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RELIGION AND POLITICS IN GERMAN EDUCATION

Being a study of Religion and Politics in German Education  
with particular reference to West Germany in the period 1945-73

by

JAMES LYNCH

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ABSTRACT OF PH.D. THESIS

ON

Religion and Politics in German Education with particular  
reference to West Germany in the period 1945-73

This thesis investigates the interrelationship and interaction of significant religious and political influences on the reform of education in Germany with particular reference to the post-war period in West Germany, as manifested mainly in the work and aspirations of the Evangelical and Catholic Churches and the major political parties.

After a brief exposition of the methodology of the study, the aetiology of the influence of the above groups on the field of education is traced through the Weimar period into the National Socialist period.

In Parts Three and Four a broad conceptual framework is introduced and developments are considered in terms of ideological, curricular, organizational and policy-making categories. In spite of the initiative of the Allies a general tendency to conserve and restore is detected in the early post-war era but the ideological groundwork for reform-oriented policies and growth is seen as being set down in the latter part of this period. A change of course in West German cultural and social development is argued to have occurred in the mid 1960s after which an increasing tendency for the influence of the churches to recede in the state system of education at the organizational level is identified. The main area of conflict in the period from 1965 is seen as shifting to the curricular and policy-making fields.



Part Five seeks to relate the cultural changes which were identified in Parts Three and Four to broader social and cultural change. The dialectical relationship between education, religion and politics and broader cultural and social change is described and a general movement towards democratization is discerned, although a caveat is entered concerning alternative interpretations of the phenomena described. The work concludes with an assessment of the study, its methodology and future pressing research needs.

James Lynch

Southampton 1973

## FOREWORD

The investigation reported here was carried out over a period of some six years under the guidance and influence of Dr. T. G. Bishop of the University of Durham. His assistance and friendship is willingly acknowledged. Acknowledgement is also due to the many officials of the Ministries, Churches and political parties both federal and provincial, without whose co-operation and advice the mountain of material, and information would have remained unscaled. I am also indebted to the late Rolf Gardiner, close friend and confidant of the great Prussian Minister of Education, Carl Heinrich Becker, for the information and advice in the chapter on the Weimar period. Special thanks are also owed to Rosalind Wilson for her helpful comments on the first part of the work and Leila Duffy for her hard work, patience and understanding in the preparation of the manuscript. The greatest debt of all, I owe to my wife and family.

JAMES LYNCH

SOUTHAMPTON 1973

# RELIGION AND POLITICS IN GERMAN EDUCATION

(RELIGION AND POLITICS IN THE REFORM OF GERMAN EDUCATION  
WITH PARTICULAR REFERENCE TO WEST GERMANY IN THE PERIOD 1945-1973)

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## CHAPTER ONE

### THE METHODOLOGY OF THE STUDY

This study is concerned with the policies for the reform of education which have been proposed and developed by two major social groups in West German society since the end of the Second World War and the extent to which they have facilitated or inhibited the development of more socially appropriate and progressive educational reforms. We shall argue, that although these two groups, the religious and the political, have not been the only sources of educational reform policies, indeed major national commissions may have developed a more consistently coherent approach to policy-making at a national and regional level, it is nonetheless these groups within society which have been amongst the most important influences in education in the period under review. Our argument, however, does not rest upon the socially naive assumption that all the efforts of these parties have sought a positive effect in the sense of aspiring to change or reform, still less that there has been substantial agreement about the policies to be pursued amongst them. For, although they are the source from which major policy developments have sprung, in the very particularism of their demands there are often to be found major factors inhibiting the development of a more democratic and fair educational provision. However, the examination of such inhibiting factors is no exercise in attempting to attribute blame, but rather an attempt to clarify and to understand the bases for alternative systems of values which underlie the policies, actions and structures described whether these seek to support and conserve or criticize and change. The study is in other words an attempt to understand the social dynamics of educational reform in West Germany insofar as this arises from political or

religious factors and to seek a measure of predictability in the interaction of important social groups in the field of education as one basis for educational planning and reform.

Any theoretical framework which seeks to enable policy proposals and influence on the reform of education of two major social groupings over a period of more than a quarter of a century to be identified, analysed and interpreted will of necessity include a large element of subjective judgement. This is inevitable if the mass of data and evidence is to be injected with any shape or meaning. The approach which this study develops, requires the examination of socially- and historically-determined values and assumptions in Parts I and II so that in Parts III and IV a sociological as opposed to a merely institutional or chronological framework can be used in order to classify and understand the material and render it more susceptible to cross-cultural analysis. The comparative approach is implicit but is nonetheless fundamental as it is indeed to all sociological investigation.

The study of Comparative Education, at first characterized by a predominantly ethnocentric emphasis on historical and philosophical writing, where institutional equivalence was assumed, has been characterized in recent years by its greater adoption of social science methods and concepts. This has led many eminent educationists adopting a comparative approach to argue the need for the development and testing of theoretical and conceptual frameworks derived from human science disciplines<sup>(1)</sup>. The case for the development of a Comparative Sociology of Education has been put forward and isolated attempts have been reported of courses attempting to adopt such approaches<sup>(2)</sup>. With certain notable exceptions, however, the comparative study of education has been particularly weak in theory-building and the cross-cultural study of education remains under-developed<sup>(3)</sup>. It is in this context that the present

study must be understood. In particular it faces the dual difficulties of the relative lack of substantive studies across this area at the same time as it must wrestle with the lack of a tried and tested methodology.

Our present study is made with reference to only one country. Yet if it is to be of any value to the cross-cultural understanding of education, it must attempt to utilize as its conceptual framework categories which can be used equally in other defined cultural contexts. In other words it must seek to facilitate replication. A discussion of the search by comparative educationists for standardized categories of comparison is beyond the scope of this work, but it is necessary to acknowledge briefly the debt which the work owes to other writings in the field.

The underlying idea and major framework of the study, the two social groups, was derived principally from the work of W. R. Fraser into the French educational system. In his book Education and Society in Modern France<sup>(4)</sup>, Fraser envisages the reform of French education as having been inhibited by five major factors in French society and he posits a matrix in order to discuss and elucidate these. Our present study takes these five major 'obstacles', as Fraser describes them, and collapses these into two major components. The reasons for this are as follows: The five categories proposed by Fraser were the administrative, the professional, the cultural, the religious and the political. However, all of these are what could broadly be described as cultural or social categories and thus to have a separate category labelled cultural is unnecessary. The religious and the political are themselves cultural categories. Similarly it is suggested that the administrative and professional categories are the products of cultural contexts where policy and its formulation is predominantly influenced by the values generated in the categories describing groups which could be said to be part of the very fulcrum of human culture, the political and the

religious. Our second chapter is an illustration of this argument. In a sense it is a political decision whether administration is centralized or de-centralized - a topic of some importance in German education historically and today. The one or the other pattern is the consequence of a political decision and political policies, and since it is the policy-making and the political decision-taking with which we are here concerned, administrative matters, just as much as financial ones are considered to come within the purview of values generated by and policy formulated by the two social groups described above.

Fraser's work also contains a section on "Social Justice and the Recruitment of Elites", an important area of decision in any contemporary educational system. We recognize the need for the inclusion of this area as an important element in the policies which are formulated by the groups we have referred to and it is therefore included within Parts Three and Four of this study, where it is posed in the form of a dichotomy between a meritocratic or a democratic system of education. We recognise these not as absolutes but rather as two bearings taken from a compass point with policies tending to one or the other but not usually totally excluding either. However, in spite of the importance of policy-decisions in this area, it is one focus amongst many and thus not part of our overall conceptual framework.

Thus the major organizing framework of our present study is one that hypothesizes that it is the political and religious groups in West German society that have been the major source of policy about the reforms of West German education in the period under review and that conversely they have been amongst the major obstacles to the implementation of policies seen as inimical to their interests. Economic interest-groups, such as 'Big Business', cannot be neglected, for they are clearly able to exercise a restraining influence or through the pressure which they are able to bring to bear, to enhance and foster educational progress and decisions. However, because

minor parties have been progressively and largely excluded from the arena of modern political life, at least in most areas of western Europe and North America, it is through the appropriate established major parties that economic interests no less than ideological ones, have increasingly sought to exert their influence. The extent of economic stringency as an element within the active implementation of policy is clearly beyond the scope of such a study as this at any level of detail. In so far as it is included it is represented as the pursuit of social priorities where, given a certain gross national wealth, political decisions have to be made about its distribution on the basis of broader ideological commitments to social values as defined by such important and influential social groups as the political and religious ones.

We thus rest upon arguments presented elsewhere about the force of widely shared social values as the dominant influence in the scope, direction and nature of educational reform<sup>(5)</sup>, and seek to clarify the genesis of those values supporting major political and religious groups, in an historical study. Quite apart from the fact that many of the issues described in this part of our work are still alive today, we consider this part of our description as an integral part of the study for the way in which it seeks to give cultural depth to the social groups themselves. It is thus an indispensable part of our methodology. We preserve this approach throughout Parts I and II, distinguishing only between the historical development prior to and including the National Socialist period and post-war development up to the establishment of the Federal Republic. These sections of the study are concerned with developments throughout Germany. In Parts III and IV we depart from this mainly chronological approach to the extent that we recognize only a main watershed date in the development of education in the year 1965. But using this as a dividing line we consider educational policy and reform proposals and their implementation in terms of two major periods,



namely from 1949 to 1965 and from 1965 to 1973. In these parts we concentrate exclusively on the Federal Republic of West Germany, the overall framework being derived from the human science discipline of sociology. In the following remarks, brief reference is made to the derivation of this framework.

The use of typologies in the sociology of education has recently been criticized by Davies<sup>(6)</sup>, who sees a tendency for them to exclude what for him is the central concern of a sociology of education, namely the management of knowledge. There is certainly evidence to suggest that post-war reform proposals in Western European countries have been misguided in the emphasis which they have placed on re-organization of structures as a means of effecting greater equality<sup>(7)</sup> and this inadequacy is reflected in the present concern with compensatory education in general and in the sociology of education in particular in the more recent emphasis on the dynamics of organizations, socialization and more particularly in the new focus on the management of knowledge in society. The main focus of Davies' criticism is directed towards a typology for the comparison of educational systems proposed by Hopper<sup>(8)</sup>, which emphasized selection and the selection function of educational systems as the main category for comparison and thus, Davies argues, neglected the cultural aspect of education.

The loose conceptual framework used in this study attempts to overcome this difficulty by recognizing from the start the need for both cultural and a social aspect to each of the policy proposals that we consider. Policy proposals, for example, are articulated at the level of underlying values such as the "God-given" rights of parents. But these are then translated into structural issues such as those concerning school form or social stratification or the dynamics of new forms of organization or the selection function. It may be that in many cases the social-structural aspect has been emphasized to the almost complete exclusion of the cultural aspect or at least in such

a way as to ignore or obscure the ideology which underpins the proposal. In this case our task must be to indicate this lack and by emphasizing the interdependence between cultural and social reform to seek out the belief which is the basis for action. One advantage of this approach is that it helps to clarify, indeed to highlight, motives and aims which may otherwise be disguised by the structural policies being proposed or the political burlesque of their presentation<sup>(9)</sup>. The structure of this part of our study is considerably influenced by work on the production of a book jointly with Dr. H. D. Plunkett<sup>(10)</sup>, where the cultural and social reproduction hypothesis developed by the French sociologist Bourdieu<sup>(11)</sup> is used as a means of classifying policy options within one sub-system of the education systems of England, France and West Germany. In that case a model comprehending values and meanings as the cultural aspect and social structures and control as the social aspect was used to analyse significant policy options concerned with teacher education in three societies. Our present concern is with the ideological currents seeking to influence the system of education within one society.

Resting upon this methodological work we define four major themes which give Parts Three and Four their shape. These are the ideological, in which we consider the policies at the level of aims and values; the curricular in which we are concerned particularly with those areas of formal knowledge which political or religious groups have given particular expression to in their policies; the organizational, where we look at structural changes proposed or supported by the above groups; and finally, policy-making, where we are concerned with issues of parental, teacher and pupil involvement in education as supported or proposed by the Churches or political parties and of course the growing issue of democratization of the educational system.

Our final section, Part Five, attempts to draw together some final considerations concerning the substance and methodology of the study and

to set these in a broader cultural and social context as a basis for generalization and for further work and research.

To recapitulate: the major organizing framework of our present study is formed by two social groups broadly described as religious and political. Within these we consider three major political orientations, christian democratic, socialist and liberal and the two main Christian Churches, Catholic and Evangelical. The whole study is prefaced by an historical section which seeks out the evolution of particular problems, structures and values, and recognizes their existence over time and their interrelationship with other areas of social life. This part is an historical study of the emergence of the major groupings identified above and their policies in the field of education and eo ipso a justification of their selection as major determining influences of the rate and direction of educational and broader social change in West Germany since the Second World War. Though they are presented as the source of major proposals for educational change, they are also argued to be major sources of educational tradition and therefore of the inhibition of change. Parts Three and Four then adopt a framework which identifies four major areas for description of the policies of the political and religious groups. These areas are the ideological, curricular, organizational and policy-making. Each of these themes is examined in two periods, the first from 1949-1965 and the second with regard to developments from 1965-1973. Part Five then attempts to assess the findings of the study as a whole and to propose areas for further work and research.

The study does not aspire to be a sociological study of the reform of West German education, but it is representative of newer developments in the study of Comparative Education, which seek to study the educational system as one social system interdependent with and interacting with other social systems and particularly those motivated by religious and political driving forces. It thus rejects the consideration of educational systems as autonomous and regards the

educational system as the battle-ground of ideological groups within society.

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PART ONE

THE HISTORICAL DEVELOPMENT

## CHAPTER TWO

### THE DEVELOPMENT OF THE POLITICAL FACTOR IN EDUCATION

The development of a political interest in education in Germany is inextricably tied to the growth of political parties. The development of these organizations has been well documented and extensively described by Bergsträsser<sup>(1)</sup> and more recently by Tormin<sup>(2)</sup> and any assessment of the evolution of political organizations therefore, must at the outset make plain its debt to these authors. Their main concern, however, was with the organizational and broad ideological development of political movements in Germany. Ours is somewhat different and more limited. We shall seek to discover in what ways political pressure groups and parties have developed and how their social values have influenced the provision of formal education for their society and, more precisely, the formal institutions of the educational system. We are thus less concerned with their organization per se than with that part of their ideology and activity which has as its focus educational and broader social change.

Tormin has described how political parties first arose in Germany in the second half of the 19th century as a result of economic, social and political changes sweeping Europe at the time<sup>(3)</sup>. The successive impact of agricultural and then industrial revolutions gradually broke traditional social cohesion by encouraging the "bourgeoisie", on the basis of their burgeoning economic power, to challenge the traditional position of the nobility. The philosophical roots of this movement can be traced to the Renaissance and the Reformation but they are more directly associated with the Rationalism which gripped Europe from the latter part of the 18th century and came in Germany to be known as the "Aufklärung" (The (Age of) Enlightenment)<sup>(4)</sup>. In Germany the process was somewhat slower than in other European countries for the splintering of small

states and the tardy development of industrialization held back the advance and dissemination of ideas such as those of the Göttinger Hain and the Sturm und Drang which spearheaded the challenge to Absolutism and Autocracy. Only with the growing influence of the ideas of Rousseau and Voltaire in France and of Locke and Adam Smith in England and in particular, with the provision of constitutional models by the Bill of Rights of 1776 in America and the Revolution of 1789 in France, could it be said that the challenge also began to be made in Germany. Indeed, drawing inspiration from the French Revolution, a German nationalism began to stir as a companion to the ideals of freedom and the demands for the rights of the individual which were seeking expression at the time. Such plans as those for a new school system presented to the House of Representatives by Condorcet in 1792, have been described as being in many ways the god-father of the Prussian Draft School Law (Schulgesetzentwurf) of 1819<sup>(5)</sup>. Other influences were, however, also at work. Seminal here was the work within the field of Constitutional Law, Literature and Philosophy which provided the basis and the inspiration for the New Humanist educational reforms in Prussia in the first decades of the 19th Century. This link-up of law, literature and philosophy is epitomized in the thinking of Wilhelm von Humboldt. He was profoundly influenced by the ideals of New Humanism, and drew his literary inspiration from his friendship with Goethe and Schiller. In his Ideen zu einem Versuch, die Grenzen des Staates zu bestimmen (Ideas for an Attempt to Define the Limits of the State) he provided what has been described as the most important foundations for the development of German liberalism<sup>(6)</sup>. Of course by this time the philosophical ideals of rationalism had tempered German Absolutism, and through such codifications as the Prussian General Land Law (Allgemeines Landrecht) of 1794 one can perceive the face of an enlightened absolutism and tolerance as well as the desire and intention to make the school a state institution. More concretely and directly, the early constitutions of the smaller German principalities offered the

emerging Liberals a first opportunity for political activity. Prussia was late in the movement towards constitutional change, being preceded by the States which were contiguous to or in close proximity to France, such as Schaumburg-Lippe in 1816, Baden, Bavaria and Liechtenstein in 1818 and Hanover in 1819<sup>(7)</sup>. An interesting confluence of the constitutional and educational reforms occurred in Nassau, which under Duke William was given a new constitution in 1814, and in 1817 was the first State in Germany to introduce the interdenominational school (Simultanschule) thus incidentally providing in organizational form an example of a principle fundamental to our present study. In the field of education and culture, however, Prussia was in the van, and the reforms of Stein, Hardenberg and Scharnhorst were matched and even surpassed by the educational reform which was initiated by Wilhelm von Humboldt<sup>(8)</sup>, and which gradually produced the educational leadership of Prussia in the development of German education.

The slow pace of German urbanization and industrialization inhibited the speed of economic and technical advances which France and England were experiencing at this time and the social revolution associated with it. This backwardness and the continuing political divisions, combined to restrict the German middle class to a comparatively small size until well into the 19th Century<sup>(9)</sup> and to ensure that the German bourgeoisie was less politically mature than in France and England, and therefore less willing and able to take on political responsibility. The terrible consequences that this had for the development of German society and education are well enough known to need little reiteration. In the educational field, the New Humanist school reforms, on which Prussian national rejuvenation was to rest, ensured the emergence of a tight self-perpetuating élite to stock the ranks of the Prussian, and later German Establishment;<sup>(10)</sup> and whilst the conservative reaction forged a unity of support drawn mainly from the nobility, the protestant churches, the bureaucracy and the army, the liberals began a process of splintering



that was to continue and in so doing to weaken their contribution to the growth of a more mature German political life. From about 1830 Liberal opinion bifurcated into a moderate and a radical wing following the old division of pro- and anti-Napoleonic Liberalism, the former wishing to preserve as much as possible of the Establishment and being nationalistic rather than democratic, and the latter largely North German and bourgeois seeking the removal of the Establishment by revolution if necessary. The Law of 1832<sup>(11)</sup> forbade the formation of party organizations and the aim of the moderates in the year of revolution 1848, fostered by a small radical element, was a constitutional monarchy and a national state. The election of their candidates proceeded on the basis of personality rather than party.

Before we look more closely at the deployment of political opinion in 1848, it would be as well to take into account two further political movements which were stirring at this time; namely the incipient cohesion of Catholic opinion, and the awakening Colossus of Communism. The tendency of enlightened despotism to intrude into what had previously been largely the domain of the Church, that is the provision of education, provoked a reaction on the part of Catholics, which drew them together and resulted in the formation of numerous Catholic clubs throughout Germany, which, although divided on many issues, were united in their desire to preserve the rights of the Catholic Church in school matters<sup>(12)</sup>. This paradox of religious unity based on social and political division was the beginning of a flexible and articulate if very disparate coalition of Catholic opinion, which led from 1848, the year of the first German National Catholic Congress (Katholikentag), to the formation of Catholic Groups (Katholische Fraktionen) in the state parliaments and later, from 1870, to the establishment of the powerful and influential Centre Party (Zentrum)<sup>(13)</sup>. Co-incidentally, 1848 was also the year of the first National Evangelical Congress (Evangelischer Kirchentag) and of the

publication of the Communist Manifesto, which included amongst its demands free education and the combination of education with factory work. Drawing inspiration and momentum from such documents, workers in Berlin established the first German Workers' Assembly and this development was paralleled at national level by the founding of the short-lived General German Workers Fraternity. Both of these were to provide the foundations of the German Social Democratic Movement and later the German Communist Party.

Though a special committee for school matters was set up, the main demand of the German National Assembly in Frankfurt in 1848 was understandably constitutional, and educational matters tended to be discussed only in a very general manner. Socialists as such were not represented, but Communists did demand general free education of the people, and the Central Workers Committee, set up by Stephan Born in that same year, appealed for the state to take the responsibility for providing free education according to the ability of the individual<sup>(14)</sup>. The last issue of the newspaper that was published by the Committee gave extensive cover to educational matters calling amongst other things, for the separation of church and state, the abolition of denominational education, free tuition and educational materials, compulsory schooling from five to fourteen, the removal of church supervision of schools, the provision of continuation schools and an improved status for teachers. Section two of the document contains one of the many seeds of antipathy that were sown at this time between socialism and Roman Catholicism in specifically mentioning the exclusion of the Catholic religion as a subject of instruction in the schools<sup>(15)</sup>. Such demands became platforms of German Social Democratic educational policy in much the same way as the reactions of the first pressure-groupings of Catholic opinion at this time were later to become the official policy-bases of the Centre Party. An interesting and concomitant development at this time was taking

place amongst the teachers, for 1848 is noteworthy for the large number of teachers' assemblies that came into being and in particular for the one which took place in the Tivoli Gardens in Berlin on 26th April, and called for the university training of elementary teachers<sup>(16)</sup>; a demand that was rapidly taken up by elementary teachers throughout Germany and has remained a part of their policy and aspiration ever since. It was also later incorporated into the official policy of the Social Democratic Party.

Such demands, however, and the freedoms that they implied were short-lived and with the suppression of the June Revolts in Paris, reaction gradually crept across the states of Germany. Constitutions were rescinded, teachers dismissed and persecuted and politicians replaced. In Prussia, the conservative Minister von Raumer was appointed to take charge of educational matters in 1850 and immediately sought to use religion as an instrument of political suppression and similar measures were instituted in other German states. Notwithstanding this suppression, however, the increasingly rapid advance of urbanization and industrialization were producing poverty and unemployment both urban and rural which, in spite of the comparative docility and unpreparedness for socialism of the German working class in 1848, were to rapidly foster a rich seed-bed for this ideology<sup>(17)</sup>. Indeed though educational and political progress may have been dampened for a period of time, this very suppression induced greater cohesion amongst Catholic politicians, craftsmen and workers; indirectly stimulated the emergence of both liberal and conservative pre-parties and by dint of the activities of the various secret police systems and German governments produced a waxing of political strength amongst the socialists<sup>(18)</sup>. Political associations of workers were banned, but social concern manifested itself through religious, largely Catholic channels at this time as for example in the continuing growth of the work of Adolf Kolping. In education, under von Raumer, the works of Froebel

and Diesterweg were banned in Prussia, and through such instruments as the Prussian Stiehl Regulations<sup>(19)</sup> the teacher-education establishments were banished from urban to rural areas and the content of courses rigorously pruned. Similar measures were introduced in Bavaria and other parts of Germany but the awakening industrial power of Germany and in particular the emerging proletariat strained like Prometheus at the chains of conservative reaction. The year 1859 saw the foundation of the Liberal Workers' Associations and on 25th May 1863 the General German Workers Association Allgemeiner Deutscher Arbeiterverein was established in Leipzig. It had been preceded only two years earlier by the foundation of the first modern German political party as such, the liberal German Progressive Party (Deutsche Fortschrittspartei). Indeed it was in his antagonism to this party that Ferdinand Lassalle, first President of the General Workers Association saw the need for a counterpoise to the influence of the Progressives, and decided to go ahead with the formation of the Association. It is perhaps indicative of that immaturity of the German proletariat, which Lassalle himself criticised<sup>(20)</sup>, that their first leader should himself have been a middle-class merchant's son, who like Marx had studied in the Philosophical Faculty at Berlin. In spite of extensive agreement with both Marx and Engels, he had however failed to gain their support for his venture, when he visited them in London in 1862<sup>(21)</sup>.

In the event Lassalle's main demands on the establishment of the Association were not educational. Rather they concerned the development of an independent political workers' movement, universal suffrage and the setting up of production collectives with the aid of state credit<sup>(22)</sup>. Educational matters continued to take second place for some time not least in the draft programme for the 1866 elections, although in the same year the Socialist Saxon People's Party adopted a programme at its general assembly in Chemnitz, which contained many of the classic demands of German

Social Democracy, such as the separation of church and state and of church and school. In addition, drawing on demands already made by Stefan Born, it contained a demand for improvement in the status and training of elementary teachers and the provision of free elementary and adult education<sup>(23)</sup>. These were all important, insofar as they reflected the recession of political reaction and heralded a new self-confidence amongst the German working-class, which was busily engaged throughout the 60s in the burgeoning political and cultural associations, which provided the only means whereby at local level German workers could be politically active. The cultural stronghold of the elementary school, the army and the bourgeois press, so often referred to by Liebknecht, constituted an almost impenetrable barrier to the educational and political maturing of the German working-class and it was for such political and cultural reasons that the Social Democratic Worker's Party was set up by him and by August Bebel in Eisenach in 1869<sup>(24)</sup>. Separation of Church and State and of Church and school were amongst its early demands as was free compulsory elementary education.

The 1860s have been described as the decade of party foundations<sup>(25)</sup>, and certainly with the 'new era', opened up by the accession of William I and the consolidation of many groups of liberal opinion in the Deutscher Nationalverein (German National Association), the way was open for a blossoming of German political life and the apogée of German liberalism was prepared for. It was with the help of dissident members of the Progressive Party, that the National Liberal Party was set up in June 1867, drawing its support from the economic interests of the upper-middle class and seeking to gather opinion to the right of the Progressives. At this stage programmes were minimal as was the internal political structure of the parties. The National Liberals who aligned themselves with Bismark in his manipulation of the Constitution to levy supplementary finances and so to pay for the War of 1866, were destined to play a brief but tragic

part in the development of German political and religious life.

The protestant conservatives too, drawing their support mainly from the big landowners in the eastern territories, the protestant clergy, the higher civil service and the Officer Corps, became more formally organized and in 1867 the Free Conservative Party was established on the basis of a dual commitment to King and country. Thus at the foundation of the German Empire in 1870, there existed at least theoretically a full spectrum of political parties. With the consolidation of the Centre Party in December 1870, the scene was set for the first all-German elections of modern times, on the basis of a suffrage that was amongst the most progressive in Europe at the time<sup>(26)</sup>.

The National Liberals emerged very strongly from the battle. With 30 per cent of the votes cast and 125 of the 382 seats they were the strongest single party<sup>(27)</sup>. The left-wing Liberal Progressive Party had 46 seats, thus forfeiting at national level the numerical superiority that they had enjoyed in the Prussian Diet (Landtag) of 1863<sup>(28)</sup>. The coalition of Catholic interests contained in the Centre Party gained 63 seats and the two conservative parties together 94 seats. The Social Democratic Party polled only 3.2 per cent of the votes and gained only two seats. Thus in view of the alliance since 1867 of the National Liberals with Bismarck and the Conservatives, the main focus of opposition remaining within the National assembly was the Catholic Centre Party. It was an opposition, moreover, that was strengthened by widespread and barely concealed Catholic disappointment at the Church's prospects within a predominantly Protestant empire which excluded Austria and possessed a Protestant ruling house. Thus the main ideological and political threat to Bismarck seemed to be in the Centre Party, particularly as it was to this party that smaller dissident parties such as those representing the Poles and Danes tended to ally themselves. Educational matters played some part in this antipathy, however, as the Centre Party programme of

June 1871 asserted: "The struggle of the Parties is about the school. He who has them, has youth and therefore the future"<sup>(29)</sup>.

The First Vatican Council of 1869-70 defined the doctrine of Papal Infallibility and inaugurated the struggle between the Prussian State and the Roman Catholic Church which came to be known as the Kulturkampf. In this conflict the Liberals and the Conservatives were lined up against the Catholic Church and the Centre Party. The foolish hopes of many German Catholics that German help might be obtained to reinstate the Papal State as a temporal power also contributed to a strain between church and state, which seemed magnified by the vertical social composition of the Centre Party, culturally so heterogeneous, religiously so homogeneous. In the face of such an apparent threat to the Empire, Bismarck with the support of the Conservatives and National Liberals introduced a number of measures, such as the prohibition of the discussion of matters of state by priests in the pulpit. In 1872 the Imperial Parliament (Reichstag) passed a Law excluding all Jesuits from office in either State or school. Similar legislation was enacted elsewhere and in the same year teaching by any Catholic Order was prohibited by Baden, and parallel measures were instituted in Hessen and Saxony. Finally Prussia dissolved all monastic Orders except Nursing Orders in 1875. Such measures clearly had an adverse effect on Catholic schools, especially as the conflict was even more acrimonious in the provincial parliaments, since education came mainly within the legal powers of the states. However, perhaps even more important for the long-term political development of Germany was the fact that the May Laws of 1872 could only be carried through with the help of the Liberals who were manipulated by Bismarck into supporting measures which, on the whole, contradicted their own Liberal principles. Just as important was the re-opening of age-old wounds of sectarian bitterness, which whilst on the one hand cementing Catholic opinion around the Centre Party, succeeded on the other in reviving the siege mentality of German

Catholicism which perpetuated the anachronism of a major political party in a modern state based on membership of a religious denomination. In the second Reichstag of 1874 the Centre Party increased its number of seats from 63 to 91 and the conservative parties fell back from 94 to 57<sup>(30)</sup>. It was clear to Bismark that there could be no absolute victory and that in any case another perhaps even more powerful opposition was emerging to threaten the Empire.

In 1875 the General German Workers Association and the Social Democratic Workers Party found a common cause and united to form the Socialist Workers Party of Germany, at Gotha. The programme that they adopted was largely the work of Liebknecht<sup>(31)</sup>. It was, as might be expected in the circumstances, a compromise, but it did contain important declarations concerning education which were incidentally criticized by Marx and included the provision of general and equal education by the state, compulsory and free schooling and the declaration of religion to be a private matter<sup>(32)</sup>. With the Socialists now united and increasing their representation in the Reichstag elections of 1877 by a third, the threat of subversion seemed to Bismarck ever closer. The accession in 1878 of the more conciliatory Pope Leo XIII and the commencement of negotiations with the Holy See, opened a period of greater relaxation of relations between the Vatican and the German Empire. Two attempts on the life of the Kaiser, though not directly attributable to the social democratic movement, accentuated the fear of revolution and persuaded Bismarck to introduce the Socialist Laws of 1878. For this he needed the assistance of the now declining numbers of National Liberals in the Reichstag, and once again the German Liberal Movement allowed itself to be used for purposes which, by and large, contradicted its basic ideals, and in a way that was to fracture and splinter liberal opinion and deal it a mortal blow at a time when it could have provided the only effective counter-balance to the conservative alliance of big business and gentlemen-



farmers<sup>(32)</sup>. In the election for the fifth Reichstag of 1881 the liberal vote had been split three ways between the Progressives, the National Liberals and a new party called the Liberale Vereinigung (Liberal Union), and Bismarck's objectives of splitting the German Liberal Movement and pursuing the immobilization and negation of Social Democracy, were in sight. The stick was the anti-socialist legislation, the carrot for the new proletariat was to be an extensive, ambitious and ostensibly progressive programme of social security measures, including accident insurance, sickness benefit and old-age and disablement pensions. In spite of this, however, and the extension of the anti-socialist measures, the social democratic movement continued to grow in strength, even managing to double its number of seats in the Reichstag in the 1884 elections. In January 1890 a renewal of the anti-socialist measures was refused by the Reichstag and in March of the same year Bismarck was dismissed by the new Kaiser, William II. The way for the development of German Social Democracy to a mass movement was open. In the elections of 1890 the Party obtained 35 seats, and in 1891 renamed itself the Sozialdemokratische Partei Deutschlands (The Social Democratic Party of Germany). In that year the party congress at Erfurt approved an extensive programme which mirrored the new self confidence and respectability of the Party. It included the by now traditional demands for the separation of Church and State, the declaration of religion to be a matter of private conscience, the abolition of state subsidies to the churches, the secularization of the school, compulsory and free elementary education and where appropriate free secondary education<sup>(34)</sup>. It was an ambitious, idealistic and far-sighted programme which at once reflected the spiritual strength and humanity of a Party just emerged from proscriptive constraint. Its main authors were Bernstein and Kautsky and its final approval took place, fittingly enough, in the presence of Friedrich Engels. As a chronicle of the melioristic aspirations of German socialism over the period of the previous fifty years or more, it was to remain largely

unaltered for over thirty years more.

In the same year that the Erfurt Programme of the German Social Democratic Party was approved, the Catholic Church also awakened to the rising tide of misery throughout the industrialized countries of the world with the issue by the Pope of the epoch-making Encyclical Rerum novarum. In Germany the process of the development of a social conscience within Catholicism had been accelerated and revitalized by the successes of Social Democracy and especially in view of the apparent antipathy of this movement to the Church, not least in the area of the Church's demands in the field of education. It was no coincidence that only two months after the Party's success in the Reichstag elections of 1877, the first socio-political motion of the Centre Party was placed before the Assembly on 19th March<sup>(35)</sup>. Building on the critique of the work of Marx and Lassalle, written and published by a young Catholic priest named Franz Hitze, and the contrasting Thomist writings of Georg Freiherr von Hertling, who was a member of the Reichstag, German Catholicism and in particular the Centre Party, with its socially vertical membership, constructed a useful theoretical polarity within which a more acute and sensitive social conscience could be measured. In society at large this conscience was stirring, spurred not least by such international documents as Pope Leo XIII's Encyclical of 1884, Humani generis. Guided and encouraged by such documents, the Church in Germany attempted to harness the workers to its cause before they should be enticed away by the attractions of other interpretations of social justice. Catholic workers' associations were set up and attempts at creating a mass movement culminated in the establishment in 1890 of the Volkverein für das Katholische Deutschland (The People's Association for Catholic Germany).

Nor were Protestant political and social consciences unstirred by social conditions and the apparent need to combat the spread of 'anti-state' Social Democracy. In 1878 Adolf Stöcker, a preacher at the

Court of William I, set up the Christlich-Soziale Arbeiter Partei (Christian Social Workers' Party) in Berlin. Much of the theoretical underpinning for such movements was provided by the so-called "pulpit socialists" and through the Verein für Sozialpolitik (Association for Social Politics), which had been founded in 1872. An appeal to the masses was also attempted through the development of evangelical workers' associations from about 1890, guided and inspired in particular by the work of a group of young evangelical Pastors under the leadership of Friedrich Naumann.

Thus through antipathetic ideologies and through competition for the support of the same people, the churches and the social democratic movements were ranged against each other. Added to this was the fact that the Christian Parties tended to support the government in matters of tax, finance and colonial and maritime policy, though their separation from both the government and Social Democracy on school matters was fundamental<sup>(36)</sup>. With the Social Democratic Party at Erfurt ostensibly presenting itself as a Marxist Party and demanding the separation of Church and State and eo ipso Church and School, and with many socialists, amongst them Karl Liebknecht, seeing the churches as the instrument of the class-state, a collision course was inevitable. Increasingly, too, the socialists were becoming concerned to be more clear and precise in their proposals within the field of education.

Since the end of the Kulturkampf, however, the battle-ground had tended to be the provincial parliaments, rather than the Reichstag, at least insofar as school matters were concerned. By the end of the century the Social Democratic Party was represented in all of the provincial parliaments and both Bavaria and Prussia were pre-occupied with the schools question, involving in both cases the central issue of the relationship of Church and State. Socialism was also having an effect

on the teachers and in 1905, the Saxon Teachers' Association, ever an active and progressive group, instituted a series of discussions on the place of religion in schools, which resulted in the famous Zwickau Declaration, calling for the abolition of religious instruction and clerical supervision in schools<sup>(37)</sup>. In 1902 the Bavarian Socialist Party Congress had made the first demands for the Einheitsschule (Unified School), in Ludwigshafen, and in 1906 the German Social Democratic Party, embracing the thinking of men such as Wyneken and Otto, called for national educational legislation in the form of a Reichsschulgesetz (Reich School Law)<sup>(38)</sup>. Such demands were not only in contradiction with what was considered to be the established social order, but practically they touched on the very tender matter of the relationship of the Central Government to the Länder, as education had traditionally been a matter wholly within the competence of the provinces. Such proposals aroused the ire of the Catholic Church, traditionally jealous of its role as a teacher, not only because their fulfilment promised submersion within a predominantly Protestant state and thus loss of many hard-won privileges in education at the state level, but also partly because of the demands for non-denominational schools and abolition of religious instruction with which they were linked. In any case the Centre Party in its attempts to become interdenominational and more acceptable to a wider audience, was tending to become more national and though it did vote against the government on such measures as the Military Bills of 1874, 1889 and 1893, it was nonetheless in general agreement with the policies of the government<sup>(39)</sup>. This was reinforced by the continuing campaign of the government to vilify the Social Democrats and portray them as being undemocratic and unpatriotic. Even within the ranks of socialism this campaign was having its subtle influence and here too a gentle accommodation to the prevailing ethos of nationalism was taking place. This development was buttressed from the beginning of the

century by the uncertainties of the international scene and the continuing propagandistic work of the school, the press and the army (Idebknecht) and was in large measure to define the stance of German Social Democracy vis-à-vis the war effort in 1914<sup>(40)</sup>.

The years from the turn of the century were years of immense growth and strength for Social Democracy in Germany both within the Reichstag and outside of it. In the last national elections before the commencement of hostilities in World War I, in 1912, the Social Democratic Party became the largest single party with 110 of the 397 seats and though similar progress could not be shown in all the Landtage and especially not in North Germany because of the electoral system, nonetheless membership of Trade Unions increased in the decade from 1900 to 1910 from one to two million, practically all belonging to the Association of Free Trade Unions, and being affiliated to the Social Democratic Party<sup>(41)</sup>. Amongst teachers too its influence became more and more marked, much to the consternation of many Liberal and Conservative politicians and the authorities<sup>(42)</sup>.

The Party used its new strength in the Reichstag to educational as well as political purpose. It had been in favour of a unified educational system with a centralized control of education regulated by a National School Law and a Reich School Office, advocated particularly strongly by Heinrich Schulz. On 23rd and 24th January, 1913, the issue was introduced by the Social Democrats into the Reichstag and though it was rejected, it formed the basis of the Party's demands throughout Weimar<sup>(43)</sup>.

The hey-day of German Liberalism was now past and the various liberal parties were continuing to experience the steady decline in their fortunes that had begun in the time of Bismarck. In the 1912 elections all liberal parties could muster only 87 seats together and they had yielded in importance not only to the Social Democrats but also to the increasingly powerful Centre Party, which now had 91 seats. Even this was a reduction

on previous polls, caused possibly by the split in the Party between those who, based on Berlin, wanted a Political Party founded firmly on Catholic principles, and those others centred on Cologne, who wanted the maximum co-operation with like-minded Protestants. Amongst these latter was Matthias Erzberger, the leader of the democratic left-wing of the Centre Party, a devout and sincere Catholic, who had been instrumental in preparing the ground at the 1898 Catholic National Congress for the establishment of Christian trade unions. He had championed the Centre-sponsored Religious Toleration Bill in 1906, aimed at eliminating discrimination against Catholics in Saxony, Brunswick and Mecklenburg, where amongst other anti-church measures Religious Instruction was officially discouraged. It was he who, when other Parties and individuals turned their backs on the responsibility, was later to sign the Armistice for Germany<sup>(44)</sup>.

The beginning of the War saw a frenetic upsurge of national enthusiasm and unity, which embraced all sections of the community and all political dimensions. At the outbreak of War the War Credits were approved unanimously by the Reichstag and the Social Democrats were not found lacking in patriotic support; a source of great pride to Bethmann-Hollweg. An independent Socialist Party was later, however, to break away on this very issue under the leadership of Haase, Bernstein and Eisner.

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### CHAPTER THREE

#### THE RELIGIOUS FACTOR

The earliest formal provision of education in Germany was made by the Catholic Church, which continued to have a virtual monopoly of education until the Reformation swept away the mainstay of educational commitment: the provision of a narrow Latin-based rite-de-passage for a small secular and clerical elite. Though at first it brought disorder into established provision, the Protestant doctrine of the priesthood of all individuals caused an explosion of the demand for mass education as a preparation for a religiously participative life. The Bible, it is true, was not unknown before the Reformation but its translation into the vernacular and its central position in the Protestant faith in salvation formed a watershed in the demand for education<sup>(1)</sup>. Already in the early 16th century some areas of Germany had school systems under church control and, albeit against a background of an enormous shortage of teachers, Luther and other Church leaders pressed for the state to recognize its responsibility for schools<sup>(2)</sup>.

The excommunication of Luther on 3rd January, 1521, the inevitable riposte by the Church to Luther's refusal to renounce his ideas before the Imperial Diet set the seal on the separation of Protestant and Catholic in Germany, a split whose influence in the field of education has lasted to this day. Contrary, however, to what some Marxists would argue Luther was no revolutionary: personal motives and religious belief were the factors which determined his actions, and not some universal egalitarian principle. Indeed his very conservatism might well have helped forge that fateful link in Germany between Church and State, throne and altar, which did so much to gain identification of the Evangelical Churches with the channels of state authority and thus prevented them from

playing the socially liberating role towards the masses which would have facilitated the growth of greater social equality<sup>(3)</sup>.

Luther's condemnation, for instance, of the Peasants Revolt of 1525 was just one more step in the process of Lutheranism's consolidation of itself as an urban and princely movement, and gradually becoming a political as well as a religious faith. Paradoxically, however, it also shattered that ideal towards which the German consciousness had striven from the time of Charlemagne: namely a Christendom united under Pope and Emperor<sup>(4)</sup>. The Peace of Augsburg of 1555, allowing each Prince to determine the religion of his own state, produced a mosaic of creeds across Germany, with Lutheranism itself evolving towards a system of territorial churches; this finally buried any hope for German national and political unity such as other nations of Europe were to enjoy over the next three centuries. As all the Churches struggled for power and recognition, their whole weight in, and influence over, education gradually became an aspect of government and the seeds of a later political weakness in German society were sown.

The educational chaos left by the Reformation was gradually tackled in the Evangelical parts of Germany by state school regulations, and by the commands of Bishops and Synods in the Catholic parts. Frederick William I of Prussia covered the country with schools and the spread of Jesuit colleges, schools and mission stations and later those of other Orders increased educational provision phenomenally<sup>(5)</sup>. However the Thirty Years War, draining the land of population and stagnating economic development, could do little for educational progress. It is true that, as Paulsen points out<sup>(6)</sup> the Weimar School Regulations of 1619 were the first occasion on which the principle of compulsory schooling was introduced, though the curriculum of reading, writing, singing and religion remained much the same as before. But the end of the War left the German lands more deeply divided than ever. In the Evangelical

areas bitter quarrels ensued, centred around the issue of "pure doctrine", further dividing religious allegiance on which future educational policy might have been based. At the level of higher education the universities lost their old universalistic and international character and once again each region sought to have its own foundation<sup>(7)</sup>.

The waning of the Thirty Years War witnessed the emergence of many Ritterakademien which prepared the children of the aristocracy for military and civil service and the issue of school laws and regulations in Catholic and Protestant areas alike. Epoch-making in this respect were those regulations prepared by Duke Ernst of Gotha in 1642, followed by those in Brunswick, Wolfenbüttel and Hessen in the 1650's on the Evangelical side, and beginning in the Catholic areas with Münster in 1655 but continuing throughout the remaining part of the century<sup>(8)</sup>. All of these contributed to the take-over of education by the state and its transformation from an appendage of the Church to a state institution. Indeed if the trend towards rapid spread and organization was typical of the next century in all areas of Germany, so was the development of state control. The Aufklärung in particular contributed to a redefinition of the control of schools, with the state taking over supreme authority and delegating to the church the task of superintending them. The reforms of whole Catholic school systems under Maria Theresa and Maximilian Josef served as a model for the Western Catholic lands of Germany and Prussian legislation such as the Allgemeines Landrecht similarly acted as a path-breaker for Protestant areas.

