist press outlets were looking to make the most out of the apparent victory of the nationalists in the Grand Duchy of Baden. After the dispiriting news that started to reach them from the Kingdom of Bavaria, they needed a confidence boost and found it in the – albeit meagerly – encouraging Badensian election results. Furthermore, the hostility felt by nationalists and liberals alike regarding particularists and, once again, France, was palpable in the analysis of the results in the same newspaper: *“Galt es an diesem Tage nicht, ... für unsere heiligsten Interessen einzustehen und dem engherzigen [und deutschfeindlichen] Particularismus ... , der mit dem erbittertesten Widersacher der deutschen Nation, dem gedemüthigten Imperator an der Seine, auf die schamloseste Art und Weise coquettirt, in aufrichtiger, selbstsuchtsloser Begeisterung für die gute Sache energisch entgegen zu treten?”*⁷⁷ Conspicuously, the intensity of the political debate during the *Zollparlamentswahlen* had reached critical heights. As much as nationalists had pinned their hopes on the results from Hesse and Württemberg, the actual numbers left them reasonably sour.

Frustration in the nationalist camp, therefore, was abundant after March 1868. Wilhelm Wehrenpfennig (1829-1900) was a member of the *Nationalliberale Partei* and a member of the Prussian House of Representatives at the time – as most confederate states, the Kingdom of Prussia kept its own upper and lower chamber of parliament next to the North German Confederation’s *Bundesrat* and *Reichstag*, of which it was of course also a member. On May 2nd, 1868, Wehrenpfennig complained about the situation after the *Zollparlamentswahlen* of that year’s spring. To his disappointment, the particularists and regionalists formed too large a bloc to achieve any expansion of the legal competencies of the *Zollparlament*: *“so dürfen wir uns doch in dieser Gefühlserregung nicht über die Thatsache hinwegsetzen, daß der sehr beschränkte Wirkungskreis dieses Parlaments eben auch die sehr beschränkte Einheit zwischen Süd und Nord darstellt, und daß jene Präsidialmacht weit davon entfernt ist, eine reale Staatsgewalt für das ganze Deutschland zu sein”*. Obviously, the *Zollparlament* had not

⁷⁷ *Freiburger Zeitung* 43 (1868) 1-2.

become the main instrument for *Deutschlandpolitik*. Though the issue was discussed frequently and extensively, the act of giving the customs union a parliament had not created the political vessel for unification, as the nationalists had hoped. A *Vollparlament* looked very unlike to materialize any time soon during 1868. Wehrenpfennig suspected the southern representatives of supporting and clinging onto the *Mainlinie*, the border he and his party deemed artificial and had put in so much effort to erase: “*Die süddeutschen Vertreter im Zollparlament sind der klägliche Beweis für das Fortbestehen der deutschen Zwietracht*”. While expressing his frustration about the seemingly impossible extension of the parliament’s jurisdiction, the so-called *Kompetenzerweiterung*, Hohenlohe appears as the main adversary in Wehrenpfennig’s perspective: “*das Parlament darf in seinem Streben nach Kompetenzerweiterung nicht über die Linie hinausgehen, welche die Freunde des Fürsten Hohenlohe glauben einhalten zu müssen*” – this view is indicative of the emotional hostility felt by nationalists with regard to southern regionalists, because the Bavarian prime minister had, in fact, actually advocated *Kompetenzerweiterung* during 1867 through his *weitere Bund* plan. For Wehrenpfennig, the situation was clear in May 1868. Despondent and disillusioned, he gave up all hope of the *Zollparlament* being a national instrument. Painfully, he concluded: “*Unsere politische Tätigkeit muß sich noch Jahre hindurch auf den Norden konzentrieren*”.⁷⁸

This Prussian *Nationalliberaler* had reason to despair about the national future of the *Zollparlament*. Though he designated Hohenlohe and his Bavarian companions as his nemesis, the representatives from Württemberg garnered quite a name for themselves as well. Emboldened by their total victory in that kingdom, the particularists from that state spoke out very strongly during the first session of the custom union parliament. These seventeen delegates united in an *ad hoc* fraction with the specific aim “*den drohenden Übergriffen des Nordens zu wehren, dem Eintritt der süddeutschen Staaten in der Nordbund Widerstand zu leisten und in den Südstaaten repräsentierten Prinzipien der konstitutionellen Freiheit (...) zu bewahren*”. Evidently, regionalism was running strongly – almost rampant – through the Württemberg parliamentaries. As much as unitarists had dreamed of turning the *Zollparlament* into a channel through which they could bypass remaining vestiges of southern particularism, the first meeting actually showed that their opponents could use this platform just as easily. Contrary to all nationalist intentions, the beginning of the *Zollparlament* brought inter-German differences more painfully to the fore than ever before. The representative from the Ulm electoral district, located in the Kingdom of Württemberg, was Albert Schäffle (1831-1903). On May 22nd, 1868, he explained the reasoning behind the objectives of his particularist colleagues. They were not ultimately fighting the very idea of German unification, he argued,

⁷⁸ W. Wehrenpfennig, ‘Das Zollparlament und seine Kompetenzerweiterung. Eine Warnung vor falschen Wegen’, in: H. von Treitschke & W. Wehrenpfennig (ed.), *Preußische Jahrbücher* 21 (Berlin 1868) 591-600, there: 591-594 & 600.

but the hearts and minds of southern Germany should be won through other means than the “*Reize des jetzigen nordbündischen Militärabsolutismus*”. This message was quite similar to professor Planck’s speech on July 27th, 1866. Both Planck and Schäffle came from Ulm and, though he didn’t use the exact term here, the latter allegedly preached against the “mechanical” north as well. Justifying the fears the Prussian publisher Von Gerlach had expressed in September 1866, Schäffle was not only contesting the necessity or desirability of Berlin leading the German unification, but was also looking abroad for other possibilities. Just as conservatives such as Von Gerlach feared, this delegate from Württemberg stated that “*die deutsche Frage*” could not be solved as long as there was no return to a healthy and friendly relationship with the Austrian empire. Not necessarily meaning that Vienna should come to lead a future German nation-state, this declaration was indeed indicative of the resistance to Prussia in southern Germany during 1868.⁷⁹

As a result of the aggressive stance of this southern German fraction, henceforth forming a front determined to oppose any Prussian proposal, Schäffle’s parliamentary group continually displeased both liberals and nationalists in the North German *Reichstag* after his May 22nd proclamation. He hadn’t been popular in northern Germany to begin with: the *Berliner Revue*, whilst fulminating against southern particularism, had accused him in 1867 of discussing the possibility of deploying the reorganized army of his kingdom against Prussia.⁸⁰ Schäffle’s behavior created a chasm between the southern and northern delegates, something the nationalists had hoped the *Zollparlament* would prevent. Any attempt to *Kompetenzerweiterung* was successfully resisted by anti-unitarist delegates, who could therefore return home satisfied after the first session in Berlin.⁸¹ On the closing of that session, on May 23rd, 1868, president Eduard von Simson (1810-1899) spoke with an optimistic message, ignoring the southern resistance for now: “*Ueber einen Erfolg aber täuschen wir uns nicht: jede neue Woche unseres Zusammenseins hat bei den mannichsachsten Anschauungen das Gefühl unserer innigen Zusammengehörigkeit in uns gesteigert und befestigt, - daß Gefühl, auf dem die Existenz dieses Parlaments beruht. Möge dieses Gefühl sich von diesem Saale über alle Deutschen Gauen verbreiten und den Boden für unsere nächste Zusammenkunft ebnen und erweitern*”.⁸² Clearly not everyone was as downcast about the *Zollparlament’s* achievements as Wehrenpfennig. Its president found reason to be hopeful about future steps it would make. As chairperson of this body he was of course tempted to promote his own institution in order to legitimize it, and thereby his function. The observations

⁷⁹ A. Schäffle, ‘Die erste session des deutschen Zollparlaments’ (1868), *Die nationalpolitische Publizistik*, 341-342, there: 341.

⁸⁰ ‘Die Schwaben’, in: *Berliner Revue* 49, 44-50, there: 47.

⁸¹ Schmidt, *Bayern und das Zollparlament*, 237-240.

⁸² *Preußische Zeitung* 121 (1868) 1.

of the disappointed and pessimistic Wehrenpfennig may therefore have been closer to the truth.

Nonetheless, a conservative newspaper from Prussia, the *Kreuzzeitung*, was also quite optimistic about the results the parliament claimed it had achieved. On May 24th, 1868, it stated: “[e]in Resultat des Zollparlaments aber ist sicher - wir haben viele Beweise dafür. Die Süddeutschen, welche hierher gekommen, haben - wir wissen es zwar nicht gerade von allen - viele und mancherlei Vorurtheile ablegen können, die sie mitbrachten”. Just as Von Simson, this paper was pleased with the reconciling and harmonizing effects of the first session of parliament. The cause for this may have been located in the fact that the *Kreuzzeitung* had become the main artery for the Prussian Conservative Party’s ideas, featuring editors such as Von Gerlach. The newspaper opposed Bismarck’s plans for German unification and saw in the *Zollparlament* a means to the same end, though through a more democratic scenario. Understandably, it therefore reported on the very same day that “[a]uch hier im Norden lebt ein Gefühl, daß Deutschland zusammengehört, und je weniger wir die Vereinigung erzwingen, desto sicherer wird sie kommen. Die Zeit wann und die Form wie, - das ist nicht unsere Sorge”⁸³ – disagreeing with Bismarck’s forceful manners. Given this context, the *Kreuzzeitung* may not have been the most adequate or accurate gauge either of the sentiment regarding the first *Zollparlament* session. To genuinely assess the attitudes or emotions with which the parliamentarians returned to their homes after the first session, particularist delegates offered a more striking example of how the assembly was experienced by less enthusiastic participants.