Religion too was harnessed more closely to the demands of the State. Indeed the 28 Evangelical Churches in Germany at the moment owe their existence and number predominantly to the Reformation and consequent splintering of State Churches which possessed no organizational unity until the 20th Century<sup>(9)</sup>. Each church was legally separate and even the essentially political Corpus Evangelicorum could provide neither unity

of purpose nor mission. Only in Prussia where the demands of Church and State were unified in a historical relationship, and the Church made subordinate to a Department of the Ministry of the Interior, was this fragmentation partially overcome. Frederick William III, who formed a unified State Church out of the Reformed and Lutheran Churches, made the Church fully an instrument of state by the appointment of a General Superintendent. Even the Evangelische Kirchenzeitung, founded in 1827 was virtually a political paper<sup>(10)</sup>.

The increasing identification of the Church with the state led to a large section of the liberal bourgeoisie and the proletariat writing the Evangelical Church off; this tendency was accentuated after its stand on the side of established authority in the Frankfurt parliament and the use of religion as an instrument of suppression as in the Stiehl Regulations. Attempts were made by both Catholic and Protestant theologians to link their own brand of theology with the emerging field of educational theory<sup>(11)</sup> but, at the same time as the Catholic Church was beginning to come to grips with the emerging social problems of rapid urbanization and industrialization, the Evangelical Churches were eschewing political involvement in social reform. In spite of their religious mission to the people, involvement in the social question was rejected at the Evangelical Church assembly of 1862 and the Evangelical Higher Church Council issued the opinion in 1863 that the Church could not contribute to the solution of concrete political questions<sup>(12)</sup>. Its lack of social conscience and alienation from the workers was further accentuated by German Protestantism's support of the Anti-Socialist Laws of 1879.

Meanwhile several attempts were made in the 19th century to provide German Protestantism with greater cohesion. The Wittenberg Assembly of 1848 was a direct response to the atheistic tendencies of the Frankfurt Parliament but the hopes of Protestant unity rested more upon the

foundation, on 3rd June 1852, of the Eisenach Conference of German Evangelical Church Governments, from which was to grow in 1903 the German Evangelical Church Committee. None of these bodies, however, had any power over constituent members and the Revolution of 1919 only prodded the Churches to develop their own constitutions. Indeed the Protestant Churches as a whole did little more than pay lip-service to the Weimar Republic, and the Chairman of the first Evangelical Church Assembly after 1918 spoke of the deep debt owed to the aristocracy and the way in which it would live on in the deeply felt thanks of those of the Protestant Religion<sup>(13)</sup>. Certainly the German Protestant bourgeoisie had little understanding for Weimar, and German Church Protestantism effectively identified itself with a political minority party, the German National People's Party which was against the Republic and democracy. This was all the more important as the most powerful groups in Weimar society, the civil servants, the army and the universities were dominated by this protestant world. Gradually the trauma of the Revolution was overcome, however, and in May 1922, on the Feast of the Ascension, the German Evangelical Church Union was formed in Wittenberg, a traditional centre of such ultra-ecclesian aspirations: for the first time there was a centralized organizational framework and co-ordinated policy especially in the field of missionary work. The advent of the National Socialist Regime strengthened movements towards greater organizational unity and on 11th July, 1933, the German Evangelical Church was set up with its own constitution.

Meanwhile Catholicism had not been able to remain free of state control. In 1841 a department had been established in the Prussian Ministry of Education especially for Catholic affairs, and although the Catholic Church in Germany was able to overcome the restrictions imposed by Bismarck with the aid of the Liberals during the Kulturkampf, German Catholics remained under-represented or even excluded from positions of

power, and higher education<sup>(14)</sup>, until the Weimar Republic afforded them greater freedom and influence, though not considerably greater participation in education. The issue of clerical supervision and denominational schools continued to smoulder in most German Länder in the 19th century and excluded any effective compromise in the schools between the two denominations. Catholic social policy, on the other hand, had developed rapidly. The non-renewal of the Socialist Laws in 1890 led to the setting up of the People's League for Catholic Germany (Volksverein für das Katholische Deutschland) in 1890 as a parent organization for many Catholic leagues of workers, peasants and artisans and to stimulate the development of Workers Educational Associations (Arbeitervereine). Indeed it was in large measure due to the pioneer work of men such as Matthias Erzberger that Christian Trade Unions were established arising out of the 1898 Annual Catholic Congress (Katholikentag) and based on the Catholic social philosophy propounded in Rerum novarum (1891). Erzberger was not enamoured of Social Democracy, indeed he along with very many other Catholics saw it as being irreconcilable with Christian ideals but he did understand the need for socially-oriented policies<sup>(15)</sup>, whereas with notable exceptions such as Weber and Naumann, the Lutheran Church, a pillar of the Monarchical State, played down the social question. The prominent orthodox wing of this Church identified itself completely with the monarchist, conservative status quo. Clergymen's salaries were paid by the State and their animosity towards atheistic socialism determined their outlook over the whole political spectrum.

The First World War saw a hardening of the attitude of the Catholic Church towards schools and the education of children. Basing its arguments on the supremacy of the Church and its teaching mission in the world, Canon 1374 of the Code of Canon Law of 1917 forbade the attendance of Catholic children not only at non-Catholic schools, but also at mixed-denominational schools. It has been pointed out that

this effectively meant that Catholic parents were delegating their natural right over their children to the Church<sup>(16)</sup>, and although it is true that this same Canon provides for a measure of toleration, it is the toleration of an "evil". This Canon and the clarification introduced by Pius XI in his Encyclical Divini illius magistri of December 31st, 1929, represented a hardening of Catholic attitudes to schools, already consistently more intransigent than that of the Evangelical Church, and made the effecting of a progressive school policy based on compromise immeasurably more difficult under the Weimar Republic.

Before we pass to a consideration of political and religious influences on education under the Weimar Republic, however, it is important to trace out a movement which gained in strength throughout the nineteenth century and which found its first organized expression on a denominational basis, but rapidly became split between religious and political loyalty. The movement of which we are speaking is that of the professional associations of teachers.

Professional associations of teachers began to develop in Germany long before the more formal organization of unions of workers began to take place. Yet the first groupings of teachers were probably those which grew up in association with the guilds in the Middle Ages. Especially in trading towns, which were growing rich during the later mediaeval period in Europe, a modicum of education in the arts of reading and writing was increasingly being demanded. Masters who provided this type of training often joined together in guilds of school owners, (Schulhalterzünfte) which were supervised by the president of the guild. Such a guild was reported active in Münich as early as 1595<sup>(17)</sup> and, though it is clear that this was no isolated development, it was to take still some two hundred years before wider associations of teachers began to emerge under the impact of nationalism and an increased demand for mass education, to fulfil the goal of training the populace in



loyalty to the state. Teachers' organizations began to spring up in the early decades of the 19th century at first in the larger centres of population<sup>(18)</sup> then regionally centred, but gradually developing towards some more ongoing national relationship. They arose on a denominational basis, at first to provide in-service education for teachers, primarily in the form of teachers' societies and reading circles<sup>(19)</sup>. Their function was as much social as professional and Local School Inspectors were often given the explicit task of setting up groups of teachers for the purpose of in-service education. Whenever they took on a more overtly political intention, the society was reported to higher authority and sometimes even proscribed as happened in the case of the General Teachers' Society in Bavaria<sup>(20)</sup>. Gradually, however, the aspirations of teachers for some kind of supra-regional organization led to more permanent links which fed upon and fostered the development of a greater national feeling. In this they had the support and close sympathy of the principals of many of the elementary teacher training colleges such as Harnisch, and especially Diesterweg who campaigned tirelessly for better conditions for teachers and had a particular influence amongst the Evangelical teachers.

In 1848, in the Tivoli Gardens in Berlin, an assembly of Prussian teachers passed a series of resolutions, which were later laid before the Frankfurt National Assembly and which amongst other things demanded a separation of Church and State in education and the unification of all teacher training in the university<sup>(21)</sup>. In August of the same year the Second General Assembly of The Saxon Teachers' Association passed a resolution to send out invitations to other teachers' associations to join together in the formation of the General German Teachers' Association. As a consequence the first assembly of the ADLV - Allgemeine Deutsche Lehrerverein (General German Teachers Association) took place in Eisenach from 28th-30th August, 1848. In all of these

movements Catholic teachers were only weakly represented and the founding of local denominational teachers' associations developed apace. Several of them, however, including the Central Elementary School Teachers' Association of Bavaria in June 1849, affiliated to the ADLV. The Eisenach assembly agreed to call a further meeting in Frankfurt in October 1848, but Prussian teachers were forbidden by the Authorities to attend it and were offered, as an alternative, encouragement to attend teachers' conferences arranged for them by the civil and school authorities. Moreover by the Law of 3rd May, 1851, Prussian teachers were forbidden to take part in any political activity.

Gradually the reaction spread to other parts of Germany too. Meetings of teachers were attended by the police and, especially in Saxony, many teachers were dismissed, persecuted and hounded from their places of work<sup>(23)</sup>. The teacher-training seminaries were moved to outlying places and a meeting of principals in 1849 was harangued by Frederick William IV of Prussia and blamed for being the main cause of all the country's distress<sup>(24)</sup>. Denominational teachers' associations were encouraged by the authorities as a means of subduing the teachers, and religion was used to control them and the teacher trainees.

Meanwhile, based on the status achieved by them through the Humboldt reforms, the grammar-school teachers were gradually being harnessed to the Prussian establishment<sup>(25)</sup> and were continuing unhindered the foundation of their own teachers' associations. In 1823 the headteachers organized their own association and, in 1837, the Association of German Philologists and Schoolmasters (Verein deutscher Philologen und Schulmänner) was established. Though the organization of academic secondary teachers' associations remained generally local until after 1872, these were the first beginnings of the national body founded in 1904, the Association of academically trained teachers (Vereinsverband Akademisch-Gebildeter Lehrer Deutschlands)<sup>(26)</sup>.

The 19th century had seen a marked improvement in the academic and social status of these teachers as well as in their economic position and by the last decade of the century in Prussia they had attained a status in the civil service equivalent to that of judges.

With the establishment of the German Reich, teachers were expected to play an important part in Germanizing Polish, French and other parts of the Reich where non-German languages were spoken<sup>(27)</sup> and gradually also, with the rise of workers' movements, to combat the spread of social democracy. In Prussia, Falk, the new Minister in charge of education, introduced in 1872 general educational regulations which had the effect of liberating elementary teachers from some of the more repressive aspects of the Stiehl Regulations although it has paradoxically been argued that they also signalled the beginning of the Kulturkampf in Germany which followed the Papal Declaration of the Doctrine of Infallibility in July 1871.

The status and conditions of work of elementary teachers still continued to be miserable and contemporary literature reflects the contempt in which they were held<sup>(28)</sup>. They were still placed below prison wardens on the salary scale, though with the foundation of the Deutscher Lehrerverein (German Teachers' Association) in December 1871, a national platform for the improvement of the elementary school and its teachers had been formed. One area where the new Teachers' Association carried on a long and effective campaign, which was begun at this time and projected forward into Weimar, was in the support of the Unity School (Einheitschule)<sup>(29)</sup>. In this they were able to count on the sustenance of a number of political parties and the opposition of the Churches. The effectiveness of the Deutscher Lehrerverein was, however, diminished by denominational antipathies, particularly on the part of Catholic teachers, who sought refuge in denominationalism from the attacks of the state. The rift between the Association and the

Churches and thus denominational teacher associations was accentuated by the close association of many of its members with Social Democracy; the espousal of the 1906 Conference in Munich and the 1914 Conference in Kiel of the secular school inevitably widened differences. Through the Assembly of Catholic Schoolmen, Educators and Friends of Youth (Katholische Schulmänner, Erzieher und Jugendfreunde) in Mainz in September 1871, efforts to establish a national organization of Catholic teachers were continued, a goal which was finally achieved with the formation of the Catholic Teachers' Association (Katholischer Lehrerverband) in 1889. Even after the end of the Kulturkampf Catholic teachers' found little to agree with in the policies of the new German Teachers' Association and the Association gradually took on the image of one of many splinter associations, serving in particular the needs of evangelical male teachers. There were many other factors inhibiting greater professional unity amongst elementary teachers, including the establishment of a Prussian Elementary Teachers' Association (Landesverein preussischer Volksschullehrer) in 1872, which argued that while school matters were the affair of individual states, it was there that the teachers should concentrate their influence: a further factor was the continuation of the separate General German Teachers' Assemblies until 1894 when they were finally amalgamated with the German Teacher Conferences of the German Teachers' Association. In addition the emphasis placed on the work of providing and reforming girls' education from the foundation of the Empire onwards had encouraged the development of separate associations of women teachers<sup>(30)</sup>. At first these took place on a local and mainly denominational basis. The year 1880 saw the rise of national associations such as the Association of Christian Women Teachers (Verein Christlicher Lehrerinnen) in 1883 and the Association of Catholic German Women Teachers (Verein Katholischer Deutscher Lehrerinnen). However, with the setting up of the General German Women

Teachers' Association (Allgemeine deutsche Lehrerinnenverein) in 1890, most of the older organizations merged under its leadership and that of its first president Helene Lange<sup>(31)</sup>. Indeed at the outbreak of the First World War the women teachers of the German Empire could be said to have been more united in purpose and in organization than men teachers. For example, in the almost half a century of its existence it was only in the years immediately prior to the War that the Deutscher Lehrerverein managed to discuss at its General Assemblies a matter of such fundamental importance to the teachers as their salaries, although, of course, this had already been discussed by provincial associations<sup>(32)</sup>. The professional organization of German teachers was in the same confused and splintered state when the new Weimar Republic assumed responsibility for education in 1919.

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## CHAPTER FOUR

### THE WEIMAR PERIOD

The Weimar Republic was born of crisis and it was to live out its life in a series of military, economic, social and intellectual crises. Its birth was proclaimed in the early afternoon of November 9th, 1918, by the socialist Philip Scheidemann in order to pre-empt the proclamation of a soviet republic by Karl Liebknecht<sup>(1)</sup>. Its baptism was one of civil disorder, public unrest and political murder and it relied for its major political sustenance on the socialist left which was split and unused to political power. In the fourteen years of its existence there were seventeen different governments, reflecting the changing fortunes of a nation consistently blown off democratic course by external pressures and internal dissent.

Though the external array of parties was hardly changed by the November Revolution, the theoretical balance of democratic power, if not of actual power, accorded to them was altered radically and certainly studies of German elites in German society indicate a broader social class participation in power than previously. Although there were very many splinter parties during Weimar, the three main ones around whom decisions at first revolved were the Socialist Party, the Centre Party and the German Democratic Party. Neumann has commented on the extraordinary persistence of political forces in Germany despite changing nomenclature, and the way in which this is to be observed in a strong emphasis on Weltanschauung and strong adherence to social class alignments<sup>(2)</sup>. However it should be remembered that it was the ideological coherence of the Centre Party, a participant in 16 of the 17 Weimar governments, which gave the Republic its greatest continuity. Indeed, after the First World



War, with the addition of small parties on the right and the left wings, basic political positions and attitudes were largely re-established. The Social Democrats were perhaps the ones who underwent the greatest metamorphosis, for they had been systematically persecuted and excluded from power in the central government under the Empire: now they found themselves the possessors of decisive power and responsibility, committed fully to the protection of a new state and to accepting the consequences of the blindness and mismanagement of others<sup>(3)</sup> - a situation which could offer neither them nor any of their opponents complete satisfaction. Essentially, with the exception of the small Independent Socialists, the Party represented a continuation of the Socialist Party under the Empire. Its main support continued to be drawn from the under-privileged sections of the population and its main enemies were to be found in the ranks of those who had been most privileged and powerful under the Empire, although it must be added that towards the end of Weimar, the growth of the Communist Party was a significant cause of the weakness of the state. In spite of this the party drew its main intellectual inspiration from the Aufklärung, and free-thinking was particularly strong amongst the party leadership. With the splintering away of the Independent Socialists in 1916 and the foundation of the Communist Party from this and the Spartacus groups in December 1918, it was a party which as Grebing argues<sup>(4)</sup> had become conservative, national and social democratic at the same time and was thus hardly in a position to supply the social and ideological bases needed for a new republic. However traditional animosities die hard and the Party's stance on educational and religious affairs and in particular its advocacy of the separation of Church and State and the introduction of the non-denominational community school (Gemeinschaftsschule) were sufficient to cut it off from popular Catholic opinion and from the official Catholic Party, the Centre. It could indeed be argued that the traditional animosity between

these two groups, overcome in West Germany only after the publication of the Godesberger Programm in 1959, was one of the main causes of the downfall of Weimar.

Two great Party Conferences in Weimar contained extensive statements on cultural and educational policy. These were the ones at Görlitz in September 1921 and in Heidelberg in September 1925. The Görlitz Programme declared religion to be a private matter and demanded a separation of Church and State. The school was to be developed into a secular unity school, which would be free and would have extensive self-government. It should be co-educational and have extensive parental participation<sup>(5)</sup>. The Heidelberg Programme endorsed this, emphasizing the need to reduce educational privilege and to provide free education and materials and subsidies for those who are learning. It repeats that the public institutions of education and research should be secular, and is uncompromising in its stand against attempts to influence these institutions by the Churches and religious and ideological groupings and in its demands for separation of Church and State and Church and educational institutions. It advocates a unitary educational system with a close relationship between intellectual and manual work and teacher training, unified at institutions of higher education.

On the basis of these programmatic declarations, the achievement of German Social Democracy in German education under the Weimar Republic was considerable. The Party had not played a crucial role in educational reform anywhere before the First World War; indeed it was only from 1908 that it had been represented in the Prussian Diet. From the end of the Empire the Social Democratic Party and individual socialist politicians such as Heinrich Schulz<sup>(6)</sup> played a significant role in educational development at national, regional and local levels, whenever it was strongly represented. Free education and materials

were introduced in Berlin, Hamburg, Saxony, Thuringia and Brunswick, university education for all teachers in Saxony and Thuringia and at a pädagogische Akademie in Prussia, parental participation through parents' councils was achieved in all Länder and at a national level a number of items of national legislation which we shall be looking at in some detail, a constitution which envisaged the community school as the usual school (Regelschule) and the calling of a nationwide Reich School Conference on the initiative of Schulz, all this and much more is traceable to the work of a party which had not enjoyed political power previously.

The Centre Party had become a constant political force from the foundation of the Empire as an expression of the Catholic minority's antipathy to the Evangelical state of Bismark. Unlike the Evangelical Church, the Centre Party gained its momentum from a Church which was not bound to the Kaiser's political order and contained a broad social spectrum including priests, aristocrats, peasants and workers. However it had continually been faced with the need to broaden its appeal which it attempted to do, for example, by putting up a Jewish candidate in the 1930 election and an Evangelical theologian in the 1919 election and by adopting a variety of names for the same elections including Christliche Volkspartei. On the other hand it never attracted more than 60% of the Catholic vote<sup>(7)</sup>. Its election campaigns were framed mainly against what it saw as an anti-church social democracy and its formation of a coalition with the Majority Socialists was on the explicit understanding that an accommodation on religious and cultural questions would be made.

From the very beginning of its existence the Centre Party had always rated educational matters very high in its order of priorities and it continued to do so under Weimar. On 14th January, 1922, at its second Reich Party Conference under the Republic it set down its

economic and political guidelines, a substantial section of which was dedicated to educational matters<sup>(8)</sup>. The tone of the Programme appears to us nowadays slightly nationalist, but the religious conviction underlying it is clear for all to see. Section eight for example states that religion and the Fatherland are the centre of education and instruction. In uncompromising fashion legislative and administrative support for the denominational school, and that means also denominational teacher training and inspection, is demanded<sup>(9)</sup>. And yet there is also present in the Programme an extensive and humane demand for greater democratization of the school system, through the development of parents' councils and the provision of financial assistance to gifted children from poor homes to attend secondary school, concern for the underprivileged who are mentally or physically impaired, and the establishment of academically respectable teacher training. Becker considered the main strength of the Centre Party to be in its cultural-political rather than economic basis for existence and though one may disagree that religious considerations should be a basis for modern political parties, the cohesion which this gave radically diverse social groupings is appropriately illustrated in the extensive educational programme of the party which was unequalled by any other political grouping. Moreover, as we shall see, it is a programme which guided the policy of the party throughout Weimar. It was consistently for the denominational and private schools, for church supervision of religious instruction, though it differed from its Bavarian counterpart, the Bavarian People's Party in wishing this to be achieved through constitutional, local and regional committees on which the Church had representation, rather than by direct supervision of the local priest; it supported the raising of the status of teacher education by the education of all prospective teachers at secondary school prior to training at a pädagogische Akademie, but opposed the establishment of

the interdenominational Akademie in Frankfurt; it advocated the establishment of Chairs of Education at the universities and supported the introduction of the four-year basic school and subsequent legislation enabling early transfer to take place in the case of particularly gifted pupils<sup>(10)</sup>.

As we shall see in the case of specific legislation, the demands of the Centre Party had a powerful coherence and consistency in times of rapid change and great political and social uncertainty. As such they could easily swamp the apparently more flexible demands of other political groupings. But in their very strength was a rigidity which was ultimately to prove fatal for the party and tragic for the very education and society, which they sought to establish. Times of crisis have always accentuated Bavarian separatism and 1918 was no exception. Catholic forces united in Bavaria to form in 1918, the Bavarian Peoples' Party (Bayerische Volkspartei) which, in its programme of December 1918, reaffirmed its support for denominational schools. It tended to adopt a similar position to that of the Centre Party, but was more extreme and inflexible. The polarization between this Catholic Block and the Socialist Party was to frustrate all attempts at nationwide educational reform after the first years of Weimar.

The Liberal bourgeoisie under Weimar was represented by a new party the German Democratic Party (from 9th November, 1930, the German State Party) formed on 15th November, 1918, by a joining together of those forces that had previously supported the National Liberal and the old conservative Progressive Parties. The party was represented in almost all the Reich and Prussian Governments from 1919. In its electoral manifesto of 5th December, 1918, the party was moderate and restrained in its demands for the gradual separation of Church and State<sup>(11)</sup>, although under Friedrich Naumann and Max Weber it was opposed to the School Compromises woven into the draft

Weimar Constitution and this almost led to a rejection of the Constitution itself. It favoured a differentiated secondary school system but was for a unified elementary system, based on the interdenominational Simultanschule. It also advocated common religious instruction alongside that given by the Churches. Its educational manifesto was set out in the Party Programmes of 13th-15th December, 1919 and, 22nd August, 1930, in both of which there is a strong emphasis on national unity and therefore on the unity school and non-separation of schools according to religious denomination.

In spite of electoral disaster and changes of name the Democratic Party, aside from minor deviations, adhered to these policies throughout Weimar. In addition, not uninfluenced by the many elementary teachers in its membership, it advocated the complete integration of all teacher education into the existing institutions of higher education and when this came to nothing it placed its support firmly behind the establishment of the pädagogische Akademien as full Hochschulen sui generis. It was indeed one of the Democratic members, Bohner, who fought for the continued existence of the Akademien in Prussia in the financial crisis of 1931/32. Its policies were particularly successful in the Prussian State Parliament where it strongly supported the principle of collegiality in school government, the eight-year secondary school and the rapid advance of gifted pupils in the elementary school<sup>(12)</sup>.

In addition to these three main blocks there was a further splintering of forces from the centre to the right wing of the political spectrum with the founding by Gustav Stresemann of the German People's Party (Deutsche Volkspartei) representing many industrial and commercial interests of the nation. Its educational policy demanded religious instruction in schools of the parents' choice whether denominational or interdenominational. The German

National People's Party (Deutschnationale Volkspartei), collected together most of the members of the pre-war conservative parties and was reactionary and chauvinist in the extreme. It was Junker-dominated and its main aim was to fight the Republic, democracy and every tendency towards socialism or communism in German life. In education it was for retaining religious education, the denominational school and denominational teacher training. Its basic programme resolved at Leipzig on October 19th, 1919, demanded the national "unity school"<sup>(13)</sup>. Both of these latter parties espoused the cause of the German Evangelical Churches and were in turn favoured by them. They both emphasized Christianity and nationalism.

In many ways the process of the drafting of the Weimar Constitution and the compromises that it eventually incorporated are a microcosm of the conflicts inherent in German society at the time. On November 15th, 1918, Hugo Preuss, Professor of Constitutional Law at the Commercial University of Berlin, was requested by the Council of People's Representatives to draw up a new constitution. He was a strong advocate of greater centralization and this was reflected in the first draft that he produced, where a major problem that he faced was that of balancing the powers of the central and regional governments. A second problem that confronted him was the schools issue, for not only had the previous constitution contained nothing about schools, although different provinces did have different legislation in this respect, but school law in general was in an embryonic state of development. Indeed the Weimar Constitution was eventually built up from Belgian constitutional precedent<sup>(14)</sup>. Time was short for a nation in defeat, with civil unrest and without a constitution: although the first draft of the general part, published on 3rd January, 1919, contained mention of such matters as free provision of elementary education, state supervision and a unified structure of schools, almost all of which were strongly

influenced by the Prussian Constitution of 1850, the draft was silent on important areas of conflict such as the denominational school, private schools, religious education, the relationship of Church and State and teacher training<sup>(15)</sup>. The Provinces were presumably, as previously, to have control of these matters. The reaction of all parties within the Constitutional Committee was that more detail was needed; many and especially those led by Friedrich Naumann demanded the inclusion of a detailed exposition of the basic rights of the German people.

School specialists and members of the teaching profession had not been excluded from the discussion of this first draft published on 3rd January, 1919. The largest German teachers' association, for example, the Deutscher Lehrerverein, sent to the Weimar Assembly on 16th February, 1919, a list of proposals for the Constitution which included free, compulsory education up to the age of 18, the unification of the training and remuneration of teachers, the separation of Church and State and the establishment of the Unity School and a central educational authority for the Reich; this last in contrast to pressure from representatives of the provincial governments who continued to press for the exclusion of educational matters from the Constitution<sup>(16)</sup>. Meanwhile, however, the political moment had also been shifting due to two main factors. By a decree of 30th November, 1918, elections for the new National Assembly took place in spite of civil unrest and political assassination on 19th January, 1919, and the results gave the Socialists with 165 seats the largest participation of any single Party in the new assembly. The Centre Party, including the Bavarian People's Party obtained 88 seats and the German Democratic Party achieved a tremendous victory with 75 seats<sup>(17)</sup>. Elections for the Provincial Assemblies were also taking place amongst other states, in Bavaria on 12th January and in Prussia on 26th January.



Already some more radical provinces such as Hamburg, Bremen and Saxony had been pressing ahead establishing their own socialist legislation for schools<sup>(18)</sup>. Indeed in Saxony the Socialist Minister of Education, Buck, had halted all Catechism teaching in that Province as early as 2nd December, 1918, and, on 10th December, 1918, the Council of Workers and Soldiers for Hamburg, Altona and district issued a notice that religious instruction should be abolished, though this was later ruled to be in conflict with Articles 146, 149 and 174 of the Weimar Constitution. However, these developments and particularly the radical school legislation had their impact on public opinion, especially Catholic opinion and they had to be paid for dearly in the final formulation of the Constitution.

The question of the relationship between central and provincial governments was fundamental to the development of ordered government in Germany and nowhere was this more crucial than in the case of Prussia. Preuss's intention of dissolving Greater Prussia and dividing the new German state into fairly equal administrative units foundered on German separatism and particularism, and although Prussia's voting power in the Upper Chamber (Reichsrat) was weakened slightly by the subsequent constitution so that it did not as formerly have an overall majority, its precedence over all other Provinces remained in terms of its geographical area and size of population, so that immediately the party-political complexion of the Reich and the Prussian governments differed, the Prussian government became an immediate obstacle to the progress of Federal initiatives<sup>(19)</sup>.

In fact long before the relationship between the central government and the individual states could be regulated by the Constitution, provincial governments had been established, most notably in Bavaria in the form of a socialist government under Kurt Eisner. The Councils of Workers and Soldiers everywhere demanded

power, and in their meeting in 'Zirkus Busch' on 10th November, 1918, the Berlin Workers' and Soldiers' Council agreed that all political positions should be equally occupied by members of the Socialist Party and the Independent Socialists. Thus it came about that the Majority Socialist, Haenisch, and the Independent Socialist, Hoffmann, jointly took over the Prussian education portfolio. The Ministry was renamed the Ministry for Science, Art and Popular Education (Ministerium für Wissenschaft Kunst und Volksbildung) on 25th November, 1918<sup>(20)</sup>.

The two men were of very different temperament and character and this was reflected in their pronouncements and the Advisory Councils that they called to assist them. Hoffmann's appointment had in any case raised heated opposition from clerical circles in Prussia and on 15th November he issued an Ordinance concerning the emancipation of those who wished, from the necessity to attend religious instruction and, on 27th November, he abolished school supervision and inspection by the local clergy. On 29th November Haenisch signed an order which combined the aspirations of the majority of teachers, and particularly members of the Deutscher Lehrerverein, with those contained in the German Socialist Party's programme. In this order all obligation on pupils and teachers to give or attend religious instruction or religious service was abolished and Religious Instruction was made a non-examination subject<sup>(21)</sup>. These measures caused immediate reaction amongst Catholics and after a Pastoral Letter of 20th December, 1918, and widespread protest the more tendentious measures were effectively rescinded<sup>(22)</sup>, though not in time to save the unity of the Prussian Government, for after protest demonstrations on the part of the Centre Party and the Democrats on 1st January, 1919, the Independent Socialist ministers resigned. The occurrences had been a foretaste of the power of the Church and its political organ the Centre Party and its likely position in the constitutional conferences and the Reichstag. It was

also an indication of the severe pre-conditions that German Catholicism, as expressed through the Episcopate and the Centre Party, were tragically to set to their willingness to work democratically.

However, these measures in the largest Land had enormous influence also on opinion in Evangelical circles and in particular on the deliberations at that time taking place in the Constitutional Committee. The Revolution now meant that the Evangelical Church in Germany was uncertain of how its interests would be represented by the various parties. Several initiatives were therefore taken by a number of Evangelical Church organizations to discover the attitude of the Parties to the Evangelical Church, the most famous and influential of which was the series of questions sent by the Berliner Volkskirchendienst to all national political parties and their equivalent in the Länder<sup>(23)</sup>. Apart from the Socialists and Independent Socialists which were non-committal in their answer referring to the Erfurt Programme of the Party of 1891 as a basis for interpretation, the German People's Party, the German National People's Party and the Democratic Party (and their equivalents in the Länder) were the ones which seemed most positively disposed to the policies of the Evangelical Church. The results of the survey were used as a basis by the Land Churches for the advice they gave their congregations for the elections. In this they particularly advocated the two new right-wing parties the DNVP and the DVP and were heavily against the church and school policy of German Social Democracy. Sociologically and politically this development was of great importance for Weimar for it meant the effective and close association of the official organizations of the Evangelical Church with restorational circles of the Empire which politically were inimical to democracy and the new Republic, but judging by the disappointing results of the right-wing parties in the 1919 election,

it also brought about an alienation of rank-and-file Protestants from the political posture and advice of their leaders<sup>(24)</sup>.

Arising out of an announcement of the German Evangelical Church Committee of 13th March, 1919, a petition of over four million signatures, over three and a half million of which were collected in the area of the Old Prussian Land Church, was presented to the Reichstag in favour of the Christian character of the Volksschule<sup>(25)</sup>. Subsequently elections in Prussia led, on 25th March, 1919, to a coalition government with a Cabinet of five Socialists, two Democrats and two Centre Party members, in spite of the overall majority of the Socialists and Democrats and the opportunity that a coalition between these latter two would have offered to settle the major questions in the reform of education. No doubt in this decision by the Socialists, questions of policy at a national level were of importance, but the issue of separatism in the Rhineland and Silesia, drummed up as convenient by the Centre Party was probably also a factor. However, mention must also be made in this connection of internal differences in the Party which transcended political affiliations. Foremost amongst these was religious affiliation. All major parties except the Centre contained both Catholics and Protestants, though clearly in differing proportions<sup>(26)</sup>. The disestablishment of the Protestant Church by the Revolution meant that the Protestant politicians could no longer effectively oppose a separation of Church and State and it was for this reason that the German National Party in the Prussian Parliament, heavily influenced by its five Evangelical theologian members, tabled a motion on 11th April, 1919, for the abolition by the Ministry of clerical supervision of schools<sup>(27)</sup>. A Law containing such a provision was passed against the opposition of the Centre Party on 18th July, 1919. A further measure, however, to dispossess clerics of their automatic right to a place on the School Boards (Schuldeputationen and Schulvorstände) failed due to the

provisions of paragraph 174 of the Weimar Constitution which had meanwhile come into force. An appeal by the Centre Party to the Reich Ministry of the Interior that the proposed legislation was unconstitutional was upheld. Thus for Prussia the passing of the Weimar Constitution meant a retention of the legal provisions of the 1906 Law.

It is not being argued that all educational developments in Prussia and in the new Republic were determined by political and religious antipathies. Rather it would be more accurate to say that the tempo and parameters within which education could develop were firmly set as a result of deep religious and political differences. In the case of Prussia, this is appropriately illustrated by the work of Carl Heinrich Becker, an erudite and humane man and a skilled and meticulous administrator. Becker was State Secretary in the Prussian Ministry for Science, Art and Popular Education from April 1919 to February 1925 with a short break as Minister in that same Department from April to November 1921. From February 1925 to January 1930 he was again Minister<sup>(28)</sup>. Within the compromises set by the Weimar Constitution, and the workings of the Prussian Parliament, it was possible for Becker to develop reforms of education at all levels which were in advance of the other Länder and in most cases, the rest of Europe at that time. Two outstanding examples of his work and influence were the influential memo which he wrote on the cultural-political competence of the Reich<sup>(29)</sup> and the reforms of teacher training which he master-minded. In the former case the fact that a State Secretary in the largest German Land, a man who was not the least interested in party politics, should express support for greater power for the Reich in educational matters clearly carried great weight, and particularly as it rested firmly on the idea of persuasion rather than legislation as the means of achieving this. We shall refer later to his reforms

of teacher training, but it is worth noting that here again within the parameters that the religious and political circumstances permitted he introduced reforms which were well in advance of their age<sup>(30)</sup>. The skill with which he trod a thorny path between the demands of the Catholic Centre Party and those of the Socialist Party in the Prussian parliament whilst at the same time enduring the attacks of right wing forces opposed to the whole Weimar regime entitles him to be ranked alongside such great men of Weimar as Rathenau, Scheidemann and Stresemann<sup>(31)</sup>.

A coalition central government of Social Democrats, Centre Party members and Democrats, including Hugo Preuss was formed on 13th February, 1919, with Scheidemann as Chancellor<sup>(32)</sup>. It is instructive to note the tough position that the Centre Party leaders were directed to take in their negotiations with the Majority Socialists for the formation of this coalition government and the objectives for which they were required to strive. They were to insist on an army that could break the resistance of the Soldiers' and Workers' Councils, a Constitution under which the rights of the Catholic Church would be safeguarded and, in opposition to the demands of the Socialists and Preuss for a unitary, centralized state, they were to fight for the preservation of the federal structure of Germany<sup>(33)</sup>. Not for the first time, it was the tactics of the Centre Party to bargain from a position where they were unwilling to give up anything already contained within the constitutions of individual Länder and to fight for a generalization of the optimum position in these constitutions to the whole of Germany. Tragically they were to seem to achieve this briefly in the Concordat of 1933. Nevertheless the participation of the Centre Party in a coalition with the Socialists was so controversial that the then Papal Nuncio Pacelli, later to become Pope Pius XII,

wrote to the leader of the Centre Party Erzberger seeking clarification. Erzberger replied on 24th February, 1919, justifying the inclusion of the Centre Party in the Coalition and pointing out that this inclusion had already achieved a modification of the original draft of the Weimar Constitution, in which the separation of Church and State was demanded and the original wording concerning the introduction of interdenominational schools throughout Germany had been cancelled in favour of leaving the question open to individual states<sup>(34)</sup>. This would seem to give substance to Erich Eyck's contention that the Centre Party used the necessity of its support to the Socialists, if Weimar were to survive, to further its demands and the demands of the Catholic Church<sup>(35)</sup>. Conversely the Socialist Party was criticized for the compromise which it permitted, though it has been argued in mitigation that the Party saw its responsibility clearly as the overcoming of the political and economic problems facing it and that it had never given the overweening importance to school and church matters that the Centre had<sup>(36)</sup>. This latter is a doubtful argument in view of the consistent demands in Party Programmes for the separation of Church and State and the introduction of free compulsory education and the most likely explanation is its sense of responsibility to the new state.

Between the first and second sittings of the Constitutional Committee Catholic public opinion was aroused by the dangers facing the denominational school and religious education in the draft of the constitution and in particular by the hasty moves made by some radical provinces. At the second meeting the draft of the first sitting was amended on the important issues of teacher training, the denominational school and the participation of communities in the supervision of schools. However, external political factors were pressing hard. The Allies were demanding that the Peace Treaty should be signed and the Democratic Party, which did not feel that

it could be a party to this, withdrew from the Coalition Government. This strengthened the Centre Party's position. Items in the Constitution immediately became a matter of barter between the leading political Parties and the schools question was drawn into the formation of a new coalition<sup>(37)</sup>. On 22nd June, 1919, the resolution for the signing of the Treaty of Versailles was passed by 237 to 138 votes, the majority of the Socialist and Centre Parties voting for it, but only six Democrats, and the first Bauer cabinet was formed from a coalition of Centre Party members and Socialists. This was followed by protracted negotiations between the two Parties especially concerning the admissibility of the denominational school, which led to the so-called first "Weimar School Compromise"<sup>(38)</sup>. The denominational school was now included, private schools were admitted under certain circumstances and the prohibition of compulsory religious instruction was lifted. In the second reading the two major parties found themselves opposed by all other major parties and particularly the Democrats who alleged that the Committee's work had been negated behind closed doors. The proposed draft was however accepted on 18th July, 1919, although it was subjected before the third reading to a further "Second School Compromise". Landé argues that the reasons for this could have been an attempt to draw the Democratic Party back into the government, possibly because the Democratic Party represented the opinions of the majority of elementary teachers and the Socialists needed this support against the demands of the Centre<sup>(39)</sup>. However it is also the case that elementary teachers were also very strongly represented in the Socialist Party and had pressed since the early years of the century for the interdenominational school. Moreover many of the demands of the Socialist Party were paralleled by similar demands of the Deutscher Lehrerverein and the secularization of education was one of these. Confidential discussions between the



three Parties yielded a resolution which gave preference, but not exclusive place to the community school and accorded protection to the Simultanschule and the rights of parents. At the third reading, in the full assembly, the German National and German People's Party, seeing themselves as the representatives of the Protestant Church and the well-off classes who wanted private education, respectively restricted their comments to these two issues. Dr. Spahn for the Centre Party argued that the school is an annex of the Church, making reference to the Peace of Westphalia and the Corpus Iuris Canonici of 1917. He had bitter words for the Socialists, whose Party with no tradition dared to confront a thousand years of tradition. From the left came demands for the separation of Church and State and Church and School, the abolition of the private schools, and the introduction of the unity school. In the event the new Constitution was adopted by the National Assembly on 31st July, 1919. It was opposed by the German National People's Party, the German People's Party, the Bavarian Peasants' League and the Independent Socialists and about 70 members of the Coalition Parties, but it was passed nonetheless by a big majority. There had been 42 committee meetings, 2 plenary sessions and 2 governments before it was passed. It was signed by the President of the Republic, Friedrich Ebert, on 11th August, 1919, a day which henceforth was celebrated as a school holiday. The Constitution was, of course, not universally welcomed, associated as it was with the defeat, the revolution and the Versailles Treaty; still less did it generate universal loyalty. Even with regard to the Articles concerned with the school, it represented a laborious compromise that pleased few, but offended many. The teachers were disappointed at the rejection of the Reich Unity School (Reichseinheitsschule). On the other hand as soon as the Constitution was promulgated, for example, the Ministers of Education of the Provinces issued a declaration regretting the lack of adequate

consultation with them and saying that though the powers of the Central Government had been allowed for and the rights of parents and guardians in the communities safeguarded, there had been a consequent restriction of the power of the individual provinces<sup>(40)</sup>. However this is only one of the many points of issue and contention surrounding the new Constitution and it would be appropriate at this point to look at those Articles concerned with education and religion.

At a general level the problem of the relationship of the Reich and the Länder was solved by a compromise, influenced by Becker's powerful memo, which rejected the tendencies to centralization written into the first draft by Preuss and largely reserved to the Provinces the administration of the Courts (a tragic weakness in Weimar), the maintenance of Law and Order and the direction of education and religious affairs. For our purposes the Articles which are of most immediate concern are Article 10 (Section 2), Article 120, Article 137, Articles 142-150 and Article 174.

Article 10 was a new departure for educational legislation in Germany insofar as it provided for the Central Government to enact normative provisions with regard to education<sup>(41)</sup>, although this was balanced by Article 120 which extolled the parents' education of their children as their highest duty and natural right under the supervision of the political community. This Article stood over all the school clauses as a compromise solution to the problem caused by the extreme demands of the socialists on the one hand for community education and of the Catholic Church on the other, with its claim to support the absolute rights of parents and Church. This conflict sharpened as Weimar progressed, producing a tragic flaw in the political and social cohesion of the Republic and frustrating any major national legislation on education after the Basic School Law of April 1920. Similarly Article 137, though providing for freedom of religion and conscience and excluding in response to socialist

demands the establishment of a state church, does not provide for the radical separation of Church and State which they would have liked. Moreover the school Articles specifically allowed for the continuation of confessional schools (Article 146), secured religious instruction as a part of the regular school curriculum except in secular schools (Article 149), and allowed for the continuation of Theological Faculties (Article 149, paragraph 3).

The fourth section of the Constitution, Articles 142-150, was concerned exclusively with educational matters. Article 144 contained three main elements: state supervision of education, the participation of the communities and specialist inspection and supervision. Teacher training was to be regulated throughout the Empire at higher education level (Article 143), a stipulation which was never carried out. However from 1926 onwards, Prussia established its Pädagogische Akademien under Becker and his successor Adolf Grimme, who was instrumental in the early post-Second World War years in re-introducing a similar base for teacher education in Lower Saxony. Article 145 imposed eight year compulsory education and continuation schooling, both free, up to eighteen years of age, even for Bavaria, which alone still had only seven years of compulsory education. Article 146 which had been the centre of heated political argument at all stages established a uniform foundation school. This Article had originally been drafted as "a school common for all classes and denominations" for the first reading. However, due to the opposition of the Centre Party on account of the interdenominationalism that this implied, the words "for all classes and denominations" were expunged and in spite of unsuccessful attempts at the second reading to insert "Volksschichten" after "alle", the final rendering of this phrase remained the same as after the previous reading and a common foundation school was introduced for everyone. This was later defined in legislation and regulation at national and Land level. Under

Article 147 private preparatory schools were abolished, although Article 146 also contained a clause in Section Two enabling denominational schools to be established at the request of parents. Both of these stipulations should be read however in conjunction with Article 174 which explicitly stated that until the enactment of the National School Law, promised in Article 146, but never in fact passed, the existing legal status should continue. This effectively meant the maintaining of the status quo, and a stop to the radical measures introduced by some of the socialist and socialist-dominated Land Governments, which were later ruled to be against the spirit of the Constitution, though introduced before its promulgation. Thus; with the exception of Naussau, Posen, Frankfurt-am-Main and Hanau, Bavaria, apart from some 2.7% of schools in the larger cities, Württemberg and Oldenburg; legally those areas with denominational schools, such as Prussia were specially protected by the new Constitution, whilst those areas in dispute such as Mecklenburg-Schwerin, Brunswick, Mecklenburg-Strelitz and Lippe received little respite. Provinces with interdenominational schools such as Nassau in Prussia, Saxony with a few exceptions, Baden, Hessen with a few exceptions, Thuringia, Anhalt, Hamburg, Bremen, Schaumburg-Lippe and Lübeck also received endorsement<sup>(42)</sup>.

Articles 148 and 149 prescribed the teaching of civics, vocational education and religious instruction, this last subject having been already excluded by certain provincial governments. In the discussions surrounding this latter clause the Socialists had wanted to abolish Religious Instruction, whereas the Centre and the two right-wing Parties wished to include it as a usual subject of instruction and the German Democratic Party had chosen a middle way, demanding religious ethical instruction which left dogmatic teaching to the Churches outside of the schools. The final compromise envisaged religious instruction as a normal subject of instruction in all

schools except secular schools, and since secular schools could not be introduced until the enactment of the National Educational Law foreseen in Article 146, this effectively meant all schools. A conscience section for teachers and parents was however included in Article 149, the latter part of which was variously interpreted as the right of withdrawal sometimes having to be made explicit by parents, sometimes the desire for religious education having to be made explicit by parents, although this latter form is clearly of doubtful legality<sup>(43)</sup>.