A delegate from Bavaria, professor Johann Nepomuk Sepp (1816-1909), spoke to a gathering of regionalists in a delighted fashion upon his return in the southern kingdom on July 30th, 1868. He spoke of his experience of the enormous amount of contempt expressed by northern representatives during the first *Zollparlament* session, who he accused of looking down on “uns Süddeutsche”. Trying to summarize this during his speech, Sepp added: “Die Preußen halten uns für dumm”. Relieved and grateful, the professor continued about how the delegates from the south stood together in the *Zollparlament* against the hostility and disdain they felt in Berlin. With respect to his colleagues elected in the other kingdom of southern Germany, Sepp stated: “Wir sind dort nicht allein gewesen; die Württemberger waren alle mit uns.” He proclaimed victoriously that southern tenacity had forced the Prussians to change course: “Nur durch außerordentliche Hartnäckigkeit ist uns endlich der Sieg gelungen, und haben die Preußen umgesattelt”. Regarding the Prussian delegates, Sepp could only reach one conclusion: “mit diesen Leuten ist rein nichts anzufangen”. Trying to capitalize on the pugnacious attitude of his audience, he tried to abet his listeners further by allegedly quoting

⁸³ *Preußische Zeitung* 120 (1868) 1.

Bismarck's analysis of the situation, speaking like a defeated chess player: "*Man glaubt, wir schieben, aber wir werden geschoben!*" Arguing against the *Militärdespotismus* he saw around him while in Berlin, Sepp again started quoting, this time his colleagues from Württemberg: "*Wir finden uns hier [in Berlin] nicht heimlich, wir kommen aus einem Lande freier Institutionen. (...) Bei uns in Württemberg kann man noch ein freies Wort reden, ohne eingesperrt zu werden*". Assuming Sepp is quoting the members from Schäffle's group truthfully, this quote testified of a widespread fear felt across the southern German states about a Prussian dictatorial or absolutist regime that might come to engulf the region sometime soon. Sepp therefore concluded his speech in a powerful and truculent manner: "*Es ist auch keine andere Wahl als: entweder preußisch gefressen werden und zahlen, oder demokratisch werden. Der Südbund allein ist noch ein Ausweg vor der Verpreußung, und darum hassen ihn die Preußen aufs erbitterteste. Wir aber haben nur einen Parole, und an der wollen wir festhalten: Bayern muß bayrisch bleiben; Bayern für Bayern; noch ist Bayern nicht verloren*".⁸⁴

In a revealing and persuasive manner, professor Sepp's speech was a significant testimony of the genuine and profound distress felt by southern German politicians in 1868 with regards to the Prussian unification attempts. Though wielding a different vocabulary, the Württemberg representatives quoted by Sepp seemingly subscribed to the complaints about Prussia's theocratic, feudal and absolutistic elements as expressed by the 1866 magazine published in their kingdom. As much as particularists were convinced of the economic benefits of the customs union, the move to a *Zollparlament* was on the very edge of their ideological comfort zone. Because their prime ministers had agreed to its founding during the *Zollkonferenz* of 1867 and because they had managed to get themselves elected in the *Zollparlamentswahlen* of 1868, regionalists and anti-unitarist politicians now found themselves in this *weitere Reichstag*-style parliament. That was as far as they wished to go in the integration process with the North German Confederation. Therefore, any endeavors towards *Kompetenzerweiterung* were impossible to achieve during the first *Zollparlament* session. The persistence and determination of the particularist delegates made sure of that. Their resistance seemed so insurmountable that extension of the parliament's jurisdiction was not even proposed in the two subsequent sessions.⁸⁵

In the end, this embattled situation for the regionalist representatives achieved something paradoxical. The need of combining their particularist efforts in the hostile environment of Berlin actually coalesced them. As much as their principle was about maintaining the sovereignty of the southern state they represented, this maxim brought them closer together as a group. Within the context of Prussian unitarism, German particularists in 1868 acted counter-intuitively and started thinking about a common future. A hint of this was

⁸⁴ G. Bander, *Der Volksbote für den Bürger und Landmann* (Munich 1868) 1.

⁸⁵ Wilhelm, *Das Verhältnis*, 108.

revealed in the end of professor Sepp's address, when he talked about a *Südbund*. At the beginning of 1868, before the *Zollparlament* elections, many had expected that year to bring another one of Bismarck's diplomatic victories, edging ever closer to German integration or unification. After the summer, however, talks of founding a South German Confederation increased in number, scope and zeal. During the second half of 1868, it seemed like the Prussian prime minister had in fact created the most dangerous contender for his idea of a Berlin-led unification of the German people. Rather than being the final solution of the *Zollverträge* debate, the forming of the *Zollparlament* had actually reinvigorated the debate about Germany's economic and, more significantly, political future.

As a delegate from Hesse, Ludwig Bamberger (1823-1899), put it: "*Das Zollparlament kann weder fortbestehen noch untergehen; seine Erhaltung ist ebenso unmöglich als sie unentberlich ist*". Precisely because of the *Zollparlament's* unsatisfactory nature for all attending parties, the quest for an optimal answer to the *deutsche Frage* continued more energetically than ever before. An envoy, also from Hesse, explained this situation shortly after the first session of the customs union parliament to his superior, prime minister Dalwigk: "*Eine große Befriedigung über der Tätigkeit des Zollparlaments herrscht auf keiner Seite. Es ist allen klargeworden, daß die politischen Früchte dieser Institution langsamer reifen werden, als die meisten geglaubt hatten*".⁸⁶ For some, this implied too much waiting time, whereas they wished to see direct results. Hence, southern politicians seriously started scheming towards an integration formula of their own creation, rather than continuously defending the regionalist barricades against perpetual unification policies executed by the north. A successor of the 1828 customs union between the kingdoms of Bavaria and Württemberg, an embryonic *Südbund*, grew ever more likely as 1868 passed by. The scenario that Von Gerlach had pointed out just one month after the Peace of Prague, of the likelihood of the *Südstaate* coming together on their own terms without Prussian guidance, seemed to be of far-seeing future from the end of 1867 onwards.

⁸⁶ quoted in: Wilhelm, *Das Verhältnis*, 110-111.

3 The *Südbund* project

The Bavarian prime minister from 1866 to 1870, the prince of Hohenlohe, had perceived himself as defeated by the course of events during the *Zollkonferenz*. He had even offered his resignation to his king, but Ludwig of Bavaria had kept him in office. As a result, Hohenlohe received time after the summer of 1867, when the fateful meeting with Bismarck had occurred, to work out an alternative for his failed *weiteren Bund*. While the tumult and chaos of the 1868 *Zollparlamentswahlen* engulfed the German nation, the Bavarian prime minister managed to find time to plot and scheme his way towards a *Südbund*. As late as February 24th, 1867, Hohenlohe had stated: “*Eine Zersplitterung der materiellen Kraft Deutschlands würde für alle Theile ein tiefeingreifende Verletzung der Interessen und eine beklagenswerte Schwächung ihrer Leistungsfähigkeit im Gefolge haben*”.⁸⁷ In the autumn of 1867, however, looking to regain some initiative in the German unification debate after Bismarck had forced his hand into agreeing with a *Zollparlament*, Hohenlohe started to work towards such a *Zersplitterung* by trying to make the *Mainlinie* a permanent demarcation. His vindictive disappointment in the *Zollkonferenz* was apparent. Hohenlohe found allies in Vienna, where the chancellor and leading minister of the Austrian empire, Friedrich Ferdinand von Beust (1809-1886), was planning on achieving the same goal – even though his sovereign, Francis Joseph I, had pledged to the Kingdom of Prussia at the Prague peace conference to remove his country from German affairs. If it were up to Hohenlohe or Beust – let alone the combination of the two – during late 1867, southern Germany would once more look for and find ways to resist and oppose the Prussians.⁸⁸

After a diplomatic offensive during October 1867 by Beust, who was trying to move the southern German states into forming a confederation of their own, the Bavarian prime minister decided it was time to speed up the process. With the *Zollparlamentswahlen* in his kingdom planned for February 10th, 1868, Hohenlohe was worried, as were many regionalists and particularists at the time, that nationalist candidates would come to occupy a majority of the seats. To prevent the *Zollparlament* from becoming a unitarist vehicle or platform, he thought it necessary that a viable alternative was presented in order to keep voters in the regionalist camp. On November 23rd, 1867, he wrote to his king that a feasible union should be presented during the election campaign, lest the idea of joining the North German Confederation unconditionally gain more adherents. In the same message, the prime minister told his sovereign that the time had come when the states of southern Germany should consider an alliance, which might hopefully lead to concerted military organization and political attitude.

⁸⁷ quoted in: M. Doeberl, *Bayern und Deutschland im 19. Jahrhundert. Festrede gehalten in der öffentlichen Sitzung der K. Akademie der Wissenschaften zur Feier des 158. Stiftungstages* (Munich 1917) 153.

⁸⁸ Wilhelm, *Das Verhältnis*, 79.

Ludwig of Bavaria agreed and Hohenlohe began building a federation of southern German states: by the end of 1867, the *Südbund* project was up and running.⁸⁹

Plans for such a confederation were old by then. Supporters of the Swabian school of thought, to which Planck, Schäffle and others subscribed, had long advocated the *Südstaate* as a secondary gravitational center for German unification. In contrast to the mechanical and protestant Kingdom of Prussia, which had corralled northern and central Germany into a new Confederation, so too should a southern kingdom gather the Swabian states of the region and form a confederation of its own – similar to the rationale in the *Württemberg* magazine from 1866 cited earlier. The same point of view was explained in a different way by Ludwig Eckardt (1827-1871), a traveling poet and writer, in a speech to the parliament of *Württemberg* on July 29th, 1866. He stated that precisely because of what the Swabians were so often accused of, for example by the authors of the *Berliner Revue*, namely their particularism or “*richtiger das unabhängige Stammesgefühl der Schwaben*”, they were in a perfect position to rescue Germany. Swabia should be the foundation of a future federal state, Eckardt argued, because its unity was rooted in freedom and because its preservation didn’t depend on the death of its inhabitants – a strong accusation of Prussia being an unnatural and mechanical construct that could not live without death and destruction. This contrast was further scrutinized in the speech, when Eckardt specifically juxtaposed northern and southern Germany. Speaking three days after July 26th, 1866, preliminary peace deal, he said that the result of the war should be two confederations, with “*die straffe Einheit im norddeutschen Bund und die einigende Freiheit im süddeutschen Bund*”. Even more strongly, Eckardt hoped to inspire his audience with the statement that the only alternative for this should be the continuation of the war. With words that would prove to be dramatically true, he concluded: “*Preußen kann den süddeutschen Bund nur um den Preis eines neues Krieges gegen ... Frankreich verhindern*”.⁹⁰

In this atmosphere, Hohenlohe set to work. His first target was *Württemberg*. If his plan was to have any gravitas, he needed that kingdom’s support as much as his *Bavaria*’s. On November 30th, 1867, he sent a draft to Stuttgart, the capital of *Württemberg*, detailing the possible constitution of a United States of South Germany. The main point of the plan was to create a *Bund* of *Bavaria*, *Württemberg*, *Baden* and *Hesse* – as officially allowed by Prussia through an article of the Peace of Prague. The confederation was to have no state power or governmental authority, but simply a *Bundesbehörde* or federal body, in which delegates of the four states would be seated using the same ratio as the *Bundesrat* of the *Zollverein* – six, four, three and three, respectively. Its relation to the *Landtage* and the dynasties of the four

⁸⁹ C. McIntosh, *The Swan King. Ludwig II of Bavaria* (New York 2012) 159.

⁹⁰ J. Schneider, ‘Der süddeutsche Bund, heute eine Forderung der Volkspartei. Eine Rede, gehalten in württembergischen Landesversammlung zu Stuttgart, 29. 7. 1866’ (Mannheim 1866), *Die nationalpolitische Publizistik*, 117-118, there: 117-118.

constituent states was not defined in Hohenlohe's draft nor did it propose a parliament for the new *Bund*. The members of the *Bundesbehörde* were not to be elected, but should be appointed by their governments. Hohenlohe did specify the matters this political body should attend to: systems of measurement, banking and patent affairs, river traffic and water infrastructure, and justice. Regarding military affairs, the Bavarian prime minister envisioned a thorough integration of the four separate constituent militaries, much alike Hardegg had proposed in August 1866: integrated organization and common equipment for the South German soldiers, yearly exercises involving all four armies and one education program for all South German officers.⁹¹

Hohenlohe and Varnbüler: a cycle of hope and rejection

The government of the Kingdom of Württemberg was pleased with the efforts Bavaria, as largest southern German state, discernibly undertook to create a *Südbund*. Its prime minister, Varnbüler, had been warned by Beust during October 1867 that a French storm was indeed gathering. The current political framework of the German nation was increasingly aggravating Napoléon III, or so the Austrian chancellor claimed. The division of the German states in a Prussian-led North German Confederation combined with four independent political entities in southern Germany was unsettling the government in Paris, though Paris itself was largely responsible for it, having created such a situation in 1866. The French emperor had come to realize that the *Mainlinie* he had imposed on the warring parties after the *Deutscher Krieg* could turn out to be a short-lived solution for the security issues on France's eastern border. The move to a *Zollparlament* had fueled the anxiety in Paris about this even further. Citing good contacts in the French government, Beust had told Varnbüler that Bismarck's fears in 1866 regarding a military intervention by Napoléon III had in fact been justified, but that the French emperor had decided against it at the very last moment. Trying to scare the southern German governments into action, the Austrian chancellor revealed to the prime minister of Württemberg that the Second French Empire was starting to regret that decision of 1866 and was once again investigating opportunities for getting military involved in German affairs. Trying to explain the thinking process of Napoléon III, Beust clarified: "*Wenn Sie nur in militärischen Angelegenheiten (in politischen geht das nicht wohl) eine gewisse Gemeinschaftlichkeit konstatieren können, dies würde den etwas aufgeregten Nationalgeist in Frankreich beruhigen und dem Kaiser die Aufgabe erleichtern*". The task of securing France's eastern border was returning to the forefront of the French emperor's mind, as the 1866 solution gradually appeared less adequate. A rapid construction of a *Südbund*, preventing the area from definitively falling into Prussian hands and directly neighboring and possibly threatening the

⁹¹ Wilhelm, *Das Verhältnis*, 80.

French empire, could prevent a military confrontation with France, Beust argued. Regardless of whether the observations of the Austrian chancellor were correct during October 1867, at the time it ostensibly started to look as if the international diplomatic context would once again force a dilemma on Varnbüler and his southern German colleagues sometime soon.⁹²

As much as Stuttgart was rejoicing in Bavaria's effort and initiative regarding *Südbundpläne*, the government of Württemberg was naturally still viewing recent developments with a particularistic attitude. Consequently, Varnbüler and his cabinet thoroughly and meticulously went over Hohenlohe's proposal. The permanent secretary of the foreign affairs ministry, Adolf von Taube (1810-1889), was not principally opposed to a *Südbund*, let alone a loose confederation, because it could provide "*unabhängige Selbständigkeit*" against "*den Übergriffen Preußens*". Carefully studying Hohenlohe's draft, Taube reached the conclusion that it was a decent plan, but that the document left many questions unanswered – too many, according to the secretary's taste. Taube thought it was a useful starting point for considering a confederation in southern Germany, although he added that it was not totally compliant with the Peace of Prague nor entirely compatible with Prussia's, Austria's or France's foreign policy. Also, using the same reasoning with which his prime minister had suspended Hardegg's plan in late 1866, Taube didn't expect Baden or Hesse to join Hohenlohe's *Südbund*, eliminating its viability.

Varnbüler himself was principally opposed to the draft. Not even going over the technical details of the proposal, as Taube had done, the prime minister sent a very particularist reply to his Bavarian colleague on December 15th, 1867. Varnbüler's main point was simple and clear: "*Ein Südbund würde die Lebenskraft der Einzelstaaten schwächen. Eine gemeinsame Regelung der von Hohenlohe aufgeführten Gegenstände würde nämlich die Autonomie der Südstaaten beschränken und früher oder später auch zu einer Gemeinsamkeit mit dem Norddeutschen Bund führen*".⁹³ Apparently, the dangers of this train of thought as Beust had unfolded did not frighten Varnbüler. Just as in February, when discussing the future of the *Zollverein*, Munich and Stuttgart failed to reach an agreement regarding an eventual *Südbund*.

Hohenlohe was appalled by the response of his colleague serving the Kingdom of Württemberg. In the meantime, he had talked to Beust as well and the Bavarian prime minister was now convinced that the *Südbund* was a necessity for easing French fears about the Kingdom of Prussia incorporating all German states. In his notes, he hoped that "[*d*]er *Gedanke Beusts und des Kaisers Napoleon würde wohl in einer Union der süddeutschen Staaten in militärischer und diplomatischer Beziehung seine Realisierung finden*" rather than a German

⁹² R. Mathys, *Die französische Süddeutschlandpolitik. Von der Regelung der Luxemburger Frage Mai 1867, bis zum Abschluß der ersten Session des Zollparlamentes Mai 1868* (Winterthur 1964) 45-46.

⁹³ quoted in: Wilhelm, *Das Verhältnis*, 80-81.

unification under Prussia, forcing Napoléon III's hand to war. A diplomat of Württemberg, reporting from Munich to Varnbüler about Hohenlohe's response, demonstrated to what extent the message of the Austrian chancellor had convinced the Bavarian prime minister. In the diplomatic dispatch, Hohenlohe is quoted saying "*wenn von preußischer oder von süddeutscher Seite ein Schritt weiter in Richtung auf einen noch engeren Zusammenschluß von Süd- und Norddeutschland gemacht werde, Österreich und Frankreich hieraus einen Casus belli machen würden*".⁹⁴

Hohenlohe therefore sent another message to Stuttgart, responding to Varnbüler's and Taube's criticism. He admitted that he doubted the feasibility of a *Südbund* as well. As a solution for particularly Taube's issues with it, Hohenlohe proposed giving the confederation governmental authority after all. Foreign affairs of the *Südbund* would necessitate such a federal power anyway, the Bavarian prime minister argued. Unsurprisingly, whilst trying to accommodate Taube's difficulties regarding his draft, Hohenlohe alienated the particularist Varnbüler even further from the proposal. He even admitted that he too feared that his project would ultimately lead to integration with the North German Confederation, which of course did nothing to lessen Varnbüler's principal objections to the *Südbund*. The opinion on the matter as held by the government of Württemberg remained unchanged. Hohenlohe's second effort to win that kingdom for his cause, had failed. Facing mounting resistance by his own ministers as well as an increasingly distrustful king Ludwig regarding the progress and prospect of the *Südbund* project, the Bavarian prime minister was forced to shelve the enterprise in a cabinet meeting on February 22nd, 1868 – less than two weeks after the Bavarian *Zollparlamentswahlen*, which had empowered anti-*Südbund* particularists even more.⁹⁵

Hohenlohe made the *Südbund* project more difficult than it could have been. Although energetically pursuing his goals, he failed to transfer that energy to the people he was trying to persuade. The Bavarian prime minister tried to please too many people at once, as shown by the example when he tried to comfort Taube's complaints, removing all hope of Varnbüler supporting his project. Despite the large amount of issues and dilemmas dividing the German nation during these years, necessitating an unequivocal and crystal-clear point of view, Hohenlohe remained cautious and seemed to lack vision and vigor in the eyes of his opponents. King Ludwig's biographer wrote about him that he was a good diplomat, but no statesman. Illustratively, he added: 'He always knew the short-cuts and side alleys, but was not able to follow a straight path with a firm step'.⁹⁶ By showing a lack of this firmness, Hohenlohe had not only failed to impress Varnbüler with his proposals. His colleagues in Baden and Hesse were not on board for the *Südbund* either. Still striving for unification with

⁹⁴ quoted in: R. Mathys, *Die französische Süddeutschlandpolitik*, 46.