Apart from specific alterations to the legal position mentioned above, Article 174 had the overall effect of reserving the initiative to the Provinces until the enactment of the National Education Law. This was, however, never passed and since the only unifying developments in the first years of Weimar were the Basic School Law, the Reich School Conference, and the Law Concerning the Religious Education of Children it is with these that we shall next deal.

The only successful attempt by the Reich to effect educational legislation was with regard to the basic school. The Weimar Constitution had laid down in Article 146, Subsection Two, that a Reich Law would be introduced concerning the elementary school. The Law caused no great stir in the country generally since it merely clarified and carried further the compromise principles contained in the Weimar Constitution. However within the Centre Party itself there was considerable disquiet and a special committee within the German National People's Party was formed because of criticism that the Centre had sold out to the demands of the Socialist and Democratic school reformers in the Basic School Law<sup>(44)</sup>. The Law was passed during the short-lived first Müller Cabinet, which was a coalition between the Socialists, the Democrats and the Centre Party which had four portfolios including that of finance under Wirth. The Ministry of the Interior was under the Democrat Koch and it was he who was responsible for

the passage of the Bill which was fully in line with the educational demands of the Democratic Party. In the event, his expectations of a smooth passage for it were confirmed and it was passed at the Third Reading by a big majority<sup>(45)</sup>. For many provinces it did in fact bring nothing new.

The Law concerning the Basic School and the Abolition of the Preparatory Schools of 28th April, 1920, established the first four grades of the elementary school as the basic school (Grundschule) for all children, on which the intermediate and high schools would rest and for which these first four classes were given the specific task of preparing. Although parents were given the same rights with regard to this school as with regard to the elementary school in general, that is that they could request denominational, mixed or non-sectarian schools, the safeguarding Clause 174 effectively nullified this choice<sup>(46)</sup>. In addition the Law abolished public preparatory schools at the latest by the beginning of the school year 1924/5 and private ones by 1929/30. No administrative department, however, existed at Reich level to oversee the carrying out of the Act and no financial arrangement was arrived at for compensation. Eventually after four years of bickering the Reich and the Länder finally failed to agree on the financial provisions that would have enabled the Act to achieve full vigour. In fact, in spite of regulations issued in clarification of the Law by the Ministry of the Interior on 18th July, 1921, which stated that streaming of children in the basic school in preparation for entry to high school would be in contravention of Clause 1 of the Law, the legislation was progressively watered down by the Law of 18th April, 1925, passed under the right-wing first Marx Cabinet which enabled pupils to complete the basic school in three years, and the Amendment Law of 26th February, 1927, passed under the second Marx government,

which enabled the abolition to be postponed for reasons of hardship. Marx was an eminent educational politician of the Centre Party and a Catholic, and the Centre Party supported both of the above amendments to the original provisions of the Basic School Law. Thus preparatory schools continued in existence until the Nazi regime put an effective end to them. In fact the Law of 20th April, 1920, was the high watermark of the Reich government's educational reform legislation. The Weimar coalition parties, the Centre, the Socialist, the Democratic Parties all suffered catastrophic set-backs in the swing to the right of the elections of 4th June, 1920<sup>(47)</sup> and never regained their early initiative within the field of education.

One further piece of legislation, which the Reich was, however, able to enact, and one which is still in force today in West Germany, was the Law on the Religious Education of Children (Das Gesetz über die Religiöse Kindererziehung) of 15th July, 1921<sup>(48)</sup>. The Law, introduced on the initiative of the Centre Party, laid down that the parents normally determined the religious education of their children. Children could make their own minds up after the age of fourteen and after the age of twelve children could not compulsorily be transferred to another type of religious instruction than that which they had attended previously. As Helmreich points out<sup>(49)</sup>, this National Law swept away the plethora of Laws and regulations in the various parts of the Reich and replaced them with a national Law, that with minor amendments has endured in Western Germany to this day. In spite of misgivings on the part of some Evangelical and Catholic circles, the Law's endorsement of the rights of the parents was sufficient to guarantee it comparatively untroubled passage and acceptance.

Although it did not result in nationwide legislation, one of the more important educational influences of the Weimar period was

the Berlin National School Conference of 1920. There had been previous meetings of a similar kind in 1900 and 1896 and during the War the Socialist Party had taken the initiative in proposing such a conference. After the Revolution the initiative passed to the Prussian Ministry of Education, which even before the constitutional basis for a Reich competence in educational matters had been achieved, worked closely together with the Reich Ministry of the Interior. Partly due to the cautious way in which the Central Government approached the Länder to prepare for the Conference, and the fact that the June 1920 elections had been disastrous for the main exponents of educational reform, the Socialists and Democrats, the opportune historical moment for such a meeting had passed by the time it took place; nonetheless it offered an opportunity for many of the ideas of the reforming "Educational Movement" to be heard and discussed and there can be no doubt that it had some effect on reform legislation and regulation in the Länder, albeit at the level of persuasion rather than legislative compulsion<sup>(50)</sup>. Representatives of all major cultural groups were represented, as were the Ministers in charge of education in all Länder except Bavaria, and many eminent educationists. Over 600 people attended the Conference and worked in fourteen committees and in plenary sessions. Much of the work of these committees was later used by the National School Committee (Reichsschulausschuss) and as a basis for regulation and legislation in individual Länder. The impact of the Conference, for example, on the subsequent Prussian reforms of teacher training, where the Spranger concept of a Bildnerhochschule was advocated, should not be underestimated<sup>(51)</sup>. However, in a sense the National School Conference was an educational "Babel", allowing all to express their divergent views, without seeking the compromises that would have facilitated joint action and greater harmony. It was a microcosm of German society of the time and of those many contradictory forces, in themselves and in



their aspirations democratic and legitimate, but which in unresolved conflict were to contribute to the downfall of Weimar society.

From this time onwards also, Ringer has argued, there was an important and noticeable shift in the academic literature upon education, from discussion of practical and organizational questions towards a more theoretical and abstract approach<sup>(52)</sup>, and apart from a small minority of Republicans in the institutions of higher education, the orthodox majority of Nationalists in these institutions moved ever more to the right. By the early 1930s this had also spread to the high school students. Becker's early efforts for the reform of the universities and teacher training met with considerable opposition, after bitter antagonism, and when a Chair of Race Research was created in Thuringia, academic protest was weak and ineffective<sup>(53)</sup>. Anti-semitism became more dominant and social science work could only be pursued amidst an atmosphere of conflict and tension.

Further attempts were made by the Central Government to secure national legislation in the fields of vocational education, teacher training and common school provision but these achieved no success. Paradoxically a draft National School Law such as had been projected in the Constitution, and discussed at the National School Conference was introduced into the Reichstag in the Spring of 1921. The measure, which was closely associated with the name of the Social Democratic State Secretary Heinrich Schulz, was to be tossed in Committee and on the floor of the House and hotly debated in the Press as part of the party political and religious controversy of the day.

The draft was in many ways a masterpiece, incorporating, very skillfully, compromises that were designed to reflect all shades of opinion. Section I, for example, manages to allow for the erection or continuance of interdenominational community schools, denominational schools, secular schools and schools of a particular Weltanschauung.

Section Two permitting religious education as an ordinary subject of instruction, prescribes, in similar vein to a clause incorporated into the constitution of the German Democratic Republic in 1949, that the authorities have to make available accommodation which is appropriately lighted and heated, if a religious denomination, whose denominational instruction is not part of the regular curriculum, so wishes it. The draft specifically mentions the interdenominational schools of Baden, Hessen and Nassau. Tews, reflecting much teacher opinion, describes the draft as a "work of reconciliation" and certainly it was an intricate and clever attempt to pull together the aspirations of many different warring groups in Weimar<sup>(54)</sup>. However, the majority of teachers reacted negatively. At their Representative Assembly in Stuttgart in May, 1921, the German Teachers' Association (Deutscher Lehrerverein) attacked the draft for being divisive towards education and the teachers and argued that it interfered with their freedom, destroyed the sources of all educational work and took the school out of the hands of the State<sup>(55)</sup>.

At the Committee stage of the legislation a resolution of the German National Party, the German People's Party and the Centre, which proposed that all three types of school should be equal, was accepted. State Secretary Schulz, however, stated that it was his reading of the Constitution that the Community School had precedence and as the resolution could only find a majority in committee, and would not have been able to find the necessary majority in plenary session, the Bill was withdrawn<sup>(56)</sup>. A lengthy compromise mainly between the Centre and the Socialists on the question of denominational schools was frustrated by a change of Government so that with the dissolution of the Reichstag in 1924 work on this measure was abandoned<sup>(57)</sup>. The line-up in the struggles on this issue had been the Socialists against the Centre Party supported by the smaller parties, some of whom were

opposed to the Centre on issues of foreign policy, and the Democratic Party. However not without some bitterness on the part of the Catholic teachers, the Democratic party changed its ground and the German People's Party, wishing more and more to emphasize its liberal roots, vacillated causing much exasperation in Protestant circles<sup>(58)</sup>. The elections of May 1924 represented a polarization of opinions away from responsible opinion in the centre and compromise, towards the extremes of right and left; this was to make itself felt in educational matters too.

During the later stages of the discussions concerning the National School Law, separatist and federalist tendencies had manifested themselves in the conclusion of a Concordat between the State of Bavaria and the Holy See. Negotiations had dragged on since early 1920, but it was significant of the increasing unwillingness to compromise that they should be concluded in early 1924, the year in which the Fulda Bishops Conference forbade Catholics to join the Free Trade Unions<sup>(59)</sup>. The spirit of the Concordat was in discord with the spirit of articles 135 to 139 of the Weimar Constitution, and the sixteen Articles effectively and contractually achieved the rights of the Catholic Church vis-à-vis the schools.

Article 5, Section I, for example, conceded the Church's demand that only teachers of whom it approved should be allowed to teach, not just religion, but at all in Catholic schools; paragraph 2 and paragraph 3 of the same Article introduced a religious test for all teachers who were to teach religion, these latter needing to hold the Missio Canonica from the Diocesan Bishop. Correspondingly teacher training was to be appropriate to this situation and thus denominational. The Concordat represented the high-water mark of Catholic religious and educational policies in Weimar and at the same time made one further contribution to the death of the already ailing Weimar democracy.

Tews, often a spokesman for the opinions of the General German Teachers' Association put forward quite strongly the view that this arrangement allocated a minor role to the State in educational matters, indeed that of a school auxiliary although it is the State that supports the schools institutionally and financially<sup>(60)</sup>. Similar State Treaties were concluded by Bavaria with the two Evangelical Churches and all three were ratified by the Bavarian Parliament on 25th January, 1925, without the Central Government having had a chance to accept or reject them<sup>(61)</sup>.

The Luther Government which was installed six days earlier on 19th January, 1925, had expressly and immediately stated its intention of introducing a National School Law to the Reichstag. A specialist adviser from the Prussian Ministry of Education, Gürich, was called by the German National Party Minister of the Interior Schiele to prepare a draft, which was circulated confidentially to the Länder<sup>(62)</sup>. The whole exercise was sabotaged by a leak which was published by various teachers' papers and journals; Catholic circles alleged because this new draft, coming from a more right-wing government than the earlier draft prepared by the Social Democratic State Secretary Schulz, appeared to afford too great a protection to the denominational school<sup>(63)</sup>. Certainly it is true that the second draft represented a depreciation in the position of the Gemeinschafts-schule and even appeared to take as its model the "unconstitutional" Bavarian Concordat of the same year. Vitriolic tirades were exchanged by all sides and the draft was not pursued further after the October of that year, shortly after which the shifting political situation changed again due to the resignation from the Cabinet of the German National Party members over the signing of the Treaty of Locarno on 1st December, 1925. (The German National Party and the

Centre agreed on educational policy, but disagreed on foreign policy.) Even before this the mounting and increasingly bitter religious and political divisions in German society had manifested themselves more dangerously and concretely in the election in April of Field Marshall Paul von Hindenburg as the new German President. Erich Eyck has suggested that many Protestants could not bring themselves to vote for Marx, a Catholic who together with Thälmann opposed Hindenburg at the second ballot, and that many Catholics did not like Marx's support of the Socialists and therefore did not vote for him<sup>(64)</sup>, thus paving the way for the aged and right-wing General.

1926 passed without further major initiatives being taken and it was not until at the end of the government crisis about Scheidemann's revelations concerning the circumvention of the Treaty of Versailles, that the third Marx Cabinet, comprising members of the Centre Party, German People's Party, German National People's Party, Bavarian People's Party and Economic Party, announced its intention of introducing a National School Law. This was then confirmed in a declaration of the government on 3rd February, 1927, that such a law would be in accordance with the constitution and would preserve freedom of conscience and the rights of parents, and secure religious instruction according to the foundations of the appropriate denomination<sup>(65)</sup>. From the elementary teachers and left-wing parties the reaction was swift and very critical, though consistent<sup>(66)</sup>. The measure was, they said, anti-constitutional, anti-teacher and it would destroy the community school and the State's responsibility for education. Some of the smaller parties including Stresemann's People's Party reacted one way in the Reichstag and another way in the Prussian Landtag. The third draft of a National School Law was eventually made public on 10th July, 1927. It had

been prepared under Minister of the Interior, von Keudell, a member of the German National Party. Extensive counter proposals were prepared and submitted by Prussia amongst others and these were supported by Baden. However they were rejected by the Upper Chamber (Reichsrat) and it was thus the original draft that reverted to the Lower Chamber and to the Committee stage. The German People's Party was, however, opposed to the proposals and particularly its Minister Curtius, who came from Baden, which wished to protect its interdenominational schools. The draft of the Ministry of the Interior was altered in Committee in directions which were unacceptable to the Centre Party and the inability of the coalition Parties to agree resulted in a complete impasse, which broke the coalition and brought the downfall of the government. Offenstein argues that it was the changing position of the German People's Party, drawing it ever nearer to a National Liberal Kulturkampf-type stance that felled the government, but as Führ points out<sup>(67)</sup> the stance of the Centre Party was also in large measure responsible particularly in its uncompromising clinging to the restrictive effect of paragraph 174 of the Weimar Constitution, which meant that wherever they existed, Catholic denominational schools could continue. This was the last attempt by a democratically-elected government during Weimar to pass a National School Law. It had foundered on deep-rooted religious and political differences and the chronic inability of these groupings within Weimar society to effect democratic compromises. In the ensuing election both the People's Party and the Centre lost ground to the Socialists and the new Chancellor was the Socialist Müller who led a broad-based Coalition of Socialists, Democrats, Centre Party and Bavarian People's Party. In the Prussian elections of the same year the Socialists similarly gained ground and this was to cause a further crisis in Prussia, for as a result they pressed for more than the two Prussian portfolios

that they already had. A letter which was supported by some of the foremost members of Weimar Society, including the poet Unruh, Einstein, Thomas and Heinrich Mann, Hauptmann and Liebermann, was delivered to the Minister-President of Prussia in support of Becker and this achieved a stay for one year<sup>(62)</sup> eventually, though, party political considerations led on 30th January, 1930, to the resignation and replacement of Carl Heinrich Becker as Minister of Art, Culture and Popular Education by the loyal socialist Adolf Grimme, who after the end of the Second World War was the Minister of Education for Lower Saxony and in the crucial years 1946-48 helped that Province re-establish the Becker concept of the Pädagogische Akademie, thus fulfilling a promise that he made to Becker in 1930.

This conflict about the political balance of the Prussian cabinet was accentuated by renewed controversy concerning the Concordat which the Prussian Prime Minister had been negotiating with the Holy See since 1926. He and Becker had been in charge of the delicate negotiations with Pacelli. The Bavarian Concordat of 1924 was objectionable to Prussia both for legal reasons and for political ones. The Prussian Government depended on the Socialist Party and many of its most important members, including Prime Minister Braun, were Social Democrats. The Concordat was drawn up without the educational clauses, concluded on 14th June, 1929, and ratified by the Landtag on 7th July despite strong opposition from many Social Democratic members. A similar treaty was then concluded by Prussia with the Protestant Churches. Both documents concerned themselves mainly with ecclesiastical matters and this must have been a disappointment at least to the Catholic Church in view of the national agreement including schools, which the Church was seeking at that time and its hardening attitude on denominational schools as

reflected in the Encyclical Divini illius magistri of December of that year<sup>(69)</sup>. A Concordat similar to these two was later concluded with Baden on 12th October, 1932, and this did include educational provisions endorsing the position of religious instruction as a school subject, laid down by the Weimar Constitution<sup>(70)</sup>.

However, it is perhaps in their influence on the later National Concordat that these three Provincial agreements are of most interest, for they were all specifically included in this document and carried over with it into the post-Second World War period their legal power. The Roman Catholic Bishops specifically referred to the National Concordat as having legal force on the day of the promulgation of the Constitution of the Federal Republic of West Germany on 23rd May, 1949. The history of that National Concordat concluded by Hitler with the Holy See is a long and intricate one, covering almost the whole span of the Weimar Republic, and only the main events can be given here. The story begins with the handing over on 20th July, 1920, of his letters of accreditation to the German Republic by the Apostolic Nuncio, Pacelli. Not only was he the first ambassador of the Holy See to a German national state, but he was greeted warmly by Ebert, a Socialist, in a spirit of willingness to regulate fairly the relationship between the Church and the State, which contrasted sharply with the actions which had been taken by some German States since the Revolution<sup>(71)</sup>. It was on instructions from the Fehrenbach Cabinet of 1920, a coalition of Centre Party, Democratic and People's Party members, but with Ebert's support, that the first draft of a possible Concordat was prepared by Richard Delbrück of the German Foreign Office, but this was acceptable neither to the Curia nor to the Reichstag. In 1927 the issue was again raised by the Fourth Marx Cabinet, through its Minister of the Interior von Keudell. However, in view of the inability of the Government to



agree on internal legislation and its eventual dissolution on the school issue, it was impossible to achieve agreement and no further attempt was made to open negotiations for a Concordat until after Hitler came to power on 30th January, 1933. Initial negotiations began in the remaining months of the Weimar Republic under the direction of Hitler's Vice-Chancellor Franz von Papen, but were not concluded until 20th July, 1933, by which time the National Socialist take-over of power was well advanced and the document can thus be considered in the context of National Socialist legislation. It is this, the final section of the introduction, that we deal with next.

#### References

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3. Neumann, S., Die Parteien der Weimarer Republik (Stuttgart: W. Kohlhammer Verlag, 1965 (Original edition 1932), pp. 30-31. Sontheimer has traced through this dissatisfaction into the anti-democratic facets of the predominant ideological groupings in Weimar. See Sontheimer, K., Antidemokratisches Denken in der Weimarer Republik (Munich: Nymphenburger Verlagshandlung, 1962).
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5. Saupe, E., Die Politischen Parteien und die Schule (Osterwieck, Harz: A. W. Zickfeldt Verlag, 1932), p. 27.
6. See Wulff, H., 'Heinrich Schulz 1872-1932', in Bremisches Jahrbuch (1962), pp. 319-374.
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9. Ibid., p. 19.
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11. Hohlfeld, J., Dokumente der deutschen Politik und Geschichte von 1848 bis zur Gegenwart (Berlin: Dokumenten-Verlag Dr. Herbert Wendler and Co., 1954). Volume III "Die Weimarer Republik", 1919-33, pp. 1ff.
12. Saupe, op. cit., pp. 21-26.
13. Ibid., p. 99. See also Rosin, H., "Das Verhältnis des Staates zur Kirche und Erziehung in den Programmen der politischen Parteien", Schulpolitisches Jahrbuch (1926), pp. 99-104.
14. Eyck, E., A History of the Weimar Republic (Cambridge, Mass.: Harvard University Press, 1962), vol. I, pp. 55-56.
15. Landé, W., Die Schule in der Reichsverfassung (Berlin: Verlag von Reimar Hobbing, 1929), pp. 28-30.
16. Rosin, H., Das Schulkompromiss (Schulfragen in der Reichsverfassung - Schriftenreihe des deutschen Lehrervereins) (Berlin: Verlag von Leonhard Simion, 1920), pp. 5-6.
17. Eyck, E., op. cit., pp. 61ff.
18. Much to the consternation of the Catholic section of the population. Antagonisms were particularly acute in Lower Saxony where Catholic schools were closed by the provincial government and where teachers in general tended to be labelled socialist. See Offenstein, W., Die Schulpolitik der Sozialdemokratie (Heft 26 der Reihe: Schulpolitik und Erziehung - Zeitfragen) (Düsseldorf: Zentralstelle der Katholischen Schulorganisation, no date), pp. 93-94. A helpful resumé of these and other early measures up to November 1919 is contained in the report of the Central Institute for Education and Instruction for 1920. See Menzel, G., "Die gegenwärtige Lage des Volksschulwesens in Deutschland", in Zentralinstitut für Erziehung und Unterricht, Jahrbuch 1920 (Berlin: Ernst Siegfried Mittler und Sohn, 1920), pp. 149-170.
19. Schwarz, A., Die Weimarer Republik (Konstanz: Akademische Verlagsgesellschaft Athenaion, 1958), p. 52.
20. Giesecke, H., "Zur Schulpolitik der Sozialdemokraten in Preussen und im Reich 1918/19", Vierteljahreshefte für Zeitgeschichte (1965), vol. 13, p. 163.
21. Ibid., p. 164.
22. The more important ordinances are reproduced in Giese, G., Quellen zur deutschen Schulgeschichte seit 1800 (Göttingen: Küsterschmidt - Verlag, 1961), pp. 231-240. A contemporary report on them is to be found in Tews, J., Sozialdemokratie und öffentliches Bildungswesen (Langensalza: Hermann Beyer & Söhne (Beyer and Lann), 1919), pp. 68ff.
23. The questions and replies were published as:- Evangelischer Presseverband, Die Stellung der Parteien zu den Kirchen- und Schulfragen (Berlin Steglitz: Verlag des Evangelischen Presseverbandes, 1919).

24. Mehnert, G., Evangelische Kirche und Politik 1917-1919 (Düsseldorf: Droste Verlag, 1959), pp. 177-178.
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29. This was later expanded into a pamphlet. See Becker, C. H., Kulturpolitische Aufgaben des Reiches (Leipzig: Quelle und Meyer, 1930). An excellent 'thumb-nail' sketch of Becker is contained in Gardiner Rolf, "Carl Heinrich Becker", Wessex - Letters from Springhead, Midwinter 1946, Second Series, No. 2.
30. A contemporary account of the measures taken up to November 1923 is contained in a book by Otto Boelitz, Minister of Education in Prussia from November 1921 to January 1925 in the Prussian Government of Braun. He confirms the central importance which was given to this reform by both himself and Becker. See Boelitz, O., Preussisches Bildungswesen (Leipzig: Verlag Quelle und Meyer, 1924), pp. 53ff and especially, p. 54. An up-to-date account of the reforms is contained in Kittel, H., Die Entwicklung der pädagogischen Hochschulen 1926-32 (Hanover: Hermann Schroedel Verlag, 1957).
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32. Details taken from Preller, L., Sozialpolitik der Weimarer Republik (Stuttgart: Franz Mittelbach Verlag, 1949), pp. 529 ff.
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39. Landé, W., op. cit., p. 44.
40. Fuhr, C., op. cit., (1970).
41. Details of Articles taken from Bracher, K. D., Die Entstehung der Weimarer Verfassung (Hanover: Niedersächsische Landeszentrale für Politische Bildung, 1963).
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44. See Mausbach, Dr., Religionsunterricht und Kirche (Heft 3 der Schriften zur deutschen Politik) (Freiburg: Herder and Co., 1922), pp. 32ff.
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50. An interesting view of the Conference from a present day East German point of view is to be found in Hohendorf, G., Die pädagogische Bewegung in den ersten Jahren der Weimarer Republik (Berlin: VEB Volk und Wissen, 1954). A comparison with the German Committee of 1953-65 is contained in Schorb, A. O., and Fritzsche, V., Schülerneuerung in der Demokratie (Stuttgart: Ernst Klett Verlag, 1966).

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53. Ibid., p. 436.
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55. Ibid., p. 38-39.
56. Ibid., p. 40.
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59. Preller, L., Sozialpolitik in der Weimarer Republik (Stuttgart: Franz Mittelbach Verlag, 1949), p. 189.
60. Tews, (1926), op. cit., p. 16.
61. Schwarz, op. cit., p. 114.
62. Details of this second phase are taken from Offenstein, W., Der Kampf um das Reichsschulgesetz (Düsseldorf: Verlag der Katholischen Schulorganisation, 1928), especially pp. 14ff.
63. An extensive account, though one written from a Social Democratic point of view, of the negotiations and progress of these first two drafts for a National School Law is contained in Schulz, H., Der Leidensweg des Reichsschulgesetzes (Berlin: Verlag von J. H. W. Dietz Nachf., 1926). He describes the fate of the Schiele draft as a tragic-comedy. See pp. 136ff.
64. See Eyck, E., op. cit., p. 336.
65. Offenstein, (1928), op. cit., p. 30. (But see also Hohlfeld, op. cit., p. 169.
66. The texts of all three drafts with details of the development and an extensive commentary from the point of view of the German Teachers' Association culminating in a vigorous uncompromising and outright call for the rejection of the Law is contained in Rosin, H., Das Reichschulgesetz (Berlin: Selbstverlag des deutschen Lehrervereins, 1927). For the final draft see especially pp. 82ff.
67. Führ, op. cit., p. 72.

68. Indeed his position, though not as strong as he thought, was temporarily strengthened by the appointment of Adolf Reichwein, as a socialist, as his private secretary. See Henderson, J. L., Adolf Reichwein: Eine politisch-pädagogische Biographie (Stuttgart: Deutsche Verlags-Anstalt, 1958).
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CHAPTER FIVE

THE NATIONAL SOCIALIST PERIOD

In the Winter of 1928-29 there was a total of over two and a half million unemployed in Germany and this had risen by 1931-32 to more than six million. It was eventually to reach the crushing figure of almost seven million<sup>(1)</sup>. If the National Socialists fed on this mass unemployment for their support, they were also in part its cause<sup>(2)</sup>. By 1930 the National Socialist Party had gone from strength to strength in its penetration of the fabric of German society. It was already in a dominant position by that time amongst the students in the high schools and universities and in the national students' unions, although the teachers in the former institutions were predominantly Nationalist rather than Nazi. In Thuringia in the elections of December 1929, 11.3% of the votes were cast in favour of the Nazis who found themselves sharing power and controlling the important portfolios of Education and Internal Affairs<sup>(3)</sup>. The Party drew its main support at that time from the middle classes and day workers and concentrated its canvassing on the petit bourgeoisie<sup>(4)</sup>. In the 1930 election especially, however, it drew its support heavily from the predominantly Protestant farmers in middle, North and East Germany, persuading many to vote who had not done before. In the national elections of 14th September, 1930 it increased the number of its votes from just over 800,000 to well over six million and its seats from twelve to 107. In the provincial parliaments a similar movement was also taking place. In the June election in Saxony in 1930 it obtained over 14% of the votes and in Hessen in 1931 its number of seats sky-rocketed from one to 27. In the elections

for the Prussian Landtag it increased its number of seats from nine to 166, virtually annihilating the Wirtschaftspartei and the other middle parties. The Oldenburg, Hamburg and Hessen-Darmstadt elections confirmed this trend and the destruction of the vital middle ground in German political life continued<sup>(5)</sup>.

The national, right-wing government, formed from the chaos of the 1930 election, was led by Heinrich Brüning, a member of the Centre Party, a Prussian and a former trade union functionary in the German Christian Trade Union Movement. The old President and the army were his main sources of power, yet they were in turn to be the cause of his downfall<sup>(6)</sup>. Significantly the National Socialists had not been able yet, nor were they ever able, to break the traditional attachment of the Catholic population to the Centre Party which now found itself in the Reichstag and the various Landtage. It was the most stable party committed to democratic process, participating in 16 of the 17 Weimar governments and while even the Social Democratic Party was reaping a harvest of disillusion in the form of declining participation in elections by its traditional supporters.

In the presidential elections of 1932, Hindenburg, the totem-President of Weimar was re-elected on the second ballot in April<sup>(7)</sup>. A fortnight later in the provincial elections in Prussia, Bavaria, Württemberg, Anhalt and Hamburg, the annihilation of the middle and the movement to the National Socialists was confirmed. In Prussia, Bavaria and Anhalt they almost doubled their proportion of the vote and in Württemberg almost tripled it<sup>(8)</sup>. They fed on the flight of votes from the middle parties everywhere, except in strongly Catholic areas, where previous non-voters (or those who had voted left-wing) now tended to vote Centre Party, thus further weakening left-wing parties and contributing to the growth of the very danger they sought, by changing their votes, to avert. As a result of the fall



of the Brüning government and the appointment of Papen as Chancellor on 4th June, 1932, new elections for the Reichstag were held on 31st July, 1932. In all Protestant constituencies and in denominationally fairly equally-mixed ones, the National Socialist Party became relatively the strongest party<sup>(9)</sup>. Its number of seats went up from 107 to 230. Of the other major parties only the Centre and the Communist Party managed, in the face of this landslide, to improve their position. But the election brought no solution to the political crisis and for the second time within six months, the fifth within a year if one includes regional elections, the German people were called to the ballot box. Many people, entitled to vote, did not do so and although in the results the tide of right-wing extremism was halted with the National Socialist Party's share of the seats falling from 230 to 196 the political stalemate remained. The Centre Party once again held its position with only small losses whilst the Communist Party increased its number of seats from 89 to 100<sup>(10)</sup>. However the basic position was unchanged with large coalition blocks on the extreme right-and left-wings facing each other, unwilling to compromise, yet capable of combining to frustrate any attempt by other parties to achieve a stable government.

With the advent of the Hitler cabinet of 30th January, 1933, the Weimar Republic was dead and all that was needed was the election of March 1933 to endorse the National Socialists as the largest single party. In this election the number of seats gained by them increased from 196 to 288 representing over 43% of all valid votes cast in an election where over 88.4% of the electorate had voted. Although votes cast for the Centre Party again increased, its partner in the Catholic Block, the Bavarian People's Party, lost ground, indicating the way in which National Socialism was

beginning slowly to sway the Catholic peasantry in the way it had previously done to the Protestant.

The Government of Hitler now had an absolute majority, but needed a three-quarters majority to pass the constitution-changing Enabling Act, and for this it needed the support of the Catholic Block. After much soul-searching and in the midst of an atmosphere of intimidation and violence, the Centre Party agreed to vote for Hitler's Law in exchange for assurances amongst which were cultural-political ones such as the continuing validity of the Provincial Concordats and the exclusion of the relationship of church and state and state and school. The Centre Party knew that Hitler's aim was to smash the Socialist and Communist Parties and it is perhaps appropriate that in giving their accord to his legislation, Centre Party members were putting nails in their own coffins and that of the viability of a Catholic Political Block in Germany for all time. But they could not know this at that time. A general move of optimism amongst Catholics followed and was reinforced by the declaration of 28th March, 1933, of the Catholic Bishops' Conference at Fulda which lifted the previous prohibition of the National Socialist Party to Catholics. A series of changes took place in the Länder with regard to denominational schools and school prayers, which were advantageous to the Church and these again seemed to soothe and reassure Catholic opinion<sup>(11)</sup>. The demands contained in the National Socialist Party Programme for freedom of all religious denominations and the advocacy of a positive Christianity were further strengthened by the government's declaration of March 1933 envisaging the two Christian denominations as amongst the most important factors in the conservation of national life and promising to respect agreements with them<sup>(12)</sup>.

A glance at the previous literature of National Socialism would have sufficed to reveal the reality, whose stark racialism was already in April becoming apparent<sup>(13)</sup>. In that month the number of Jewish students entering high school and university was severely limited. Saupe points out that the National Socialist Party did not have an educational programme<sup>(14)</sup>. Scattered demands for education for beauty and bodily health were interspersed with demands such as that made by Stark for a Reich Ministry of Education, for training of all teachers at Hochschule level and for the prevention of interference by the Catholic Church in schools, with a strong mixture of emphases on the Polish, French and Jewish perils<sup>(15)</sup>. However in spite of this, or rather because of this, it is difficult to understand the way in which the Catholic Church proceeded to be duped by Hitler's duplicity and deception.

When Hitler came to power he made Franz von Papen his Vice-Chancellor. Papen was a devout Catholic and ex-member of the Centre Party. Hitler, though confident of his overwhelming strength, saw the advantages of appearing conciliatory to the Church and through it to the Catholic population of Germany, which had so steadfastly supported the Centre Party throughout Weimar. He therefore encouraged Papen to take up negotiations with Pius XI, through Pacelli the former Papal Nuncio to Germany and now the Secretary of State in the Vatican. The Delbrück draft of 1920-21 was used as a basis and the ways were smoothed in Rome by Monsignor Ludwig Kaas, a former leader of the Centre Party who had retired to Rome. Only in the final stages were normal diplomatic channels used. The draft was prepared for signature by 8th July, 1933, and signed on 20th July of the same year. On 10th September, 1933, it was ratified and came into effect. Papen remained Vice-Chancellor for a further eleven months<sup>(16)</sup>.

The Concordat, the first foreign treaty concluded by the Nazi State is an important document in the relationship between the Church, politics and education not only for the way in which it highlights the Church's aspirations in cultural relations with states and its desire to regulate these in statute and agreement, but because at the end of the Second World War it was the subject of protracted litigation and struggle and had an effect on the educational policy of both Churches and political parties. It will be argued later that the rapprochement between German Social Democracy and the Catholic Church took so long<sup>(17)</sup>, in no small measure because of the obduracy of the Church in wishing to stick to the Concordat at the end of the Second World War. It is for this reason that we examine it in some detail.

In addition to guaranteeing Catholics freedom of worship and confirming the three Concordats concluded with Bavaria, Prussia and Baden, the national Concordat of 1933 laid down provisions regulating the political activities of clergy, diocesan organization and church tax-collecting. However, it was with regard to the articles concerned with education that the Concordat was a radical and argueably an unconstitutional departure from previous practice. Article 23 for example permitted Catholic schools to be established according to the single yardstick of parental choice<sup>(18)</sup>. It was silent on the matter of the Community School contained in the Weimar Constitution and thus was almost certainly against the spirit if not the letter of the Constitution, which had supported the Gemeinschaftsschule as the usual school form, in so far as this did not conflict with already existing constitutional provisions of the states (Article 174 of the Weimar Constitution refers). This meant that even in those states which had long had interdenominational schools, denominational schools could now be

introduced in spite of Section two of Article 174 of the Weimar Constitution, which specifically protected interdenominational ones. Article 24 then stipulated that only those teachers were to be employed in Catholic schools who were members of the Catholic Church and gave a guarantee that they would fulfill the particular demands of the Catholic denominational school. In effect this withdrew the rights previously afforded by the Weimar Constitution to the teachers to teach at denominational schools and yet abstain from teaching religious instruction. With regard to this latter item teachers of religion now had to be approved by the church authorities and this was tightened by a later decree of 24th January, 1934, stipulating that teachers rejoining the Church could not teach religion until a year after their re-entry<sup>(19)</sup>. Article 24 then went on to prescribe institutions of teacher preparation which could provide an appropriate training, i.e. denominational teacher-training institutions. Article 25 enabled Orders and Religious congregations to establish and run private schools and involve themselves in charitable work.

The Evangelical Church imagined that, on the basis of the principle of parity, they would also be accorded the same status and privileges that had been granted by the Concordat to the Catholic Church. In this they were wrong, but then so was the Catholic Church in imagining that it could secure its legitimate aims by legal agreement with men who recognized no legality but their own. The honeymoon with the Churches which had begun with the abolition of the Prussian Community Schools in February 1933, was soon drawing to a close. At Easter 1934, 27 Catholic and 25 Evangelical denominational schools in Hessen were turned into interdenominational schools and in the Autumn of that same year

disruptive action began against the denominational schools in Munich and Nürnberg<sup>(20)</sup>. By a concerted programme over the next two years of pressure and intimidation of parents, teachers and children the vast majority of Munich's schools were by 1936 interdenominational. The campaign was then gradually extended to Württemberg in mid-July 1936 and later to the whole of South and West Germany. The Evangelical "Bekennende Kirche" (Confessing Church) and the Catholic Church opposed the changes, and the methods that had been used to bring them about, at first by persuasion, discussion, exhortation and publicity; this last was supported by the publication on Low Sunday of March 1937 of the Encyclical Mit brennender Sorge (With Deep Anxiety). Later the Catholic Church authorities arranged their own plebiscites which showed up the 'rigged' nature of the Nazi election results, but to no avail. On 16th July, 1935, a new Reich Ministry for Church Affairs was established to settle the question of relationships with the Churches, no doubt because of the heavy weather that the German Christians were making in their takeover of the Evangelical Church; from the same month decrees were issued releasing students from the need to attend religious services and prayers. By 1938 all teacher-training institutions (Hochschulen für Lehrerbildung) were made interdenominational and restrictions were placed on the teaching of religious education by 1939, all members of Religious Orders had been banned from teaching in schools in Bavaria. More and more attempts were made to remove all youth from the influence of the Churches and the first onslaught against the teaching of religious education in Community Schools were taking place<sup>(21)</sup>. By Easter 1941 all denominational schools were turned into interdenominational ones. At the same time regional pressures were kept up. On 25th April, 1941, for example Adolf Wagner, Bavarian Minister of Education and Ganleiter issued a Ministerial

Order that crucifixes should be removed from the schools in Bavaria. The reaction by the Catholic Church and parents was so energetic that the Nazi Bavarian Minister President felt himself compelled to ask Wagner for an explanation, and the measure was secretly rescinded on 28th August, 1941<sup>(22)</sup>. One interesting admission emerges from this in a letter of the Bavarian Minister President of 30th October of that same year in which he admits that relationships between the Church and its faithful, especially in rural areas had become stronger<sup>(23)</sup>. The Concordat was ignored and by a mixture of abuse, persuasion and intimidation the schools were now increasingly harnessed to National Socialist educational dogmas. The Church itself and its clergy and organizations such as youth groups were increasingly exposed to defamation, arrest, financial pressure and other forms of persecution. The guarantees for which the Catholic Church in particular had fought so hard and for which it had sold its commitment to the Republic, turned out to have been a chimera. Truly the Centre Party sold its birthright for less than a mess of pottage. The interesting thing is the co-ordinated way in which the development had taken place, spreading from different localities and regions (Bavaria, for example, was often used as a testing ground) but always to a common aim in the battle to suppress the "political church"<sup>(24)</sup>.

The Nazis, as Bracher points out, adopted two completely different strategies in dealing with<sup>(25)</sup> the Evangelical Churches and the Catholic Church. In the case of the former Churches, their tactics were those of infiltration and control from inside beginning with the establishment in May 1932, not without earlier precedents, of the German Christian Movement (Glaubensbewegung Deutscher Christen) at the centre of which was the Association of National-Socialist Pastors. The Programme of the new movement demanded a unification of the 29 Provincial Churches, and the extension of the fight

against Marxism and Bolshevism. At the core of its philosophy was a doctrine of racial hatred. In the Prussian Church elections in November of 1932 the movement gained one third of the places. In June 1933 a National Socialist State Commissioner for the Evangelical Church in Prussia was appointed, who immediately dissolved all representative assemblies of the Evangelical Churches in Prussia<sup>(26)</sup>. On 11th July, 1933, the German Evangelical Church (Deutsche Evangelische Kirche) was founded and in the Church elections of 23rd July, the German Christians gained a decisive victory. Opposition groups now began to form and organize themselves led particularly by young theologians such as Dietrich Bonhoeffer. On 21st September a young Dahlem Pastor, Martin Niemöller wrote to his colleagues proposing the establishment of an Emergency League of Pastors (Pfarrernotbund) which managed to distribute and exhibit a manifesto pledging themselves to defend the persecuted and protect the Evangelical Faith from narrow politicization, and this was distributed on the day of the crowning glory of the German Christian Movement, when Ludwig Müller was made Reich Bishop at the National Synod in Wittenberg. Bracher describes this as the first document of the Church resistance movement<sup>(27)</sup>. On 20th October of that same year Martin Niemöller was elected chairman of the Council of the League of Pastors. By the turn of the year this movement contained roughly one third of all Pastors and it finally forced the National Socialist Regime to abandon its policy of take-over by infiltration, in favour of a more concerted and rigorous campaign to control the Churches from outside by political regulation of the German Evangelical Church through press restrictions, arrest and imprisonment. Those who refused to join the Nazi-dominated German Christians and set up a counter organization, the Confessing Church (Bekennende Kirche), had great impact on the



programme of the German Evangelical Church after 1945 and on the quality of lay religious instruction during the Nazi period and after; this was particularly important in the Soviet Zone at the end of the War<sup>(28)</sup>. Under the leadership of such men as Martin Niemöller and Dietrich Bonhoeffer<sup>(29)</sup>, this organization contrived, in spite of internal dissension and persecution from outside, to provide a healthy and decent foundation for the development of Protestantism in Germany after the end of the War<sup>(30)</sup>. Perhaps too in their struggles and persecution the Churches found a common cause which they had previously lacked. Certainly, there were many cases of their defending and succouring each other, and the development of the C.D.U. at the end of the War can not have remained uninfluenced by this.

In the movement to neutralize the position of the Churches in education and take over the schools, the administrative reorganization of education and the 'reform' of teacher organizations were important elements and it is to these that we next refer.

On 7th April, 1933, "conditions of service" for civil servants in general had been uniformly regulated throughout the Reich and on the 30th January, 1934, the Law on the Renewal of the Reich took away from the previously existing Ministries of Culture of the Länder their autonomy in educational matters and made them agents of the Reich. For a short while this meant they came under the control of Frick at the Ministry of the Interior. However, with effect from the 1st May, 1934, a new Reich Ministry for Science, Education and Popular Instruction was established under the former Prussian Minister of Education, Rust. The Prussian Ministry formed the basis for the new Reich Ministry and Rust continued to be responsible for both until they were united on 1st January, 1935. In 1939 a centralized Reichsprüfungsamt (Reich Examination Office)

was established as a further step to unifying the administration of educational administration and in that same year all teachers were appointed national civil servants from 1941 their training was concentrated in the Lehrerbildungsanstalten<sup>(31)</sup>.

The plethora of professional and subject-teacher organization that had existed up to the end of Weimar was gradually taken over and absorbed into the Nationalsozialistischer Lehrerbund (National Socialist Teachers League), at first through the occupation by Nazis of important positions in the existing organizations and associations and then later by persuading all German teacher associations to join the Deutsche Erziehergemeinschaft (German Educational Association)<sup>(32)</sup>. Thinking that by joining it they could avoid complete absorption into the National Socialist Teachers' League, many teachers' associations succumbed, only to find that for the Nazis the Deutsche Erziehergemeinschaft and the Nationalsozialistischer Lehrerbund were synonymous. By the end of 1933 membership of this latter had risen to 220,000<sup>(33)</sup>. Some teacher associations did hold out longer, using the personal conflict between Frick, Minister of the Interior, and Schemm, Bavarian Minister of Culture, about who should control the teachers' organization, in order to avoid the inevitable take-over. Notable amongst these were the Bavarian Teachers' Association and the Association of Grammar School Teachers (Philologenverband) although many smaller denominational associations also held out for a while. Eventually either by sequestration of their funds, or prohibition of their publications or by infiltration of their ranks they were absorbed into the Nazi machinery and membership of the N.S.L.B. became almost compulsory for all teachers. Its activities were suspended to help the war effort in 1943<sup>(34)</sup>.

Political Associations and Parties fared no better and in many cases worse. First moves against workers' movements were commenced

in early April 1933, with the "Law on Factory Representation" (Gestz über Betriebsvertretungen) and in May of the same year by the establishment of the German Workers Front (Deutsche Arbeiterfront) to "co-ordinate" all trade union activity. The Communist Party's funds were confiscated by a Law on the 26th May, 1933, and in view of the lack of support from Russia, due to the extension of the Russo-German Pact of 1926 on 4th May, 1933, the Communist Party apparatus was shattered. The Socialist Party which had so long sought to provide a "legal opposition" was prohibited on 22nd June, 1933, and its members arrested or driven into impotence or exile, at first to join those already in Prague and then later in Paris and finally London<sup>(35)</sup>. Its spirited opposition to the Enabling Law, its compromising support of the declaration of 17th May had all been in vain. The other political parties could now no longer continue to maintain a separate existence and where they did not go into exile they were driven into collaboration or resistance. From 14th July, 1933, there was to all intents and purposes a one-party state in Germany confirmed by Law of that day which forbade all other Parties for ever. By Law of 30th January, 1934, this one-party state then overcame the continuing problem of German particularism by withdrawing from the Länder of the Reich all legal Rights.