⁹⁵ Wilhelm, *Das Verhältnis*, 82.

⁹⁶ C. McIntosh, *The Swan King*, 160.

the North German Confederation, the Grand Duchy of Baden was disinclined to get tied up in its south German counterpart. The Hessian prime minister, the staunch particularist Dalwigk, was principally opposed to the *Südbund*, fearing it would eventually lead to German unification.⁹⁷

Temporary termination

As a result, Hohenlohe had to publicly distance himself from the *Südbund* project on April 10th, 1868. His efforts to found a South German Confederation had come to nothing. However, true to his wavering nature, this decision also was not definitive. A Prussian diplomat in Frankfurt sent a dispatch to Bismarck on April 26th, 1868, communicating that it had come to him that Hohenlohe wanted to wait for the next round of elections, in order to see whether the popular opinion would still resist a Prussian-led unification of Germany. Another envoy, Richard von Könneritz (1828-1910), stationed in Vienna, complained on May 23rd, 1868, that Hohenlohe had indeed halted his *Südbund* efforts for now but was still contemplating hatching the project at a later date.⁹⁸ Obviously, the Bavarian prime minister had been forced to publicly withdraw the idea of forming a confederation with Württemberg. Yet privately, he was still thinking about seizing later opportunities, under better circumstances, to achieve the very same thing.

Hohenlohe had clear reasons for maintaining his pursuit of the *Südbund* goal, the most important of which was Beust's revelation to him earlier. As the prime minister had explained during the fateful Bavarian cabinet meeting of February 22nd, 1868, whilst defending his *Südbund* efforts: "*Es ist nicht zu bestreiten, daß die Gefahr des Aufgehens in den Norddeutschen Bund mit jeden Tag zunimmt. (...) Das ist es, was mich veranlaßt hat, die Anregung Beusts nicht von der Hand zu weisen*".⁹⁹ Spoken after the Bavarian elections for the *Zollparlament*, Hohenlohe noticed an increase in the gravitational pull the North German Confederation was exerting on the Bavarian electorate. Whereas most particularists had rejoiced in the election results reported from the Kingdom of Bavaria, its prime minister feared that the *Zollparlament* meetings, despite their restive and fractious nature, would eventually bring all of Germany closer together – of course, Hohenlohe still viewed the new parliament with hostility, it being a great and public embarrassment to his efforts to uphold Bavarian sovereignty.

The cause for this reasoning was located in the popularity of the *Zollparlamentswahlen*, even amongst particularists and regionalists. Having enjoyed the thrill of a general election, the Bavarian electorate was now thirsty for more influence – nationalists and particularists alike. The introduction of universal male suffrage in southern Germany had caused a *Südbund*

⁹⁷ Wilhelm, *Das Verhältnis*, 83-84.

⁹⁸ Schmidt, *Bayern und das Zollparlament*, 258-259.

⁹⁹ quoted in: Wilhelm, *Das Verhältnis*, 83.

to be impossible, if the southern dynasties were to be required to co-exist with it. Hohenlohe himself had entertained these thoughts as early as February 1867, when he wrote: “*Der süddeutsche Bundesstaat bietet ... die Gefahr, daß unmittelbar nach seinem Zustandekommen sich der Ruf nach einem südstaatlichen Parlament erheben wird, eine Eventualität, die ich im Interesse unserer Dynastien sowohl wie ganz Deutschlands verhindern zu müssen glaube*”. Clear and concise, Varnbüler later expressed a similar perspective: “*Sobald man sich an die Idee des Südbundes praktisch macht, so zeigt sich die Unmöglichkeit ihrer Ausführung innerhalb der Grenzen der Monarchie*”.¹⁰⁰ Once again, it seemed impossible to achieve maintenance of southern sovereignty and progress in economic or democratic reforms at the same time. However, Beust’s warning – in other words: the French threat ballooning to the west, as emperor Napoléon III appeared increasingly likely to invade – resounded in Hohenlohe’s mind. Despite how impractical the *Südbund* might seem and despite how publicly he had denounced his plan, the Bavarian prime minister was nevertheless searching for ways to keep his kingdom out of a new European war.

Furthermore, the *Zollparlament* was starting to lead a life of its own, not being the particularist tool against unification Hohenlohe had hoped it to be. The counter-intuitive behavior of the southern German delegates in Berlin obstructed the chances of his dream scenario coming true. As the Bavarian prime minister had feared, the nationalist atmosphere of Berlin had fused the particularist representatives there into an unnatural yet solid bloc. They hoped their cooperation could form a lead-up to further southern German integration and possibly a *Südbund*. However, as both Hohenlohe and Varnbüler had foreshadowed, such a mode of thinking was impossible to align with the dynastic interests of the monarchs superior to both prime ministers. Meanwhile, the democratic lobby was growing in southern Germany and even though some of its particularist members thought they were working towards a *Südbund*, Hohenlohe suspected them of becoming less particularistic. He also made clear that the initiative for the foundation of a South German Confederation could never stem from them, but had to come from him or king Ludwig. As much as both parties seemed to be pursuing more or less the same goal, a rift gradually emerged between the two over the second half of 1868. Hohenlohe and Varnbüler simply wanted their delegates in the *Reichstag* to resist Prussian integration attempts; alternatives for those were to be designed by their cabinets. This attitude somewhat alienated the group of particularist representatives in the *Zollparlament*, a collection of politicians who could have been the strongest allies of a *Südbund* project led by either of the two prime ministers. Characteristic of the complicated nature of German politics during 1868, two political groupings emerged, both looking to build a South German Confederation and both fighting the other over it.

¹⁰⁰ quoted in: Wilhelm, *Das Verhältnis*, 84.

Hohenlohe focused most of his diplomatic efforts during these years on Württemberg. If his *Südbund* was ever going to see daylight, the two southern German kingdoms should be a part of it. Varnbüler obviously constituted a major obstacle for the project, but the participation of Baden and Hesse was also required if Hohenlohe's planned confederation was to garner any respect in Prussia, Austria and France. In addition to the resistance mounted by his colleague from Württemberg, the Bavarian prime minister found another challenging enemy in the grand duke of Baden, Frederick I, who complained to his main adviser, Johann Heinrich Gelzer (1813-1889), that he was growing tired of the many unification initiatives that reached him from Munich. Whereas some ministers and secretaries in Württemberg – in principle, at least – enjoyed the amount of effort Bavaria undertook to avert the scenario Beust had sketched, the Badensian grand duke had a different stance on the matter. Because of its proximity to the French border, Baden would come under immediate threat by Napoléon III's armies if war broke out. Distrusting the defensive capabilities of a *Südbund*, especially after the lackluster performance of the southern Germany armies in the war of 1866, Frederick I thought only the Prussian army capable of defending the integrity of his territory. If the fulfillment of this wish came at the cost of surrendering his sovereignty to his father-in-law, Wilhelm I, then this grand duke was willing to pay that price. The leading role Bavaria tried to play in southern Germany therefore annoyed Frederick I to a great extent. He was exclusively interested in a Prussian solution to the *deutsche Frage* and the *Südbund* project seemed to forestall that. Frederick suspected Hohenlohe's efforts to hamper the progress Bismarck was making towards German unification. Though he was impatient about Prussia extending its *Vorherrschaft* to southern Germany, he thought it best to trust in Berlin's policies and wait for the ultimate moment until Wilhelm deemed the time right. For now, Frederick was intending to play the waiting game and he viewed the *Südbund* as obstructive to that as well as Prussia's planned timetable for the finalization of Germany's unity. The grand duke and Gelzer had agreed earlier that, despite its deplorable nature, the *Mainlinie* should be respected for the time being, out of concern for France and in order to give the North German Confederation time to consolidate. Frederick and Gelzer regarded the new Confederation and its southern border as purely provisional: "The complete union of North and South is ... solely a matter of time".¹⁰¹

On July 6th, 1868, the grand duke wrote a letter to Gelzer, making it clear that he was done with Hohenlohe. Not only was he principally opposed to the vision of the Bavarian prime minister, but he thought it unfortunate how often Munich and Stuttgart were scheming in secret. Hohenlohe in particular was branded as insincere and dishonest in this letter. The proud grand duke wanted to be involved in discussions regarding the future of Germany. Frightened by the private dealings of the prime ministers of the two southern kingdoms, Frederick stated: "*Mir*

¹⁰¹ quoted in: W. Carr, *The Origins*, 161.

macht diese Sache viel Sorge, denn ich betrachte sie als den Anfang zur Bildung eines Südbundes oder zur Befestigung der Mainlinie". As a testimony of the emotional imagery present in nationalist thinking at the time, he spoke of Bavaria, Württemberg and Hesse as the three outcast stepchildren of the German family. Were Baden to subscribe to Hohenlohe's project, Frederick argued, his grand duchy would become the fourth stepchild of the nation. Simultaneously annoyed and disappointed, he concluded his letter with an observation regarding Prussia's reluctance and cautiousness after 1866: "*Warum hat die preußische Regierung das Zollparlament nicht zu deutlicherem Ausspruch benützt, sondern nur die Defensive in der nationalen Frage ergriffen? Hat man seinerzeit Hannover und Hessen gefragt, ob sie preußisch werden wollen?*"¹⁰² – referring to the annexations by the Kingdom of Prussia in 1866. Obviously, Varnbüler was Hohenlohe's first and foremost opponent in the *Südbund* debate, but even if he had managed to gain the support of the Kingdom of Württemberg, Frederick's letter testified of the defiant attitude Baden would emit if it were asked to join a South German Confederation.

One final try

Whilst he was designing new options to lead him out of his seemingly impossible position, Hohenlohe received support from new and surprising locations. One of the more radical proponents of a southern confederation was Karl Mayer (1819-1889). His ideas were so revolutionary that he had been exiled from the German Confederation in 1849. In 1863 he received amnesty, after which he could restart his political career. During 1868, he did not participate in the *Zollparlament* elections but instead got elected into the lower chamber of the *Landtag* of the Kingdom of Württemberg. In this capacity he was invited to a formal banquet in Vienna. With the German people embroiled in an ongoing debate about the *Zollparlament's* effectiveness and the nation's political future in general, Austrian chancellor Beust anticipated and even aimed at stirring up this argument even further during this occasion. Accordingly, on the evening of July 28th, 1868, Karl Mayer received the opportunity to gather support for his ideas during the meeting. In a speech he outlined a future *Südbund*, specifically meant as counterpart to the North German Confederation. Mayer's address evoked loud protests from any Prussians present. Trying to explain his reasoning, Napoléon III emerged as the main antagonist: "*Da die Gefahr bestehe, daß Frankreich sich jetzt die Zersplitterung der Deutschen auf dem altem Rheinbundboden zu Nutze mache, könne gegenwärtig nur ein parlamentischer Südbund Rettung bringen*". Obviously, Karl Mayer was not principally anti-Prussian, but anti-French. Afraid of the possibility that Paris might want to recreate the Confederation of the Rhine, a client state of Napoléon I encompassing many a German state from 1806 to 1813, he

¹⁰² quoted in: H. Oncken (ed.), *Großherzog Friedrich I. von Baden und die deutsche Politik von 1854-1871. Briefwechsel Denkschriften Tagebücher 2* (Osnabrück 1966) 114-115.

sought refuge in the idea of a *Südbund*. Declining Prussia's *Vorherrschaft*, and thus its capability of championing southern German interests against outside threats, the logical conclusion of Karl Mayer was that the *Südstaaten* should group up and form a confederation of their own, rather than wait for Berlin to come to the rescue.¹⁰³

There was an additional difficulty with constructing a *Südbund*, however, one of geographical nature. While Prussia's dominant position within the North German Confederation drew quite some criticism from various angles, the relation of Bavaria with the other southern German states was not much different. The Kingdom of Bavaria had a population of 4.8 million people at the time, encompassing more than half of the population of southern Germany. Furthermore, Bavaria's surface area consisted of roughly 66 % of the region. Some members of Hohenlohe's cabinet therefore thought the *Südbund* project foolish. According to them, Württemberg would sooner join the North German Confederation than linking up with Bavaria. Bismarck thoughtfully explained this situation by stating that if there was any place where the Prussians shouldn't need to try and defeat the *Südbund* emerging, it was Stuttgart, the capital of the Kingdom of Württemberg. Additionally, Hohenlohe himself feared that an eventual South German Confederation would increase the *Zersplitterung* of the German nation. Although accused of actually wanting to increase the durability of the *Mainlinie*, the Bavarian prime minister was not trying to divide Germany in two forever. Hohenlohe fundamentally wanted to reach a solution satisfactory to all parties involved – Austria and France, Prussia and the nationalists in the south, his own Bavaria and his king, and his colleagues in Württemberg, Baden and Hesse. For him, the *Südbund* seemed to be the most favorable way out – simultaneously, it also appeared to be the least practical. His indecisiveness decreased the chances of the project ever coming to fruition.¹⁰⁴

Another statistical reality of the composition of the German nation made Hohenlohe's mission even more discouraging. For centuries, the German people had been divided in a more or less protestant north, whereas in southern Germany catholicism was dominant. Professor Planck's speech in 1866, fulminating against the protestant Prussian kingdom, did have a statistical basis. The population of Kingdom of Bavaria, for example, was 71.2% catholic during the 1860s; for Württemberg this number was 64.5%.¹⁰⁵ Germany was, to an extent, religiously divided between north and south. Whilst a common catholic identity might have stimulated the southern German population towards cooperation, the likelihood of such a phenomenon actually achieved the opposite and galvanized Hohenlohe's opponents into action. As early as August 1866, Gustav Georg Lange had expressed his fear that the *Mainlinie*

¹⁰³ H.T. Michaelis, 'Das III. Deutsche Bundesschießen 1868 in Wien als politisch-historischer Phänomen', *Mitteilungen des Instituts für Österreichische Geschichtsforschung* 104 (1996) 58-95, there: 75-76.

¹⁰⁴ Wilhelm, *Das Verhältnis*, 85-87.

¹⁰⁵ W. Carr, *The Origins*, 164.

could prove to be a permanent demarcation, splitting the German people in two for some time to come. The religious differences between northern and southern Germany all but increased the probability of such a scenario. Therefore, the frightening ramifications of such a layout jolted *Südbund* critics into grim resistance. Hohenlohe never succeeded in persuading his opponents of the fact that he was not inclined to achieving a permanent *Zersplitterung* of the German nation. All his attackers claimed to see were efforts towards reaching precisely that goal. They viewed the *Mainlinie* as a hazardous tool in Hohenlohe's hands – despite the fact he was not its architect, having become prime minister of Bavaria as late as December 31st, 1866.

Against all odds, Hohenlohe tried to revive his project in late 1868 and early 1869. Despite facing criticism from practically all sides, he felt compelled to try resurrecting the *Südbund* project one last time. The main reason for this was once again made clear in a message he wrote to the Bavarian ambassador in Berlin, Maximilian von Perglas (1817-1893), on November 8th, 1868: “*Was uns allein retten kann und was auch allein geeignet ist, den europäischen Frieden dauernd zu sichern, ist ein staatsrechtlicher Bund, welcher Österreich, Preußen (resp. den Norddeutschen Bund) und Bayern zusammenfassen würde*”.¹⁰⁶ The international diplomatic context left Hohenlohe with no other options than to lead Bavaria out of its current isolated position and into a confederation with any other state. The current situation was not durable for his kingdom: the French threat ramping up to the west forced the Bavarian government to make changes in its foreign policy. Consequently, Hohenlohe launched a public offensive, aimed at creating popular support for his plans. In the *Augsburger Allgemeinen Zeitung* of January 27th, 1869, he wrote: “*Man wird eben, um zu einer befriedigenden Regelung der deutschen Verhältnisse zu gelangen, den ‘Südbund’ nicht entbehren können*”.¹⁰⁷ Varnbüler replied in the same newspaper on February 7th, 1869, reiterating his by now familiar point of view. Through a diplomatic dispatch, Hohenlohe tried to reach out to him on February 11th, explaining that his new plan envisioned just a superficial “*Gründung des völkerrechtlichen Vereins der süddeutschen Staaten*”, which would increase the international standing of southern Germany. It would simply have been a monthly meeting of the foreign ministers of the four southern German states, each with one vote. Tired and uninterested, Varnbüler didn't even formulate an official response.¹⁰⁸

Despite the difficulties he faced in late 1867 and 1868 whilst trying to realize his project, Hohenlohe had not given up hope on the *Südbund* project by early 1869. As the months of that year progressed, however, his plan – insofar previous events had not made it clear enough already – increasingly looked unviable, impractical and impossible. Meanwhile, Hohenlohe's

¹⁰⁶ quoted in: Wilhelm, *Das Verhältnis*, 90.

¹⁰⁷ quoted in: Wilhelm, *Das Verhältnis*, 91.

¹⁰⁸ Wilhelm, *Das Verhältnis*, 91.

press offensive of early 1869 had scared Frederick of Baden, who was starting to get extremely aggravated about Munich's unrelenting attempts at founding a South German Confederation. The grand duke had complained to his father-in-law, which caused Wilhelm I of Prussia to write a lengthy and insightful reply to Frederick on April 12th, 1869. The Prussian king explained that he shared the fears of his son-in-law regarding Hohenlohe's project: "*Ich glaube aber, daß, wenn der Südbund auch nur so, wie er projiziert scheint, zustande kommt, er keine Annäherung an der Nordbund nach sich ziehen wird, sondern vielmehr die Maingrenze permanentisiert*".¹⁰⁹ Even with the *Südbund* project looking progressively stillborn at the time, Wilhelm I still appeared to be fearful of its consequences. The *Mainlinie* had been agreed upon in 1866 under French pressure and with the expectation that it would be a temporary solution. Especially Frederick and Gelzer had signed the Peace of Prague for the Grand Duchy of Baden with the supposed knowledge its stipulations were going to affect them for just a couple of years. Now, with Hohenlohe's perpetual scheming towards a *Südbund*, the Hohenzollern family grew anxious regarding the expiration date of the *Mainlinie*, which the Kingdom of Bavaria seemed to push ever further into the future.