Thus the three major problems of Weimar, its religious divisions its political splinterings and its particularism, were overcome!

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18. Although it did strengthen state control over them. See Fischer, A., op. cit., pp. 11-12.
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28. The resistance to Nazi pressure served to make the Confessing Church seek new ways of assuring religious education for its youth and influence over its congregations. See in particular the pronouncements of the Synods of the Confessing Church in Prussia and elsewhere in Niemöller, W., Die Evangelische Kirche im Dritten Reich (Bielefeld: Ludwig Bechauf Verlag, 1956), especially pp. 314-323.
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PART TWO

THE EARLY POST-WAR YEARS

CHAPTER SIX

ALLIED POLICY AND CONTROL

By the end of the War Germany was materially and intellectually exhausted. With its main cities in ruins, much of its educational plant destroyed or beyond repair and many of its foremost educationists in exile, dead or in prison, the task of bringing about even a semblance of order seemed insuperable. The presence of large numbers of foreign workers, the influx of large numbers of refugees and of troops who had to be billeted on the civilian population, combined with the aimless wandering of thousands of displaced persons\*, made the task of providing for the basic needs of the population, such as shelter and food the first priority. Educational matters had, of necessity, to be of secondary importance. In reports published by the United States at the time overcrowding, poverty, distress and starvation are eloquently highlighted<sup>(1)</sup>. The imbalance between men and women, the closing of all schools at the end of the War, the dismissal of large numbers of teachers, all contributed to a situation of educational inadequacy and moral danger for young and old, where quite basic human values no longer held and juvenile delinquency was a very real and extensive problem. The influx of large numbers of refugees did, though, alter considerably the religious balance within different areas of Germany and this was to have an impact on future educational policies.

In addition the Allies were far from united on their policies towards the defeated Germany, least of all in the educational sphere.

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\* It was estimated that by the end of May, 1945, there were 3½ million displaced persons in the Western Zones alone. See Arnold-Foster, W., "U.N.R.R.A's Work for Displaced Persons in Germany", International Affairs (1946), vol. XXII, pp. 1ff.



The Moscow Conference of November 1943 had created a European Advisory Commission, which prior to the unconditional surrender was to be the chief co-ordinating agency for Allied policy. In May 1945 at the time of the surrender this was still the case, although it was replaced two months later by the Council of Foreign Ministers with a Control Council consisting of the four Commanders-in-Chief as the main executive instrument. In that same month the Potsdam Conference of the victorious Allies agreed to allow the formation of democratic political parties and this was followed by permission on 13th August for such parties to be established although this had already been done in the Russian Zone. This same permission was extended by the British authorities on 15th September and by the French on 29th November. The Allies were agreed on the need to democratize and de-nazify Germany but what they meant by this and how this worked out in practice were very different. These two points of de-nazification and democratization were set down in Part II of the Potsdam Agreement:-

"German education shall be so controlled as completely to eliminate National Socialist and militarist doctrines and to make possible the successful development of democratic ideas"<sup>(2)</sup>. Effectively this was the brief which was transmitted to the Allied Control Council and by them to the Allied Education Committee<sup>(3)</sup>. Perhaps the most important documents which came out of the Control Council were Directives No. 54 and 56. These were, however, issued very late in the occupation and can have been of no use in the early years, during which the German educational system and political and religious life were being re-established. The Control Council Directive No. 54 "Basic Principles for the Democratization of Education in Germany"<sup>(4)</sup> set out ten principles for the guidance of educational development. Amongst these were the principle of equality of educational opportunity, free compulsory comprehensive education up to the age of 15 and civic

education for a democratic way of life. In addition it was laid down that all teacher education should take place in a university or pedagogical institution of university rank, although the French were at the same time developing a system of teacher education which mirrored their own and was not at higher education level<sup>(5)</sup>. Many of the reforms were not achieved until the mid-1960's, but the document is nonetheless of importance for the way in which even at that late date, and even if only "for guidance", the Allies could make such an agreement.

Control Council Directive No. 56 merely amplifies the message of Directive No. 54 by widening it to the field of adult education and reinforces the duty of the German authorities to provide it. In the event each occupying power brought to Germany its own conceptions and prejudices about what should be done and this resulted in very different policies. These are examined in some detail later but for the moment we concentrate on four-power developments in the field of education.

The history of quadripartite agreement on Germany is not a happy story<sup>(6)</sup> and in the field of education little was achieved except in the case of Berlin. Control Council Directive 54 had already been referred to and it is clear that behind it lay many unresolved conflicts, not least those relating to the degree of centralization of education, to the unified school and to the question of religious education in schools<sup>(7)</sup>. The organization under which the Magistrat or German administrative body of Berlin had to work is instructive. The supreme authority for the whole of Germany including Berlin was the Control Council, comprising the four Commanders-in-Chief. These met three times a year in order to discuss an agenda drawn up by the Co-ordinating Committee consisting of the four Assistant Commanders-in-Chief, which met twice a week to consider material from its twelve directorates corresponding to the main branches of government under Weimar and the Kommandatura, consisting of the four Commandants of the city, which was

specially responsible for Berlin. All were four-power committees including this last under which came the Berlin Magistrat<sup>(8)</sup>. Any educational or cultural agreement for Berlin was clearly a much more complicated business than for the Zones because it had to command support from all the Occupying Powers not just at the level of general principle but also at the level of practical implementation. The result of this was that because of fundamental disagreements no history was taught in the Berlin schools, there were in the whole city in 1948 no welfare centres for youth, no agreement on the treatment of delinquent children and no youth groups were permitted officially in the city until the Summer of 1947<sup>(9)</sup>. Transference of power to the Germans was also considerably delayed. Perhaps the most significant piece of educational legislation that did emerge from the four-power squabbles was the Berlin School Law passed by the City Assembly in November 1947, and approved by the Allies in June 1948<sup>(10)</sup>. Section 4 of the Law introduced the twelve year co-educational Unity School. Sections 13 and 14 were the source of much controversy between the Churches and the political parties. They stated that religious education was a matter for the religious denominations and that they themselves should pay for the teachers who would give such instruction. Parents who wished for their children to have religious education had to make a written declaration to that effect. The definition of who was to decide on the child's participation or not, was to rest on the Law on the Religious Education of Children of 1921, previously referred to. The C.D.U. opposed these R.K. clauses and it was mainly due to their opposition that the legislation was eventually not passed until 13th November, 1947, by a combination of S.P.D. and S.E.D. votes. Even when the measures had been passed by the Stadtverordnetenversammlung it had to achieve the support of the Allies. The British in particular objected to the proposal to abolish all private schools and were

prepared to use their veto on this matter<sup>(11)</sup>. However, the Russians eventually gave way and the measure was amended accordingly and passed on 22nd June, 1948, to be effective four days later from 1st June, 1948. The religious and political controversy concerning private schools was however far from resolved amongst the Germans themselves. Section two of the Law had enabled the establishment of a small number of private schools additional to those private schools which were already in existence. Special attention was drawn to this by General Arnoux on behalf of the Kommandatura in his instructions to the Mayor of Berlin of 22nd June, 1948. In the months after the passing of the Act six Evangelical private schools were started and were then declared illegal by the City Council, the S.P.D. and S.E.D. voting together on this issue against the C.D.U.<sup>(12)</sup>. This Law represents the high-water mark of four-power co-operation in the field of education which was already overshadowed by gathering political clouds. After the final failure of the Foreign Ministers' Conference of November 1947, and after months of fruitless wrangling, the three Western Zones put into effect the currency reform which effectively led to the permanent division of Germany. From the time of the economic fusion of the British and American Zones in January 1947 and the establishment of the bizonal Economic Council, the British and American tax payers had been contributing large sums for the rehabilitation of West Germany<sup>(13)</sup>. A Parliamentary Council was established in September, 1948, and, with the demise of the Berlin Kommandatura in November, 1948, the city effectively became divided. This was then followed by the futile Berlin blockade, which was not lifted until May 1949, the month in which the Parliamentary Council agreed upon a Basic Law. In June 1949, the last effort at conciliation failed at the Foreign Ministers Conference in Paris and in September elections were held in the Federal Republic, and the three Western Powers put into effect the

Occupation Statute agreed in April of that year. This replaced the Military Government in West Germany by a civilian tripartite High Commission and enabled the new Federal Government to legislate on most internal matters, subject to a veto by the High Commission within twenty-one days. Significantly for our theme, foreign affairs including international agreements, such as presumably the Concordat of 1933, were reserved matters<sup>(14)</sup>. The Basic Law which now became the foundation of the new State was hotly debated and contested, not least by the Churches, but we shall consider this in a later section. In brief, it provided for a Federal system of government with a bicameral legislature. The Upper Chamber (Bundesrat) consisting of members of the 11 provinces had power to veto legislation from the Lower House (Bundestag). The position of the Federal Chancellor is stronger than in Weimar: he cannot be removed by a simple vote of no-confidence, but only if a successor has first been elected<sup>(15)</sup>.

#### American Policy

At the end of the War the offices of the United States Military Government became responsible for the whole of the United States Zone of Germany, comprising Bavaria, Hessen, Bremen and Württemberg and the United States sector of Berlin. Apart from the main towns these areas had not suffered the same devastation as for example the British Zone, but nonetheless they had a critical accommodation problem as the influx of large numbers of refugees had increased the population of some counties by as much as 200%<sup>(16)</sup>. Something like 2,000,000 refugees had been accepted into the United States Zone by October 1946, and in addition to overcrowding, there was a shortage of food, and a critical lack of gas, electricity and particularly coal for domestic purposes.

Clearly all of this had its impact on education. The arrival of large numbers of refugees with their children made demands on a school

system, many of whose schools had been destroyed, requisitioned or were unsuitable for use and by February, 1946, almost 10% of the children of school age were still not receiving education and the incidence of juvenile delinquency was causing grave concern. The loss of texts through air raids was compounded by the need to discard large numbers of books which had been produced during Nazi times. In addition more than half of the teachers had eventually to be dismissed as part of the denazification programme and by October 1946 the average age of teachers still in the schools was 52<sup>(17)</sup>. In spite of emergency teacher training programmes organized on a local basis, the shortage of teachers was a continuing theme of contemporary United States reports.

Many of the refugees who now came into the American zone were of a different religion from the people already living there and they moved into areas where the denominational schools of a different Church from their own which might be the only ones within reach. Thus for the first time since the Peace of Westphalia in 1648 a denominational mixing of the population was taking place on an unprecedented scale. In Bavaria for example only less than ten per cent of schools were described as combined denominational schools and over 70% were catholic, whereas many of the refugees from Hungary and Czechoslovakia were Protestant and the religious composition of the Zone in 1946 was described as being 43% Evangelical<sup>(18)</sup>. Yet in Bavaria, the U.S. Military Government reported itself as having opened all schools as denominational ones, as they had been before the Nazis abolished denominational schools<sup>(19)</sup>. The Americans saw the Churches and particularly the Catholic Church as being allies in the development of a democratic state in Western Germany and for this reason were very circumspect in their relationship with them. Directives issued by the State Department to the Commander-in-Chief of the U.S. Forces of Occupation emphasized the need to protect religious activity for the Germans, and the Commander-in-Chief was further

instructed to support the principle in the deliberations of the Control Council<sup>(20)</sup>. However, with the disappearance of the Christian Trade Unions at the beginning of the Nazi period, the Catholic Church had lost her close connection with workers and this she has never regained. Moreover she had also lost her political mouth-piece in the form of the Centre Party. Although at first priests were discouraged by the United States Military Government from being involved in political activity, this restriction was relaxed in 1946.

The Evangelical Church was less approved of as it was considered to have been under the Empire a supporter of undemocratic constitutions. Furthermore it was alleged that the dominant group in the Evangelical Churches had tended to return to their nationalist and undemocratic traditions. Although, for example, in a Report of the Military Government of April 1947, the U.S. Authorities could say that they had pursued a policy of non-interference with internal ecclesiastical affairs, nonetheless they had enthusiastically supported Control Council Law No. 49 of 20th March, 1947, which repealed the Constitution of the German Evangelical Church of 14th July, 1933<sup>(21)</sup>.

In the field of education, the Commander-in-Chief was directed to require the German authorities to "adopt and execute educational programmes designed to develop a healthy, democratic educational system, which will offer equal educational opportunity to all according to their qualifications<sup>(22)</sup>". In this the United States consistently stressed that its aim was to delegate administrative functions as rapidly as possible to suitable German authorities. By October 1945, the United States had already set up the three State authorities to administer education within its zone<sup>(23)</sup>. Its guidelines were its belief that any future German administration should be "democratic in character, federal in structure and grounded

on a given guarantee of civil rights and liberties"<sup>(24)</sup>.

In the question of political parties its policy was as rapid a return as possible to competitive political life with parties emerging from the bottom upwards and not being imposed from the top<sup>(25)</sup>. The principle of free association and accountability on a democratic basis was writ large and the U.S. Commander-in-Chief was instructed to urge in the Control Council the holding of all-German elections and to press for the uniform treatment of all authorized parties in all the zones. Accordingly, although the Russian authorities were the first to allow the formulation of anti-fascist parties in their Zone on 10th June, 1945, political party organizations were authorized in the American Zone at district level on 13th August, at Land level on 30th November, 1945, and zonal organizations were permitted from 1st March, 1946. Four parties emerged in the American Zone, the Liberal Democratic Party, the Christian Democratic and Christian Social Union, the Social Democratic Party and the Communist Party. The United States Government shortly afterwards permitted elections and by October, 1946, all U.S. Länder had new Constitutions tabled. In Württemberg-Baden for example a constitutional convention, composed of 41 members of the C.D.U., 32 members of the S.P.D., 17 members of the Deutsche Volkspartei (German People's Party), a liberal group, and 10 communists drew up a constitution for the Land which was approved by plebiscite on 24th November, 1946. Article 37 stated that "The public elementary schools are Christian and interdenominational" and Article 39 prescribed religious instruction as a regular school subject<sup>(26)</sup>. In Hessen the Constitution was prepared by a Constitutional Convention of 90, comprising 43 Socialists, 34 Christian Democrats, 7 Communists and 6 Liberals. It stipulated in Article 56 that the interdenominational Gemeinschaftsschule was to be the usual school type, and it was approved by plebiscite on 1st December, 1946, the same day that the



Bavarian Constitution was approved. In Bavaria the Constitutional Council had been dominated by its Christian Social Union members, who comprised 109 of the 180 members. Article 135 stated that public elementary schools could be either denominational or nondenominational and the parents or legal guardians were free to choose. Section two however was very close to the agreements included in the 1933 Concordat, in saying that in denominational schools only such teachers were to be employed, as were qualified or willing to instruct and educate according to the principles of the denomination concerned. The Church in Bavaria was early in returning to the fray in defence of its denominational schools and, although Tormin is therefore right when he asserts that there was a new willingness to compromise at the end of the war<sup>(27)</sup>, old prejudices were quick to be aroused when it came to issues of denominational schools and religious education. On 13th December, 1945, in a letter to the Bavarian Ministry of Education and Culture Cardinal Faulhaber on the one hand argued that the laws of the Nazis were not valid laws and therefore needed no rescinding - a process which would elevate the Nazi measures to the level of law - and on the other hand that the Reich Concordat of 1933 was valid and especially Article 23. This was a controversy which smouldered on throughout the first phase of occupation under the American Military Government<sup>(28)</sup>. Only just over a month later the American Authorities had to issue a Directive on 16th January, 1946, indicating that "at the request of parents, guardians or other such persons as may have the legal right ... schools of their creed or philosophy of life are to be established within the framework of the general system of elementary education, provided that suitable numbers of pupils are concerned<sup>(29)</sup>". In the American enclave of Bremen, which had a long tradition of nondenominational schools, these were reinstated and Bible history was prescribed, based on a general Christian foundation<sup>(30)</sup>.

One factor which inhibited the development of education at that time in the American Zone has been referred to very critically by Marshall Knappen<sup>(31)</sup>. He comments on the inadequacy of the American staff who were working within the Education and Religious Affairs Branch of the Internal Affairs and Communications Division of OMGUS, whose responsibility was educational reconstruction and development. He comments on the way in which fear of criticism and the general inertia of the Army system had favoured or even forced the retention of facets of the Morgenthau Plan in deference to more constructive policies<sup>(32)</sup>. He sets down to the system the shortage of civilian volunteers for commissions in military government work and certainly successive American Reports endorsed the existence of a shortage and the need for extra staff, in one case recommending an immediate doubling. Only nine Education Officers were allowed for the whole American Zone and one year after establishment it contained only half of its establishment of 75 American officers and civilians of comparable rank<sup>(33)</sup>. As might be expected there was also a rapid turn-over of staff.

Other factors which restricted the American effort in the sphere of education have been identified by other writers, such as the traumatic effect of the first stage of Occupation where de-nazification was uppermost in importance, and the "missionary spirit" predominated with Americans determined to reform German education to be like the American system<sup>(34)</sup>. In addition, the minor status attached to educational matters in the early phase of the Occupation and the conflicting philosophies were important restraining factors on the American effort.

The objectives of the American Military authorities with regard to education were enunciated on a number of occasions. Arising from the Potsdam Agreement, its first statement had a negative quality, being concerned with a de-nazification which darkened the whole programme.

A long range policy statement prepared by a committee of American educators in August 1946, laid great emphasis on the initial concern of the military government with the elimination of Nazis<sup>(35)</sup>, and although a humane and factual Report of two months later by an Education Mission to Germany did bring the balance back slightly towards a more positive approach to the development of democratic and peaceful way of life, it was not until early 1947 that a more comprehensive policy including expansion of staff and a coherent statement of aims and objectives was set down<sup>(36)</sup>. These latter reiterated the policy of devolution of responsibility to the German authorities, stated the overriding aim of giving opportunity to each individual to develop his ability to the fullest; they required the German authorities to prepare long-term programmes for the evaluation and approval of the Military Government and to submit plans for a law concerning compulsory school attendance, school organization, the education of teachers, examinations and denominational schools. The process by which two unsatisfactory reform plans were submitted by the Bavarian Government will be dealt with later for it is particularly rich in insights into the regained influence of the Church in Bavaria<sup>(37)</sup>. By the time a satisfactory plan had been produced, 'on order' from the Military Government, the political pendulum had swung again and the United States was less interested in a comprehensive school reform in Germany.

After many months of difficulties the Soviet Union had walked out of the Allied Control Council in March 1948, and two months later it boycotted the Allied Kommandatura in Berlin. After the failure of the Berlin blockade to cut off the city and the abortive Foreign Ministers' Conference in Paris in June 1949, preparations for the establishment of the Federal Republic were speeded and with its foundation later that year the Occupation Statute came into effect

and a new more remote phase of interest of the United States in educational development was commenced under the High Commission (HICOG) from September 1949. American staff and funds in the educational field were again cut back and education was once more given a subordinate position. The interpretation by the Allies of the Occupation Statute varied, but whilst retaining no powers in the field of education, the United States spurred by educational opinion in its own country made clear its continuing interest and this interest was endorsed by a series of meetings of the Education Directors of the three Western military governments<sup>(38)</sup>. In December 1949, a U.S. Conference of Education Officers set down a list of principles and conditions for the development of German education under HICOG<sup>(39)</sup>. These were drawn up under eight broad headings concerned with the equalizing of educational opportunities, democratizing the school structure, democratizing school administration, broadening participation in school affairs, socializing and enriching the curriculum, improving learning materials and methods of instruction and guidance, adapting the school to changing conditions, and higher education and teacher education. From this point onwards there was greater emphasis on community and teacher involvement in the process of democratic education. Mention should in particular be made of the Education Service Centres, which had been established by CMGUS from March 1947, and which were now developed and transferred into German hands, thus providing the nucleus of in-service provision in the American Zone, which developed in the same way in other areas of West Germany only from 1970 onwards. If one had to assess the impact of American influence this is certainly one area where a positive and useful policy development could be seen. The emphasis too on programmes of guidance, the development of the psychology of education<sup>(40)</sup> and the involvement of parents and the community in

the democratic functioning of education, which was especially strongly developed in Hessen, where the Social Democrats were consistently in the government from the end of the War. The generosity of the American Government and several foundations, in making available financial resources for the provision of services and facilities from school meals to public libraries, from student centres and unions to the provision of exchange programmes to foster contact with the outside world, should not be underestimated, but insofar as programmes aimed at the democratization of the structure and content of education were concerned the period of American occupation, control and influence was singularly unsuccessful in its long term effects.

#### British Policy

The educational problems of staffing, buildings, equipment, heating and materials faced by the British in their Zone were even more acute than those which confronted their Allies, the Americans. The British Zone comprised after re-organization the Provinces of Schleswig-Holstein, Lower Saxony, Hamburg, Northrhine-Westphalia and the British sector of Berlin and included the thickly populated and heavily devastated Ruhr district. One report of June 1948 put the proportion of refugees in the population in Schleswig-Holstein as high as 46% and in the city of Flensburg there were two refugees to every three native inhabitants<sup>(41)</sup>. Three years after the end of the War, for example, the School population of Schleswig-Holstein had grown to two and a half times the 1939 figure. In Cologne it was reported that 92% of all school buildings were either completely destroyed or so heavily damaged as to be beyond use<sup>(42)</sup>.

The British Authorities were quick to get educational facilities running again and to return the administration of education to German hands. The first schools to re-open in the Zone began to do

so from July onwards and as early as September 1945, representatives of the various States and districts were encouraged to contribute to the formulation of educational policy<sup>(43)</sup>. By the Summer of 1946 a Zonal Educational Council had been established which later became the Council of Ministers of Education in the Zone. On 22nd November, 1945, a directive of the Military Government on "Education, Youth and German Church Affairs" set out the long-term objectives of Military Government deriving from the Potsdam Agreement as the awakening in the Germans of a sense of responsibility for what is done in their name, a respect for objective fact and freedom and an interest in the ideas of representative and responsible government. On 1st December, 1946, the controversial Ordinance No. 57<sup>(44)</sup> became effective and responsibility for educational legislation was effectively delegated to the, at that time, nominated members of the Provincial Assemblies (Landtage), with the provision that the Regional Commissioner of the Military Government or the Military Governor himself could veto any such legislation. The veto was never used. The philosophy behind this new approach was very much one of persuasion and encouragement rather than compulsion and this is spelled out in the policy instructions consequent upon Ordinance 57<sup>(45)</sup>. Land Governments and voluntary organizations were to "be given the utmost freedom to formulate and execute measures which are calculated to assist in the realization of the policy or which are at any rate not in conflict with it"<sup>(46)</sup>.

With regard to religious matters, the British Occupation Forces were very circumspect, possibly mindful of the controversies and battles which such differences had caused in England and in English education. The Quadripartite Agreement of 23rd November, 1945, stated that "in matters concerning denominational schools drawing on public funds, religious instruction in German schools, and schools which are maintained and directed by various religious organizations, the appropriate Allied

authority should establish in each zone a provisional regulation adapted to local tradition ..."<sup>(47)</sup>. The British instrument for carrying out this policy which advised a continuation of both types of school, denominational and interdenominational, stated that in any case another Kulturkampf must be avoided. It concluded by making reference to the Concordat of 1933, which was considered by the British authorities to be in abeyance, but not revoked or lapsed. By order of February 1946, parents in the British Zone were left to decide whether individual schools should be organized on the basis of a single denomination in those areas where they had existed prior to 1933. After Ordinance 57 it became the Land authorities who decided whether or not the educational clauses of the Concordat should be applied to the schools in their area. The Brief for Official Visitors of November 1948, reported that there had been "much heated wrangling on the subject between left-wing and Roman Catholic political interests"<sup>(48)</sup>, and an account of the controversy written in the early post-war years confirms the obdurate attitude of the Catholic Church towards denominational schools<sup>(49)</sup>.

With regard to the re-emergence of political parties in the British Zone, the emphasis from the start was on the development of grass-roots links. This was in contrast with the policy pursued in the Soviet Zone, where the main emphasis was on the formation of new parties from the top downwards. The British authorities fostered co-operation with many German functionaries, but in particular with the Social Democrats, many of whom had been emigrés in Great Britain<sup>(50)</sup>.

The S.P.D. in the British Zone was at first undecided on how it should receive the overtures which the Communist Party was making for a combined Workers' Party. Their assessment of the situation was made more difficult in view of the tragic history of division under Weimar, and the seeming desire of the Allies to encourage the unity

of anti-fascist Parties. In Berlin under Otto Grotewohl and others a Central Committee of the S.P.D. raised a declaration calling for the unity of the German working class on 15th June, 1945. A second more powerful centre of S.P.D. activity had however sprung up around Hanover under Kurt Schumacher from May, 1945, even before the official permission of the British authorities to found political parties had been given on 15th September, 1945. The British soon saw the Social Democratic party as the most powerful single force in post-war Germany supporting the eradication of Nazism. Similarly in Mönchen-Gladbach a Christian Democratic Party was established on 2nd September, 1945, which was later joined by similar groups from Schleswig-Holstein and Hamburg. A splinter group of the Schleswig-Holstein party formed the Liberal Democratic Party and in addition there were attempts to re-establish the Centre Party. The Communist Party also re-emerged in the British Zone.

The S.P.D. in the British Zone supported the abolition of fees in secondary education and advocated a six year primary school, both of which were opposed by the C.D.U. Because of the even balance of the Parties in Lower Saxony this effectively inhibited the pursuing of educational legislation in the early post-war years under their capable and liberal Socialist Minister of Education, Adolf Grimme<sup>(51)</sup>. In Schleswig-Holstein and Hamburg, both of which had S.P.D. majorities these two points were incorporated in legislation.

The achievements of the British military authorities during the period of occupation are hard to define and yet nonetheless had considerable impact. In the field of teacher training, full university status was restored for the training of elementary teachers in Hamburg in 1947, and in other parts of the British Zone including Lower Saxony after the critical first phase of emergency training, the tradition of Prussian pädagogische Akademien was re-established. The restoration of



adult education, on which the British from the first laid great stress was part of a concerted effort to encourage democracy and participation by Germans in their own society. It is significant that almost the final effort of the Education Branch was in the establishment of British Centres. The series of Brunswick meetings on editing and re-writing of history texts eventually blossomed into an international Schoolbook Institute and the meetings of the Zonal Education Council led to the establishment from 1948 of the Permanent Conference of Ministers of Education<sup>(52)</sup>. In the University sphere although a German commission was set up by the British Authorities and reported in 1949, its recommendations on universities and teacher training took many years to be achieved if, indeed, they have been implemented at all<sup>(53)</sup>.

#### French Policy

The French, just like the other Allies, were party to and responsible for carrying out quadripartite agreements. The way in which they interpreted these agreements was often very different. French military government personnel were hastily recruited and those in the education branch were often very young, chosen for their academic knowledge of the German language rather than education. In the French zone formed in July 1945, approximately one third of the schools were damaged and many more were used for the billeting of troops. On the credit side the French Zone, comprising the southern Regierungsbezirke of Baden and Württemberg, the Palatinate, part of the former Prussian Province of North Rhine and Kreis Lindau on Lake Constance, was mainly rural and agricultural and did not have to deal with the enormous increase in the school population which afflicted the other three zones, the school population, and indeed the population as a whole, being slightly less in 1945, than it had been in that area

in 1938<sup>(54)</sup>. This advantage was, however, dissipated by the dismissal of three quarters of all remaining teachers in the process of de-nazification in the zone, and the attempts made to burn all texts produced under the Hitler Regime although it must be acknowledged that the French were more assiduous in printing replacements than the other allies. The Zone possessed only two universities and therefore a third was established due to French initiative in May 1946, in Mainz. Indeed it could be argued that it was in the University sphere that the French made their greatest contribution, in the early establishment of exchanges of French and German professors and the appointment of French lecturers to each institute of higher education in their Zone, the importance which they attached to this sector of education was manifest.

To replace the large numbers of teachers who had been dismissed, écoles normales were established. These were single-sex and each was specialized according to stage of education, a policy which reversed the tradition of post-secondary teacher training which had developed in this area under Weimar. To supplement this programme a scheme was organized to send teachers to Switzerland for training<sup>(55)</sup>. The French insistence on the development of teacher training according to the pattern of the écoles normales in France, but without Latin, was at the root of the Catholic Church's early opposition to a military government which was certainly not hostile to it whilst this was also the case with the French plan to eliminate the traditional Gymnasium emphasis on Latin and to stiffen the Abitur examination<sup>(56)</sup>. But in no field was the conflict greater than in the question of the provision of denominational schools, into which the French military authorities were drawn and particularly during the drafting of Land constitutions in early 1947. In informal non-state provision of adult education the French were particularly successful and at the time of the monetary

reform in 1948, there were approximately 80 Universités Populaires<sup>(57)</sup>.

In the beginning the French adamantly refused to agree to any step which seemed to foster German unity and sought instead to advance their own policy of a decentralized federation of states. They objected, for example, to the operation of trade unions and political parties on a nationwide basis<sup>(58)</sup> and sought to encourage German particularism whether of separatism in the Saar or of the particularism of Baden, and their own zone, being largely conservative and Catholic, was particularly susceptible to this. It very nearly had tragic consequences for the development of education in one of the states in the French Zone, Rhineland Palatinate. In the referendum to adopt the Constitution of the new state, a heated campaign was fought on the educational provisions, which went in detail into the rights of the family and the Churches in education and was supported by the Democrats and Christian Democrats and opposed violently by the Social Democrats and Communists not least for its espousal of the denominational school. The Province was in need of new legislation, for its schools at that time were operating on the basis of Prussian legislation from 1906 to 1937, Bavarian from 1883 to 1939 and of Hessen Nassau from 1851 to 1942, all amended by the French military government. The new Constitution was eventually passed but by a very small margin and approval was given to denominational schools in a referendum. Both issues were, however, rejected by those previously strong Socialist areas of the Palatinate and Rhine-Hessen. This continued to bedevil attempts to pass a law on Compulsory Education and to embitter political life until 1955, when a Volksschulgesetz (Elementary School Law) was passed by the Landtag, by 62 C.D.U. and F.D.P. votes to 38 S.P.D.<sup>(59)</sup>. Moreover in the election of May 1947 their support of particularism had already left the French with predominantly Catholic and right-wing governments. In the Saar the French openly supported the Catholics, yet in their

Zone they were weak in their support of the Baden and Rhineland Catholics who wanted Federalism, as did the French<sup>(60)</sup>. But perhaps this suggests too strongly a single-minded French policy and this was certainly not the case, for French policy on Germany was prey to the political divisions rampant in France at that time.

Perhaps it was the French economic policy in their Zone which inhibited the development of their education programme the most. The large numbers of military and civilian personnel who came from France were expected to live off the land. They were billeted on the population and were expected to gain their food from them. In the early days corrupt practices by the occupying forces were rife. The inevitable result of all this was that shortage of food and accommodation already great were further accentuated and standards of diet were very low in the Zone<sup>(61)</sup>.

However the French made very real progress with regard to their cultural programme. In the printing of new texts in the schools they were well ahead of the other zones in the first three years, had established French lecteurs in all the teacher training colleges and by 1948, the newly established University of Mainz had 6,000 students and 175 Professors<sup>(62)</sup>. There was much direct interference by the French in the field of education with curricula, timetables, examination systems and school organization, some of which was pragmatic and enlightened reform. But French encouragement of democratic youth organizations especially those which were neither religious nor political, cinema clubs, support for art exhibitions, theatre and music, and school correspondence and other exchanges were ambitious and of long-term benefit. Laudable though they were, however, they were frustrated initially by the resistance and resentment of the population to the administrative and economic measures of the French authorities in the Zone, which resulted in a very low level of trust

by the Germans in the fairness of French actions from the beginning of the Occupation. Yet in the long run and considered from the distance of history, the French were remarkably successful in the basis that they laid for a new relationship with their neighbour. Certainly it is now possible to make a more balanced and appreciative assessment of the success of the French Occupation authorities in the field of education and the role that this played in the rapprochement between the two peoples

### Russian Policy

As early as February 1945, even before the final collapse of Nazi Germany the K.P.D. (German Communist Party) was discussing the measures necessary to build a new society in Germany. Under the direction of Walter Ulbricht a report was submitted to the Politburo on 5th April, 1945, which set down guidelines for the work of German anti-fascists in the areas occupied by the Red Army<sup>(64)</sup>. Also communicated was the radical view that there was nothing in the educational system of Hitler's Germany that could be used as a basis for reconstruction. The Commission argued, that in view of the need to expel all fascist teachers from the school and to destroy all fascist texts, it would not be possible to begin education again immediately after liberation<sup>(65)</sup>. It set down principles for the education of youth in the spirit of democracy, advocated the development of a unitary school system, in which all children had an opportunity to develop according to their abilities, and demanded the separation of Church and State<sup>(66)</sup>. Thus even before the end of hostilities the Russian authorities had a blue-print of how they would like the educational system to be reformed and what their attitude to the Churches was. It is not surprising, that with this head start and with the support of the Soviet military authorities that, of all the

post-war German political parties, it was the German Communist Party which on the 11th June, 1945, first issued its declaration<sup>(67)</sup>.

Although school matters were by no means extensively dealt with in this document, certain fundamental tasks were highlighted. Amongst the demands for the liquidation of all remains of the Hitler regime and for the struggle against hunger and lack of food and shelter was the "cleansing of the whole educational system and ... the nurturing of a truly democratic progressive and free spirit in all schools and educational institutions"<sup>(68)</sup>. The two poles of the Soviet (Communist Party) policy were not unlike those which were acknowledged by the Western Allies and it was therefore possible still at this stage for agreement to be reached.

Accordingly in an attempt to give final form to the discussions at Yalta, the Potsdam Conference opened in the former Cecilienhof Palace on 17th July, 1945. As a direct result of point seven of the subsequent Potsdam Agreement the Soviet Military Authorities issued Order No. 40 on the 25th August, 1945, less than one month after the end of the Conference. In the meantime on 17th July, Order No. 17 had established amongst other Ministries, a German Central Administration for Popular Education under Paul Wandel<sup>(69)</sup>. Order No. 40 demanded that the German Authorities cleanse the schools of all Nazi, militaristic, racialist and other reactionary theories and prepare for opening on the 1st October, 1945. Private schools were forbidden. Thus, although the process of denazification of schools was to be supervised by the Soviet Military Authorities, it was clearly the intention to return administration to the Germans as quickly as possible. Indeed, the speed with which this order was issued was itself indicative of the high priority which the Soviet Authorities attached to the resumption of education. In text it was not dissimilar to orders issued by the other military governments, in application it was very different and

resulted in a very different post-war educational system in East Germany. Its effect was the expulsion of approximately two thirds of the teachers and the immediate need for some 40,000 replacement or "New Teachers". At first, it proceeded at different paces in different parts of the Soviet Zone but, by 1st January, 1946, it was estimated that all former Nazis had been dismissed in Berlin, Mecklenburg and Saxony, the average age of teachers in the Zone as a whole by then having risen to 52.5 years and in Berlin to 59 years. At the same time all youth movements were co-ordinated into the Freie deutsche Jugend, a development which was completed on 7th March, 1946.

On 15th June, 1945, the S.P.D. in the Soviet Zone had issued its call to the German people in which it called for the unity of the working class and on 26th June and 5th July respectively the Christian Democratic and the Liberal Democratic Parties of Germany were established. The Liberal Democratic Party in its declaration, stated that the State and the people have their own "Life Laws" with regard to Church and State, thus rubber-stamping a separation of Church and State, which was also demanded by the S.P.D. and K.P.D. The Soviet Authorities, through the German Communist Party, were conscious of the anti-communist nature of both Churches and saw this as necessitating the complete separation of church and state and church and school. This was emphasized in Ordinances for the execution of Order No. 40 issued by the provincial and local authorities<sup>(70)</sup>. Thus in the Soviet Zone the validity of the 1933 Concordat was no problem: it was just ignored<sup>(71)</sup>. In May, 1946, the "Law for the Democratization of the German School" was published as a common basis for all the five Provinces of the Zone<sup>(72)</sup>. This stipulated in Section II that schooling was exclusively the concern of the State, that private schools were forbidden and that religious education was a matter for

the religious authorities. It effectively legalised the demands made by the Socialist Unity Party (S.E.D.) Executive of 21st April, 1946, which called amongst other things for the separation of Church and State<sup>(73)</sup> and completely ignored the demands which had been made, for example by the Catholic authorities in Saxony in September 1945 and January 1946 for the reinstatement of denominational education, in which the church had requested the education authorities to recognize the validity of the Concordat of 1933<sup>(74)</sup>.

On the political scene, the Communist Party, spurred into action by the disastrous election results of its sister-parties in Hungary and Austria in the Autumn of 1945, jettisoned its own and the Soviet Governments intention that S.P.D. and K.P.D. should remain separate and proposed the establishment of a unified workers party<sup>(75)</sup>. Otto Grotewohl, rejecting the warnings of Kurt Schumacher, leader of the Social Democratic Movement in Hanover, took up the dialogue. Immediately action committees were established at local level and those S.P.D. members who refused to participate were removed or arrested by the military government. In the Russian zone an amalgamation of the two parties took place in May 1946<sup>(76)</sup> and in September of the same year, the first local elections took place in "Red" Saxony, followed swiftly by those in the other four Soviet occupied provinces. Provincial Assembly elections were set for the 20th October. In spite of pressure and intimidation, exercised on its behalf, the new S.E.D. gained an overall majority in the local elections only in Brandenburg and Mecklenburg which interestingly enough had traditionally been conservative and non-socialist Länder. In the provincial elections it nowhere gained more than 50% of the votes or seats, in spite of the fact that a proper election campaign had been made virtually impossible for the C.D.U. and L.D.P. From



December 1946, the five provinces passed new constitutions, which differed very little from each other and rested upon a common draft provided by the S.E.D.<sup>(77)</sup>, drawing upon the Weimar Constitution. Thus in the final versions Article 69 of the Constitution for Thuringia stated that public education would be provided by the same uniformly organized and democratic school system, whilst Articles 85 of the Constitution for Saxony-Anhalt, Article 95 in Mecklenburg, Article 58 in Mark Brandenburg and Article 85 in Saxony were almost identical<sup>(78)</sup>. All the Constitutions abolished private schools, made all public schools uniform without regard to sex, social class or religion and excluded religious education from the schools. All of them guaranteed the right of religious association<sup>(79)</sup>.

Similar provisions concerning religion were then carried across into the Constitution of the German Democratic Republic of 7th October, 1949. There is evidence to suggest that it was still considered necessary at that time to effect a compromise with the other political parties, the C.D.U. and the L.D.P. which still had some political capability and this may account for the moderate and democratic tone of the Constitution<sup>(80)</sup>. Articles 34 to 40 concern education and 41 to 48 concern religion and religious bodies<sup>(81)</sup>. Amongst other provisions, private schools were prohibited and religious education was stated to be a matter for religious bodies. The Constitution is also of interest for its early advocacy of a kind of "positive discrimination" towards those who were disadvantaged by their social conditions (Article 39). In the section on religion, full freedom of belief and conscience were guaranteed as was the right of the Churches to give religious instruction in school rooms. The spirit of the Constitution was very definitely a liberal, democratic one which was not unconciliatory towards the churches and their demands

in the field of education. However doubt has been cast on the good faith of the Constitution and the way in which it was carried out and it seems clear that the Evangelical Church comprising over 80% of the population of the Zone and the Catholic Church with just over 10% of the population had great difficulty in re-establishing their voice in the field of education<sup>(62)</sup>. In 1952 the Soviet Zone was reorganized into 14 administrative divisions with Berlin as the 15th and the control of education was centralized.

If one had to attempt to assess the achievements and influence of the Russian authorities during the period of direct control, they would certainly lie in breaking regional and religious particularism in education in overcoming the social class basis of a differentiated school system and in the thorough-going reform of teacher training at both initial and in-service levels through such developments as correspondence courses, teachers' centres, educational congresses and the establishment in September 1949 of the Deutsches Pädagogisches Zentralinstitut<sup>(83)</sup>.

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CHAPTER SEVEN

THE RE-ESTABLISHMENT OF POLITICAL PARTIES

The first period of political activity is one which, although marked by a readiness to give democracy a try and a very real growth in the Western Zones from grass roots beginnings, is even more remarkable for the rigidity with which the old positions from Weimar were re-stated. In the case of the S.P.D. this meant a return to the doctrinaire and dogmatic Socialism of the 1920's with nationalization and reform of the economic system, opposition to re-armament and an unyielding position vis-a-vis the Church. The main threat was seen as coming from the left in the form of Communism, and the realization that it was in the middle ground that the gains had to be made, if power were to be achieved, was slow in awakening. In the case of the C.D.U. and the C.S.U., the ideal of a Christian party for all Christians was revived from the strong aspirations of people such as Stegerwald in the 1920s, but the dogmatic re-assertion by the Catholic Church of its position on schools and religious education effectively meant that even moderate Evangelical politicians were forced to parallel Catholic demands for denominational schools with their own less convinced support, though they might in fact have preferred interdenominational education. Thus the first phase of the post-war development of our themes is one of reiterating the old positions from Weimar, and the main emphasis upon re-building what had existed prior to 1933, with the Military Governments (except the Russians) trying desperately to avoid involvement in the conflict.

The early approval for the re-establishment of political parties in the Soviet Zone, was probably carried out with the intention of centralizing all German political activity on Berlin under Soviet



control. This was not achieved, but it led to the early establishment in the Zone of the K.P.D. on 11th June, 1945, the S.P.D. on the 14th June and the C.D.U. on the 23rd June, with the L.D.P. following at the beginning of July. These are, however, hardly the main roots from which the chief West German political parties have sprung. It is mainly in the isolated and fragmented foundation which took place in the three Western Zones and were licensed by the Western Allies that one has to seek the beginnings once again of political activity in West Germany.

#### The Re-emergence of the Socialist Party

Already in May 1945, "Dr Schumacher's Office" had opened in Hanover as a cloak for the political activity of the "illegal" S.P.D., until the time of the licensing of parties by the British Military Authorities in September, 1945. However, Hanover was not the unquestioned centre of Social Democratic leadership, due to the continuing existence in London of the Party Executive in exile under Hans Vogel and, more important still, the Committee established under Otto Grotewohl in Berlin, which was in favour of the amalgamation of S.P.D. and K.P.D. to form a common Workers Front. The death on 5th October, 1945 of Hans Vogel simplified the power struggle and the first post-war Party Congress was held at Wennigsen, near Hanover<sup>(1)</sup>. Kurt Schumacher drafted out a series of programmatic declarations for this meeting which were noteworthy for their courage and for their perception of the realities of world politics<sup>(2)</sup>. He spoke out very plainly against the Communist Party and attempts to impose an amalgamation of the two Parties. On 21st April, 1946, the S.P.D. and the K.P.D. amalgamated to form the S.E.D. in the Soviet Zone, in spite of a promise given by Otto Grotewohl, and in May 1946, at the S.P.D. Party Conference in Hanover, Kurt Schumacher was elected

Chairman of the S.P.D. for the three Western Zones. Although no firm programme was worked out in these early days by the S.P.D. a series of main points was presented to this Party Conference by Kurt Schumacher, covering the areas of the ideological position of the Party - a kind of "new Marxism", the commitment of the Party to democracy, the need to overcome the distress and misery of the population and in addition there were a series of political guidelines resolved by the Conference. Amongst these was a section on church, state and culture, which though firm and fair was uncompromising in its espousal of the separation of church and state and the development of an educational provision independent of religion, the state and wealth, and appropriate to the ability of the individual<sup>(3)</sup>. Clearly educational priorities as such had to take a second place but were nonetheless remembered.