However, the Bavarian prime minister finally started to give in to the unfeasibility of his plans. Worn down by attacks from all sides, his critics got the better of him. Having been forced to publicly denounce the *Südbund* project in April the year before, Hohenlohe had tried to continue with his plan for roughly a year – first privately, then through newspapers. In the spring of 1869, however, he slowly began to succumb to the enormous pressure on him to let go of the idea of a South German Confederation. The Bavarian statesman brought his efforts to construct it to a halt during this season. He could not accomplish his *Südbund* mission under these circumstances. He still did not give up believing in it himself, as exhibited in a letter he wrote in this period: "*Ich kann mich von dem Gedanken nicht trennen, daß ein süddeutscher Staatenverein mit noch so loser Organisation das Verbindungsglied für das Deutschland werden könnte, was durch seine Organisation und seine Defensivmacht berufen wäre, dem gegenwärtigen Kriegsschwindel dauernd ein Ende zu machen*".¹¹⁰ Clearly still impressed by Beust's warning and France's saber-rattling, he was still looking for ways to avoid his precious kingdom getting thrown into crisis and war by the tightening international diplomatic context.

Circumstances had to change, however, if Hohenlohe was to succeed. Just as diplomat Von Könneritz had suspected, the *Südbund* project was temporarily shelved again in the spring of 1869. The Bavarian prime minister was preparing for the upcoming elections for the parliament in his state, scheduled for November 25th, 1869. If he could just score a political victory in the *Landtagswahlen*, he might be able to command sufficient political momentum during early 1870 to resume his efforts to unite southern Germany one way or the other.

¹⁰⁹ quoted in: Oncken, *Großherzog Friedrich*, 122.

¹¹⁰ quoted in: Wilhelm, *Das Verhältnis*, 92.

Meanwhile, the conflict with the particularist delegates in the *Zollparlament* had reached a critical level. Some even – somewhat dramatically – compared the aggressive tone in Bavarian politics during 1869 with civil war. Fact of the matter was that the failed *Südbund* project now put Hohenlohe in an awkward position for the election campaign: particularists blamed him for trying, nationalists for failing. The Bavarian prime minister was well aware of this situation. Two days before the elections, he realistically concluded on November 23rd, 1869: “*Ich kann nicht daran denken, zu bleiben, wenn ich die Majorität der Kammer gegen mich habe, und ich gestehe, daß ich gern abgehe. Drei Jahre Ministerium ist vorläufig genug*”.¹¹¹ In the end, Hohenlohe’s defeat in the elections was catastrophic. The particularists, by now his enemies, had scored a major victory.

The December 2nd, 1869, *Rosenheimer Zeitung* claimed that “[a]us allen Theilen des Landes gelangen zahlreiche Adressen und Telegramme an Se. Majestät den König mit der Bitte um Beibehaltung des gegenwärtigen liberalen Ministeriums”.¹¹² The *Freiburger Zeitung* of November 26th, 1869, had reached a more realistic verdict, however, as it rued the incoming results with colorful language: “*Bayern nimmt täglich schwärzlichere Farbe an, da jetzt erst die Wahlergebnisse der Landbezirke nach und nach bekannt werden*”.¹¹³ The dark particularist clouds the unitarist newspaper spotted over Bavaria, also had implications for Hohenlohe. The position of his cabinet had become untenable. For nationalists, the power of regionalism had come more painfully to the fore than ever before during these elections. The same newspaper, then, rendered a chilling verdict on Bavarian politics two days later. It added to its earlier statement that “[d]er Ausfall der bayerischen Wahlen hat uns mit aufrichtiger Betrübniß erfüllt, ...”. By now habitual for nationalist or liberal evaluations of an election they had lost, the *Freiburger Zeitung* concluded in an almost aggrieved way: “*Bayern scheint das Geschick nicht von sich abwenden zu können: immer und ewig eine politische Null zu bleiben, die nur dann Bedeutung hat, wenn es gilt, eine befriedigende politische Gestaltung Deutschlands zu verhindern*”. The resentful and vexed feelings of the editors quickly escalated into a vengeful warning by the end of the article: “*Aber das deutsche Volk hat es satt, tagtäglich in der Gefahr zu leben, daß ihm das durch die Schuld einiger seiner Glieder noch unfertige Haus über dem Kopfe zusammenstürzt, und es wird sich daran gewöhnen, ohne Diejenigen zu rechnen und zu handeln, ...*”¹¹⁴ Through the anger and wrath spoke a clearly perceptible sentiment amongst nationalists of worry and frustration. Hoping to shock particularists in Bavaria into action once and for all, this newspaper went as far as threatening them with the possibility of their kingdom becoming an outcast in the German family of states.

¹¹¹ quoted in: Schmidt, *Bayern und das Zollparlament*, 309.

¹¹² *Rosenheimer Zeitung* 96 (1869) 1.

¹¹³ ‘Politische Rundschau’, *Freiburger Zeitung* 278 (1869) 1.

¹¹⁴ ‘Politische Rundschau’, *Freiburger Zeitung* 280 (1869) 1.

Meanwhile, in that kingdom, the remaining couple of weeks of the year 1869 were spent looking for new ministers. Hohenlohe had officially requested his resignation from his king, so a new cabinet had to be formed. On the opening of the new parliamentary year, on January 18th, 1870, he felt compelled to explain his actions in a lengthy speech. Hohenlohe stated that all his actions as prime minister had originated from “*das Bestreben, die Eintracht, die Versöhnung und Verständigung der deutschen Stämme zu befördern. Ich begreife nicht, wie ein solches Bestreben mir von den Organen der sogenannten patriotischen Partei als Vergehen angerechnet werden kann*”. Forced on the defensive, Hohenlohe continued the debate by defending the amount of effort he had put into finding a realistic and desirable way to achieve Bavaria’s progress in a German context, namely “*daß die Entwicklung, die Neugestaltung des Zollvereins abgewartet werden müsse, ehe man ermessen könne, ob das Verfassungsprojekt ... seine Lebensfähigkeit werden bewähren könne. Wenn mir der Vorwurf gemacht wird, daß ich niemals versucht habe, das erfolgreichste Mittel für die Aufrechterhaltung der Selbständigkeit der süddeutschen Staaten anzuwenden, nämlich die Gründung des süddeutschen Bundes, so wird mir die Verantwortung darüber nicht schwer. Nun könne man aber einen Südbund nicht mit Gewalt erreichen; ein bayerischer Alleingang käme bei der ablehnenden Haltung Württemberg und vor allem Badens nicht in Frage. Wenn aber auch ein Südbund mit einem süddeutschen Parlament und einer süddeutschen Exekutive eine Unmöglichkeit ist, so halte ich es doch noch heute für das eigentliche Ziel, welches ein bayerischer Minister anstreben muß, eine möglichst nahe Verbindung der süddeutschen Staaten und ein gemeinsames Handeln derselben in allen politischen Fragen anzubahnen, und in dieser Beziehung glaube ich behaupten zu können, daß ich mehr geleistet habe, als jemals ein bayerischer Minister geleistet hat*”.¹¹⁵ On numerous subsequent occasions in the Bavarian *Landtag*, Hohenlohe tried to salvage his position or at least his legacy with addresses of similar length. His resignation was still pending, as king Ludwig intended to keep him on as prime minister. However, it had become evident that there was no more use for Hohenlohe clinging onto his office. On March 8th, 1870, Hohenlohe resigned as prime minister of the Kingdom of Bavaria. The main protagonist of the *Südbund* project had lost the greater part of his influence. If the South German Confederation coming into being had ever seemed possible, it now was no longer so.

The elections results in Bavaria and Württemberg, where particularists also gained a majority in the *Landtag*, actually ended up producing a surprising and unusual situation. Hopes of a nationalist electoral victory, just as during the *Zollparlamentswahlen*, had been crushed again. In 1868 some nationalists had kept up the illusion that, although they had lost the elections in that year, the results were not all that bad upon closer inspection. After the

¹¹⁵ quoted in: Schmidt, *Bayern und das Zollparlament*, 317-319.

Bavarian elections back then, a Badensian newspaper had concluded on February 19th, 1868, that the nationalist candidates might have lost in Bavaria but that they had drawn more votes compared to the previous Bavarian *Landtag* elections in 1863. It had also claimed that, because of the electoral district system, the nationalists had lost several seats during 1868 with “*nur mit wenigen hundert Stimmen*”.¹¹⁶ Evidently, nationalists had encouraged each other after 1868 *Zollparlamentswahlen* to remain hopeful. If the 1868 elections had indeed turned out better for them than the results hauling from 1863, who was to say they were not destined to finally score an electoral victory during the November 1869 Bavarian *Landtagswahlen*? Now that the results were in, however, all hope for a quick conclusion to their unification quest seemed to have evaporated during early 1870. This realization, that they were not going to achieve their goals on their own merits, produced a peculiar phenomenon in the end.