In the area of the present Federal Republic and West Berlin, in the 1946/47 elections the S.P.D. polled 36% of all votes cast, and obtained representation in all the Provincial Governments. It provided five of the eleven Minister Presidents, eight Ministers of Finance and eight Ministers of the Interior<sup>(5)</sup>. And indeed it was probably at this level that the S.P.D. had its greatest impact in these early post-war years, for its fairly doctrinaire position under Schumacher and later Ollenhauer, did not endear it as a mass Party in the immediate post-war years<sup>(6)</sup>. On the other hand it early entered the lists of educational reform in Länder such as Berlin, Bremen, Hamburg and Schleswig-Holstein and its pressure has been argued to have influenced the basic proposals put forward for educational reform in the C.D.U.-controlled Länder of Northrhine-Westphalia, Hessen, under Erwin Stein, and Baden-Württemberg<sup>(7)</sup>. Bremen, for example, which has a population which is predominantly Evangelical (84% Evangelical, 10% Catholic approximately) voted 41% S.P.D., 22% C.D.U., and 19% F.D.P.

in the October 1947 elections and four months later the Socialist/Liberal coalition put forward its proposals for school reform. Along with a number of structural proposals, such as support for the six-year primary school so favoured by the Allies, support for all teacher education at higher education level for six semesters (provisionally set at four) at a pädagogische Hochschule and support for the Unity School, it has a section on church and state in Bremen. In this section the complete separation of church and state in Bremen is reiterated and the non-denominational community school with voluntary participation of all children in biblical/historical religious education to take place at the state schools of Bremen is re-stated. Religious education is to be organized by the Church if it wishes outside of the school<sup>(8)</sup>. Of course, the Bremen elementary school had always been non-denominational since its foundation and the constitution of the State of Bremen of 6th June, 1920, had provided for the severing of links with the Evangelical Church; as the Catholic private denominational schools had been incorporated into the state system in 1938, there was no great problem in taking up again the traditional stance of socialist-liberal circles. The new Constitution for Land Bremen, whose school articles go back to the initiative of the S.P.D., in whose draft for the Constitution they were already contained<sup>(9)</sup>, stated in Article 32, that "General public schools are non-denominational schools where interdenominational instruction in Bible history is given on a general Christian basis"<sup>(10)</sup>. In 1946 there were no denominational schools and by 1950 only one<sup>(11)</sup>. The S.P.D. had a majority of members in the first three Parliaments up to 1951<sup>(12)</sup> and after and during the first period the proposal was put forward on the initiative of the S.P.D. that a new School Law should be enacted<sup>(13)</sup>. Already on 12th February, 1948, a draft of the Schulpflichtgesetz was presented to a joint sitting of both School Committees in which a common

foundation school for all children was set down, but was not proceeded with as the opinion was widespread that a more extensive document was needed<sup>(14)</sup>. This more extensive document was then carried in April of 1945 against the votes of the C.D.U. and D.P.<sup>(15)</sup>. It provided that all public schools would be interdenominational, but that denominational private schools could be established with state approval. In 1949 parents' councils, which existed in many schools in Bremen as early as 1946, were established by law and this and the eventual regulation for the implementation of this legislation can also be traced to S.P.D. initiative<sup>(16)</sup>.

In Bavaria, on the other hand, where the Party faced a massive C.S.U. majority and the vocal and entrenched defence of the religious influence on the form and content of education, though it published an ambitious educational reform proposal in August, 1947, it was not successful, either within or outside of the Coalition in securing more democratic educational reform.

In Berlin, in spite of its fight for survival against the Russian-supported K.P.D., when it had no support from the mass media in its fight, it voted against amalgamation with the K.P.D., established its own newspaper Der Sozialdemokrat on 3rd June, 1946, and held a Party Conference, where an extensive action programme was resolved on 18th August, 1946<sup>(17)</sup>. In this was demanded, instead of the emphasis on distribution of subject knowledge, a stronger development of education aimed at the development of character and political decision-making. In church affairs the party stated that each church should regulate its own affairs independently of the state<sup>(18)</sup>.

However, as Grebing points out, in these early years there was a major problem in making the Party and its members known and supported at a national level<sup>(19)</sup> and particularly in view of the rigid and intransigent attitude of the Party in the Economic Council and their

lack of realism in some other policy areas. The newcomers to the Party hardly achieved more than regional influence and the older members who had built up the Party again in the image of the Weimar Party, were called into government and administration. The war generation was sorely missed. This failure to present a national picture of feasible alternative government, did not preclude, as has been shown, the provincial Parties from making fundamental contributions to the reconstruction of the educational and wider social scene in their own Länder in the immediate post-war years, but the failure at national level was reflected from 1947 onwards in falling membership figures<sup>(20)</sup>. In the first elections of 14th August, 1949, the S.P.D. emerged as the largest party, but a government was formed by the C.D.U., the C.S.U., and the smaller parties, who had worked together in the Economic Council, and all efforts at a broadbased "grand coalition" foundered on the intransigence of the old-guard Socialists. Later that same month, the Executive resolved a sixteen point basic programme for its activity in the new Bundestag, which was traditional, left-wing and doctrinaire<sup>(21)</sup>. It concentrated mainly on economic and broader social questions, but contained sections calling for the freedom of religious observance and the prevention of the use of church institutions and personnel in politics and of the use of a Kulturkampf to camouflage social and political problems. Kurt Schumacher's speech in reply to the government's declaration of its programme in the first Bundestag was in similar vein, and not uninfluenced by the ferocity of the debate surrounding the deliberations of the Parliamentary Council in 1948/49. In these deliberations there had been considerable pressure brought by the Roman Catholic Church which, resting its argument obdurately on the 1929 Encyclical Divini illius magistri and the validity of the Concordats signed by the Holy See with Germany and Bavaria, Baden and Prussia in Weimar times, demanded that confessional schools should be

written into the new Constitution in a way which they had not been into the Weimar Constitution<sup>(22)</sup>. The C.D.U./C.S.U., wanted a clause inserted which would guarantee the rights of parents and thus their right to demand denominational schools. The S.P.D. was against this and in the end a compromise was achieved whereby the rights of the Churches in all Länder were preserved except in those where the confessional school had already been abolished. But the Churches refused to endorse the compromise. The final version of the Constitution made no mention of types of schools, but did provide that religious education should form part of the ordinary curriculum in state and municipal schools, but not in secular schools.

It was not until 1952 that the S.P.D. Party Congress resolved a new programme to replace the one resolved at Heidelberg in 1925, and this former programme comes chronologically within the next phase of our analysis.

### The Re-emergence of the Christian Parties

#### A. The Christian Social Union (C.S.U.)

It is probably more to Adam Stegerwald than to anyone else that the Christian Social Union (C.S.U.) owes its existence, and yet the early initiatives towards the development of a party common to both Catholics and Protestants took place in many places across Bavaria in the first weeks and months after the end of the War. At first due to bad communications, the nomenclature of the Christian Parties was varied, but gradually the name chosen by Munich and Würzburg centres of activity prevailed. In July 1945, Stegerwald met Dr. Josef Müller, who had been released from concentration camp by the Americans and by the middle of October, 1945, the Union was officially launched and, after Stegerwald's death on 1st December, 1945, Müller became the provisional chairman of the Party<sup>(23)</sup>. Already on 25th November the

provisional council of the Party had called on all Christians in all parts of Bavaria to form an organization in their district and after approval by the U.S. Military Government the Party held its first province-wide meeting on 8th January, 1946, and its first full Annual Conference on 17th May, 1946, in Munich.

The driving forces behind the founding of an interconfessional party in Bavaria at this time have been examined in some detail, and it is not proposed to re-examine them here<sup>(24)</sup>. However, in view of what has been said about the attitudes which dominated this early post-war period, it must once again be stated that antipathy towards Social Democracy was no small factor. Indeed, Stegerwald's concept had early been of a Christian Workers' Party and many of the isolated foundations of late 1945 chose the term Christian Socialist as part of their title and philosophy. The experiences of both Churches under the Hitler dictatorship and the onward march of bolshevism everywhere in Europe at this time were probably sufficient reason to persuade them that they had more chance of fighting anti-Church forces together than alone. In this they were distrustful of the ability of more liberal elements in post-war Social Democracy to prevail over more doctrinaire left-wing circles within the Party. Certainly the C.S.U. persuaded the electorate in Bavaria that they were a mass party for, in the two elections in 1946 to the Provincial Constitutional Assembly and to the Landtag, they polled 58.3% and 52.3% of the votes respectively, as against 28.6% polled by the Social Democrats. In spite of their absolute majority in the Landtag elections, however, they formed a coalition with the S.P.D. which lasted until the Socialists walked out in September, 1947.

The Bavarian Constitution, passed in December 1946, reflected the concerns of the C.S.U. and its strength in the Constitutional Committee, where it had 109 of the 180 members against the 51 members of the S.P.D.

Article 135 of the Constitution was crucial in the debate and firmly reflects the attitude of the Catholic Church and its desire to force the State to adhere to the provisions of the 1933 Concordat<sup>(25)</sup>. This Article which was not amended until 1st August, 1968<sup>(26)</sup> permitted theoretically a choice of denominational or interdenominational schools. However, these latter could only be erected upon the application of parents or guardians in denominationally mixed areas. The second section of this Article was even more restricting with regard to the control of the Church over the teachers employed.

The matter of denominational schooling and Church control over the appointment of teachers had been revived in Bavaria immediately at the end of the War by the American-appointed Minister of Education, Dr. Hipp. By a resolution of the 23rd July, 1945, he had re-stated the validity of the Regulation of 1883 which made the denominational school the regular school type, and stipulated that only those teachers could be employed at a school, who were of the same denomination as the school. The Bavarian Concordat and the State Treaties with the Evangelical Churches were also drawn on as further support for this position<sup>(27)</sup>. This had a considerable impact on the development of the organization of elementary schools and teacher training in Bavaria for almost a quarter of a century further, and caused Bavaria to have the largest proportion of Zwergschulen (small rural schools) in the Federal Republic until the late 1960s. Even the Social Democratic Minister of Education, Fendt who succeeded Hipp could do little in the face of massive Clerical influence and an Instruction of the 26th September, 1946, issued by Fendt to the effect that the emergency situation demanded the Christian Community school and that separation of schools merely according to confession would not be allowed, had to be withdrawn three weeks later in the face of extensive pressure from the Churches. This was followed on 21st December, 1946 by an agreement between the Ministry and the Church Authorities which reiterated that the usual school type was



the denominational one and the community school could only be founded at the request of parents or guardians<sup>(28)</sup>. With this re-establishment of the power of the Church over education in Bavaria and the alliance with the Ministry of Education, it was then quite easy for Bavaria in the next three years to evade the democratizing influence of the American military government and the efforts of other political parties and teachers' associations to secure a fairer educational provision, whether by sheer procrastination, or the submission of unsuitable plans which did not conform to Military Government requirements; these methods were effective until greater independence still in the sphere of education was conferred on the German authorities with the establishment of the Federal Republic.

The influence of the Church was also strongly detectable in the basic programme of the Party, which was issued on 15th December, 1946<sup>(29)</sup> and differed only slightly from the spirit of similar C.D.U. documents of the time. This defined religion as the basis of all culture and demanded freedom of religious observance and peace between the Churches and the state. It rejected the separation of church and state and defined the educational right of the state as one which is delegated to it and therefore subject to the wish of parents. It supported the denominational school and an appropriate teacher training, and though it mentioned the need for the religious belief of others to be respected in the interdenominational school, no such point was made in the case of the denominational school<sup>(30)</sup>. The programme is also important for the way in which it accepted German unity but emphasized the federal aspect in particular and demanded considerable autonomy for the Länder<sup>(31)</sup>.

The leadership of the Party was taken over by Hans Ehard who, as Minister President of Bavaria in July, 1947, called the first and last meeting of all German Ministers President in Munich, in an attempt to

overcome the hardening divisions in Germany. The Minister President from the Soviet Zone departed after considerable disagreement at the preparatory stage of the Conference, but at least Bavaria and the C.S.U. had demonstrated their support for German unity and their rejection of complete Bavarian separation<sup>(32)</sup>. Hans Ehard was a considerable power in Bavarian politics, for not only was he Minister President and chairman of the C.S.U., but was at the same time chairman of the Foreign Affairs Committee of the Bundesrat (Upper House of the Federal Parliament) and, in 1950/51, the President of the Bundesrat. After the disastrous fall-back of the C.S.U., in the 1949 and 1950 Bundestag and Landtag elections, due to the establishment of a competing Party in the form of the Bavarian Party it was Ehard's initiative that led to a coalition between the C.S.U., S.P.D., and the B.H.E., in which the C.S.U. obtained in addition to the office of Minister President, four Bavarian Ministries and three State-Secretary posts. This coalition held for four years.

At a national level it was only natural that from the beginning the C.S.U. should join the C.D.U. in forming a Federal Government and in this role it represented strongly the Bavarian point of view, bending over backwards to achieve a more than proportional representation of Protestant members and maintaining throughout a dual policy combining a vigorous defence of the economic and social interests of the region with tight constituency control over nominations, often of local notables. However this did not prevent the C.S.U. from maintaining its own independent line on certain issues especially religious ones, as when they voted against the constitution in the final sitting of the Parliamentary Council in May 1949. In the first Bundestag of 1949, when Heinrich von Brentano replaced Adenauer as the leader of the C.D.U./C.S.U. parliamentary group, Franz Joseph Strauss was appointed

deputy. It is on such local personalities as this that the pursuit of C.S.U. policies in the Bundestag has depended in the post-war period<sup>(33)</sup>.

#### B. The Christian Democratic Union

If one excludes the development of the C.S.U. in Bavaria, the main spring of the development of a Christian Political Party were in Cologne, Frankfurt and Berlin, although beginnings in each of the three centres were very different: Cologne was the centre point of many separate and simultaneous foundations,<sup>(34)</sup> whilst the Party organization in the East, encouraged by the centralizing influence of the Soviet Occupation Authorities, spread from Berlin outwards into the other East German provinces and was strongly influenced by the leadership and personality of Andreas Hermes<sup>(35)</sup>. Hermes had been a Centre Party member and a Minister of Food in several Weimar governments. He had been an active member of the anti-Hitler resistance and was under sentence at the time that he was rescued by the advancing Russians. Under his direction, the Party issued its call to the German people on 26th June, 1945<sup>(36)</sup> which, though brief, included reference to matters of cultural importance. It reiterated, for example, the rights of parents in the education of their children and declared church-guided religious instruction to be a part of education. Both of these had been traditional mainstays of Centre Party policy under the Weimar Republic.

In the Western zones on the other hand, groups sprang up simultaneously in many parts of West Germany, but particularly in the Rhineland and in Westphalia. Initiatives towards the founding of a Christian Union Party had already been taken in late May in Cologne, the first meeting being in June 1945 and, by 1st July, 1945, the initial draft of a programme had been drawn up.

This provisional programme the "Cologne Guidelines" contained a section on the family and its rights under the special protection of

the State and, in view of the defensive posture of the Party at this time, a playing down of the traditional Christian Party demand for denominational schools. It stated that the natural right of the parents in the education of their children should be the basis of the school. From this should arise a guaranteed position for the denominational school and the interdenominational school with denominational religious instruction as an ordinary subject of instruction. Centralization was rejected as being "un-German"<sup>(37)</sup>. The espousal by the party of both denominational and interdenominational schools was a cause of some friction with the Catholic Church and in particular with Bishop Frings of Cologne. Throughout the rest of the year Party groups were established in all German Länder with a particularly rapid development in the Rhineland and Westphalia and, by the end of 1945, 21 of the 39 constituencies in the Rhineland had already been formed<sup>(38)</sup>. On 2nd September, 1945, the Rheinische Christlich-Demokratische Partei was founded in Cologne and the Westfälische Christlich-Demokratische Partei Bochum was established at the same time.

The Churches watched the initial re-establishment of Political Parties with considerable interest and in a declaration at Treysa in August, 1945, the Evangelical Church welcomed the founding of the Party, whilst emphasizing that no party could claim to be the exclusive representative of Christians. This was followed by a declaration in similar vein by the Conference of Catholic Bishops at Fulda in September, 1945<sup>(39)</sup>. In spite of this endorsement by both main Christian churches there was always the possibility that the Party would become as the Centre Party had done, a predominantly Catholic party. This was avoided by two developments which took place in October of that year, one internal to the Party and one external to it. In the one case a working group of Evangelical Politicians was established within the Party and in the other case the Centre Party was

re-established in the Rhineland and Westphalia. Meanwhile other similar foundations had taken place in North Germany under the title Christlich-Demokratische Aufbau-Partei (Christian Democratic Construction Party) and in Frankfurt where a split quickly developed between those who wished to build up the Christian commitment to the Party through the recruitment of more Protestants and those who wanted closer ties with the Socialists<sup>(40)</sup>. Party programmes were issued by the various Christian Democratic groups including a joint one by the Rhineland and Westphalian groups at Bochum and Cologne, which consisted of a revision of the original Cologne Guidelines. Although they did not mention the denominational or the interdenominational school specifically, they re-emphasized the way in which, in their opinion, the natural right of parents should provide the ideological base of the school system and how the school should develop in co-operation with the Churches. Denominational religious instruction was stated to be a standard part of the curriculum in all schools<sup>(41)</sup>. In the same month a more extensive programme was issued by the Frankfurt group, which was much more sensitive to the pluralist nature of German society and the consequent need for cultural and by inference religious tolerance. It was extremely circumspect in its reference to the organization of schools, the role of the Churches and the need for religious education. In all of these matters it reflected the desire on the part of the Frankfurt group at that time to seek an accommodation with moderate socialism in pursuit of a "Christian Socialism"<sup>(42)</sup>. In terms of practical politics this meant that when the time came to approve Article 41 of the Constitution of the new German Land, Hessen, which included provision for the nationalization of certain industrial undertakings such as coal, iron and steel, the C.D.U. voted with the Social Democrats against the Liberals<sup>(43)</sup>.

Developments in the French Zone were delayed, due in part to the restrictive attitude of the French Occupation Authorities who were

mistrustful of supra-regional organizations. They saw an association between the Centre Party and the idea of centralization and were able to frustrate the clear desire of the predominantly Catholic population to link up with the old political tradition of the Centre; this led eventually to political groupings which later linked in with the C.D.U., though by the time these foundations took place, the momentum of the new party had been well established, not least by the meeting which took place in Bad Godesberg, on the initiative of Andreas Hermes the leader of the Berlin group, between the 14th and 16th December, 1945, of delegates of the new "Union" from all over Germany. It was at this meeting that the name Christlich - Demokratische Union Deutschlands was adopted. The first Political Parties in the French Zone were not licensed by the Military Authorities until the beginning of 1946 and those which established themselves under other names, such as the Christlich-Demokratische Partei in Rhineland Palatinate later changed and amalgamated with the C.D.U. The C.D.U. of Rhineland Palatinate was not constituted at Land level until 14th February, 1947. In the British Zone, however, on 5th February, 1946, a Zonal Organization of the C.D.U. was established in Krefeld, one of the chairmen being Dr. Konrad Adenauer, and a programme was issued at Neheim-Hüsten on 1st March, which reiterated previous demands for the ideological differentiation of the school system to be according to the wish of the parents. The lack of a more extensive programme has been acknowledged by Western writers and criticized by Communist ones<sup>(44)</sup>. Reasons advanced, such as the fragmented way in which Party foundations had been laid, the insecurity of the Party leadership in the face of left-wing movements within and outside of the Party and the national distress of the early post-war years, are all overshadowed by the desire of party leaders to leave as open as possible the establishment of a great new German bourgeois party of the right, encompassing all Christian denominations, and the fear that more precise

programmatic statements might preclude such a development. Typical of this desire were the meetings of leading C.D.U. and C.S.U. politicians, the first of which took place in Königstein in the Taunus in the summer of 1946 and the second in February 1947. In the same month the C.D.U. of the British Zone issued the Socialist-oriented Ahlen Economic Programme of 3rd February, 1947, which served as the basis of their policy in the bizonal Economic Council. Joint meetings of the C.D.U. of the British and American Zones took place from April 1946, and with the refusal of the French Military authorities to sanction the participation of politicians from their Zone, and the increasing pressure being placed on the C.D.U. in the Soviet Zone, the main momentum for the present-day C.D.U. continued to come from Bizonia. When the economic council for the two Zones was formed on 25th June, 1947, the C.D.U./C.S.U. had 20 of the 52 members and in spite of a vigorous dispute amongst the Parties managed to obtain all five economic directorates at stake at that time and, after the re-organization of February, 1948, a further two. Moreover when the Parliamentary Council was established in Bonn on 1st September, 1948, 27 of the 65 members were C.D.U./C.S.U. and Dr. Konrad Adenauer was elected President.

The role of the C.D.U. and its partners the C.S.U. in the drafting of the Bonn Basic Law is of interest for the way in which the dominant position of the Catholic Church in German life is reflected in Articles within the Basic Law supported or facilitated by the C.D.U./C.S.U., sometimes with and sometimes without the help of the other smaller Parties. In their aide memoire of 22nd November, 1948, the Military Governors of the Western Zones had specifically indicated that educational and cultural matters should be confined to the States<sup>(45)</sup>. The S.P.D. opposed the inclusion of any but the classic rights in the Constitution, but the alliance of the C.D.U./C.S.U., D.P., and Centre Party had the voting majority and was moreover supported by a pressure

campaign organized by the Church and carried on both frontally and through a multitude of different Church organizations<sup>(46)</sup>. The Church was not uninfluenced in its demands for "parents rights" by its struggle with the Nazis and in the post-war period with the Authorities in the Russian Zone, and weight was added to the traditional determination by the denominational mixing of population following the influx of large numbers of refugees. However in the Committee dealing with parents' rights the 10 Christian Democrats, German Party and Centre members were outvoted by the Socialists, Communists and Free Democrats, and the former group's request for a referendum was likewise rejected. Thus no stipulation about school type was included in the Basic Law, though as a compromise Sections 6 and 7 were inserted expressing the natural right of parents to the care and upbringing of their children, (in Section 7) allowing the parents to decide whether their child should attend religious instruction, and stipulating that religious education was to form part of the ordinary curriculum in state and municipal but not non-denominational schools. The final result was a compromise which the C.D.U. felt able to accept, but which the Church and the C.S.U. rejected. In the end it was approved by both the C.D.U. and the S.P.D., with the Bavarian C.S.U. voting against<sup>(47)</sup>. In the first elections for the Bundestag in August 1949, the C.D.U./C.S.U. obtained 144 of the 421 seats and in conjunction with the Free Democratic Party and the German Party were able to establish a coalition government and take 9 of the 14 ministerial portfolios. In spite of this it was not until 20th-22nd October, 1950, that a Federal Party was founded at the Party rally in Goslar, and as late as 1967, it was possible to say that no firm educational political programme had been issued<sup>(48)</sup>.

The Party was particularly active in these early years at the Land level in the educational field, where it stood for the rights of



the parents, the denominational school and religious education as a normal subject of instruction. In Hessen, however, the first three Ministers of Education were members of the C.D.U., although the first one Dr. Böhm was uncompromisingly committed to advancing the cause of the Christian Community School. In February, 1946, he was succeeded by Dr. Franz Schramm, who showed himself similarly committed but also willing and indeed keen to work together with socialist politicians<sup>(49)</sup>. His efforts are of particular importance for they represented a much more open approach to educational organization than those advanced by other C.D.U. politicians in other Länder at the time. Absent is the insistent emphasis on the rights of parents and the need for denominational education and in their place is an emphasis on unity as fostered by the school, the development of community spirit and above all the unity school<sup>(50)</sup>.

In January, 1947 in the course of negotiation for a new Hessen coalition government, Schramm was replaced by the third C.D.U. Minister of Education, Dr. Erwin Stein, who almost immediately set about obtaining funds from the American Military Government to set up a workshop on the Development of a New School. A report was issued only some six months later<sup>(51)</sup>. The Report had as one of its main foundations, the advance of equal educational opportunities for all, based upon the resolution of the Hessen Government that education itself and all learning materials should be free - a measure which was not finally passed until February, 1949, when a law provided for free text books and learning aids. At that time too, transfer to secondary education was made dependent on successful completion of an examination in German, mathematics and an intelligence test. However, the 1947 plan did not accord in its differentiated organization the unity school with the demands of the Military Government or the wishes of the public at large. In spite of an outright command by the Military Government, the introduction of

a more democratic educational structure. was delayed by the Ministry of Education in Hessen until after the foundation of the Federal Republic. Although the C.D.U. had clearly been ambivalent in the early post-war years about the democratic reform of the educational system in Hessen, it had been willing to compromise sufficiently to accept and make work a constitution that prescribed in Article 56 the inter-denominational community school<sup>(52)</sup>. It had also been instrumental in introducing with the other coalition partners civics as a regular subject of the curriculum and had supported legislation to bring about greater equality of opportunity through the provision of material and financial help. In this there seems to be an interesting parallel with the behaviour of the Catholic Church, which is manifestly more flexible in its demands where it is in a minority than where it has overwhelming popular support.

Hessen was in fact particularly successful in continuing the S.P.D./C.D.U. coalition for several years after similar coalitions in other Länder had been broken up by the extreme antagonism of old-guard socialist and Christian Democratic politicians, particularly at the national level. Thus in late 1946, the Hamburg coalition broke up and this was followed by those in Schleswig-Holstein in May 1947, Bavaria in September 1947, and South Baden in January 1948<sup>(53)</sup>.

#### The Emergence of the Free Democratic Party

The establishment of the Free Democratic Party in the Russian-occupied part of Germany followed a similar pattern to that of the other Political Parties. On 5th July, 1945, Wilhelm Kilz, a former Reich Minister of the Interior issued the call of the German Democratic Party to the German people, and ten days later the Party was licensed by the Soviet Military Authorities as an anti-National Socialist party under

the name of the Liberal Democratic Party. The change in name is significant for it reflects the support of a whole splintering of former Liberal groups from Weimar which the Party eventually absorbed. Some were composed of former members of the German People's Party, others of the German Democratic Party, whilst others still had been persons who were previously politically uncommitted<sup>(54)</sup>. The Berlin declaration was forthright in its commitment to building a new, more democratic Germany: state and people had their own relationship with the churches and religion; special protection for the family and the renewal of the educational system, especially the higher educational system<sup>(55)</sup>, were some of its demands.

This development in the Russian Zone was far ahead of similar movements in the three Western Zones. Already in July 1945 recruitment campaigns had been commenced by the Party in Saxony, Thuringia and Mark Brandenburg and by the end of that year Province-wide L.D.P. Parties had been established in all the Länder of the Eastern Zone. In August 1945 a party newspaper Der Morgen began to appear in Berlin and this was followed by further provincial Liberal papers. In February 1946 the first Delegate Conference took place and in June the first full Party Conference. By April 1947 the Party in the Eastern Zone had 170,000 members, a large minority of whom were young people under the age of 25<sup>(56)</sup>. In the Eastern Zonal Landtag elections of September/October, 1946, the Party gained over two and a quarter million votes, second only to the Socialist Unity Party and in the Berlin elections of 20th October, 1946, it gained nearly 10% of the votes and twelve of the seats. It was represented in all six Provincial Governments in the Soviet Zone and provided the Prime Minister in Saxony-Anhalt<sup>(57)</sup>. These early post-war years were a veritable Blütezeit for German Liberalism in the Eastern Zone and the Party achieved a strength, particularly in Saxony and Thuringia, which it

was never to attain in West Germany.

The progress in the Western Zone was much slower and much more fragmented, partly due to the policies of the Western Allies, the Americans, for example, considered the F.D.P. a right-wing party<sup>(58)</sup>, and partly due to the very nature and tradition of German Liberalism. Its main strength there was in Württemberg and in the two city-states of Bremen and Hamburg. In August, 1945, Reinhold Maier, formerly of the German State Party became Prime Minister of the new Land, Württemberg-Baden, and appointed Theodor Heuss as Minister of Education. On 16th September, 1945, the German People's Party was established in Stuttgart and this was followed four days later by the foundation in Hamburg of the Party of Free Democrats (Partei Freier Demokraten). Similar splintered party foundations took place under various names in other parts of the Western Zones at first at district level as with the F.D.P. in Bavaria and the L.D.P. in Hessen, which were only constituted at Land level in February and June, 1946 respectively. In the British Zone, a zonal F.D.P. was established in January, 1946, before the Land organization had been set up. On the other hand in the French Zone it was not until 21st April, 1947 that the Democratic Party was set up to amalgamate the Social People's League (Sozialer Volksbund) of the Palatinate with the Liberal Party of Rhine-Hesse and Koblenz<sup>(59)</sup>. Splintering from initial party foundations took place in a number of places such as Schleswig-Holstein and Bremen and it was not until 11th to 12th December, 1948, that delegates from all Liberal Parties of the three Western Zones established the Free Democratic Party and elected Theodor Heuss as its first Chairman. By this time they had already contested many of the local, district and Land elections and had been active with their eight members in the Bizonal Economic Council where they had pursued a vigorous policy of support for free enterprise and had been instrumental in the election of Ludwig Erhard as its

Director. The Party was represented in the Constitutional Council from September, 1948 with five members and supported the C.D.U. and S.P.D. in appraising the final version of the Constitution. In the elections of 14th August, 1949, for the first Bundestag, the Party obtained 11.9% of the votes cast and was represented by 52 members in the first Federal German Parliament and by three Ministers in the first post-war Federal German Government where it tended to support the C.D.U. in economic and external political matters but not on cultural matters<sup>(60)</sup>. This distinction was clearly more important at the Land level because of the control of education in West Germany by Provincial Parliaments.

The first Party Conference of the Federal Party was held in Bremen in June 1949. Resolutions for the Conference were prepared by specialist committees, one of which was on the rights of parents. A resolution from this committee supporting the interdenominational Christian community school was passed by the Conference. A school was envisaged where Christian-Western cultural beliefs and values would permeate the curriculum, and where the teaching of denominational religious education would be separated according to confession. The question of the rights of parents is discussed at some length and issue taken with the use of this concept as a basis for arguments for denominational schools. The old Liberal traditional commitment that had been represented in the 1920s by the German Democratic Party and the State Party in favour of a unified elementary school system is repeated and the denominational school and the splintering of denominational, secular and interdenominational schools side by side is also rejected<sup>(61)</sup>. The platform is an important re-statement of traditional Liberal approaches to cultural and educational problems in Germany and it was followed one year later at the Party Conference in Düsseldorf in 1950 by a well thought-out and presented set of

Guidelines on Cultural Policy such as the other two Parties had not evolved at national level at that time<sup>(62)</sup>. It argues from three basic principles, those of tolerance, evolution and compromise. On these three bases is built a sensitive and articulate argument for freedom of religious expression, for the support of the search for truth especially in institutions of higher education, for the freedom of the artist and for the unity of the educational system to be prepared for by Federal regulation of the existing organizational forms in individual Länder. Cultural particularism is censured and emphasis placed on the support and sponsoring of able pupils regardless of social class. The form of the school is to be determined by the whole people not by small splinter groups of it. For religious, national, financial and educational reasons the interdenominational Christian community school is demanded which can educate all children to reconciliation and mutual understanding. Denominational religious education given by teachers of the appropriate denomination, appointed by the State in consultation with the Church is supported, as is the right of parents to request their children to be freed from this commitment. In general this document also follows the hallowed tradition of Liberal educational policy with an emphasis on unity and coherence, a gentle but not chauvinistic nationalism and opposition to the extreme demands of the Churches for denominational education while at the same time giving a tolerant and humane support to interdenominationalism. These three cords of unity, national awareness and religious tolerance were the mooring ropes of Liberal educational policy in Weimar and have been so in the Federal Republic<sup>(63)</sup>.

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46. Letters in the F.D.P. archives in Bonn sent to F.D.P. members of the Parliamentary Council, give eloquent testimony to the co-ordinated pressure that was brought to bear, with letters from geographically diverse and different interest groups within the Catholic Church of different format but almost identical content and wording.
47. The exact voting figures can be found in Politische Akademie Eichholz, op. cit., p. 269.
48. Gutjahr-Löser, P., "Die Bildungspolitischen Vorstellungen der C.D.U.", Gesellschaft, Staat, Erziehung, (1967), no. 3., p. 145.
49. Helling, F., and Kluthe, W., Dokumente zur demokratischen Schulreform in Deutschland 1945-48 (Schwelm in Westfalen: Schule und Nation Verlag-G.M.B.H., 1958), p. 69.
50. See Schramm, F., Die deutsche Schule - Ein Beitrag zum Aufbau einer neuen Volksbildung (Frankfurt am Main: Hirschgraben Verlag, 1947).
51. The report was published in Die Pädagogische Provinz (1947) no. 3/4, p. 1., quoted in Helling and Kluthe, op. cit., p. 75.
52. The C.D.U. had 34 seats in the Constitutional Convention to the 43 of the S.P.D. See United States Military Government, Constitutions of the German Länder (Frankfurt, 1947), p. 29.
53. Heidenheimer, op. cit., p. 154.
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58. See, for example, Political Activities Branch, Civil Administration Division Office of Military Government for Germany (U.S.), Political Parties in Western Germany (Berlin: Office of Military Government for Germany, 1949), p. III.
59. Flechtheim, op. cit., vol. I; p. 40.
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61. Flechtheim, op. cit., vol. II, p. 282.
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CHAPTER EIGHT

THE CHURCHES' ATTITUDE TO EDUCATION

The religious balance of the population of Weimar Germany had roughly been 2:1 in favour of the Evangelical Churches. About 40 million people belonged to one of the Evangelical denominations and just over 20 million belonged to the Catholic Church. Together the two major Christian groupings accounted for some 96.5% of the population<sup>(1)</sup>. There was, however, no even distribution of population across the country: according to their religious convictions, people tended to be concentrated in predominantly Catholic or Evangelical regions as had been determined historically by the wars of religion concluded eventually by the Peace of Westphalia in 1634. Apart from a pocket of Catholic population in Upper Silesia and the Allenstein Braunsberg areas of East Prussia, the predominantly Catholic areas are concentrated in South Germany, in Bavaria, the upper Palatinate and the upper regions of the Bavarian and Württemberg parts of Swabia. The main area where the denominations were strongly mixed was in Hessen and North Württemberg, although everywhere the larger cities tended to have a mixture, in spite of the fact that only 22% of Catholics lived in large cities.

As a generalization, it is possible to say that the Christian denominations were very largely separated from each other and that this had to a large extent paralleled the way in which they had voted throughout Weimar and the type of elementary school and teacher training systems which they had developed or re-instated after the revolution of 1918<sup>(2)</sup>. Thus Bavaria and Prussia, the former predominantly Catholic, the latter predominantly Protestant, had systems where the denominational school was the usual school type

and the teaching force was similarly split, whereas in Baden and Hessen the interdenominational Simultanschule predominated. However, as Helmreich shows, even in those areas such as Thuringia where the interdenominational school was almost exclusively in existence, in reality it could hardly be called such in an area where the population was predominantly or exclusively of one denomination - in this case Evangelical. This applies also to the schools in the Hanseatic City States<sup>(3)</sup>.

This relative homogeneity of religion, voting pattern, and school and teacher training system, and the strong correlation between these factors was radically altered at the end of the Second World War by the influx of large numbers of refugees of different religions and with different educational traditions and by the changed political scene. It is against this changed ideological and cultural background that the efforts of the two Churches to re-establish their influence, particularly within the field of education, have to be judged. On the other hand the traumatic experience of the Nazi period and particularly the holocaust at the end can account for some of the rigidity which seemed to re-emerge in the attitudes of the Churches, when at a time of material and spiritual incapacity the traditions of the Christian Churches seemed to be amongst the only reliable and acceptable rafts of traditional German life to which people could cling. This was particularly the case with the Catholic Church, which the Western Allies regarded as a potent influence for the democratization of Germany and from which no substantial proportion of believers had been alienated amongst the German Catholic population. It was less so in the case of the Evangelical Churches, which were regarded with some suspicion by the occupying powers, because of their association with the power base in Imperial Germany and the repute of the German Christians under the Nazi regime; their very resistance in the form

of the Confessing Church had split even further a loose confederation of Churches. However both Churches were swift to reassert and document their struggle against the Nazi regime<sup>(4)</sup> and we turn next to an examination of the two Churches as factors in the re-establishment of education after the Second World War.

### The Catholic Church

The Hierarchy of the Catholic Church and its faithful were strongly influenced by traditional Catholic teaching as promulgated by the Church. Politically, the traditional antipathy between the Catholic Church and Social Democracy had been epitomized in the closing years of the Weimar Republic by the statement in Quadregessimo anno of 1931 that it was impossible to be simultaneously a good Catholic and a real Socialist<sup>(5)</sup>, this idea of the incompatibility of Catholic dogma and Socialism was strongly echoed in Germany and in German writings of the time and was reiterated by conservatives in the Catholic Church at the end of the Second World War, particularly in their attitude to the Christian Socialism propagated by the C.D.U. Party groups founded in Frankfurt largely by Catholics and in Berlin. The fact that by 1947 Christian Socialism was a dead letter was due in part to the doctrinaire antagonism of the Church and this effectively hardened attitudes within the Christian Democratic Party, postponing for two decades any chance of a rapprochement between German Catholicism and German Socialism<sup>(6)</sup>. On the other hand the development of a Christian Party was regarded with favour by the Church.

The Church's attitude to education in Germany at the end of the Second World War was based on its traditional teaching as expounded in the Encyclical Letter of Pope Pius XI, Divini illius magistri of 1929<sup>(7)</sup> and as manifested in the Concordat with Hitler of 1933<sup>(8)</sup>.

The Encyclical supported the divine duty and right of parents to

educate their children, a right which, being God-given, is derived from Natural Law and therefore prior to the right of the state and inviolable. Thus the State's educational system must respect the rights of the parents and of the Church and must recognize that school is complementary to Church and family. The Church therefore rejects neutral or secular schools and even denominationally mixed schools and instead demands Catholic schools and forbids Catholic children "on any pretext whatsoever to attend neutral or mixed schools"<sup>(9)</sup>. The matter is clearly not just one of providing denominational religious instruction for this cannot be just one subject at the side of others, but rather that the whole school, its curriculum, organization and teachers should be impregnated with Catholicism. The Encyclical goes out of its way to express caution about modern methods and to laud the teaching of Latin and philosophy. This is an interesting case of a value, that of Catholic education, being injected into a particular organization of knowledge. Later the two were to be found to be not so immutably tied together, as with the Church's vernacular revolution of the mid-1960s. However it was to have considerable influence on the Church's attitude to school organization in Germany at the end of the Second World War, and to lead to considerable friction with the American and French Occupation Authorities in particular.

The Church considered its relationship with the German State to have been regulated on the basis of the principles contained in Divini illius magistri by the Reich Concordat of 1933. In particular Article 23 was considered to be fundamental, according as it did special status and guarantee to Catholic denominational schools de jure parents' rights to request such schools. The Church's attitude is usefully outlined in an article by Gilbert Corman O.P.<sup>(10)</sup>. In this he argues that the legality of the Concordat as a whole is not in dispute, therefore one section only of it cannot be challenged as

invalid. The Reich was competent to legislate in this area, as it had done already in the three Basic School Laws and it had moreover always supported and taken into account the rights of parents as much as possible. Furthermore Article 146 of the Weimar Constitution had guaranteed the denominational school in its present form and after the enactment of the Constitution the elementary schools in most German Länder were predominantly denominational.

This represents the classic stance of the Church on questions of parents' rights and denominational education and it was to be continued throughout the late 1940s and 1950s and to be attenuated only towards the end of the 1960s. As Goley has pointed out, the very presence in the Federal Constitution of Articles on the family and schools indicates the extent of the Church's influence on politics in West Germany<sup>(11)</sup>, and although the 'parents' rights' campaign of the Church parties in the Constitutional Committee was defeated, nonetheless the Constitution contained in Articles 6 and 7 provisions about the family and schools. In addition Article 7 grappled with the difficult problem of religious education.

In Bavaria, for example, mention has already been made of the vigilance and reaction even in the early post-war weeks and months to successive instructions of the Bavarian Ministry of Education with regard to the re-introduction of the denominational elementary school. In response to moves by the Ministry in late 1945, Cardinal Michael von Faulhaber wrote that the Laws of the Nazis were not Laws and that formal rescinding of them would tend to raise them to the level of Law. On the other hand Article 23 of the Concordat was explicitly stated to be valid law<sup>(12)</sup>. A brief attempt by the Ministry under a Socialist Minister to use the post-war scarcity and distress as a reason for not enforcing the denominational school was vigorously and swiftly overcome by clerical pressure and had to be rescinded. The Constitution,

passed on 1st December, 1946, was a great triumph for the Catholic Church in its school policies insofar as the denominational school as the clearly preferred school-type and Church control over the employment of suitable teachers were both set down in Article 135.

In the Eastern Zone too, the Catholic Church returned early, but unsuccessfully to the defence of its traditional rights in education. In pastoral letters, in declarations of the Fulda Bishop's Conference and in official letters to provincial authorities it strove to preserve its position. A letter of 22nd January, 1946, from the Commissariat of the Archbishop for Saxony and Anhalt set out the traditional demands for denominational schools, which were completely imbued with the Christian spirit<sup>(13)</sup>. In this they were supported by the C.D.U. and joint meetings and discussions were organized, a tactic which did not endear itself to the Communist Authorities.

The position of the Catholic Church has continued to be extremely difficult in East Germany, for of the approximately seventeen million inhabitants of the Russian Zone, only just less than two million are Catholic. In addition, the organization of the Catholic Church was not strong enough to exercise the decisive pressure that it could in the West, for of the six bishoprics represented in the East only one, that of Meissen, was completely within the Eastern Zone. The other five, Berlin, Fulda, Osnabrück, Paderborn and Würzburg were controlled from the West and in time it was quite easy for the East German authorities to refuse travel documents to their bishops<sup>(14)</sup>. Eventually General Vicariates were established in Görlitz, Magdeburg, Erfurt, Schwerin and Meiningen to form together with Berlin some kind of Church superstructure for the Zone. However basically the organization of the Catholic Church in Germany has remained unaltered since 1929 except for the establishment of the Diocese of Essen in 1950. In the



Federal Republic at the moment there are 5 Arch-Bishoprics and 15 Bishoprics, 4 of which are also partly in East Germany.

### The Evangelical Church

The Evangelical Church in Germany was in even greater disarray than many other German institutions at the end of the Second World War. Not only had large sections of the church seen their path in collaboration or even enthusiastic support of the Nazi regime, but those who had not, had been or become associated with the overt resistance to Hitler in one way or another and had been imprisoned, executed or dismissed. The split between the official German Evangelical Church and the Confessing Church and the tainted history of the former meant that there was no organizational unity in the German Evangelical Churches at all. In addition many of the refugees who swept into western Germany from the eastern regions were of the Evangelical faith and many of these, breaking their contact with the only organizational infrastructure left in the form of the Landeskirchen or the section of the Confessing Church, moved into areas of predominantly Catholic population such as Bavaria, Northrhine-Westphalia, Rhineland Palatinate, Baden and Württemberg-Hohenzollern<sup>(15)</sup>. On the other hand the Evangelical Church relief agency (Hilfswerk) was operating in all parts of Germany by late 1945.

In this context a Church Assembly to reorganize the whole Church was called by Provincial Church Bishop Wurm of Württemberg at Treysa from 21st to 31st August, 1945. This was preceded by a meeting of the Reichsbrüdererrat of the Confessing Church in Frankfurt which issued a statement on the schools question<sup>(16)</sup>.

The position of the Evangelical Churches in these early post-war declarations was one which saw the Church's mission as extending through the sacraments and Church services to the faithful. Demands

for denominational schools, in so far as they were made, were circumscribed by the acceptance, under given conditions, of the Christian Community School provided that the position of religious instruction was safeguarded. The Frankfurt Declaration emphasizes the need for loyal co-operation with teachers and the avoidance of compulsion but it is clear and unequivocal in its request for Evangelical teachers' colleges to safeguard the Christian qualities of the school. Similar, if slightly more emphatic, demands were contained in the declarations of other Evangelical Church bodies of the time such as the First Synod of the Confessing Church of Berlin after the War, which was held from 29th to 31st July, 1945<sup>(17)</sup>. At the meeting in Treysa it was decided to combine the Confessing Church, the provincial Churches and the Einigungswerk or Church Front, to form the Evangelical Church in Germany<sup>(18)</sup>. Its main achievement was the agreement of the main Lutheran, Reformed and Union Churches in Germany to work together thus providing a national unity that the Evangelical Churches had never possessed before, not even under Nazi dictatorship. A Church Council was established consisting of twelve persons, six Lutheran, four United and two Reformed Church members and the establishment of the Evangelical Relief Agency the Hilfswerk der E.K.D. under Dr. Gerstenmaier was also agreed. The Conference issued a resolution on the schools question which demanded a Christian school, which according to circumstances could be either denominational or interdenominational, but which was backed up by the provision of Evangelical teachers' colleges, working groups of teachers and pastors and the formation of Evangelical school communities. The Church's responsibility for religious instruction in schools was clearly stated and the claim to supervise this work and the certification of teachers for this segment of the curriculum was firmly advanced<sup>(19)</sup>.