In order to maintain political significance, unitarist politicians now had to cooperate with regionalists if they were to achieve anything for the German national dream. Voters followed their example and as a result, the *Landtag* elections in both southern kingdoms had a harmonizing effect during 1870. Similar to the delegates in the *Zollparlament*, where particularists the likes of Schäffle and Sepp initially were openly hostile to nationalists but gradually came to accept the necessity of cooperation, representatives of ideologies in the southern German parliaments edged slowly yet steadily closer together. Particularists in all German parliaments were still concerned with regional sovereignty, and unitarists were still preoccupied by attempts to achieve one political body for the German nation. However, as multiple elections brought politicians of both camps together and – in case of the *Zollparlament* – forced members of parliaments from all over Germany together in the same room, they cautiously began to respect each other’s similarities rather than emphasizing differences. Both ideologies received enough popular support to be significant, but not nearly enough to overrule the other. As a result, if any party was to achieve anything, concessions were necessary. This slowly harmonizing atmosphere of cooperation created preconditions required for one German mode of thinking.¹¹⁷ It became apparent that the *Zollparlament*, despite a particularist victory in its 1868 elections, strenuously yet doggedly had become an integrating force of the German nation – precisely as Bismarck had expected and as Hohenlohe had dreaded.¹¹⁸

This mindset, ponderously emerging, helped bring all German states together in the face of French aggression. The unification route through democratic politics was too slow for most passionate nationalists. With the *Zollparlament* being initially disappointing for them, they turned to more radical measures to achieve their goals. Just as the Austro-Prussian War had sped up the creation of a united Germany, so too could a new conflict open up new avenues

¹¹⁶ *Freiburger Zeitung* 42 (1868) 1.

¹¹⁷ Wilhelm, *Das Verhältnis*, 152-153.

¹¹⁸ Wilhelm, *Das Verhältnis*, 111-112.

for reaching that destiny. The logic of this was evident for contemporaries. As early as August 24th, 1866, just one day after the Peace of Prague, a newspaper had forecasted that “[v]ielleicht, ja wahrscheinlich werden spätere Neugestaltungen gleichfalls auf die Gewalt der Waffen sich gründen”.¹¹⁹ Accordingly, the Franco-Prussian War, commencing on July 19th, 1870, was still needed for short-term results regarding German unification. The political crises for the Hohenlohe and Varnbüler cabinets and the phenomenon of the *Zollparlament* delicately coming out of deadlock had made achieving those results somewhat easier. There were still too many factors to account for, however. It were not the nationalists who had taken firm control of the *Landtage* in the south; the cabinets in both kingdoms fell because of a particularist electoral victory. Despite the calming tone of the political debate in both parliaments during 1870, now that Hohenlohe’s *Südbund* project was definitely off the table, it were still the regionalists calling the shots. In short, the political factors nationalist figureheads such as Bismarck had to deal with just prior to the Franco-Prussian War may have grown more easy-going but had not become any fewer in number or any less complicated to deal with. A crowbar was still needed to shatter the largely inoperable and cluttered political framework of the German people. Both the North German Confederation and the *Mainlinie* had to be superseded by yet another political transformation of the German nation. To achieve this, Bismarck turned to war. Easily provoked, Napoléon III and his Second French Empire declared war on the Kingdom of Prussia. Immediately Bavaria, Württemberg, Baden and Hesse sided with king Wilhelm I to deter the French onslaught. Just four years after the *Deutscher Krieg*, Germany found itself in armed conflict again in 1870. This time, however, after four years of all kinds of forms of political opposition to Prussia, the *Südstaate* fought side-by-side with their brothers from the North German Confederation: the four stepchildren had returned to the fold.

¹¹⁹ ‘Der Friede’, *Freiburger Zeitung* 199 (1866) 1.

Conclusion

The political developments in Germany, especially in its southern regions, between the Austro-Prussian War of 1866 and the Franco-Prussian War of 1870/71 clearly showed the difficult nature of the German unification process. Contrary to the easy, logical or automatic characteristics of it, which the English literature from the introduction claimed it possessed, the endeavor was burdensome, laborious and time-consuming. Uniting the German people, even when nineteenth-century phenomena such as democracy, industrialization and nationalism were around, was a daunting task. As a testimony to the complicated nature of German politics during this period, many opinions existed between the extremes of passionate and idealist nationalists and unitarists, and hardline and conservative particularists and regionalists. The German political arena between 1866 and 1870 consisted of way more conflicts than simply nationalism versus particularism, or north versus south, or Prussia versus Austria, or Germany versus France. There were so many dualities that in the end no duality was dominant. Hohenlohe, for example, tried to summon forth a South German Confederation in regionalist fashion, seriously annoying nationalists. Their enemies, however, the particularists, did not end up being Hohenlohe's allies: particularist delegates in the *Zollparlament* opposed the *Südbund* and voters in the 1869 Bavarian *Landtagswahlen* voted predominantly particularist, ending Hohenlohe's term as prime minister. Having precariously walked across a thin regionalist line between unitarism and particularism, trying to avert crisis and war for his kingdom, the balancing act ultimately cost him his office.

The aftermath of the 1866 armed conflict had unleashed mixed emotions from nationalists. Most of them viewed the Kingdom of Prussia as their champion and either Wilhelm I or Bismarck as the would-be deliverer in the *deutsche Frage*. As a result, nationalists rejoiced in the Prussian successes during the Austro-Prussian War, but it became painfully clear that the international diplomatic context would come to curtail them. The *Mainlinie* divided the German nation for four years and nationalists experienced it as the most vivid and tangible exponent of French interference in German affairs. To others, the border was a very logical demarcation. The Swabian school of thought appeared alive and kicking during these years, with many of its adherents expressing a wish for *permanisierung* of the border. On many levels, this ideology was filled with disgust and revulsion regarding the mechanical, militaristic and protestant Kingdom of Prussia. Certainly there was a basis for a second gravitational center of German unification in Swabia, threatening the nationalist dream of one Germany. In turn, the main enemy of this Swabian process was particularism. With the exception of Baden, the *Südstaate* wanted to look inward and hold their position. All of them felt that 1866 had changed their situation and that something had to be done to avoid being absorbed by the north. On one optimal solution, however, no agreement was reached. Bavaria sometimes

found an ally in Württemberg, but on other occasions found itself diametrically opposed by its fellow southern German kingdom.

This dissension at times set Bismarck on edge. From the early 1850s, he had witnessed a possible avenue to destroying southern veto powers in the *Zollverträge* debate. The Austro-Prussian War brought the necessary change of circumstances. Trying to grievously exploit the ensuing aftermath, he joined the discussions on *Zollverein* reform once more and proposed a parliament. Offended by the possibility, Bavaria and Württemberg formed a bloc against it. The economic realities were too much to bear, however, and within a month Württemberg succumbed to Bismarck's power play. Hohenlohe tried to hold on to resistance, fueled by the critical stance of his cabinet, but king Ludwig of Bavaria played a pivotal role and formally consented to a *Zollparlament*. Bismarck's victory was soon overshadowed by the actual election results. Particularist candidates beat the nationalists with 50 to 35 seats in the rather bipartisan election. The anti-Prussian sentiment in southern Germany seemed to gain gravitas and impact. Southern delegates became a terrible nuisance, if not an obtrusive irritant, to nationalist *Zollparlament* members. After a while, though, the initial hostility subsided and – as Hohenlohe had feared – the parliament became a way to circumnavigate the *Südstaate* governments, precisely as Bismarck had foreseen. Even particularist representatives came to appreciate or at least cooperated with their northern colleagues. Not being able to silence them, as the entire point of the *Zollparlamentswahlen* was reducing the democratic deficit and thus government influence on delegates, Hohenlohe needed a new tool for resisting Bismarck.

With help from Austria, he concocted the idea of a South German Confederation. With it, he would wield enough power to maintain the *Mainlinie* and contain Prussia north of it. Though *Zersplitterung* of the German nation was not Hohenlohe's ultimate goal, if it was the cost of creating a Swabian center of political mass, then he was ready to pay that price. Hohenlohe could have lived with two Germanies, particularly because he thought Napoléon III could too. France's increasingly threatening posture was a prime motivator for Hohenlohe's *Südbund* efforts. Württemberg was intimidated to a lesser extent, however, and resisted Bavaria on this – not in the slightest because of the dominant position Bavaria would come to occupy in an eventual South German Confederation. Combined with Baden's and Hesse's opposition and Hohenlohe's wavering and, at times, indecisive nature, the *Südbund* project failed to materialize. The one group Hohenlohe did act resolutely against were the particularist *Zollparlament* delegates, who could have been his potent allies. Having grown defiant of his policies already because of the progressively cooperative atmosphere in Berlin, a schism now irrevocably emerged between the two. As a result, the political sentiment turned against Hohenlohe during the *Landtagswahlen* campaign of 1869. With his support base crumbling, he was headed for an electoral defeat. In early 1870, the *Südbund's* principal protagonist resigned from office. The ensuing conciliatory atmosphere of German politics, both in Berlin

as well as in Munich, spawned a mutual sense of understanding. Supporters of various ideologies and politicians from widely different camps came to realize that they were not going to overpower their rivals anytime soon. With so many dualities to deal with, the German nation came to realize that it needed one democratic platform open to all modes of thinking, because no ideology had the gravitas at the time to force its competitors out of action or significance.