The Council of the E.K.D. met in Stuttgart later that year and

that meeting is noteworthy for the declaration of responsibility and repentance which was drawn up and presented to the representatives of the World Council of Churches who attended. In this the Council accepted German guilt and their own. It is a moving and humane expression of repentance on the part of men, many of whom had themselves suffered at the hands of the Nazis, but it was received with undisguised hostility by many circles in post-war Germany, not least the Press<sup>(20)</sup>.

The process of rebuilding the infrastructure of the Protestant Church in Germany took a considerable time due to the fact that the Landeskirchen needed to completely reorganize themselves before they could turn to the constitutional provisions for the national body. In September, 1946, the Lutheran Churches set up the V.E.L.K.D. and from December, 1948, the Landeskirchen were busy establishing their own constitutional bases. A second assembly of the E.K.D. in June, 1947, called partly in an attempt to overcome conflicts between the V.E.L.K.D. and the E.K.D., agreed to establish a constitutional committee which reported in early 1948<sup>(21)</sup>. After submission of the drafts to the constituent churches the new Grundordnung (Basic Constitution) was finally passed in Eisenach on 13th July, 1948, with effect from December of that year. According to this the E.K.D. is not a Church, but an association of twenty-eight constituent churches, who limit the powers of the association. The national body can only pass new church laws with their agreement and internal matters of theology, church services, etc., are not within its competence<sup>(22)</sup>. This organization of the Protestant Church in Germany has had an impact on the way in which it has approached educational matters and in particular the schools question. Apart from the declaration of the German Synod in 1958 by the E.K.D., it has been the constituent Churches which have taken up positions on the denominational school

issue and have in many cases, e.g. Lower Saxony, Schleswig-Holstein, Hessen and Rhineland Palatinate, signed Church Agreements (Kirchenverträge) with the Länder governments<sup>(23)</sup>.

### References

1. Extensive details of the distribution are given in Milatz, A., Wähler und Wahlen in der Weimarer Republik (Bonn: Bundeszentrale für Politische Bildung, 1965), pp. 70ff.
2. Milatz has a series of coloured charts of religion and voting in some of the Weimar elections and if one compares the one giving religious affiliation with voting, for example in the July 1932 elections, it is clear that the Catholic areas remained more firmly with their traditional political and religious loyalties than other regions. See Milatz, op. cit., charts.
3. These points are well argued by Helmreich in one of his best chapters. See Helmreich, E. C., Religious Education in German Schools (Cambridge, Mass.: Harvard University Press, 1959), pp. 132-150.
4. See for example Neuhänsler, J., Kreuz und Hakenkreuz (München: Verlag Katholische Kirche Bayerns, 1946), and Jannasch, W., Hat die Kirche geschwiegen? (Frankfurt am Main: St. Michael Verlag Fr. Borgmeyer, 1946).
5. Quoted in Heidenheimer, A. J., Adenauer and the C.D.U. - The Rise of the Leader and the Integration of the Party (The Hague: Martinus Nijhoff, 1960), p. 119.
6. Heidenheimer quotes an influential article by Grundlach in the authoritative Staatslexikon of 1931 and relates his role and that of the Jesuits in overcoming the movement. See Heidenheimer, op. cit., p. 120.
7. The text of this document referred to is, Smith, G. D., The Education of Christian Youth (London: Catholic Truth Society, 1957).
8. The text of the Concordat referred to is the one in the collection of Concordats since 1800 by Schöppe. See Schöppe, L., Konkordate seit 1800 (Frankfurt am Main: Alfred Metzner Verlag, 1964), pp. 29-33.
9. Smith, loc. cit., p. 37.
10. Cornan, G., "Katholische Soziallehre", in Staatsbürgerliche Bildungstelle des Landes Nordrhein-Westfalen (ed.), Menschenwürdige Gesellschaft (Cologne-Braunsfeld: Verlagsgesellschaft Rudolf Müller, 1963), pp. 1-147, especially pp. 97-99.
11. Golay, J. F., The Founding of the Federal Republic of Germany (Chicago: The University of Chicago Press, 1953), p. 194.
12. Merkt, H., Dokumente zur Schulreform in Bayern (Munich: Richard Plaum Verlag, 1952), pp. 31ff.

13. Uhlig, G., Der Beginn der antifaschistisch-demokratischen Schulreform 1945-46 (Monumenta Paedagogica, vol. II) (Berlin: Akademie Verlag, 1965), p. 103.
14. Hermann, F.-G., Der Kampf gegen Religion und Kirche in der Sowjetischen Besatzungszone Deutschlands (Stuttgart: Quell Verlag, 1966), p. 11.
15. Helmreich, op. cit., p. 215.
16. Brunotte, op. cit., p. 4.
17. Niemeier, op. cit., pp. 58ff.
18. A brief account of this Conference is given in English in Herman, S., The Re-Birth of the German Church (London: S.C.M. Press, 1946), pp. 142ff.
19. Reproduced in Merzyn, D., Kundgebungen: Worte und Erklärungen der Evangelischen Kirche in Deutschland 1945-49 (Hanover: Verlag des Amtsblattes der Evangelischen Kirche in Deutschland, 1959), p. 5.
20. Ibid., p. 137 for an English version of the declaration.
21. Wolf, E., Ordnung der Kirche (Frankfurt am Main: Vittorio Klostermann, 1961) p. 454.
22. Brunotte, op. cit., p. 6.
23. Information taken from letter of 15th March, 1968 from the Kirchenkanzlei of the E.K.D. The old Prussian State Church did not give itself a constitution until February, 1951, and a final one only in December, 1953. It took the name Evangelische Kirche der Union (E.K.U.).

PART THREE

THE INTERACTION OF POLITICS AND RELIGION IN THE PERIOD

1949-65

## CHAPTER NINE

### INTRODUCTION AN OVERVIEW

In this section of the study we reformulate the structural framework which has given the work its main definition so far. The chronological consideration of the development of educational influence and policy is not completely abandoned, but the socio-historical approach is replaced by one which is more consciously sociological and issue-orientated. We propose to keep the three main political groupings and the two church groupings as major reference points of this part as of the whole study. In Parts Three and Four we shall in addition be considering their attitudes and influence in terms of four main headings: the ideological, in which we shall be studying, for example, major developments in party thinking as reflected in their programmes, constitutional changes supported or opposed by political or religious groupings or re-definitions of traditional religious attitudes as in the case of the Catholic Church after the Second Vatican Council; the curricular in which we look at the way in which the management of knowledge in society has been considered and influenced by the ideological positions of the social groupings; the organizational, in which we propose to analyse the attitudes of the Churches and political parties to structural alterations in the systems of education, for instance, towards the establishment of a central authority for education in West Germany or the 1959 Rahmenplan or the reform of teacher training; and finally, the administrative or policy-making area, where we shall seek to detect the influence on or support for such reforms as greater community participation in schools, the democratization of universities and in particular teacher and parent involvement in policy-making.

In these sections of the study we rest upon the historical development of politics and religion portrayed in Parts One and Two and seek to consider the plethora of developments from the foundation of the Federal Republic in terms of two main historical periods: the first stretching from 1949 to approximately 1965, when a sea-change occurred in German social and cultural life, and the second from 1965 to the present day. The year 1965 has been chosen as a convenient break point and it is intended to argue that because of a unique convergence of political, religious, economic, social and broader cultural factors the period of the mid 1960s represents a watershed in the development of German society and education. Part Four considers the impact of the confluence to which we have referred above on the educational system to date, the role of the political and religious groupings in this and measures the reforms introduced against further developments. The final chapter attempts to place the study in a broader context of the political and social development of West Germany and includes a brief assessment of the methodological approach of the study, its findings and the implications of these for further research work within the area.

In this chapter the choice of a breaking-off point in our chronological framework at 1965 is justified. We then proceed in the rest of Part Three to consider in some detail policy developments in the first period in the context of the four headings proposed above.

An article by the late Saul Robinsohn in 1967 lamented what it called two decades of educational non-reform in West German education<sup>(1)</sup>. Whether one disputes the totality of this assertion or not, there were a number of indications of a new dynamism in German society and in German education from the mid 1960s which would seem to suggest the idea that a turning point had been reached, and it is proposed to briefly sketch some of these to elucidate the reason why 1965 was chosen as the break-off point in the final parts of this study. It



must be made clear, however, that the whole decade of the 1960s was one of transition and it is not argued that all of these developments occurred in 1965.

It could, indeed, be argued that it is no surprise that it took two decades for the movement towards reform to gain momentum in West Germany, if one considers the material and spiritual disaster which faced Germany at the end of the Second World War - the hour zero as it is popularly called. Educationists in West Germany, under the influence of the Western Allies in particular, attempted to reach back to the second and healthy educational traditions of the years before 1933 and to build on these before being in a position to develop the necessary material and intellectual conditions for reform. These two factors alone would go a long way to explain why it took some twenty years for education in Germany to produce a new generation of people, keen and intent on educational reform, untrammelled by the immediate material demands of educational reconstruction and not obsessed by the wounds of the past. We are not suggesting that no reforms were proposed or took place but rather that a period of gestation was needed before the reform discussion could bear fruit. To this extent the justification for the major division of the final parts of this study rests upon broader cultural arguments and not solely upon educational ones.

In the first period under consideration the political parties and Church at federal and regional levels were engaged in a restorational phase of development, where they were pre-occupied with re-establishing their former priveleges in education as in other spheres of life. They were aided in this in the western part of Germany by the revival and active support of a capitalist society based on Liberal parliamentary democratic ideals and forms of government. The Ahlen Programme of the C.D.U. and various

nationalization clauses in constitutions such as in Hessen were quickly overtaken as isolated socialist islands within a rising trade of commitment to private enterprise. In any case the phase of 'Christian Socialists' was soon strangled by the authoritarian personality of Adenauer. This restoration of authoritarian relationships was not however restricted to the C.D.U. or even to the Churches and particularly the Catholic Church which had recourse to previous legal bases to regulate its relationship with the state and its demands in the field of education. The organization of the S.P.D. under the intractable Schumacher was no less authoritarian. In addition to the restoration of capitalism and the re-affirmation of authoritarian relationships in public life, the period is also typified by a flight back to federalism and even particularism, well exemplified by the Bavarian rejection of the new Federal Basic Law and the growth of splinter parties elsewhere, and the restoration of the old hierarchical educational system. Thus the period is dominated by attitudes and structures which were essentially uncondusive to broader democratizing reforms in society in general, and in education in particular. The political parties began a basic re-think of their educational policies extending over a decade of discussion and evaluation from the mid 1950s, which had its main impact in the post 1965 period. It was not for instance until 1959, that the Social Democratic Party drawing the implications of the second industrial revolution produced its famous 'Godesberg Programme' as a result of wide-spread and wide ranging discussions at all levels of the party, which contributed so much towards overcoming the chronic antagonism between German Catholicism and German Socialism which we witnessed in Weimar and the early post-war period. It was in the early years of the 60s that the Christian Democratic Party by means of its three 'Cultural Congresses' began to gradually

change its position on the religious issue amongst other things and thus open the way to a gradual weakening of the Church's views on denominational schools. The growing stature of the German Democratic Republic, the alarming and growing recognition of the dimensions of the German educational catastrophe<sup>(2)</sup>, public dissatisfaction with the Grand Coalition of Socialists and Christian Democrats which ruled Germany from 1966, the anxiety of all the major parties at the rise of the Nationalist Party and the disastrous results of the Socialists in regional elections all served to draw the Political Parties into the arena of a particularly vigorous educational discussion in the period from the mid 1960s.

In the religious sphere substantial changes had been heralded by the Church treaties concluded by Evangelical Churches and a number of the Länder from 1955 onwards. These signified a new relationship between the parties concerned and in some cases led to pressure for similar codifications of relationship between the Catholic Church and the Provinces. This latter development had to wait, however, almost a decade until the reforms instituted by Pope John XXIII began to have their effect. The Second Vatican Council itself had a direct influence on education in many parts of Germany. The liberalization which it seemed to many to herald, led to a revolt of many thinking Catholics against the authoritarian stranglehold of the Church on education in some Provinces and once Catholic opinion in Germany had become more articulate, the opinions which it expressed were often at variance with the traditional demands that the Church had made on behalf of that opinion. Several Provinces introduced new legislation to alter the denominational basis of education, and the protests of the Church authorities were weakened by the counter-protests of students and professors and the voice of the ordinary laity as expressed in demonstration and opinion poll. For example, in spite of a Pastoral

Letter in 1968 and energetic exhortations by the Hierarchy, the majority of Catholic parents in the Province of Northrhine Westphalia, which has a fifty-three percent Catholic population, said they would prefer their children to be educated in a good interdenominational school rather than a denominational one, and the vast majority of Catholic student teachers in that Province were also of the same opinion. The lie also seemed to be given to the claims made explicit by the 1956 Fulda Bishops Conference, that Catholic schools were as good as others, by the empirical work of Erlinghagen on the Catholic 'educational deficit' (3).

The public at large were also showing signs of a greater interest in and impatience with the state of education and how it was measuring up to, and more important would measure up to, the demands of a heavily populated, highly industrialized country. Urged on by the evidence of sociologists such as Friedrich Edding and led by such people as the able and dynamic F.D.P. politician Hildegard Hamm-Brücher, formerly State Secretary for Education in Hessen and now Chairman of the F.D.P. group in the Bavarian Parliament, parents were impatiently calling for better educational opportunities for their children. This impatience was epitomized by a leader in Die Zeit which bluntly stated "Enough talk - Now for Reform" (4). And in a country where the facts of life of foreign policy allowed at that time very little room for manoeuvre, and even the gentle rapprochement with the 'East' had ground to a halt, it appeared that the only area where the politicians could achieve results satisfying to the electorate was on the home front. With a crucial election looming in 1969 they needed results and one of the areas where such results might be achieved was in an attenuation of such matters as the traditional decentralization and social disparity of the German educational system. Indeed it is noteworthy that after a series of moves in this direction, for example

the setting up of the German Council for Education (Deutscher Bildungsrat) and the presentation to the Federal Parliament of the first comprehensive report on education by Federal Chancellor Kiesinger, an unprecedented event in itself, the Christian Democratic Party threw its weight, at its Party Conference in Berlin, behind the demand for a Federal Ministry of Education in spite of the opposition of its educational experts. This was incidentally something which the Liberals in Germany had demanded consistently since the foundation of the Federal Republic and which had previously been opposed by the other major parties.

In the field of the reform of schools in rural areas, West German public opinion was increasingly aware that the Federal Republic had lagged behind reforms in East Germany, and significantly, nowhere more than in the predominantly Catholic Province of Bavaria. In this respect although the Catholic Church had been establishing ländliche Seminare since 1953 to improve adult education in rural areas, the declaration of the German Bishops from Rome in November 1965 was a landmark in the Church's recognition of the urgent need for reform in this sector of education<sup>(5)</sup>. However, even in this latter state, consolidation of smaller schools into larger units began to proceed apace, although not so quickly, energetically nor successfully as in Hessen, where the Province had not been troubled by the religious dissension which had continued to plague education in other Provinces for so many years. Moreover, it had had a stable tradition of predominantly socialist government since the end of the second World War. For instance the 1,034 one-class schools attended by some 34,000 children, which Hessen still had in 1956 had been reduced to 304 such schools with approximately 9,691 children by 1968 and it was correctly forecast in 1968 that the problem would disappear altogether by the early 1970s. A corresponding increase in consolidated Mittelpunktschulen\* (Middle Point Schools) grouping together a number

\*Mittelpunktschulen are centrally-located schools which, for their catchment area, draw children from a fairly wide geographical district.

of small rural schools, took place and there were by 1968 some 216 such schools with 94,000 pupils<sup>(6)</sup>.

Through its programme of consolidation and to a certain extent due to the influence of the American authorities during the period of occupation, Hessen had also been in the van of discussion and implementation of the Common School (Gesamtschule). General dissatisfaction throughout Germany with the unfair system of selection for and allocation to secondary education and the vertical structure of their tripartite system, coupled with the way that certain social, regional and religious groups were disadvantaged by the existing system, led to a demand for a common school either of a multilateral or integrated type. These were still early days in the education reform debate but from that time this type of school increased in number, particularly in the city states and those other states which had a socialist government in the late 1960s. The largest and most powerful association of teachers, the Arbeitsgemeinschaft deutscher Lehrerverbände (The Working Group of German Teachers Associations) threw its weight behind this aspect of the reform movement as its counterpart the Deutscher Lehrerverein (The German Teachers Association) had done in 1920s and by 1968 there were already Gesamtschulen in Berlin, Bremen, Hamburg and Hessen although not always with a grammar-school stream.

The A.G.D.L. was also instrumental in bringing about one of the few major reforms in West German education in the post-war period before 1965, namely in the field of teacher training and in the status of teachers. Here at least it could be claimed in some parts of West Germany that there had been a basic reform, one which had for a long time been argued by many educationists to be a pre-requisite to a comprehensive reform of the school system. All the Provinces of West Germany trained all teachers at university or 'university-equivalent'

institutions by 1968 and three had integrated their elementary school teacher training into the university. With trends towards a greater interchangeability of teachers in schools and the introduction of a full probationary period for elementary teachers in Hamburg and Northrhine-Westphalia well advanced, the old and deep division of German teachers into the two professions seemed to be beginning to wane, thus providing a much sounder basis for future school reform plans.

In the field of educational research and planning too, the newly founded Institute for educational research in the Max Planck Society in Berlin, was getting into its stride and adding a very necessary touch of 'ginger' to German educational research and long-term development plans were being built up by such Provinces as Hessen and Baden-Württemberg and such research Centres as the one established at the new university of Constance. Such developments began to inject an increasingly authoritative element into educational planning in West Germany in the late 60s and early 70s. The impact of the two Church educational research institutes, the Catholic Deutsches Institut für wissenschaftliche Pädagogik and the Evangelical Comenius-Institut was increasingly felt.

All of these factors, the political, religious, organizational and academic seemed to combine with the social and economic realities of post-war Germany, where student unrest seemed to have become endemic and the economy had once again entered on a period of expansion to provide a more dynamic basis for the reform of West German education than there has been for a long time past. Certainly all the signs are that a major turning point had been reached by the mid 1960s.

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4. "Genug der Reden - Nun die Reform", Zie Zeit (1968), XXIII: 19 (10th May), p.1.
5. This declaration is reproduced in Kirchliches Amtsblatt für die Erzdiözese Paderborn (1963), no. 21, pp. 152-153.
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CHAPTER TEN

CONFLICTING IDEOLOGIES

In this section we are mainly concerned with the changes which took place in the period from the foundation of the Federal Republic in 1949 until the mid 1960s, in what may loosely be described as the ideological bases for action. By this we mean the constitutional and ideological developments which occurred in this period and may have directly resulted or not, in action at the other three levels defined above. In fact, we are likely to discover that much of the theoretical groundwork for later reforms at these levels was achieved in this period, but the translation of these changes into curricular, structural and policy-making reforms occurs in the second period from 1965. We are not arguing that either the chronological periods under review or the conceptual categories proposed are discrete. Rather the interrelationship of these two with our major organizing categories of political and religious groupings are so intricately interwoven at both theoretical and action levels as to necessitate some means of analysis that will enable us to separate them out for the purposes of description and evaluation. This is the major reason for the framework proposed.

As Helmreich points out<sup>(1)</sup>, the passage of the Bonn Constitution was far from being the end of the legislative problem as far as West Germany was concerned. The Occupation Statute reserved to the Western Allies certain decisions but education was not directly one of these and although all three Allies strengthened their educational commitment, their influence was at this stage indirect, slender and on the wane. The one Article in the Constitution which refers to school matters is Article 7, and this is very general, dealing only

with state supervision of education, religious education, private schools and the continued prohibition of preparatory schools<sup>(2)</sup>.

Previously existing Reich Law on School matters such as appeared in the Weimar Constitution was delegated with the adoption of the Basic Law to the individual Länder<sup>(3)</sup>. This option was taken up by most Länder in Articles in their Constitution with the exception of Berlin, Hamburg and Lower Saxony and to some extent Schleswig-Holstein<sup>(4)</sup>.

All Länder however, including those mentioned above introduced new or amended school legislation in the period under review. The States of the British Zone still had at that time to adopt their own constitutions and all needed to formulate comprehensive educational legislation, even in the case of those States such as Bremen which had already passed School Laws. The Federal Constitution had not determined types of schools and the references to the denominational organization of education were a patchwork from Land to Land and even within a single province, as was the case in Northrhine-Westphalia and Lower Saxony. The vexed question of school form was by and large circumvented and resolutions of the question maintained or restored traditional commitments so that, for example, in Northrhine-Westphalia with a little help from the military authorities a mixed system was continued with parental right to decide which school they wished their children to attend. In Lower Saxony the interdenominational school was favoured, but denominational schools were permitted on request under certain conditions except in Oldenburg where only the denominational school was allowed. The Constitution of the new South West State of Baden-Württemberg endorsed a status quo whereby the types of elementary schools remained the same under the new State as they had been under the previous States<sup>(5)</sup>. The legislation involved included the Laws of 1932 consequent upon the Concordat and the

Church Treaty of that same year, the Law of 1932 with respect to North and South Baden, the 1909 Law in the amended 1920 version in North-Württemberg and South-Württemberg-Hohenzollern and the School Law of 26th August, 1948, in South-Württemberg-Hohenzollern<sup>(6)</sup>.

In addition to Lower Saxony, Northrhine-Westphalia and Baden-Württemberg already referred to, other states where both denominational and interdenominational schools existed, were Rhineland Palatinate and Bavaria. Four States, Bremen, Hamburg, Schleswig-Holstein and Hessen had only interdenominational schools: one, the Saar had only denominational ones and Berlin had nondenominational schools without any religious complexion at all. Figure I gives an overview of school type and proportion of the population belonging to the two major religious denominations. Figures are rounded and are intended to be an approximation in order to provide a general picture rather than to give specific information.

FIGURE I (7)

Politics, Religion and School Type in West Germany

	% of population belonging to major denominations		% of votes cast for parties in 1949 Bundestag election			School Type
	<u>Protestant</u>	<u>Catholic</u>	<u>CSU/CDU</u>	<u>SPD</u>	<u>Liberal</u>	
Baden-Württemberg	51	47	40	24	18	I & D
Bavaria	27	72	29	23	9	I & D
Bremen	85	9	17	34	13	I
Hamburg	79	7	20	40	16	I
Hessen	64	32	21	32	28	I
Northrhine-Westphalia	41	55	37	31	9	I & D
Lower Saxony	77	19	18	33	7	I & D
Rhineland Palatinate	41	58	49	29	16	I & D
Saar	25	73	33	25	18 <sup>1</sup>	D
Schleswig-Holstein	88	6	31	30	7	I
West Berlin	73	11	25	45	23 <sup>2</sup>	I

<sup>1</sup>Figure for first Bundestag elections in the Saar in 1957.

<sup>2</sup>Figures for elections for Abgeordnetenhaus of 1950.

Evidence of the very close relationship between the proportions of the two Christian churches in a Land and the political complexion of candidates returned is clearly to be derived from Figure I. More compelling evidence of the strength of this relationship was contained in a study of the 1953 Bundestag elections<sup>(8)</sup>, in which a correlation was made of C.D.U. and S.P.D. votes and the percentage of Catholics in cities and other communities. This clearly indicated that C.D.U. majorities were consistently produced in areas where Catholics represented 50% of the population or more. Moreover, in rural areas even where Catholics were not in the majority C.D.U. candidates were returned. The F.D.P. tended, on the other hand, to do best where there was an Evangelical majority. If one then combines this with the evidence collected by Kitzinger in the 1957 federal election, that in the selection of C.D.U. candidates for election, membership of one of the Christian churches was a factor of great importance<sup>(9)</sup>, then a high correlation of religious affiliation of C.D.U./C.S.U. members and the religious composition of their constituencies is revealed. And although it is not suggested that the present-day C.D.U./C.S.U. block is an ideological party (Weltanschauungspartei) but rather an interest-group party Interessenpartei, clearly local matters such as education and religious affiliation play a very large role in christian Democratic policy-making although somewhat paradoxically this emphasis on the local is accompanied by a weakness of party organization in many places. Evidence is available too that the bulk of the C.D.U. vote was motivated by what is described as traditional Christian loyalty, whereas the majority of S.P.D. voters was motivated by social class considerations<sup>(10)</sup>. To this must be added the disparity between the proportions of the two denominations in the population and the proportions in teaching positions and taking advantage of educational

and broader social opportunity and it is against this tight interrelationship of the three areas of education, religion and politics in the social and cultural make-up of West Germany that educational reform has to be seen<sup>(11)</sup>.

In the first part of the period under review, it will be argued, that there was only gradually and towards the end of the period evidence from political or religious groupings of a fundamental ideological change that could have sustained new values to facilitate major reform in the educational system. Essentially, as elsewhere in Western Europe, the early post-war years were ones of reconstruction and a time for the restoration of traditional values, and it was only gradually that economies picked up sufficiently to provide a momentum towards more widespread and thorough-going cultural change. The period was one, where the unsophisticated emphasis upon equality current in the 1920s was seen as attainable through what has been described as a system of "sponsored mobility"<sup>(12)</sup>. The Catholic Church in Germany was dominated still in its 'seige' philosophy by legislation and promulgation already referred to from the period before the second World War such as Canon Law and the Encyclical Divini illius magistri. The Evangelical Church on the other hand was at first largely pre-occupied with problems of organizational and constitutional reconstruction at national and Land levels and was not in a position, as a whole, to make an important declaration before 1958 which could synthesize and encompass the educational and theological debate which had taken place.

The rigours of the Nazi period had prepared the Churches differently for their tasks in the post-war period and in many ways the apparent disorganization perhaps even disunity of the Evangelical Churches enabled them to react with greater flexibility than the monolithic commitment of the Catholic Church to the needs of the hour.

The establishment of special centres for the training of lay religious workers and teachers and the provision of extra-curricular religious instruction were swiftly re-commenced on a very extensive basis, though handicapped by lack of buildings, personnel and finance. In addition the Evangelical Churches rapidly set about regulating such matters as religious education provided in school-time for Evangelical children and in spite of constitutional difficulties quickly established procedures whereby approved members of the profession could receive the Vokation, permission to teach Evangelical religious instruction. Early Synods of the provincial churches were much concerned with this problem and particularly in view of the fact that in many cases several Churches were represented in one province<sup>(13)</sup>. Secondly, in churches where the ministry of all was a hallowed tradition participation of parents and teachers in workshops and in the regulation in general of church life was both more extensive and more realistic in the Evangelical Churches than it was to become in the Catholic Church until after Vatican II. Indeed the Treysa School Declaration of August 1945 had specifically referred to the need to establish workshops of teachers and pastors<sup>(14)</sup>. Similar and even stronger demands were contained in other declarations of the time.

In the sphere of Church legislation, we have already narrated the difficulty which the Evangelical Churches faced in reorganizing themselves to face the challenges of the early post-war years. In the period up to the mid 1950s they were concerned mostly with providing themselves with a firm, revised and valid constitutional base appropriate to the changed political circumstances of western Germany and it was not effectively until the beginning of the "era of church treaties"<sup>(15)</sup> that a new foundation was laid for the relationship of the Evangelical Churches and the state in West

Germany. This era was inaugurated with the signing on 19th March, 1955 of the Luccum Treaty by the Province of Lower Saxony and the Evangelical Provincial Churches of that Land<sup>(16)</sup>. The Treaty was epoch-making and was swiftly followed by similar extensive legislation in Schleswig-Holstein and Hessen and a slightly more restricted treaty in Northrhine-Westphalia, which sought an updating of the Prussian Treaty of 1931. Thus by the early 60s there were four agreements with the Catholic Church and eight agreements with the Evangelical Churches (including four post-war ones) all of which had legislative force in West Germany. Figure II gives an overview of the articles in these treaties which made direct reference to matters of importance to the schools or sought to regulate the relationship of Church and state in such matters as religious education and the recruitment of teachers of this subject.

The Socialist Party still drew sustenance for its basic attitudes to education and religion from the Heidelberg Programme of 1925, although the process of reformulating and re-thinking was begun in the Berlin and Munich conferences of 1954 and 1956 respectively. The C.D.U./C.S.U., after overcoming internal dissension on the 'Christian Socialism' issue amongst others, had to turn its energies to marshalling the constituencies into a national organization for the first time before attention could be diverted in the early 1960s to the major and fundamental questions of educational reform. Christian Democratic parties everywhere in Europe were at the nub of the post-war reconstruction programmes. They maintained throughout the period the traditional Christian loyalties and in Germany as elsewhere this meant in the educational sphere to the rights of parents, denominational schools, private schools, religious education as a usual subject of instruction, denominational teacher training and a decentralized control of education. The F.D.P. alone at a

FIGURE II

Church Concordats and Treaties (Educational Clauses)

	<u>Catholic Concordats</u>				<u>Evangelical Treaties</u>								
	with				with								
	Reich	Bavaria	Prussia	Baden	Bavaria	Palatinate	Prussia	Baden	Lower	Schleswig-Lippe	Hessen	Rhineland	Palatinate
Date	1933	1924	1929	1932	1924	1924	1931	1932	1955	1957	1959	1960	1962
Religious Education in Schools	X	X		X	X			X	X	X	X	X	X
Church Participation in appointment of teacher of religion	X	X			X				X	X	X	X	X
Denominational Schools	X	X			X								
Qualification and training of teachers at denominational Schools	X	X			X				X	X	X	X	X
Private Schools run by Orders and Congregations and Admission of members there of as teachers	X	X			X				X	X	X	X	X

Adapted from Weber, op. cit., pp. 297-299.



national level maintained initiatives, remarkable for its size and power, exemplified by its work for the establishment of the German Council (Deutscher Ausschuss). Because of its pivotal position in national and regional governments it was able to exert an influence at both levels by astute political manoeuvring on major questions including electoral reform and education<sup>(17)</sup>.

The continuity of Catholic thought at this time with pre-war thought and conditions is epitomized by the declaration of the German Bishops on the day of the promulgation of the new Basic Law of the Federal Republic. In this statement the Basic Law was criticized because it contained no stipulation on the rights of parents such as had been included in the Reich Concordat and accordingly the Bishops demanded that it be altered. The reaction is typical and yet understandable in view of the experiences of the war years. The Concordat was lauded as the unchallengeable legal basis for the continuation of the denominational school in Germany and as such it had to be covetously protected<sup>(18)</sup>. The continuity of this compact, almost privatized role of the Church in educational matters is remarkable, especially as none of the early constitutions of the Länder, had the provisions of the Concordat been explicitly confirmed although the legal opinion of the day was that it was still valid. However Allied High Commission Directive No. 6 of 19th March, 1951, seemed specifically to rule out the legality of the Concordat until it might be approved by the High Commission in specific and be promulgated by the Federal Government.

Yet other developments soon took place which strengthened the position of the Catholic Church for on 4th April, 1951, an Apostolic Nuncio was appointed for the first time to the Federal Republic and the Catholic Church was through this enabled to render a more effective challenge to constitutional developments which were taking

place in the Länder. No time was lost by the Church and the following year, when a new constitution was being negotiated for the reformed South West State, later to be called Baden-Württemberg, direct representations were made by the Vatican to the Federal Government suggesting that appropriate provisions in the new constitution should be in agreement with the Reich Concordat and that pressure should be exerted to this end on the Land government<sup>(19)</sup>. The Constitutional Assembly for the new state sat for over eighteen months deliberating and compromising on a new constitutional basis for Baden-Württemberg in spite of the fact that the composition of this Assembly itself made recognition of the need for compromise inevitable for all parties. The President was a member of the C.D.U. and he was supported by two vice Presidents, one from the S.P.D. and one from the F.D.P./D.V.P. The Assembly consisted of 121 members, 50 from the C.D.U., 38 from the S.P.D., 23 from the F.D.P./D.V.P., six from the B.H.E., and four from the K.P.D. It was thus possible in the question of education, for example, for the S.P.D. to combine with the smaller parties in committee and hold in check such C.D.U. demands as those for the recognition of the validity of the Concordat and the establishment of the denominational school. The government parties, the S.P.D., F.D.P./D.V.P. and the B.H.E., and particularly the first two were able to press through their own demands for the interdenominational Christian Community school. However under the devastating impact of the Federal Elections of 6th September, 1953, when the C.D.U./C.S.U., gained 243 of the 487 seats in the Bundestag, the government in the new South-West State was reconstituted as a grand coalition with a C.D.U. Minister President and containing a C.D.U. Minister of Education, Simpfendörfer, in place of the previous S.P.D. Minister, Schenkel<sup>(20)</sup>. Party political differences on the constitution were compromised and both denominational and interdenominational schools

in the various parts of the new state were endorsed and the question of the validity of the Reich Concordat was shelved. A school law was to be passed later but this would necessitate a two-thirds majority in the Landtag. This compromise, however, so reminiscent of the Weimar compromise had its backwash effect on teacher education and when the new pädagogische Hochschulen were erected in Baden-Württemberg by Law on 16th July, 1958 they were also given a compromise character (21). There were to be two Catholic institutions one Evangelical and five interdenominational and the Ministry was to issue the necessary ordinances for the execution of the provisions of the law. This occurred under an all-party coalition which was replaced in the 1960 elections by a coalition of C.D.U. and the smaller parties. Thus in the instruments for carrying out the Law further intricate compromises were introduced, such as parallel appointments of Catholics and Protestants in the basic educational sciences at the pädagogische Hochschulen and the provision that not more than ten percent of students at a denominational teachers college should be of another faith. The S.P.D., by dint of an oversight allowed this provision to pass through but later reacted very strongly to it (22), although because they were not in the government, the effectiveness of their tardy protest was limited. It was not really until early 1964, with the passage of a school Administration Law, that school matters began to loosen sufficiently for major constitutional reform to begin to take, but this we shall deal with in Part Four.

Developments in Lower Saxony traced out a similar path. To understand them, however, we must go back to the period immediately at the end of the war. In the Autumn of 1946 the Länder of Oldenburg, Brunswick, Schaumburg-Lippe and Hanover united to form the new Land of Lower Saxony. The government nominated by the British Military Authorities on 9th December, 1946, was replaced by an elected Landtag

in April 1947, and an all-party coalition was founded by the major parties. It was this assembly which passed by an overwhelming majority the provisional constitution of Land Lower Saxony on 13th April, 1951<sup>(23)</sup>. Of the 149 members, 138 were present and of these 107 voted for, 28 voted against and there were three abstentions. All members from the former territories of Oldenburg, Schaumburg-Lippe and Brunswick were present and voted for the constitution, Article 55 of which stated that legislation in force in the constituent parts of the new land on the day of amalgamation continued to be valid law<sup>(24)</sup>. With regard to school matters this meant a most intricate legislative problem. In Hanover the Prussian Law of 1906 continued to be valid in spite of the fact that Prussia no longer existed in 1951. This Law laid down that as a rule Evangelical teachers should teach Evangelical children and Catholic teachers should teach Catholic children<sup>(25)</sup>. Thus, in effect, a denominational character was given to the school without the overt establishment of denominational schools. In Brunswick it was the Law of 1913, which expressed preference for community schools and stipulated religion to be a usual subject of instruction. In Oldenburg it was the Constitution of 1919 which in Article 18 set down that schools were to be denominational. In Schaumburg Lippe it was the Law of 1875, stipulating that schools were public institutions and as such open to all children of school age. The denominational character of schools had been effectively strengthened by the measures which were taken by the British Occupation Authorities, and from the early 1950s there was considerable friction about school matters, occasional strikes and much talk of a renewed Kulturkampf.

It was clear that a new School Law was needed and when the new Educational Administrative Law (Schulverwaltungsgesetz) was introduced into the Landtag in 1953 on the initiative of the F.D.P., a proposal was put that the new Law should contain a section on the school form,

which would confirm the community school as the usual school type<sup>(26)</sup>. A revised draft was introduced into the Landtag on 4th February, 1954, by the coalition parties in the government at that time, the S.P.D., the B.H.E., and surprisingly the Centre Party represented by one member<sup>(27)</sup>. On the 10th February, the Centre Party member resigned from the coalition. In spite of massive demonstrations against the Law, petitions and references to Hitler tactics by the Catholic Church and in spite of pressure exerted by the Federal Government on the Government of Lower Saxony, this latter refused to accept the validity of the Concordat in Lower Saxony but expressed the hope that the issue could be settled by the Federal Constitutional Court.

The draft of the new Law had been passed to the Catholic authorities in Lower Saxony for comment and on 7th February, 1954, that is before the First Reading in the Landtag, the Bishops of Osnabrück, Hildesheim, Münster and Paderborn rejected the draft in detail and in toto and raised a call for freedom of conscience, saying that the law would in any case be declared invalid by the Federal Constitutional Court. On 7th March, 1954, 60,000 Catholics took part in a protest demonstration in Hanover against the new School Law and the temperature continued to climb. The concepts and words used by Catholic speakers were heavy with allusions to the dictatorships of the Hitler and East German regimes. The political parties also joined in with the Centre attacking the C.D.U. and its dominance by Evangelical Bishops who were in favour of the new School Law, and the C.D.U. attacking the B.H.E. for not truly representing the interests of the many Catholic refugees amongst its electors<sup>(28)</sup>. The third reading of the new school Law took place on 1st September, 1954 and the Law was passed by a large majority and promulgated on 14th September<sup>(29)</sup>.

During the debate only one Catholic speaker, the Centre Party member spoke against the Law, but the question of the continued validity of the 1933 Concordat was again raised. The four Catholic Bishops of Lower Saxony issued a common Pastoral Letter opposing the Law and pledging a continued fight and the Fulda Bishops' Conference of early September also expressed its profound opposition. A peaceful strike was organized by the Catholic teachers of Lower Saxony in October but it passed without further major disturbances. On the other hand, the Evangelical Church on the whole reacted positively, favourably and realistically.

In the Landtag elections of April 1955, however, the C.D.U. was able to increase its numbers of seats from 35 to 43 and the D.P., on this occasion fighting separately from the C.D.U., gained a further 19 seats, thus enabling the formation of a coalition government by the C.D.U., D.P., G.B./B.H.E. and the F.D.P., which excluded the socialists who were still the largest single group in the Landtag. Significantly the position of the Minister of Education in the new government changed hands five times in the next ten months<sup>(30)</sup> and the temperature continued to remain high. Typical of this was the vote of no confidence moved by the S.P.D. against the C.D.U. Minister of the Interior on account of his comments concerning the schools question at the Land Party Conference of the C.D.U. in 1956. It was defeated but the issue of the type of school to be favoured still smouldered on.

It has been argued that the improved performance of the C.D.U. in the April elections was due to massive Catholic support given because of the schools question and although the evidence is not conclusive it is highly probable<sup>(31)</sup>. This is an important point in understanding the behaviour of the S.P.D. when they returned to power. Meanwhile other moves were coming to fruition. In 1953 and 1954 the Catholic Church, particularly through the Apostolic Nuncio had placed

pressure on the German government of Dr. Adenauer in an attempt to induce him to influence the government of Lower Saxony away from its proposed legislation. An extensive correspondence between Adenauer and Kopf, the Lower Saxon Minister President at that time, and between the two governments had been unable to move the government of Lower Saxony from its resolution<sup>(32)</sup>, and it was for this reason that the Central Government decided to place its case before the Federal Constitutional Court.

Three days after the Federal Government had submitted its complaints the Luccum Treaty with five Evangelical Landeskirchen was signed on 19th March, 1955, and provided the impetus towards a series of such treaties in such other Länder as Schleswig-Holstein in 1957, Hessen in 1960, and Rhineland Palatinate in 1962. The treaty of 1955 although of considerable importance in general had little effect on current school matters except those concerning religious education and private schools<sup>(33)</sup>. Basically it emphasized a relationship of partnership and tolerance and was far distant from the strident demands of the Catholic Church at that time. But the fact that it contained school clauses was used later as an argument in Lower Saxony for a parallel Concordat with the Catholic Church which would include school matters. As a landmark in the post-war relationship of Church and State in West Germany it has great significance. Significant also however, is the way in which it helped to facilitate a leap-frogging of demands by the Catholic Church with regard to the regulation of church-state relations in general and school matters in particular.

Hessen and Bremen now joined Lower Saxony and requested the Federal Constitutional Court to reject the Federal Government's case, stating that they did not consider the Concordat as legally binding for their Länder. In the Bundestag the S.P.D. set down a question for

the government on 23rd March, pointing out the concern that this matter was arousing amongst the Evangelical section of the population and the Evangelical Churches, and alleging that the government's action infringed on the cultural autonomy of the Länder afforded by the Basic Law of 1949<sup>(34)</sup>. (This latter is an unusual argument for the S.P.D. being based on a particularistic posture usually adopted by the C.D.U.).

In June 1956, the oral representations took place before the Constitutional Court in Karlsruhe and on 26th March, 1957, the Court gave its verdict rejecting the Federal Government's case<sup>(35)</sup>. To summarize, however, the lengthy verdict was by way of being a compromise. The continuing international validity of the 1933 Concordat was upheld by the Court, and thus the Federal Government as the successor of the Reich Government of 1933 was committed by it. However, the 1949 Basic Law of the Federal Republic does not commit the Länder to the Concordat and they therefore cannot be forced by the Federal Government to comply in their school laws with its stipulations<sup>(36)</sup>. The implications were clear: it was a matter for the Länder themselves, whether and how far they felt bound by the school Articles of the Reich Concordat. In the case of Baden-Württemberg and Hessen, some C.D.U. politicians argued that they were bound by Articles of their constitutions<sup>(37)</sup> to the Concordat, in any case, but this argument was not mounted in the case of Lower Saxony.

The matter was, however, far from settled and, in spite of the verdict, negotiations between the Government of Lower Saxony and the Catholic Church were commenced at the instigation of the Federal Government, with the Church, however, continuing to utilize mainly those parts of the verdict which confirmed its own position. Further complaints were registered by the Church against several Länder and the somewhat arid and closed policies of Pius XI and XII continued to



determine the rigid and uncompromising stand which the Church adopted, and set the very narrow parameters within which any solution might be envisaged. The Fulda Bishops Conference took to heart the ensuing battle and issued its basic principles for school and education at its meeting in 1956. This dealt extensively with such traditional areas of Catholic concern as the rights of parents and the Church in education, religious education, teacher education and co-education<sup>(38)</sup>.

However in quick succession a number of important changes took place. In the elections in Lower Saxony of 18th April, 1959, the S.P.D., was able to improve its performance at the expense of the C.D.U. and, in the consequent formation of a government in May of that same year, Hinrich Wilhelm Kopf, a member of the S.P.D., and from 1957 Vice Minister President and Minister of the Interior, was elected Minister President and a Coalition Government was formed by the S.P.D., G.B./B.H.E. and the F.D.P.<sup>(39)</sup>. In his declaration to the Landtag of 19th May, 1959, Kopf stated that the Government was willing to conclude a state treaty with the Catholic Church in Lower Saxony, and this was echoed in the declarations of the succeeding Minister President Diederichs in December, 1961, and June 1963<sup>(40)</sup>. Meanwhile Pope Pius XII had died and been succeeded by Pope John XXIII who had immediately begun the task of modernizing the Church and developing a more pragmatic policy towards developments in the outside world, a policy which envisaged working together with all men of good will whatever their political complexion. The Land Government sought and eventually achieved its goal of direct negotiations with the Apostolic Nuncio in West Germany, Dr. Bafile and these commenced from February 1962 and could not remain uninfluenced by the deliberations of the Second Vatican Council, which was by then in session.

Significant in this respect for the further development of the Church's attitude to denominational education was the announcement

signed by the German Bishops in Rome in November 1963 concerning the problem of rural schools. It was signed by Archbishop Lorenz of Paderborn and published along with a declaration on teacher training in the official gazette of the Diocese. After expressing a concern for the educational opportunities of the rural child, and emphasizing the need for teachers in rural schools to be deeply religious, the document criticises one-class schools and advocates the amalgamation of groups of schools for greater efficiency. True the document goes on to restate the traditional Church claim for denominational education and sensitivity to the rights of parents, but in its overt concern for better educational opportunity it represents the beginning of an accommodation to demands for greater educational equality and to the mounting educational debate in Europe in general at that time and in Germany in particular.

However, in the meantime, further political developments had taken place in West German Social Democracy which strengthened the determination of the S.P.D. in Land Lower Saxony to achieve a better modus vivendi with the Church and at the same time laid the foundation of a new relationship between German Social Democracy and the Catholic Church. Just as the Church was moving from a strictly doctrinaire ideological basis for action to a more pragmatic approach to political action, so also was the S.P.D. through the development of a new programmatic basis.

In his evaluation of the 1959 Programme which was the outcome of the S.P.D.'s re-appraisal of their position after their disastrous performance in the 1957 elections, Chalmers states "... the significance of the Godesberger Programm is that it has no ideology. The Party has changed enough so that an ideological programme is no longer appropriate"<sup>(41)</sup> The crucial role of the Catholic Church and Catholic organizations in the re-election of the Adenauer Government in 1957 has been described

extensively by Kitzinger<sup>(42)</sup>, and though reduced slightly against the influence of Catholicism in 1953, the mass of declarations and exhortations to the Catholic population from official and unofficial Catholic sources clearly contrasted sharply with the lack of similar Evangelical pronouncements, and can be assumed to have had a fundamental impact on voting patterns<sup>(43)</sup>. It must have been clear that the S.P.D., if it were ever to achieve power in the Bundestag, would have to attempt to change its basic attitude to the Catholic Church.

In spite of the banning of the Communist Party and the consequent increment that might have been expected in the Socialist vote, Adenauer was returned in the 1959 election with a massive majority and the tentative rethinking of the purpose and aims of the S.P.D., was quickened. The 1958 Stuttgart Conference of the Party represented a victory for the moderates in the Party who wanted a change to a party that would not be a narrow class-based one, but would appeal to all sections of the community. Though symbolically or perhaps sentimentally, Ollenhauer remained as chairman, Erler, Schmidt and, in Berlin, Brandt were now coming to the fore and it was to be they who were to be the architects of the new programmes which were to rid the party of its old class image and put it on the path to power. A sloppy draft Basic Programme presented to the Stuttgart Conference was the occasion for much grass-roots participation in the process of formulating it into the 1959 Godesberger Programm.

The document is of such fundamental importance to our theme that we propose to examine it in some detail. It was passed by an extraordinary Party Congress called by the Party Executive in November 1959, by 324 votes to 16. In its commitment to general ethical principles of freedom, justice and solidarity it is more akin to the tradition of German national liberalism, though without the

corresponding emphasis on nationalism. The programme focusses on the lack of autonomy of the individual in modern society and envisages one of the major areas where this can be alleviated as being in cultural life. The switch from specific goals to the identification of broad social values and the relative absence of demands on behalf of restricted sections of the community represent a basic change in the approach of the party to the German electorate<sup>(44)</sup>. For our theme the sections on the school and Church and religion are fundamental to an understanding of the reasons behind the 1965 Concordat between a socialist Government in Lower Saxony and the Catholic Church in specific, and more particularly, the immense upsurge of educational reform developments under socialist and socialist coalition governments in West Germany in the late 1960s and early 1970s.

The section of the Programme on Religion and Church<sup>(45)</sup> emphasizes mutual tolerance as a basis for human and political life and takes great pains to stress that Socialism is no substitute for religion. The Social Democratic Party, it states, respects the Churches and religious groups, their tasks and their independence, and is always prepared to work in free partnership with them. The way in which men feel themselves committed to social responsibility because of their religious belief is also welcomed.

In the section on the school, the theme of the lack of autonomy of modern man comes to the fore again. Education and schooling should, the programme states, develop the resistance of the individual to the conformist tendencies of our times. The insistent demands of previous programmes such as the Heidelberg one for the secular school are replaced by a gentle suggestion that youth should be educated together in a spirit of respect for freedom, and pursuit of understanding, tolerance and willingness to render assistance. The following sections on the school are more specific than most other parts of the programme

including references to the curriculum the need for civics, the organization of education, including parental and pupil participation, length of compulsory schooling, higher education and the training of teachers. Final parts of the cultural section then deal with the importance of freedom and responsibility in academic research and teaching, student grants, adult education and art. But above all what is significant is what is not there. There is no demand for the secular school and no demand that religious education should not be taught in schools.

The programme is on the whole extensive in the areas it maps out, but not detailed, brief but considered, readable but far from exhaustive. Above all it seeks out certain general ethical stances which no doubt a majority of the West German electorate could be expected to support and leaves the interpretation of these principles into specific policies to the pragmatism of politicians and the views of the electorate. It is in many ways a child of the post-war consensus society and a rejection of extreme socialism. Indeed it is Liberal rather than Socialist.

The initiative once taken was quickly followed in December of that same year with the publication by the S.P.D. Executive Committee of a publication entitled "The Catholic and the S.P.D.", which aimed to project forward the dialogue between the S.P.D. and the Catholic Church. The thinking of this document was then included in the influential little publication entitled "Catholic and Godesberg Programme" published in March 1962, a booklet which was extended in May 1965 to include reference to the Encyclicals Pacem in terris and Ecclesiam suam (46).

In the cultural field the initiatives taken were followed up in cultural political resolutions in the Hanover and Cologne Party Conferences in 1960 and 1962 and in the Cultural Congresses called in Wiesbaden on 28th and 29th October 1960 and particularly in the

Hamburg from 19th to 30th August 1963 held under the motto "Ascent through Education" (47). The Conference was opened with an extensive and authoritative speech by the Chairman of the Cultural Committee of the S.P.D., Willi Eichler. In his delivery Eichler makes reference in a section entitled "Education, Tolerance and School" (48), to the pluralist nature of modern society and the need for tolerance to be based not merely upon toleration but upon a mutual respect. It is measured in its words, clever in its use of Catholic authority to substantiate its argument, yet humane and progressive. In short a further development of the open and 'liberal' philosophical bases broadly enunciated at Bad Godesberg in 1959. The Conference ended by approving draft "Bases for Social Democratic Cultural Policy" (49), which, beginning with the freedom and dignity of human beings and arguing from the pluralist nature of society, provides a more sophisticated and extensive if less dogmatic argument for the Gemeinschaftschule than had been developed previously even in the Godesberg Programme. The declaration deals extensively with the educational and higher educational systems and auxiliary services such as libraries, seeking all the time to build on the theoretical bases of the Godesberg Programme and to appeal as widely as possible. The structural and theoretical aspects of this draft were then incorporated into the "Educational Political Guidelines" approved by the Party leadership as a basis for action at Federal, Land and community levels in July 1964, and confirmed by the Party Conference in Karlsruhe in November of that year (50). Amongst other things the Guidelines are gentle in their expression of preference for the interdenominational school. Beginning with respect for the decision of the parents, the guidelines recognize the way in which the Federal structure of West Germany permits practical solutions which facilitate different developments (51). The emphasis is placed on the ability of Social Democracy to persuade

parents of the preferability of a school common for all children, and thus a tolerance and persuasion, discussion and free agreement as the basis for the development of a society fit for humans (eine menschenwürdige Gesellschaft). But if the Leitsätze clothe the 1959 demands for a common school with the garment of the Gemeinschaftsschule this is a far cry from the 1920s epitomized by the 1925 Heidelberg Programme's demands for secular schools<sup>(52)</sup>. The crucial question posed by Gustav Heinemann, a former member of the C.D.U., and now the President of the Federal Republic, at the 1965 Cultural Political Congress of the Party in Hamburg as to whether the S.P.D. was committed to legitimizing and even forcing through the type of school which it prefers under any circumstances receives a negative reply in the Leitsätze<sup>(53)</sup>. Reinforced by the steadily shifting tide of public opinion towards interdenominational education in West Germany, under which there was a choice, Social Democracy could now in its new-found self-confidence feel able to reply on persuasion rather than imposition, and it thus seemed possible and even desirable that minorities who were not yet persuaded of the compelling arguments in favour of the Gemeinschaftsschule should, until such time as they were able freely to decide for themselves for it, be enabled to opt for denominational education. The emphasis upon freedom and tolerance imply tolerance of belief by non-believers and vice-versa. Socialism is a task of education and idealism, and in the centre and having precedence over the state is the individual human being<sup>(54)</sup>. This latter point of socialism with a human face and the former point made by Helfer<sup>(55)</sup> is crucial in understanding why and how German Social Democracy could transact the 1965 Concordat with the State of Lower Saxony in 1965 and eventually gain political power once again in West Germany.

However before we come to a discussion of these points we must consider how the whole constellation of political and religious

opinion had been developing around this vortex, for just as the lock-step of Social Democratic and Catholic ideologies was the centre of political development, it was around this that much other political and religious opinion articulated. The key-stone has been described, but the ideological foundations of a society are not constructed solely of key-stones. Movement over the period in question in other political and religious groupings was thus less spectacular but nonetheless perceptible and important and it was driven ahead by the more dramatic changes described above in the very fulcrum of German society.

We have previously referred to the way in which personal animosity between Adenauer and Schumacher had eventually brought to nothing early post-war attempts at S.P.D., C.D.U. coalitions and even after Schumacher's death, this personal, patriarchal approach to politics continued to be pursued and indeed dominated by the authoritarian character of Konrad Adenauer. It was he above all other politicians of the right and left who contributed to the ongoing polarization in German internal politics throughout the 50s. For as long as he was Chancellor the electorate was encouraged to think of their vote as a personal one, for or against him, and this plebiscite-like approach has to some extent been projected forward into the post-Adenauer era by both Erhard and more successfully Brandt<sup>(56)</sup>. Under Adenauer the C.D.U./C.S.U. had adopted a traditional conservative approach to cultural matters and as we have seen was on the side of the continuing validity of the Concordat and its binding nature on provincial governments in the case of the School Law controversy in Lower Saxony.

It was not in fact until the Autumn of 1963 that Adenauer was finally pressed into retirement and Ludwig Erhard who had been Federal Minister of Economics, took over from him, in spite of the



fact that Erhard had been nominated some six months previously. C.D.U./C.S.U. hegemony of political power in West Germany was to survive only just over three years more until the formation of the Grand Coalition on 1st December, 1966. However the Party's long overdue re-appraisal of its approach to educational matters had been prodded and provoked several years prior to this. From the late 50s and early 60s there had been a host of sociological work such as that of Carnap and Edding, Undeutsch and Kob<sup>(57)</sup> which culminating in the rather more polemical writings of Georg Picht<sup>(58)</sup> in 1963 and 1964 and the work of Liberal politicians such as Hamm-Brücher and Dahrendorf<sup>(59)</sup>, had compounded both internal and external political pressures to force the C.D.U./C.S.U. into a rigorous re-appraisal of its cultural political policies. One of the results of this was a series of cultural political congresses.

The first of these took place in Gelsenkirchen from 28th-30th November, 1960, a year from which incidentally the Cultural Political Office of the C.D.U./C.S.U. began to publish a fortnightly news and information bulletin on cultural and more specifically educational matters. The first Congress manifests in the speeches of the main participants some of the pressure under which the C.D.U./C.S.U. felt itself to be from the S.P.D. and especially with the crucial Federal election coming up in the following year. But it also shows how unused to the formulation of educational reform proposals the C.D.U. had become. The opening speech by Dr. Eugen Garstenmeier is precise and specific only at those points where it makes reference to S.P.D. criticisms of his party. For the rest it is ephemeral almost mystical in the use it tries to make of the Christian commitment of his party - a theme followed up by the next speaker Bernhard Hansler, Director of the Central Committee of German Catholics, in his talk on "Christianity - Humanism - New Time"<sup>(60)</sup>. But if the fare which the

first two speakers delivered was conservative, the speech by Werner Schütz, Minister of Education for Northrhine-Westphalia might even merit the epithet reactionary. Arguing from the rights of parents, almost as if they were absolute ones, he continued to support and justify the differentiation of the educational system into denominational and other schools, and the right of parents to demand a school of the type they wished and to choose between available school types. This is the classic stance of German Christian Democracy, which for example, in 1950 had led to the passage of the notorious Schulorganisationsgesetz in Bavaria, which compelled the state to erect denominational schools for minorities, as soon as an application was made by twenty-five parents and the school clientèle was secured for five years. The result of this piece of legislation was that within two years the number of one-class schools doubled<sup>(61)</sup>. As late as 1962 an opposition proposal for the establishment of Middle Point Schools to consolidate some of these was rejected by the governing C.D.U. in Bavaria<sup>(62)</sup>. Schütz continued his speech by arguing in detail for separate education of the sexes, against the introduction of a tenth school year, for the tri-partite system of education, against the university training of elementary teachers and for a continuation of existing grammar school teacher training. It is clearly not surprising that the final recommendations of the Congress were anything but exciting and innovatory. The first three reiterated the theme of the rights of parents, whilst others placed emphasis on the separation of the sexes, rejected the promotion phase (Förderstufe) and the Bremer Plan of the A.G.D.L. and advocated that teacher training should take place at independent teachers' colleges<sup>(63)</sup>.

Given the lack of economic, let alone broader social perspective in the proceedings and recommendations of the First Cultural Congress, the emphasis upon vocational education of the Second Congress, held at Augsburg from the 4th to 6th November, 1962, can be counted a

marginal improvement<sup>(64)</sup>. As the first had emphasized a perspective largely based upon a Weltanschauung approach to educational discussion and reform, the second seemed to take cognizance of the broader European concern at this time in the relationship between the economy and the educational system. It showed an awareness, common elsewhere in Europe at that time of the continually shifting skill structure of modern society and the consequent need for emphasis upon vocational training and re-training. The very title seems to presage a more modernizing approach to education and certainly if it represents a slimmer volume of papers than the First Congress did, it has more to say about how education can serve a modern society and less about how it can dominate it. In contrast to the First Congress, Kiesinger in his introductory remarks refers to the growing co-operation of the Federal and Regional Governments in the field of education. Education is thus no longer the exclusive and unassailable sphere of the Länder, but a field for fruitful collaboration. The themes of the main speeches indicate an emphasis which Dufhues asserts in his opening remarks "Cultural policy is also primarily social policy ... Our technical, economic and social life make growing and expanding demands for achievement"<sup>(65)</sup>. In addition to the vocational system, the second way (zweite Bildungsweg) the improvement and expansion of student grant provision into the vocational educational system and promotion forms of schooling all representing ways of improving the performance of the educational system and the achievement of the individual, areas such as that of girls education and rural education are sought where there is a particular need for improvement. In addition to a sensitivity to such factors as the growing tendency to change jobs and the impact of emerging common regulations in the E.E.C., the interdependence of school and factory, of economic and educational considerations are weighed sometimes in the form of a caution towards already advancing educational reforms such as the ninth school year<sup>(66)</sup>.

The orientation of the Conference represented, and this was to continue into the next Cultural Congress in Hamburg two years later a predominantly quantitative approach to the educational system. Improvements were seen as necessitating additions to the system rather than changes in the system itself.

That was the last Cultural Political Congress of the Adenauer era. On 18th October, 1963, Ludwig Erhard in his declaration of policy on taking over the reins of government, raised two main educational issues: the need for co-operation between national and regional government and the need to develop educational investment in order to "keep up with the Jones of other nations"<sup>(67)</sup>. The C.D.U. were still pressed by the S.P.D. Opposition amongst other ways by the questions that the S.P.D. put down in the Bundestag. In reply to a major question from the S.P.D., Hans Lenz, Federal Minister for Scientific Research stated in March 1964, that he regretted the level of co-operation between Bund and Länder in the field of education<sup>(68)</sup>. This was a considerable step forward from the position of the First Cultural Congress, and represented a growing demand from all major political parties in the Bundestag for a common educational planning<sup>(69)</sup>.

With the decline in the C.D.U. vote in the 1961 election behind them and the consequent need to form two coalition governments under Adenauer, even before the coalition government of Erhard took over in October 1963, the 1965 election was clearly going to be crucial to the Party. The fourth legislative period of the German Bundestag had in any case proved to be the most lively one so far. The building of the Berlin Wall just before the previous election had introduced a further rigidity into West German foreign policy and made it even more important to attempt to achieve popular goals in home affairs, if only as a counterpoise to the many scandals which had afflicted the Fourth Bundestag including the infamous Spiegel affair, and the

forced resignation of Defence Minister Franz Josef Strauss, amongst others.

The Third Cultural Political Congress of the C.D.U./C.S.U. was held in Hamburg on 9th and 10th November, 1964<sup>(70)</sup>. It was an altogether more ambitious affair and reflected the growing dissatisfaction of the people of West Germany with their educational system and its performance. Josef Dufhues, the chairman of the C.D.U., referred in his opening remarks to the way in which educational questions had never before been so much in the public eye, but also felt it necessary to defend and justify the performance of the C.D.U. in educational matters, and in a number of speeches attention was clearly on the coming Federal Elections. The resulting Hamburg recommendations of the C.D.U./C.S.U. are the nearest that the two parties came in the time span under discussion to an articulated educational programme. The emphasis was still upon an investment in human capital approach and upon improving the performance of individuals and especially the system rather than restructuring in response to rising social demand for education in response to socially democratizing objectives. This indeed is the fundamental difference between the recommendations of the Third Cultural Political Congress of the C.D.U./C.S.U. and the Cultural Political Guidelines of the S.P.D. published only some four months previously, that whilst both stood as the basis for the education policy of the party for the 1965 election, the one was still at the stage of upgrading the educational system from a mainly economic efficiency point of view, that is the human capital approach whilst the other, the S.P.D. guidelines, had already moved on to the concept of equity as the main function of the system, though its understanding of what this might imply was still embryonic and formal.

The recommendations of the Third Congress were in line with this difference: raising of achievement at all levels, development of research and planning, differentiated educational system and rejection of the unity school, establishment of composite elementary schools, where less differentiated schools demand this, experimental approaches to innovations such as the tenth school year, raising of the numbers of secondary school graduates by establishment of promotion types of grammar schools were necessary etc. One or two strands of the previous dominance of a Weltanschauung approach to education are seen in the reference to education for responsibility to God and man and in particular the references to the rights of parents and the need where necessary to establish private schools with state subventions, but the shift in policy is predominantly away from this and towards the ideal of efficiency<sup>(71)</sup>.

Much the same kind of emphasis can be discerned in Liberal Party approaches to educational reform up to the middle 1960s. The party had, however, been more consistently concerned with educational issues, particularly structural ones such as the establishment of a central ministry for education in West Germany, from the end of the war. Given this interest however, and a broader more open and outward-looking approach than the other two parties, issues of equity and freedom of choice in education were only just beginning to emerge in the party's thinking in the mid 1960s. With a wealth of statistics provided by such able Liberal politicians as Hildegard Hamm-Brücher, gathered from home and abroad, the Party acted as a spur to both the other parties<sup>(72)</sup>. The importance of her writings is not to be underestimated in assessing the impact of F.D.P. policies and initiatives in the field of education, but the very stature of the woman raised her head and shoulders above the rest of the party and made its educational policies in particular seem virtually a one-woman band. A good example of this was a composite issue of the Liberal journal Liberal from July, 1964, which was devoted

entirely to educational matters. The first contribution has a life and a vivacity, an impact and appeal that leave all of the other contributions smacking of the sediment at the bottom of the barrel. She provides a leaven in her contribution which only seems to emphasize the plodding nature of the other contributions<sup>(73)</sup>. However, the Party was riding on the crest of a very successful wave by this time and was fully able to mount an extensive campaign in the press and by way of cultural political meetings prior to the 1965 Federal Elections. With its outstanding victory in the 1961 elections behind it, when with sixty-seven seats in the Bundestag, it could determine which of the two larger parties would form the government and with significant, if less substantial, gains in ten of the eleven regional elections which had taken place in the meantime, the party could go into its 1965 Party Conference in Frankfurt with great confidence, and with educational matters as one of its central concerns<sup>(74)</sup>. The 1964 Conference at Duisburg had set the scene for educational discussions in the party and recommendations from the Cultural Political Federal Committee of the Party on matters of teacher training, private schools, denominational education and from the Liberal Cultural Forum in Stuttgart on vocational education and the Cultural Political Conference in Saarbrücken, were available to the 1965 Conference. But the Conference is also significant for the way in which it heralded a concern with equality of opportunity which was already beginning to press beyond questions of efficiency towards the idea of equity<sup>(75)</sup>.

In what can only be described as the most articulated and at that time forward-looking of the educational policies of the three political parties, Hildegard Hanna-Brücher outlined an attack and a programme at the 1965 Party Congress which was significant for the way in which it expressed but re-deployed traditional liberal concerns:

its emphasis upon the individual, and his freedom was reflected in the traditional mainstays of German Liberal policy in the title chosen for this part of the conference's work: "The Education of the Individual Decides the Future of All"<sup>(76)</sup>. Traditional Liberal Party concerns with the freedom of the individual were also reflected in the concern with regional and other quantitative disparities in education provision and though less so, between education and society. A further mainstay of Liberal policy in Germany that of a national overview of education was elegantly articulated in a renewed but gentle rejection of denominational education<sup>(77)</sup>, concern for a more co-ordinated provision and administration of education in Germany and in the emphasis placed on education in the whole of Germany including East Germany and the need to learn from "the other side". In this re-interpretation of traditional Liberal concerns in terms of up-to-date, topical and crucial issues the F.D.P. cultural political stance of the mid 1960s was more attuned to both internal and international educational and social developments than those of the other two major parties. Only in one respect was it surpassed by the policies of the S.P.D. and that is in the awakening concern of this latter party with the ideological implications of equality in education. In other respects, in detail of programme, in modernizing of policy, in impact of style, in concern for wider national and international contexts, in the underpinning of policy with statistical and other evidence rather than mere sloganizing, the F.D.P. was at this time the front-running political party insofar as the development of educational policy or at least a viable theoretical base for this policy is concerned, but it was also reflected in the extent of their effectiveness at Land level in such provinces as Rhineland Palatinate, which has consistently had a C.D.U. Minister of Education since its formation at the end of the Second World War. From 1963 onwards, when the C.D.U. lost its



overall majority in that province it was possible for the F.D.P. to play their pivotal role once again and through this to force significant educational change<sup>(78)</sup>. Another case in point is Lower Saxony in 1965 but we shall be looking at those events in detail at the end of this chapter.

The voice of the Evangelical Church on school matters in the post-war period was both more flexible and less definitive than that of the Catholic Church. The meeting at Treysa in 1945 had issued a declaration in favour of the christian school, but had added that according to circumstances this might be a denominational or interdenominational school. Evangelical teacher training was requested by meetings of the E.K.D. but the tactical manoeuvring for different types of schools was left largely to the initiative of the Catholic Church and the response that this seemed to demand from the individual Landeskirchen concerned in their own part of the country. Thus the period since the second World War to the mid 1960s has been typified by the fragmented response of the Evangelical Churches to educational reform. The federations of Protestant Churches, the V.E.L.K.D., the E.K.U. and even the E.K.D. were slow to take initiatives that seemed to call in question matters within the competence of the Landeskirchen. Manifest at a religious level was the same kind of particularistic approach which was evidenced politically in the federal structure of West Germany and its placing of power over education. This led to a relative unity of purpose and policy between the two Churches but it was one where the Catholic Church made the running. Its attitude and activity has been described as having been "pragmatic reactive"<sup>(79)</sup>, and such policies which can be seen at their clearest in the demands for parity in Lower Saxony as a consequence of the 1965 Concordat. However to a background of intense theological discussion of the whole position of the Evangelical Church in a modern society, arguments against a too

close and rigid association of Church and state were being mounted. This led in 1955 to the rejection by the Evangelical Church of support for the re-establishment of Christian Trade Unions and in 1958 to the famous and influential declaration of the General Synod of the E.K.D. on the school question<sup>(80)</sup>. Preceding the deliberations of the Second Vatican Council but in essence aiming at many of the same conclusions, it advocated a penetration of Christian activity into all facets of social life and thus a progressive collaboration and co-operation rather than a splitting and squandering of Christian effort. Thus the solution to the question of the appropriate form and content of education in a modern world has to be determined without denominational narrowness or ideological compulsion. Conflicting views are called to respect the young person through service to him which excludes an intellectual tearing-asunder of the person. Wherever the state offends against the freedom of its citizens by making the school into an instrument of one ideology, which it attempts to perpetrate with force, it undermines its own authority<sup>(81)</sup>. In a document which breathes compassion, the Church set down principles of freedom, tolerance and social responsibility, including an early, if slight reference for German education to what could be interpreted as a compensatory strategy for some children<sup>(82)</sup>. All of this and particularly its advocacy of a free service to a free school was to profoundly influence its actions and those of its member churches in particular in the school struggles of the mid-1960s, and incidentally to bring it, as in Northrhine-Westphalia in 1966 into conflict with the Roman Catholic Church. However, in its open offer of a free service to a free school and the way in which it seemed to act as a catalyst to current debate it might be described as the aggiornamento of the E.K.D. and certainly in its attitude to the schools question.

The Evangelical Church did not, however, move quickly enough and certainly not for its more radical members. In February, 1962 for example eight prominent personalities in the Evangelical Church issued a memorandum in which they bluntly stated that the public consciousness had still not grasped that the economic potential and political self-determination of a state were dependent on the educational system. The Memorandum der Acht, as it came to be called, demanded a thorough-going reform of the educational system to provide the necessary qualified personnel. In this, though radical in its historical context, it can clearly be seen to have been arrogant in its totalitarian expectations of the educational system, but too modest in remaining at the stage of considering education from an economic efficiency standpoint rather than a human justice one which would facilitate greater equity<sup>(83)</sup>. In other respects too the E.K.D. was deaf to demands within its own ranks for less elitist treatment of religious education. The work of Stallmann, Otto and others took a long while to bring about a less esoteric hyper-theological discussion of religious education.

So many of the disparate developments which we have described became crystallized in the negotiations to conclude a Concordat between the Holy See and the State of Lower Saxony that it is worthwhile considering in some detail the way in which this remarkable political phenomenon occurred. As mentioned above the elections for the Landtag of Lower Saxony which took place on 19th May, 1959, led to a S.P.D./F.D.P./B.H.E. coalition government under the leadership of Minister President Hinrich Wilhelm Kopf. Although both he and his successor in 1961 and 1963, expressed their desire to reach an understanding with the Roman Catholic Church, the first initiative in 1959 recieved a discouraging response from the Church in the form of an official note from the Papal Nuncio in West Germany to the

German Foreign Ministry, which was followed in September of the same year by a further note to the German Ambassador to the Holy See from the Pope's State Secretary. Both of these notes complained about school legislation in Lower Saxony though for good measure the second note contained complaints against Hessen also in the broadside which it launched.

In spite of this initial discussions between local Catholic leaders and the Government of Lower Saxony through its Minister of Education Richard Voigt and his State Secretary, developments led to direct negotiations on the question of a formal treaty with the Apostolic Nuncio, Corrado Bafile in February, 1962. The negotiations were conducted in an arcane atmosphere and it was not until January, 1963 that information began to seep through unofficially to the Press. However, the Land government refused to comment, possibly with a view to the Land elections for the Provincial Assembly which were due to take place in May of that year. In those elections all three major parties substantially increased their vote and the S.P.D. and F.D.P. formed a coalition with Dr. Hans Mühlenfeld of the F.D.P. filling the crucial office of Minister of Education<sup>(84)</sup>. By March of the following year the teachers associations were becoming uneasy at the rumours which were spreading through the Province that an agreement with the Holy See was imminent. They requested information about the state of negotiations and were informed that it was not intended to alter the School Law current at that time: an assurance which had also been given to the F.D.P. coalition partners in the previous year<sup>(85)</sup>. Information continued to filter through in the form of leaks to the Press, but nothing official was said and the negotiations continued in such secrecy that by January, 1965, the Association of Teachers in Lower Saxony, the G.N.L. (Gesamtverband Niedersächsischer Lehrer) felt it necessary to issue a statement

that they considered the present resolution of denominational matters in the School Law to be completely satisfactory<sup>(86)</sup>.

Expressions of concern and protest followed from many quarters; religious, professional and lay concerning both the secrecy and the aims of the negotiations, and the national and local press was heavy with comment on the projected Concordat. But by the 25th January, 1965, the Agreement had already received the Pope's approval. For the rest, the Minister President of Lower Saxony merely had to persuade his cabinet colleagues, four S.P.D. and four F.D.P. members to support the treaty, a task which he seems to have easily achieved. The formal signing took place on 26th February, 1965.

The volte face that this implied for the F.D.P. Ministers who had already participated in an F.D.P. Land executive committee meeting deprecating such a treaty was the subject of vigorous criticism in the journal Der Spiegel<sup>(87)</sup>. The Concordat, however, necessitated the passage of legislation through the Provincial Parliament of before it could become binding and a second law in order to alter the presently existing School Law in accordance with the provisions of the Concordat. The day set aside for this was 22nd April, 1965 almost three months after the formal signing of the treaty. Preparatory to this the full text of the Concordat and the exchange of letters between the Minister President and the Bishop of Osnabrück was published and distributed to all members of the Landtag. In addition other relevant documents such as the Loccum Treaty of 1955 with the Evangelical Churches in Lower Saxony and copies of the Prussian and Reich Concordats of 1929 and 1933 were put together in the form of a wallet of information for members<sup>(88)</sup>. The day proved to be a most passionate and eventful one, especially for the F.D.P. Minister of Education, Mühlendorf. The parliamentary protocol of the day pays eloquent testimony to the atmosphere surrounding the discussions<sup>(89)</sup> and it is not proposed to replicate

these in detail here. Suffice to say that Mühlenfeld's remarks in proposing the acceptance of the Concordat were not entirely uncritical of the legislation he was proposing. Indeed, how could they have been? For at a Provincial Committee Meeting in Uelzen shortly before this the F.D.P. Ministers had supported a declaration that the Concordat violated certain basic premises of Liberal Policy. The S.P.D. group in parliament vociferously demanded the resignation of Mühlenfeld and this led to a coalition crisis, from which a new grand coalition of S.P.D. and C.D.U. was to emerge on 19th May, 1965. The legislation was passed by the combined weight of S.P.D. and C.D.U.

Towards the end of May the results of an opinion poll were published by the EMNID-Institute, which showed that 83% of all parents favoured a large interdenominational school to a small denominational school for their own children and 71% of Catholic parents were of this opinion<sup>(90)</sup>. Even in predominantly Catholic areas such as Oldenburg rather less than one third of Catholic parents were in favour of the denominational school. Fanned by such statistics, the pressure of public and professional indignation against the Concordat continued to mount throughout May, some observers even going so far as to suggest that the document was unconstitutional<sup>(91)</sup>. On 23rd June, the second reading took place amidst a mounting impression of haste by the new government, and opposition from nearly every quarter of the Province and particularly from the teachers<sup>(92)</sup>. But all to no avail for the third reading took place on 30th June, 1965 and thus nothing stood in the way of the final ratification.

What had been the reason for such depth of feeling? For the apparent volte face of German Social Democracy? The answer to this second question is in turn an answer to the first. Both are to some

extent contained in a brief document published by the S.P.D. in Lower Saxony in June 1965, entitled "For the Sake of Understanding in the School System"<sup>(93)</sup>. The document is important for it expresses concisely the change of attitude of German Social Democracy emanating from the Godesberg Programme and the change in attitude of the Church deriving from the Second Vatican Council. It lauds the Encyclical Pacem in terris as the apogée of this latter change. In a cool and reasoned substantiation of the actions of the S.P.D., the preference of the S.P.D. for the Gemeinschaftschule is paralleled by its emphasis upon active tolerance as a basis for an harmonious pluralist society. The Concordat, it argues, is in harmony with the bases of the Godesberg Programme and the Cultural Political Guidelines of the S.P.D. The Regelschule in Lower Saxony remains the school for children of all denominations. This is a small but important point for nowhere either in the Concordat or in the alterations to the previous school law is the principle of the interdenominational school as being the usual school altered or contradicted. Thus the Catholic Church in the Concordat of Lower Saxony accepted the interdenominational school as the usual school type, just as conversely the Social Democratic Party accepted the principle of tolerance of those who did not wish to accept it. Now that the dust of controversy has settled on the events of the year 1965, it can be seen that a fundamental change had taken place in the attitudes of German Social Democracy and German Catholicism to the schools question and to each other. The Concordat and revision of the school law of that year thus mark a sea-change in the development of a more tolerant, pluralist society in West Germany where personal values, though protected, recede as important indicators of political and social behaviour. Over the next two years the number of "dwarf-schools" in Lower Saxony decreased

considerably and the denominational issue yielded to questions of equality in the provision of schooling<sup>(94)</sup>. It was just eighteen months later that the Grand Coalition brought the German Social Democrats a share of power in German national government.

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5. See Verfassung des Landes Baden-Württemberg vom 10. November, 1953, in Gesetzblatt des Landes Baden-Württemberg, 1953, p. 173.
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14. Merzyn, op. cit., p. 5.



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31. Ellwein, op. cit., p. 211.
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56. See the argument presented in Vogel, B. et al., Wahlen in Deutschland (Berlin: Walter de Gruyter, 1971), p. 209 and p. 239.
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## CHAPTER ELEVEN

### THE CONTENT OF EDUCATION

In the previous chapter in Part Three we attempted to map out those major areas of ideological difference between the various political and religious groups which led to the major protagonists being locked in conflict with regard to the ideological and constitutional bases on which the educational system should be built. We have shown the way in which major re-appraisals had already begun in this first period and a review of the traditional tenets of both political parties and churches, although the practical implications of these changes, brought about by the need within a complex, industrialized society for greater pragmatism in decision-making but also by the advance of democratic values in particular, had only begun to penetrate spasmodically and unevenly into the educational system. In this chapter we carry our analysis further and describe the way in which traditional values reiterated from the end of the Second World war caused a restoration of the traditional attitudes of the two major groupings towards the content of education.

In speaking of the content of education we should make it clear that our very theme of the interaction of religious and political forces in education in post-war Germany forces upon us a certain selectivity. We shall be examining those major areas of competition between the two groups such as religious education, rather than areas of the content of education where such conflict of interest is less manifest such as mathematics or art. However, although the main focus of our analysis and description will, quite naturally, be the area of religious education, we shall in addition be looking at other areas of contention in the curriculum such as civics and the whole concept of humanistic values underlying the curriculum traditionally supported by

the church and shall attempt to exemplify through the controversies concerning school prayers. Our main area of focus in this chapter is thus those provisions relating to the content of education which have been the subject of conflict between the two major social groups of our study.

We begin by making a brief appraisal of the constitutional provisions which dominated the areas of conflict in the curriculum during this first period and then proceed to cite examples of the way in which these worked out in reality. Clearly, parts of this area at least have already received considerable attention from a number of scholars and we would wish to acknowledge the studies of Helmreich and Schmoeckel which have contributed in an important way to the treatment in this chapter<sup>(1)</sup>.

The position of religious education in German schools is closely circumscribed by legislation and is subject in each case to the fundamental tenet of tolerance which is contained in Article 4 of the Basic Law. The provisions of the Law of 15th July, 1921 continue as valid law in all of the Länder, for example, in Bavaria in Article 137. Thus according to Article 136, sub-section 2 of the Constitution of the Free State of Bavaria of 2nd December, 1946, religious education is an ordinary subject of instruction in all elementary, vocational, middle and higher schools. In a way this Article provides a compulsion for pupils to participate in the regularly arranged religious education as part of the curriculum. However, this clause does not infringe in any way Article 137, which secures the principle of tolerance mentioned above and preserves the right of parents or in certain circumstances the child to withdraw from participation in such instruction on the basis of an explicit request to this effect.<sup>(2)</sup>

This provision is then circumscribed in detail. For example, a declaration of desire not to participate in religious education is



to be made by those parents or guardians in charge of the child up until the child's eighteenth year. After this it is up to the student to determine whether he or she participates in religious education or not. The declaration is only valid however for the school year in which it is made and therefore students wishing to be excused from participation in religious education for the whole of their school year have to make a similar declaration at the beginning of each year. On the other hand, the practice in Berlin is exactly the reverse where the parents or guardians have to register the child for religious instruction. Section 14 of the School Law of 26th June, 1948, specifically states that only those children will receive instruction in religious education whose parents or guardians have given written indication that they wish this. Admission that they wish to participate in religious education then continues in effect until it is revoked. Once again, however, this Law is circumscribed by the Law for the religious education of children of 15th July, 1921<sup>(3)</sup>.

In Bremen, on the other hand, the situation is very different for there is no official religious education as such in the schools. The churches and religious organizations have the right out of school hours to instruct their own members in the tenets of their own particular faith, but the schools are interdenominational community schools, providing a nondenominational instruction in biblical history<sup>(4)</sup>.

There is thus in the Federal Republic a seesaw of complimentary regulations and legislation which govern the area of religious education. In the first of these, Article 7 of the Basic Law states that although the whole system of education is under the supervision of the state those entitled to educate, that is the parents or guardians have the right to determine the participation of the child at religious education. Section 3 of this Article then goes on to

say that religious education is to be a usual subject of instruction in the public schools with the exception of those schools which are secular and that, notwithstanding the rights of State, supervision of religious education is to be carried out according to the precepts of the religious denominations<sup>(5)</sup>.

The other basis of regulation of religious education is contained in the constitutions of the various provinces which according to religious and political complexion articulate more to the one provision or the other. Although as Schmoeckel points out Federal law theoretically takes precedence over provincial law, this simple ruling has been disputed with regard in particular to its retroactive character in terms of the constitutions which had already been passed by several of the Länder by the time that the new basic law was passed. A further ground on which it has been challenged is with a view to the terms of commitments that had been entered into by the German state and/or the provinces in previous international agreements such as Concordats and church treaties<sup>(6)</sup>. A further restriction on this general principle is the so-called Bremen clause, Article 141 of the basic Constitution, which was introduced in order to specifically contradict the provisions of Article 7, Section 3. This clause states that Article 7 is not applicable in a province in which on 1st January, 1949, another legal basis already existed. The Constitution of Land Bremen which was passed before the Federal Constitution excluded the giving of denominational religious education by substituting biblical history on a general Christian basis<sup>(7)</sup>. The legitimacy of this clause was then later challenged and at no time more strenuously and vigorously than in the mid 60s. This was a time when as we have related in our previous chapter the perennial discussion with regard to the denominational basis and content of education was once again reviving. In this case both the Evangelical

Church in Bremen and two of the Catholic communities laid a complaint before the Bremen constitutional court that the Article in the Bremen constitution which required the teaching of biblical history on a general Christian basis, that is Article 32, and in particular Section 1, was unconstitutional. Their complaints rested upon four bases, one of which they had in common. The first of these was that it was academically impossible to give an instruction in biblical history on a general Christian basis that was not denominational. Both the Catholic and the Evangelical Church agreed that what in fact was given was an Evangelical denominational interpretation of biblical history. The Catholic Church however went further than this and also complained that the instruction thus given was constitutionally not permissible since there was an absolute constitutional guarantee of denominational religious education in the general educational schools of Bremen and the Bremen regulation was thus for them basically untenable and thus unconstitutional<sup>(8)</sup>.

The complaint was not successful but it is well to relate here the way in which this Article of the Constitution came about and in particular the way in which Article 141 of the Basic Law of the Federal Republic of Germany was introduced into the legislation at a late stage in the deliberations of the parliamentary council. It is clear that what was at issue at that time was not simply the question of biblical history or not but rather the question of the school form. The reason for this is that up until 1938 there had been in Bremen what were effectively private Catholic schools which were supported by State subventions and it was the aim of the Catholic Church in Bremen at the end of the War either to achieve public Catholic denominational schools or alternatively to have written into the Constitution a state obligation to finance Catholic private schools. These demands supported by the C.D.U. were strenuously opposed by the S.P.D. and eventually as no compromise

was possible the Constitution as it now stands, including Article 32, was carried on 15th September, 1947, and subsequently approved by referendum on 12th October, 1947<sup>(9)</sup>.

Thus by the time of the deliberations of the parliamentary council in 1948 and 1949 the Bremen Constitution was already in effect. The S.P.D., supporting the aspirations of the Bremen representatives, endorsed the demand that an extra Article should be included which would enable those Länder which did not have denominational religious education written into their constitutions by 1st January, 1949, or, to put it another way, had constitutions which excluded this should be able to continue to do this without offending against the Basic Law. It was variously maintained during the discussions of the Basic Law that this clause was unnecessary, first, because the schools in Bremen were in any case secular schools and, secondly, because it was maintained the Bremen clause would, in any case, represent a piece of legislation which did not respect, indeed, which clashed with, the provision of the Reich Concordat of the 20th July, 1933. Both of these arguments were, however, rejected and in the face of opposition from the supporters of the Catholic Church the Bremen clause was included in the Constitution. At the other end of the spectrum the constitutions of Rhineland Palatinate in Article 34 and Baden in Article 28, Section 2, specifically laid down that the churches would participate in the supervision of religious education. These Articles are, as Heckel points out, in dubious agreement with Article 7, Section 1, and Article 3 of the Basic Law<sup>(10)</sup>.

On the other hand, State supervision of religious education is specifically declared in the constitutions of Northrhine-Westphalia, Article 14, Hessen Article 58, and Baden-Württemberg Article 39, and Hamburg Section 10. Interestingly, religious education was included

as a usual subject of instruction according to most provincial constitutions thus, for example, Northrhine-Westphalia: Article 14, Hessen: Article 57, Rhineland Palatinate: Article 34, Bavaria: Article 136, Württemberg-Baden: Article 37, Baden: Article 28, Württemberg-Hohenzollern: Article 115 and Hamburg: Section 10. In Schleswig-Holstein and Lower Saxony the corresponding existing law was incorporated into newer legislation in order to ensure that religious education would be a usual subject of instruction. Thus, in addition to the Bremen exception which we have already mentioned there was only one further exception in the special case of Berlin<sup>(11)</sup>. Most of the former constitutions mentioned also permitted the Churches to have a say in the supervision of religious education in the schools and in addition expressly guarantee the fact that a teacher of religious education shall be required to possess the missio canonica or Vokation in order to be able to carry out his duties efficiently and more important with the full approval and support of both State and Church.

Meanwhile in this first of the periods of development since the end of the Second World War, which we are reviewing, the Evangelical Churches by formal agreement, by informal establishment where appropriate of a modus operandi and by assiduous organizational reform, had built on the network of Catechetical Centres which provided both the training of teachers of religious education and religious education for the man of the faithful wishing it. We shall describe the organizational growth in our next chapter, but suffice here to say that by the end of our first period, the Evangelical Church were in a very strong position with regard to the provision of religious education on an extra-curricular basis, and could thus regard the restriction of denominational education with greater equanimity.

Its reactions could afford to remain true to the openness and freedom so strongly advocated by the Berlin Synod of the E.K.D. in 1958<sup>(12)</sup>.

The case of the Evangelical Church in Lippe is typical of the way in which systematically and in an ordered and tolerant manner the provision of religious education has been secured for those who wish it. As early as February 1946 an Agreement was concluded with the provincial government which provided for the inclusion of religious education in the curriculum as an ordinary subject of instruction and set out procedures whereby, with Church approval, suitable teachers could teach the subject. In June 1949, the Synod of the Church endorsed the agreement and emphasized that it did not see itself as achieving positions of power with the help of political support. Then in 1951 an agreement was drawn up by the Lippe Church and those in Rhineland and Westphalia with the Government of the new state of Northrhine-Westphalia which regulated the way in which teachers could obtain permission to teach religious education (Vokation)<sup>(13)</sup>. Thus the text of the 1958 declaration was in many ways a confirmation of existing practice rather than a radical exploration of pastures new. Similar theoretical bases existed also in those areas where a more formal regulation of the relationship between church and state was preferred in the form of a state treaty<sup>(14)</sup>. In each case the state and the churches recognised the vital interest of the other party in this part of the curriculum. With regard to the content of religious education and its reform, progress was however far from impressive, and the voices of men such as Stallmann and Otto were alone in a barren wilderness of theological debate and complexity. By the end of the period under discussion the epoch of Church treaties, initiated by the Loccum Treaty of 1955 was clearly at an end and it is symbolic

that the curtain was drawn on this era of Church-State relationships by a supplementary treaty which in addition to recognizing the legitimate role of the Churches in adult education guaranteed a certain proportion of Evangelical teachers in schools with Evangelical children<sup>(15)</sup>.