In the same year still, all such irenic thinking ended up in a maelstrom of war. As it turned out, the French emperor gladly took it upon himself to play the role of *deus ex machina* in the German unification dilemma. Napoléon III might have been the best thing that happened to German nationalists at the time: his declaration of war on Wilhelm I brought all of Germany into the conflict on the side of Prussia. Within a year the North German Confederation disappeared and the Second German Empire was a reality. Thanks to the Franco-Prussian War the *Mainlinie* disappeared as a political border within five years of its creation. Without the armed conflict, southern Germany could have staved off integration for years. The incorporation of the region by Prussia, by some contemporaries viewed as desirable and logical, was disagreeable, unwelcome and abominable for others. Many alternatives were contemplated from 1866 to 1870, ranging from staunch particularism to forming a confederation with Austria or France at the helm. Though neither Austria nor France believed that southern Germany could endure as four independent and sovereign political entities, at least some of its inhabitants did. Additionally, the Swabian school of thought presented many philosophical and cultural arguments for anti-unitarists. With Napoléon III plunging the region into war, however, he succeeded in creating the single greatest threat France had ever witnessed on its eastern border. Coralling the German states into common action with his aggression, a multitude of Germanies – possible, and sometimes even likely, up until 1870 – disappeared as an eventuality. Undivided, the German nation was headed towards the future under one *Reich* after 1870/71.

Bibliography

Sources

- 'Die Schwaben', in: Hicethier, G. (ed.), *Berliner Revue. Social-politische Wochenschrift* 49 (Berlin 1867) 44-50.
- Von Gerlach, E.L., *Die Annexionen und der Norddeutsche Bund* (Berlin 1866).
- Wehrenpfennig, W., 'Das Zollparlament und seine Kompetenzerweiterung. Eine Warnung vor falschen Wegen', in: Von Treitschke, H. & Wehrenpfennig, W. (ed.), *Preußische Jahrbücher* 21 (Berlin 1868) 591-600.
- *Freiburger Zeitung*
 - August 24th, 1866: 'Telegramme der Freiburger Zeitung' & 'Der Friede', *Freiburger Zeitung* 199 (1866).
 - August 25th, 1866: 'Der Ernst der Lage', *Freiburger Zeitung* 200 (1866).
 - December 1st, 1867: *Freiburger Zeitung* 283 (1867).
 - February 19th, 1868: *Freiburger Zeitung* 42 (1868).
 - February 20th, 1868: *Freiburger Zeitung* 43 (1868).
 - November 26th, 1869: 'Politische Rundschau', *Freiburger Zeitung* 278 (1869).
 - November 28th, 1869: 'Politische Rundschau', *Freiburger Zeitung* 280 (1869).
- *Rosenheimer Anzeiger*
 - August 26th, 1866: 'Das Lied vom Main', *Rosenheimer Anzeiger* 35 (1866).
 - September 2nd, 1866: R.G., 'Der Vetter in der Residenz an Hans Michl Oberlander', *Rosenheimer Anzeiger* 36 (1866).
 - February 16th, 1868: Oberlander, H.M., 'Hans Michl Oberlander an seinen Vetter in der Residenz', *Rosenheimer Anzeiger* 7 (1868).
 - December 2nd, 1869: *Rosenheimer Zeitung* 96 (1869).
- *Coburger Zeitung*
 - June 5th, 1867: *Coburger Zeitung* 134 (1867).
 - June 7th, 1867: *Coburger Zeitung* 136 (1867).
- *Preußische Zeitung*
 - May 24th, 1868: *Preußische Zeitung* 120 (1868).
 - May 26th, 1868: *Preußische Zeitung* 121 (1868).
- *Bayerische Zeitung*
 - January 20th, 1867: *Bayerische Zeitung* 20 (1867).
- *Der Volksbote für den Bürger und Landmann*

- July 31st, 1868:Bander, G., *Der Volksbote für den Bürger und Landmann* (Munich 1868).
- Faber, K.G. (ed.), *Die nationalpolitische Publizistik Deutschlands von 1866 bis 1871. Eine kritische Bibliographie 1* (Düsseldorf 1963).
 - 'Strauß und der Gothaismus' (Stuttgart 1866), 111.
 - Beck, C.H., 'Über den Anschluß Süddeutschlands an den norddeutschen Bund. Betrachtungen eines Süddeutschen im Spätherbste 1866' (Nördlingen 1867), 111-113.
 - Kröner, A., 'Die Ursachen des Deutschen Krieges und seine Folgen' (Stuttgart 1867), 115-117.
 - Lange, G.G., 'Was wir wollen! Eine Ansprache an unsere lieben Landsleute in Bayern, Württemberg, Baden und im Großherzogthum Hessen-Darmstadt (1866)', 106-107.
 - Ling, J.E., 'Sechs Vorträge, gehalten in Lokale der Bürgergesellschaft zu Ulm (1866)', 109-110.
 - Schäffle, A., 'Die erste session des deutschen Zollparlaments' (1868), 341-342.
 - Wigand, O., 'Der Preußenhaß. Beleuchtet von einem Süddeutschen' (Leipzig 1867), 113-114.
 - Schneider, J., 'Der süddeutsche Bund, heute eine Forderung der Volkspartei. Eine Rede, gehalten in württembergischen Landesversammlung zu Stuttgart, 29. 7. 1866' (Mannheim 1866), 117-118.
 - Winter, C., 'Eine Stimme aus Süddeutschland diesseits der Mainlinie. Als Mahnruf an Preußen. Von einem Süddeutschen, gewesendem Mitgliede des Erfurter Unionsparlaments' (Heidelberg 1866), 110.

Literature

- Carr, W., *The Origins of the Wars of German Unification* (New York 1991).
- Doeberl, M., *Bayern und Deutschland im 19. Jahrhundert. Festrede gehalten in der öffentlichen Sitzung der K. Akademie der Wissenschaften zur Feier des 158. Stiftungstages* (Munich 1917).
- Fehrenbach, E., *Verfassungsstaat und Nationsbildung 1815 – 1871* (Munich 1992).
- Gellner, E., *Nations and nationalism* (Oxford 1983).
- Hahn, L., *Der Krieg Deutschlands gegen Frankreich und die Gründung des Deutschen Kaiserreichs. Die Deutsche Politik 1867 bis 1871* (Berlin 1871).

- Jörg, E., & Binder, F. (ed.), 'Der fortschreitende Mediatisierungs-Proceß im deutschen Süden', *Historisch-politische Blätter für das katholische Deutschland* 60 (1867) 73-84.
- Mathys, R., *Die französische Süddeutschlandpolitik. Von der Regelung der Luxemburger Frage Mai 1867, bis zum Abschluß der ersten Session des Zollparlamentes Mai 1868* (Winterthur 1964).
- McIntosh, C., *The Swan King. Ludwig II of Bavaria* (New York 2012).
- Michaelis, H.T., 'Das III. Deutsche Bundesschießen 1868 in Wien als politisch-historischer Phänomen', *Mitteilungen des Instituts für Österreichische Geschichtsforschung* 104 (1996) 58-95.
- Nipperdey, T., *Deutsche Geschichte, 1866-1918. Bd. 2: Machtstaat vor der Demokratie* (Munich 1992).
- Oncken, H. (ed.), *Großherzog Friedrich I. von Baden und die deutsche Politik von 1854-1871. Briefwechsel Denkschriften Tagebücher 2* (Osnabrück 1966).
- Rothenberg, G.E., 'The Shield of the Dynasty: Reflections on the Habsburg Army, 1649-1918', in: Cohen, G.B. & Judson, P.M. (ed.), *Austrian History Yearbook* 32 (Minnesota 2001) 169-206.
- Rürup, R., *Deutschland im 19. Jahrhundert. 1815 – 1871* (Göttingen 1992).
- Schlaich, H.W., 'Bayern und Deutschland nach dem Prager Frieden. Die deutsche Frage im Spiegel der nationalpolitischen Publizistik 1866/67', in: Van Dülmen, R., *Gesellschaft und Herrschaft. Forschungen zu sozial- und landesgeschichtlichen Problemen vornehmlich in Bayern* (Munich 1969) 301-338.
- Schmidt, J., *Bayern und das Zollparlament. Politik und Wirtschaft in den letzten Jahren vor der Reichsgründung (1866/67-1870)* (Munich 1973).
- Schübelin, W., 'Das Zollparlament und die Politik von Baden, Bayern und Württemberg 1866-1870', in: Ebering, E. (ed.), *Historische Studien* 262 (Berlin 1935) 1-142.
- Showalter, D., *The Wars of German Unification* (London 2004).
- Siedel, F., 'Das Armutzproblem im deutschen Vormärz bei Friedrich List', in: Kellenbenz, H. (ed.), *Kölner Vorträge zur Sozial- und Wirtschaftsgeschichte* 13 (Cologne 1971) 1-56.
- Smith, A.D., *Nations and Nationalism in a Global Era* (Cambridge 1995).
- Smith, A.D., *Nations and Modernism: A Critical Survey of Recent Theories of Nations and Nationalism* (London 1998).
- Tambini, D., 'Explaining monoculturalism: beyond Gellner's theory of nationalism', *Critical Review* 2 (1996) 251-270.

- Wawro, G., 'Austro-Prussian war', in: Holmes, R., Singleton, C. & Jones, S. (ed.), *The Oxford Companion to Military History* (Oxford 2001).
- Wawro, G., *The Austro-Prussian War. Austria's War with Prussia and Italy in 1866* (Cambridge 1996).
- Wilhelm, R., *Das Verhältnis der süddeutschen Staaten zum Norddeutschen Bund (1867-1870)* (Husum 1978).

Internet articles

- Wikimedia Commons, CC-BY-SA-2.5 2006 & CC-BY-SA 3.0/GFDL 1.2.
- BBC, *Scotland Decides* (September 19th, 2014) – <http://www.bbc.com/news/events/scotland-decides/results>.
- NOS, *Rajoy: peiling was propaganda* (November 12th, 2014) – <http://www.nos.nl/artikel/2003414-rajoy-peiling-was-propaganda.html>.