Although the constitutions of the provinces of the Federal Republic did not all set down that political education would be a usual subject of instruction in the way this was done for religious education, it was inevitable that after the experiences of the National Socialist period and with the demands of both Germans and the Allies that a programme of re-education for democracy should take place at the end of the Second World War. A thoroughgoing emphasis upon political education within the educational systems of West Germany was seen as a sine qua non to this and this was particularly so in socialist-controlled Länder such as Hessen. Nowhere were the aims and content of political education more clearly stated in this early period from the end of the Second World War than in the basic principles which were resolved on 15th June, 1950, by the Permanent Conference of Ministers of Education in which it was stated that political education strives on the basis of objective knowledge to awaken the will to political thought and action. In this sense, it went on to argue, political education is an educational principle for all subjects and for all types of schools<sup>(16)</sup>. However, it failed to draw the logic of its own conclusions and confronted a monster with a mouse by allocating to political education a totalitarian role in the development of a "civic culture". However, in spite of massive funding at both provincial and at Federal level and the establishment from the beginning of the 1950s in the Länder and then from 1952 at Federal level of organizations founded

particularly to take up the work of the development of political education, the state of the teaching of political education within the schools and its place within the school curriculum was very tenuous indeed until the early 1960s except in those Länder such as Bremen and particularly Hessen, which had socialist governments committed to progressive and active policies of political re-education. Hessen, for example, had already set out guidelines for the teaching of political education in 1949 but it is by and large true to say that it was not until after the anti-semitic demonstrations of the late 50s and early 60s that the other Länder within Western Germany really began the process of political education in earnest<sup>(17)</sup>. By that time criticism was already mounting from the radical left wing especially in German universities of an area of the curriculum which had attempted to sozialisize on the basis of largely cognitive aims into a bourgeois culture. In this sense the treatment of political education had been largely in harmony with the other restorational tendencies which we outlined in chapters nine and ten. Fundamental to the subject wherever it was taught was an uncritical acceptance of existing constitutional realities and a basically and avowedly anti-communist orientation. The only people who seemed to write about the theory of political education were educationists and even the political parties, guaranteed by the constitution a role in the formation of political attitudes accepted the educationists' monopoly. In the circumstances all political parties and major religious groups flabbily supported the 'development' of the subject until initial and tentative research results concerning the total inefficiency of the subject in providing political interest seemed to be confirmed by the painting of swastikas and other anti-semitic outbursts and the rise of the N.D.P. Then the parties and churches were prodded into open enthusiasm for curriculum development which could only produce



political abstinence as a result of inflated and conceited educational expectations. However by that time a new phase of radical, participatory, socialist oriented political education was beginning and the Churches and political parties took an equally belated and anxious interest in a new threat to their interests.

What can now be seen as a passing phase in the development of a very immature and embryonic democracy which occurred in the late 1950s when synagogues were attacked and anti-semitic sentiments seemed to be reviving in West Germany appeared at that time a matter of very considerable importance within a country which was trying to re-establish itself as a democracy and an open society in the eyes of its western partners. But as a reflex reaction the Conference of Ministers of Education of the Länder were moved to bring about a resolution concerning the treatment of the recent past in history teaching which was paralleled by a declaration by the German Committee for Education and Culture in 1960 about the anti-semitic demonstrations. This was then followed from the 19th to 24th June, 1961 by a conference organized jointly by the Permanent Conference of Ministers of Education and the Federal Office for Political Education on the theme political education in the secondary schools. The results of this conference were then published and in the following year outline guidelines for political education in classes 12 and 13 of the secondary school were published in 1962<sup>(18)</sup>. However, the judgement which must be made is that in spite of the name of the area of the curriculum, that is political education, this was not the area of conflict between either political parties amongst themselves or political parties and the churches that one might have expected in the first period which we are reviewing.

Certainly much more controversial has been the question of school prayers. For example, 27th October, 1965, the Hessen State Court allowed the complaint of a married couple from Frankfurt that

the refusal of the ruling President of Hessen in Wiesbaden to forbid school prayers at the beginning of daily instruction in the class that their own son visited was illegal. They had complained to the ruling President that the recitation of school prayers at the beginning of instruction infringed upon the basic rights of their son accruing from Articles 9 and 48 of the Hessen Constitution<sup>(19)</sup>. Article 9 stated that belief, conscience and conviction were free and Article 48 that no one could be compelled or inhibited from taking part in religious practices against his will. The court found that in that particular case refusal to cease the recitation of common prayers at the beginning of the school day had infringed against the basic rights of the child concerned. This action of refusal had been taken by the school on the advice of the Minister of Education.

The judgement had wide repercussions, not just in Hessen but also throughout the whole of West Germany. The argument that was advanced by the State of Hessen was that Article 56 of the Constitution laid down that the schools in Hessen were community schools and that this meant that they were community schools on a Christian basis and, thus, that school prayers of an interdenominational character should be permissible. The genesis of Article 56 of the Constitution of Land Hessen is a matter of some political interest. The decision was particularly ironic for the C.D.U. which had imagined that in the compromise that it had concluded with the S.P.D. at the time of the constitutional conference which drew up the future constitution of Land Hessen had achieved a Christian school. The terms of the compromise were in effect that in exchange for the inclusion of Article 41 which concerned nationalization of iron and steel and some other concerns the S.P.D. would soften its demands in the educational sphere. The C.D.U. was in no doubt that the community school which it had obtained in Article 56 of the Constitution by means of this compromise was a

Christian one and this satisfaction was reinforced after it had secured the position of religious education as an ordinary subject of instruction. However this satisfaction was to prove to be mistaken<sup>(20)</sup>. In spite of the interference of the L.D.P. which attempted to break the compromise being hatched at the time by its two larger partners, the C.D.U. was convinced that it had bought both a restriction of the nationalization articles and the establishment of a school article which guaranteed the status quo. The interesting thing here is that in a treaty which was signed by the state of Hessen with the Evangelical churches in 1960, Article 15 stated that the public schools are community schools on a Christian basis. Exactly the wording that appears in other constitutions such as in Baden-Württemberg but which did not appear in the Hessen Constitution<sup>(21)</sup>.

So important was the decision felt to be that in the 45th Plenary Session of the Hessen Landtag early in November the Minister President Dr. August Zinn felt it necessary to announce in clarification that the decision of the State Court of Land Hessen had been given only with regard to that particular case and that he saw no reason why, as a general rule, school prayers at the beginning of each school day should halt. He stressed that only in an individual case of a parent or guardian or child who, according to the Law of 1921, was sufficiently mature to make his own decision with regard to religious education, prayers at the beginning of school have to cease in that particular class. Such a step was necessary and important in view of the way in which the Catholic Church was already beginning to argue that although the law which had been foreseen in Article 56 to carry out the provisions of the Constitution with regard to education had not yet been passed, none the less it had been the impression of the Catholic Church that the interdenominational schools in Hessen were interdenominational Christian schools. They were quick to point

out that apart from two elementary schools in the neighbourhood of Fulda, the offer which had been made in Article 156 of the Constitution of Land Hessen that denominational schools which had existed prior to the Third Reich and had been closed during that regime could be re-established if the majority of parents in that school district wished such schools to be re-established. Indeed it was true that although in Hessen-Nassau and Hessen-Darmstadt there had been Catholic denominational schools prior to the Third Reich, nonetheless at that time, that is 1965, the interdenominational school was the exclusive school form in those areas. Now it was argued that the decision of the State Court at 27th October, 1965, put in question whether the Hessen school was a community school or at least a Christian community school. The church argued that there were no private elementary schools in Hessen which could take over the task of providing appropriate Catholic education for children and that, in any case, the law of 28th June, 1961, concerning the provision of free instruction and materials and subsidies for education had made it much more difficult to establish Catholic schools as a substitute for the interdenominational community schools<sup>(22)</sup>.

..... This avenue had been in any case because the Catholic Church in Hessen had argued that the associated proposal of the S.P.D. to use the words in der Regel (usually) in their proposed amendment would mean an appreciable deterioration in the rights of parents. But for the Catholic Church the rights of parents were basic rights just as are those of freedom of belief and conscience, and thus, the Church threatened, if the proposed amendment became law, it would be necessary for the Hessen State Court or perhaps the Federal Constitutional Court to decide on this intrusion on the positive freedom of conscience and belief. In addition using the social democrats' own policy documents, the Church pointed out that, the

proposed action would be in conflict with the tenets of the Godesberg Programme and particularly the cultural political guidelines<sup>(23)</sup>.

The C.D.U. in Land Hessen meanwhile introduced a further proposal to amend the Constitution which sought a middle way out of the conflict between the S.P.D. and the Catholic Church. This was also rejected by the Catholic Church which argued that the rights of parents must be the ne plus ultra in determining the education system. The verdict of the State Court was also heavily criticised for standing freedom of conscience "on its head" and with a view to the right political moment the question of the denominational school, long settled in Hessen, was raised. In an extensive discussion of the verdict of the State Court Böckenförde refers to the fact that an application of the L.D.P. at the time of the Constitutional Assembly to have the school specifically labelled a Christian community school was rejected and that thus the school cannot now be considered to be an exclusively Christian school. He also argued that the decision of the provincial government to attempt to overcome the verdict of the court by changing Article 56 of the Constitution which they considered for a while in 1965, was, though not illegal, disrespectful to the State Constitutional Court as the highest authority for the interpretation of the Hessen Constitution. Moreover he argued that in a heterogeneous society where the religious and denominational freedom of the citizen, the educational rights of the parents, the State's legitimate right to control the school system and traditional school organization and laws flow together then to some extent a compromise between these competing rights has to be achieved<sup>(24)</sup>.

In the event Article 56 was not changed and the matter resolved itself without unnecessary constitutional change. Moreover in a searing attack on the previous criticism which had been made of the verdict of the State Court Zezschwitz points out that to change

Article 56 of the Hessen Constitution by changing the regular type of school into a Christian community school which the S.P.D. government had contemplated for a while would be neither permissible nor would it be appropriate in order to establish a basis for state school prayers. He argues strongly that the educational task of the community school apart from the special regulations with regard to denominational religious instruction is to be neutral with regard to the religious and ideological beliefs of its citizens<sup>(25)</sup>. This article is of particular importance in understanding the development of thinking with regard to a neutral role for the state with regard to religious matters within a pluralist society. Its significance stretches far beyond the fact that it was written in May of 1966 as a result of the controversy with regard to school prayers in the Hessen school. In many ways it is a child of its time and indispensable for understanding the way in which the relationships between State, school and religion have developed in the period since that time.

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2. v. Campenhausen, A. and Lerche, P., Deutsches Schulrecht (Munich and Percha: Verlag R. S. Schulz, 1971), p. 207.
3. Ibid., pp. 305ff. See also the various instruments for the carrying out of these provisions and especially the Fünfte Durchführungsverordnung zum Schulgesetz für Berlin, ibid., p. 305.
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6. Schmoeckel, op. cit.

7. "Landesverfassung der Freien Hansestadt Bremen", Gesetzblatt der Freien Hansestadt Bremen (1947), no. 47, pp. 251-257. The relevant article is Article 32, p. 252, which states that "the general educational public schools are community schools with denominationally independent instruction in biblical history on a general Christian basis".
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14. For example "Vertrag zwischen dem Land Schleswig-Holstein und den evangelischen Landeskirchen in Schleswig-Holstein", Kirchliches Gesetz- und Verordnungsblatt der Evangelisch Lutherischen Kirche in Schleswig-Holstein (1957), no. 9, pp. 31-37, especially Articles 5 and 6.
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20. Pitzer, F., "Anmerkung zu Leitsatz d. der Rechtsprechung des Hessischen Staatsgerichtshofs" Neue Juristische Zeitung (1966), no. 1/2, p. 31.

21. See "Vertrag der Evangelischen Landeskirchen in Hessen mit dem Lande Hessen", Kirchliches Amtsblatt (Gesetz- und Verordnungsblatt der Evangelischen Landeskirche von Kurhessen-Waldeck) (1960), LXXV: 2, p. 20.
22. This Law had increased the state subvention for private schools to fifty per cent of the direct costs which would have been spent on the pupil in the state system. It was generally well received in Catholic quarters at the time as the Pastoral Letter of the Bishop of Limburg indicates. See "Hirtenwort betr. Privatschulen", Amtsblatt des Bistums Limburg (1962), no. 3, p.1.
23. I am grateful to Ordinariatsrat Dr. Brauburger of the Kommissariat der Katholischen Bischöfe im Lande Hessen for information and duplicated material on this conflict.
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CHAPTER TWELVE

THE ORGANIZATION OF EDUCATION

In this chapter we draw out the threads which have been developed in the first two chapters of Part Three and attempt to describe in what way the political parties and the Churches were ranged against each other in the field of the organization of education during the period under review. As we have related in chapters 9 and 10 the early post-war skirmishes in the field of education were almost exclusively on the basis of long established traditional attitudes which tended to lay greater store on obedience and authority rather than debate and openness.

The period, seen in the perspective of history, was one during which liberal, bourgeois values embodied in representative parliamentary democracy were re-established. In the school system traditional forms and approaches to knowledge and learning were with the encouragement of the Western Allies rapidly re-affirmed. In the constitutional sphere hard-won privileges could hardly be seen as negotiable and the rights of élite groups and vested interests such as the churches were staunchly defended in spite of any attempt to impose fundamentally different structures by the Allies, who in any case envisaged the process of democratization as one of purging the teaching force in the first place. Thus it was a period of cultural and social bridge-building, of restoration of traditional structures and of an almost clock-work reproduction of struggles of former times in the course of organization of a culturally and socially divisive and divided educational system.

It was a period when even the few men of vision who had survived persecution or exile were forced into seeming self-righteous, conservative

and often down-right reactionary in a way which led to faulty assessments of the options which were at that time open within the field of education to both political parties and to the Churches and thus to little progress within the field of the organization of education. For both Churches the schools question was of immense importance in the early days after the end of the War in reasserting traditional influence and this is reflected in the deliberations and resolutions of the meetings of the Church councils and congresses in the early post-war period.

The Evangelical Church, for example, was able in August 1945 at the Treysa meeting to come to an agreed statement on school matters which was reflected in the resolution of this Conference<sup>(1)</sup>. The Conference in its compromise declaration was unequivocal in demanding the Christian school but in matters of more detailed organization such as, for example, whether that Christian school should be an inter-denominational or a denominational school the Conference did not take any firm line. Moreover, both the Treysa Conference and the earlier meeting of the Confessing Church in Frankfurt were united on the need for the Churches responsibility in the school to cover all subjects in the curriculum and not just religious education. On the other hand, when it came to questions of organization the two conferences took differing views which epitomized the quandary of the Evangelical Church in the early post-war period. The meeting at Treysa declared that according to the individual circumstances the decision could be taken whether the Christian community school or the denominational school should be established. The Confessing Church, on the other hand, took the view that under the given circumstances the type of school which they felt able to support was the Christian interdenominational community school. It is certain that behind these two declarations and the dichotomy which they express of the Evangelical Churches' views of the organization of education in the early post-war years were

passionate disagreements and discussions<sup>(2)</sup>.

Church conferences of individual provincial churches often came out very strongly for the denominational school and this was particularly so in Bavaria and Northrhine-Westphalia. On the other hand, this did not exclude representatives of the former Confessing Church continuing throughout the period up to the establishment of the Federal Republic to bring a very considerable influence to make the churches' views express a concern for the rights of the individual and in particular for the freedom within the Bible which everyone is afforded, not to be compelled by institutional means to become a Christian. Through this influence this is one principle which echoes like an organ note throughout the whole of the early post-war discussions of the Confessing Church. Whatever else is sought freedom of conscience is paramount. In a sense the Evangelical Church could more easily tolerate such a divergence of opinion within its ranks in view of the way in which it had been racked by the attacks of the Hitler regime. Responding to such onslaughts it had organized religious education and the training of lay-teachers for religious education extensively efficiently on an extra scholastic basis. This organization had then continued into the early post-war years so that, regardless of whether the school demanded was a denominational school, there was available a close-knit organizational network which could provide a training for Catechists. As early as 1950 the larger member Churches of the Evangelical Church in Germany were already setting up catechetical centres. Such developments took place in Hessen and Nassau in 1948 and in Bavaria a few years later in 1953. These institutes have grown in stature and importance over time and in the middle of the 1960s most of them were renamed religious educational institutes<sup>(3)</sup>. Counterpart developments in the Catholic Church tended to receive a major impetus only after the Second Vatican Council at Diocesan level although earlier initiatives have been taken towards the setting up of such catechetical

centres at a national level and particularly in developing countries. Thus in the early post-war period, it was seen as a matter of the survival of a religious approach to the education of children that the Church should steadfastly demand the denominational school where it existed and seek to generalize this to areas where she had traditionally not enjoyed this privilege. These considerations stimulated the Catholic Church to adopt a fairly rigid and uncompromising attitude towards the organization of education. Early meetings of the Catholic bishops and of the Catholic congresses in the post-war period evidenced something of a siege mentality where the rights of parents inalienable and eternal continued to have to be defended against the onslaughts of the state. Parental rights were used as a bludgeon and the shock troops of this defensive engagement were to be the Catholic teachers themselves. A message from Pope Pius XII to the German Catholic Congress in Mainz in September 1948 speaks of a life and death struggle and draws attention to this monopoly by pointing out that the opponents of the Church may change but that their aims always remained basically the same. In the battle to stem the apparent attacks new teachers organizations were established and already by the end of 1947 there was a working party of Catholic Teachers' Associations of the West Zone and one year later the League for Catholic Education was established. In the battle that ensued there was no lack of high-ranking generals who, usually coming from a Christian Democratic political tradition, were willing to throw themselves into the battle for the educational aims of the Church. Such Ministers of Education as Henn in Rhineland Palatinate, Hundhammer in Bavaria and Teusch in Northrhine-Westphalia were representative of this high-ranking group.

We have already described the positions taken up by the respective religious and political groups with regard to the passage of a basic

law for the new West German state. Suffice here to say that the deliberations of the Parliamentary Council in 1948 and 1949 were the occasion of increased and vigorous dispute in western Germany with regard to the organization of schooling. The line-up was what might have been expected from the ideological position that we have already portrayed in Chapter Ten with the Catholic Church and the Christian Democratic Parties coming out strongly in favour of the rights of parents and for the denominational school and denominational religious education and with the S.P.D. and particularly the free democratic and liberal democratic traditions within German political life throwing themselves into the fray against this dominance of the school by the Churches. In later years, looking back on the attitude that the F.D.P. had taken in the post-war period to the question of the organization of education and in particular to the matter of the interdenominational school, a Catholic commentator envisaged the role of the F.D.P. at that time as being that of the main protagonist of the interdenominational school<sup>(5)</sup>.

This same paper portrays what it sees as the positions taken up by the other political parties with regard to the organization of education in the early post-war period and is of interest to us here in so far as it represents a view of one adversary by another within the battle for the organization of education in the early post-war period. The F.D.P. as already mentioned is considered to be the most fanatical supporter of the interdenominational school and within this political posture the role of Dr. Hildegard Hamm-Brücher is seen as being one of particular importance in the launching and sustenance of this campaign. The Christian Democratic parties, the C.D.U. and C.S.U. emerge as those which have engaged themselves in the battle on the side of a liberal interpretation of the rights of parents and of course this implied the provision of denominational education and the

development of a private school system. On the other hand the S.P.D. after 1954 is regarded as once again reaching back to its Marxist and irreligious inheritance in the advocacy of a state unity school<sup>(6)</sup>.

The dispute which had surrounded the deliberations of the Parliamentary Council in 1948 and 1949 were then reflected in disputes at the provincial level. In Hamburg, for example, an attempt was made by the Social Democratic Party to transfer the provisions of Article 141 the so-called Bremen Clause as being applicable to the Hamburg situation. It will be remembered that there had been no compromise possible between the Christian Democratic Party and the S.P.D. in their discussions concerning Article 32 of the Bremen Constitution when this was being deliberated in 1947. Article 32 had regulated the organization of education on the basis of denominational schools which provided a nondenominational biblical instruction on a general Christian basis<sup>(7)</sup>.

This Article, as we have narrated, influenced the deliberations of the Parliamentary Council in Bonn and was incorporated into Article 141 of the new Basic Law. The attempt to transfer the provisions of Article 141 of the Basic Law into the school provisions in Hamburg was unsuccessful but much more far-reaching disputes and battles were already taking place, for example, with regard to the school articles in the Constitution of Northrhine-Westphalia. The Constitution provided for three school types which had parity before the Law. In addition, the existence of private schools was fostered and protected and the natural right of parents for the education of their children as a basis for the cultural and educational system was defined. The undifferentiated and undivided school was specifically accepted as being a permissible form of school and the training of teachers for the elementary schools was required to take place as a rule on a denominational basis. The draft Constitution was then

submitted to a referendum and the voting in this referendum which resulted in the passage and implementation of the draft constitution is indicative of the relatively greater strength of religious belief and its effect on voting patterns for the Constitution than political belief. More than three-quarters of a million voters of those political parties which had exhorted their supporters to reject the Constitution voted in spite of these exhortations for the Constitution<sup>(8)</sup>. But the questions which were raised were not solely to do with the denominational organization of education. Rather they were concerned with even more fundamental matters. Two good examples of this are the developments in Berlin where on 13th November, 1947, a new school law had been introduced which attempted to fulfil three provisions. That is that there should be a separation of School and Church, an abolition of class privilege and a development of humanity in progress by the school. With the acceptance of this law the new unity school as introduced into Berlin as the higher school was abolished. Although this provision was then later amended in the Western Zones so that a tri-partite system of secondary and upper-elementary education was introduced none the less the developments toward a more unified and equal system of education within Berlin were typical of the types of school provision which the Socialist Party and Social Democrats everywhere within the Federal Republic were attempting to introduce. In Berlin the demands of the S.P.D. with regard to private education, that is that there should be no private education at all, were frustrated in the first place by the occupying military authorities. But the conflict with regard to the organization of education in Berlin was at its most extreme between the social democratic party members and the Catholic Church when the provision of private education was at stake<sup>(9)</sup>.

A similar tri-partite conflict occurred in Bavaria between the military authorities and the Catholic Church, the C.S.U. and the S.P.D. with regard to the provision of a school reform plan in April of 1947. Reform plans had been requested by the American military authorities and one of the stipulations was that they should contribute to the democratization of education within Bavaria. Here the C.S.U. Ministry of Education was in direct conflict with the military government on matters concerning the length of elementary education (the military government wanted an extension of the elementary education from four to six years), but also with regard to the length and organization of selective secondary education. In both of these cases the Church girded its loins and came out in defence of an educational system which it said had basically proved itself. Furthermore the Church opposed the transference of pre-school education from the charitable foundations which were already devoted to this work and the proposal of the military government supported by the S.P.D. that such pre-school education should become a regular part of the ordinary school system. Moreover the proposal that regardless of the economic position of the parents all children should receive free education and that all teacher education for all types of teachers should take place at a university equivalent institution were matters of conflict. As can be seen from this example the whole array of traditional organizational questions was represented by the Church which marshalled all of its organizations in order to fight the democratizing proposals of the military government. The Church was eventually successful, by means of its educational mouth-piece in the form of the C.S.U. party and through the C.S.U. dominance of the Ministry of Education, in frustrating the proposals of the military government which in general would have led to a democratization and greater equalization of opportunity within the



Bavarian school system<sup>(10)</sup>.

On the other hand, as early as 1949 the six year general elementary (primary) school was introduced into Socialist controlled Länder such as the provinces of Bremen and Hamburg. In these two Länder the reforms introduced provided for the virtual abolition of the traditional grammar school and its replacement by an upper school which had in Hamburg a tri-partite and in Bremen a quadri-partite division. These school types were not unfamiliar in their own way to developments which were at that time taking place in England<sup>(11)</sup>. Berlin, with a Socialist controlled government introduced an eight year elementary (primary) school but apart from this all other provinces of West Germany introduced or re-introduced the traditional pattern of German education which envisaged an all-through, all-age, elementary school of usually eight years. In the case of Schleswig-Holstein this had already in 1950 been increased to nine years, with an opportunity for gifted children to diverge from this basic school into a further educational school up to the age of sixteen or eighteen. A further area of issues in this early period at the end of the second world war was the centralization or de-centralization of educational control with the Christian Democratic Parties tending to support a de-centralized control with as little power as possible left in the hands of the Federal government and being supported in this by the Church and in particular the Catholic Church, with the F.D.P. striving to achieve greater co-ordination and centralization in the provision of education within West Germany. From 1950 onwards with the publication of such articles as that by Kuhnt on the chaos of German school legislation the issue of the co-ordination of educational provision in the Federal Republic was again a smouldering if not a burning issue<sup>(12)</sup>.

An early attempt to overcome this fragmentation of the German

educational system had been made by the establishment of the permanent conference of Ministers of Education. This had arisen out of the Zone Educational Council (Zonenerziehungsbeirat) established in the British Zone in May/June of 1946 and the Cultural Department of the Provincial Council (Länderrat) set up in the American Zone in April 1947. The education ministers of the French Zone (and initially also the Russian) were then drawn in and a secretariat was established in Frankfurt am Main. However, the Conference had to tread warily and in the early years pursued the paradoxical policy of supporting the continuing independence of the Länder in cultural matters<sup>(13)</sup>. Now as a result of a meeting in September of 1951 of the executive of the working group of German Teachers' Associations with a large number of interested members of the Bundestag a Bill was introduced by the F.D.P. in February 1952 which sought the establishment of a federal advisory committee for the educational system<sup>(14)</sup>.

Almost eighteen months later the German Committee for the Educational and Cultural System was established on 23rd September, 1953. The development is of considerable interest to our theme in so far as it can be traced directly back to the initiative which was taken by the F.D.P. and was fully in line with a consistent policy of the Party for greater centralization of education to this day. Less successful was a proposal of the German party in the Federal Parliament that a Federal Ministry of Education should be established. This occurred in February 1954 but received insufficient support and was rejected. One result of this rejection was the Düsseldorf agreement of February 1955 between the Ministers President of the German Länder. This was intended as a sop to those increasingly large number of educationists who were clamouring at that time for some greater unification in the different systems of education in Germany and though ostensibly the agreement was intended to bring

about some greater co-ordination it was in fact little more than a consolidation and confirmation of what had already existed. But it was external forces rather than internal ones which eventually brought the question of the greater unification and co-ordination of education within the Federal Republic to a head and these were twofold. First of all the growing unease in America with regard to its own educational system and secondly, the realization that only through judicious and co-ordinated policies of research could the West and in particular the Federal Republic keep ahead of similar counterpart developments in Eastern Europe. In mid 1956, the F.D.P. and the S.P.D. devoted considerable portions of their annual conferences to a discussion of these matters. The F.D.P. in particular spurred by a speech made by Frau Dr. Hamm Brücher demanded greater rationalization and representation in the efforts of the Federal Republic especially in the area of scientific research and technology<sup>(15)</sup>.

Carried along by these more general trends and the increasing unease with the state of academic research in the Federal Republic it was possible for the weak and ailing brain-child of the Bavarian S.P.D. for a council for academic research to be born and reared and in 1957 to lead to the establishment of the Council for Science<sup>(16)</sup>.

With the conclusion of the agreement setting up the Council the end of the first phase of the development of German education in the post-war period was drawn to a close without any significant change in the basic organization of German education. Once again as an answer to a pressing need a committee had been established which although it was to prove itself in the coming years and to prove its worth, did little to overcome the eternal problem of German education that of its chronic de-centralization. It could make no contribution whatsoever to the solution of the pressing organizational problems which were already at that time facing the school systems of the

Federal Republic of Germany. In this process of conservation from the end of the Second World War until the middle of the 50s the Christian Democratic Parties and the Churches had played no mean part in supporting the restoration of traditional forms of organization and control within the school system<sup>(17)</sup>. More successfully than Camute they stemmed the sea of democratization and every attempt to bring about a wider distribution of educational opportunity. Through their support for small one-class schools and for the traditional organization of selective education in Germany they effectively put off a progressive and thorough-going reform of the German educational system for a quarter of a century. The establishment of the Council for Science meant that a temporary and partial truce could be called in the area of higher education and much-needed attention could then be devoted to the school system and proposals for its reform. The German Council for Education had already been at work now for five years and in 1959 published the most progressive and thorough-going proposal for the reform of the German educational system that had been drafted in the post-war period up to that time. This was the so-called Outline Plan (Rahmenplan)<sup>(18)</sup>. The German Committee was modest indeed in its proposals which were in effect a continuation of the traditional organization of German education with lip service to the need to promote easier access to high schools for the more able. Its emphasis was on the idea of "sponsored mobility" - making the existing system more efficient in selecting and promoting able students. It proposed in effect a continuation of the basic school of four years with the majority of pupils entering a promotion stage (Förderstufe) during the fifth and sixth school years. During those two years in the promotion stage the basic school approach to teaching would be continued and at the end of that period of time

the pupil could enter one of three different types of continuation school, either the principal school or main school (Hauptschule) which would replace the existing seventh and eighth school years of the elementary schools and which, it was hoped, would eventually include a ninth school year, a reform which was at that time still not yet introduced in all of the provinces of West Germany. The other two alternatives were the traditional ones of the practical school (Realschule), which would include years seven to eleven and provide for those who completed the course the certificate of middle maturity (mittlere Reife). Thirdly, traditional selective schools (Gymnasium) beginning with the seventh school year and continuing through until the thirteenth would take academically able children. In addition a fourth school type called the study school (Studienschule) was proposed which would in effect be the new name for the previously existing two branches of the Gymnasium which had been concerned with ancient and modern languages. Except in so far as it made a valiant effort to provide a greater ease of transfer between the various school types and to take account of the at that time the alarming pool of ability which was not being adequately serviced by the German educational system, the Outline Plan must from the perspective of history be regarded as a rather traditional, perhaps even reactionary, attempt to provide an overall reform plan for the German school system. At the same time a parallel development was being prepared and published by the Teachers' Union the A.G.D.L. supported by large sections of the teaching force and the Social Democratic voting population in the Federal Republic. The ideas that it attempted to develop were in response to a request made by the Congress of the A.G.D.L. which met in Munich in 1958 and asked the Executive of the A.G.D.L. to draw up a plan for the reform of the German school system. This plan was then presented to the Congress

which met in Bremen in 1960 and took its name from that Congress. The Plan which was much more radical than the outline plan was accepted from the beginning by members of the Teachers' Association as being a basis for discussion and yet even this aroused very strong feelings indeed. Basically, the Plan envisaged elementary school education lasting ten years, of which years one to four would be in the basic school followed by a middle stage from seven to ten with an upper school from years eleven to thirteen. The upper school would have a tri-partite division either in the form of a specialized vocational school, a study school or a part-time provision for further education. In its incorporation of the formal school system and the opportunities hitherto provided under the "second way" the plan was visionary in its attempt to provide a unified structure of education within the Federal Republic. It has to this day not been overtaken. Its ideological base-line was quite clearly the manifest need for the greater spread of democracy within the school system and the opening up of avenues of opportunity and educational progress for whole groups of school children who until that time had been disadvantaged or disqualified by the formality, tradition and class-boundaries of the German educational system.

The plan was vigorously attacked in the Catholic press and variously described as a proposal for a "potpourri school", an attempt to torpedo the Outline Plan and implicitly a threat to Christian education. The reaction was epitomized by one Catholic newspaper which declared that the hour of decision for Christian-thinking teachers had arrived<sup>(19)</sup>. In a depressing and frosty reception the Catholic Fulda Bishops Conference in September 1960 issued a declaration with regard to the reform of the German School System in which they indicated that though they recognized the need for a resolution of the problems which were posed by the development

of human society nonetheless they must draw to the attention of the Catholic faithful the fact that the plans at present being discussed would lead to the greatest changes in the ideological character of the educational system. This criticism is interesting and important for it is parallel to a criticism which was made of the Outline Plan and in particular the role of the nine Catholic members of the German Committee that is, that the Outline Plan represented more of an ideological than an educational attempt at reform. It was alleged to be too highly sociological and moreover it would be the first stage in the development of a de-confessionalization of the German educational system. The same fears are quite clearly incorporated into this declaration of the German Bishops<sup>(20)</sup>. The basis of the Church's reaction was still the "Catholic Principles for School and Education" which had been worked out by the Fulda Bishops' Conference in 1956 and which had emphasized the preservation of all legitimate interests, including the rights of parents, denominational schools, Catholic religious education and denominational teacher training<sup>(21)</sup>. The principles are an extremely good example of the well-worked out, unitary theoretical basis of Catholic educational policy but at the same time the lack of ability to provide concrete reform proposals, which factors combined have so often in the post-war period seemed to place the Church in the stereotype of a monolithic, reactionary institution more jealously guarding its privilege than caring for its flock.

Various Catholic correspondents and organizations took issue with the Bremen Plan from an organizational but mostly from an ideological point of view and in a declaration of the Director of the Catholic Central Commission for School and Education in Cologne the plan was labelled by some as being left-wing conservative. Amidst emotive references to the perils of the colleagues in the Eastern

Zone the Plan is described on the other hand as down right revolutionary<sup>(22)</sup>.

Catholic opinion took issue in particular in the form of the organized opinion of Catholic parents. It was alleged, for example, that it infringed the rights of Catholic parents as these were embodied in the catalogue of basic rights in the Basic Law<sup>(23)</sup>. This was in many respects similar to the position which had been taken with regard to the Outline Plan by Catholic opinion that is that in its development of the promotion stage it took away from parents their right to choose the school form to which they would wish to send their children<sup>(24)</sup>. The Churches attitude to the ideological basis of a greater democratization of the school system attempted and implicit in both of these reform proposals and to the organizational proposals, different though they are, which both reform plans attempted to put forward in order to up date the German educational system was hostile. They were met with a barrage of often bitterly critical comment from the Catholic Church and its formal organizations. It is probably not unfair to say that in its reactions to both of these reform proposals organized Catholicism portrayed itself as the latter-day ideologue attempting at all costs to stay any change in its traditional rights and authority within the field of education and, at the same time, attempting to preserve, albeit implicitly a traditional, unfair and obsolescent system of education.

On the other hand not all Catholic authorities and organizations reacted in emotive tones. A principled, detached criticism, for example, was attempted by Paul Fleig, Professor of Catholic theology at the University of Freiburg. In an analysis which exposes some of the excesses of both plans, for example, in the intolerance of pejorative references to the belief of others in their assumption of absolute truth - something which has proved not a typical of the radical left



in the late 1960s - he takes issue with the underlying theories and organizational forms proposed as being materialistic and atheistic<sup>(25)</sup>.

The reaction of the Evangelical Churches to both of these reform proposals was by no means so monolithic as that of the Catholic Church and a vigorous dialogue developed in the press with regard to the pros and cons of both the ideological bases of the plans and their organizational proposals<sup>(26)</sup>. Reflecting the rather more open-minded commitment of the Evangelical Church to the consideration of plans which increased the effectiveness of the school system Dr. Niemeier, a leading figure in German Evangelical Church circles, proposed four questions concerning the Plan. The first, reminiscent of Fleig's criticism was with regard to whether too many concessions had been made to the technical age and its demands. The second, reflecting criticisms which had been current in much Catholic opinion concerning the Outline Plan was whether, in fact, the plan restricted the rights of parents to determine the education of their children too much. The third embodying the, at this time, continuing elitist thinking of many members of the Evangelical Church asked whether in fact sufficient numbers of the newly proposed Studienschulen would be erected in order to secure the needs of a sector of society which was catered for at the moment by the humanistic grammar schools. And the fourth point continuing this last argument asked whether it was reasonable and purposeful to have different schools both of which led to the Certificate of Maturity for entry to University (Hochschulreife).

In all of these criticisms, in spite of the willingness that they reflect to consider in an open and reasonable way the proposals for the reform of educational system, there is implicit an on-going belief in the development and further preservation of an educational system devoted to a restorational bourgeois rather than a democratic socialist function. This is no criticism of the thinking within the

Evangelical Church at that particular time nor its quality but it does reflect the difficulty which post-war German education had to face in making any commitment whatsoever to a more democratized, open and widely participatory system of education. In a similar assessment of the Outline Plan Traugott a member of the editorial board of the Evangelical newspaper Christ und Welt (Christ and the World) asks whether improving opportunities for gifted students to leave the elementary school and especially its upper part, the main school, would not in fact drain the main school of all talent and lead to the students feeling second class citizens. In an assessment of Evangelical educational policy from 1945 to 1967 Strohm attributes the detached and open way in which it was possible for individual Evangelical spokesmen and for representatives of the various Evangelical Churches to react to the theological and educational debate which had taken place in the mid 1950s within the Evangelical Churches, a debate which was concretized in the famous declaration of the 1958 General Synod of the Evangelical Church in Germany on the schools question<sup>(27)</sup>.

Reaction to the Bremen Plan was quite understandably more guarded and in some cases suspicious than it was to the Rahmenplan. However this did not prevent influential Evangelical sources from attempting to assess the plan and its ideology on the basis of the merits of proposals which had been put forward. In particular, acknowledgement was made of the fact that the theoretical bases from which the organizational proposals had been made were available in the case of the Bremen Plan where they had not been made explicit in the case of the outline plan of the German Committee. In introducing the plan to the Conference of the A.G.D.L. Professor Finck had made reference to the fact that there was now no longer in society a generally acceptable ideology but rather a ceaseless ideological civil war between the demands of absolute truth and values represented

in religion and the spirit of freedom represented in more modern ideologies. The assessment of the departure of consensus is an important and accurate one, for our theme recognizes the departure of this liberal "civic culture" consensus in the 1960s as a break-point in German cultural development. It is an early statement of what has now come to be widely recognized as a describable if not fully explicable cultural and social phenomenon. However, it was in the mode of its delivery quite clearly not calculated to soothe the misgivings of committed Christians. Yet it was possible within the atmosphere of freedom which had been generated by the 1958 Synod for Evangelical Christians to attempt to tackle the plan and criticize it not at a polemical level but rather at the level of reasoned argument based on their own religious beliefs<sup>(28)</sup>. The proposal could in other words be treated on its merits.

The reactions of the political parties were for their part predictable when taken in the historical context of that time but would be, in some cases, unrecognizable today. For example, the Social Democratic Party of Germany through its deputy chairman Waldemar von Knoeringen declared in 1959 that the essential viewpoints of the Outline Plan corresponded with those of the Social Democratic Party. This was also endorsed in meetings of the Party at provincial and at national level. The attitude in general was one of impatience that action should be taken, and taken now<sup>(29)</sup>. The S.P.D. was in any case at that time emerging from its own great debates and the attempts of the arch-strategist Wehner to get the party to come to terms with the second industrial revolution and co-existence in a pluralist society with the Churches.

The concern of the C.D.U. about the Outline Plan were predictable if rather more detached than those of the official organs of the Roman Catholic Church. In particular, they were

worried whether the rights of parents would be too restricted whether the new organization of the High School system, and whether this new system would endanger decisively the educational task of the high schools. They were unhappy about whether, and in what way, the Förderstufe (promotion stage) would be linked with and influence both the high schools and the upper part of the elementary school. The reception which the Plan received from the C.D.U. was perhaps more genteel than would have been expected when compared with the sometimes somewhat hysterical reaction of certain sections of Catholic opinion<sup>(30)</sup>.

The F.D.P. continuing their rather more pragmatic approach to the discussion and evaluation of educational problems and in particular reform proposals admitted the extensive nature of this first attempt to provide for a reform of the whole German school system since 1945. It exhorted public opinion not to be suspicious of the political motives of the German Committee in the proposals that it had put forward and steering a distanced but not alienated course from ideological over-commitment to utopian proposals, it attempted to draw together certain considerations and misgivings that the Liberal Party had particularly with regard to the introduction of the promotion stage (the Förderstufe) and also with regard to the selection methods involved. In an extensive appraisal of the Rahmenplan which was published fairly shortly after the plan itself, the main brunt of the Liberal Party's concern is that the educational system of West Germany should be up-dated and brought more into accord with the demands of modern society and although at this stage the Liberal Party would appear nonetheless to have been committed to a differentiated educational system one of its main areas of concern was that methods of selection should be made more efficient<sup>(31)</sup>.

The Bremen Plan tended to be neglected by the political parties and the discussion of the Plan was, in any case, over-shadowed by the accusation that was made by the Catholic news agency and reiterated by a number of Catholic spokesmen that because of the close association between the S.P.D. and the Teachers' Unions (the A.G.D.L. was the union in question) that it seemed clear that the plan was nothing more than an attempt to issue a regulation for the carrying out of the cultural political policies laid down in the 1959 S.P.D. Godesberg Programm<sup>(32)</sup>. In some respects this is unfair because the plan itself went much further with the idea of an organizational democratization of education in West Germany than any of the party programmes did at that particular time even if it was not very well worked out.

A further major area of conflict between the Churches and the political parties had, however, been one on which organizational change within the school system rested and this was the area of teacher education. The Catholic Church has consistently demanded separated denominational training for its teachers and the 1956 Fulda Bishops Conference had endorsed this with the emphatic statement that the Catholic elementary school stands and falls by the Catholic teacher. The abolition of Catholic teacher education would be the beginning of the annihilation of denominational schools by the back door. It did, however, support the demands for training of all teachers at higher education level, but saw this as being satisfied by the establishment of pädagogische Akademien<sup>(33)</sup>. One year prior to the publication of the two reform plans discussed above was an epoch-making year for the development of teacher education in West Germany. On 8th June, 1958, Bavaria passed a new law on teacher education which established teacher education within the whole of the province at the level of higher education. Such provision was then followed by similar legislation in Baden-Württemberg on 16th July, and in Berlin on 8th October.

Finally on 5th November the Provincial Parliament of Land Hessen passed the law on teaching in public schools.

In Hessen and Berlin the schools were interdenominational and therefore a reform of teacher education presented no fundamental obstacle. Both of these states were at that time controlled by the S.P.D. However, in Baden-Württemberg and in Bavaria the previous denominational organization of teacher education was continued and this in addition to the matter of the training of religious education teachers, was a bone of contention between the S.P.D. on the one hand and the C.D.U. or C.S.U. respectively and the Catholic Church.

The development of this reform can briefly be stated. German elementary teachers have consistently demanded university training for all teachers. This they achieved only in Hamburg at the end of the Second World War. In 1953 the Association of German Socialist Students raised the call once more for university training and this was endorsed by the congress of the elementary teachers in 1954. Bavaria, through its government had already made a commitment to university-equivalent training in 1951 but was unable due to the opposition of the Catholic Church to bring legislation forward until 1955, the year in which the German Committee (Deutscher Ausschuss) issued its recommendations on teacher education. The draft law which was put forward by the Bavarian Ministry of Education in 1955, attempted to remain faithful to the Constitution of Bavaria and the Church agreements concluded in 1924 particularly with regard to the training of teachers of religious education, but did not envisage denominational institutions. The Churches opposed this and blocked the long-overdue reform of teacher education in Bavaria for three years until 1958, when a compromise was worked out which established the Colleges of Education (pädagogische Hochschulen) as independent institutions of the Provincial Universities, but which have a

denominational character according to the law and whose staff are chosen with regard to this character. Even so the Catholic Church made its agreement dependent on the part to be played by religious studies within the curriculum<sup>(34)</sup>. A similar controversy led to the establishment in Baden-Württemberg of three denominational teachers' colleges alongside interdenominational ones.

However, other matters too in these years were drawing on the attention of politicians and one in particular which was a dispute ostensibly about the setting up of a second television network in West Germany which led to important initiatives in the field of education as well. The dispute was one along traditional lines with regard to the government of a Federal state in so far as it concerned the competence of the Federal government to undertake on the basis of its already existing powers the provision of a second television network. However, peripheral to this also were questions of the competence of the Federal government to undertake the co-ordination of educational provision which had previously rested with the Länder. Immediately after the verdict of the Federal Constitutional Court in 1961 proposals were put forward by the S.P.D. for the drawing up of a State treaty between the Federal Government and the provincial governments which should regulate the co-operation of the provinces, strengthen the authority of the Permanent Conference of Ministers of Education and enable the establishment of a cultural and educational plan for the whole German people by the establishment of an impartial German cultural council. Separately proposals were made by Waldemar von Knoeringen of the S.P.D. and Storz, the C.D.U. Minister of Education in Baden-Württemberg. This can be seen as an important initiative where honours were shared at that time and which led eventually to the establishment not of a cultural council but in 1965 to the establishment of the German Council for Education<sup>(35)</sup>.

The reaction in 1961, however, from the C.D.U. at federal level and in particular its spokesman on educational matters Dr. Martin was unwelcoming and unhelpful. He feared that what was being proposed would amount to a Federal outline law for the universities and that this would destroy the autonomy of the universities. It mattered little then that such legislation was in fact to be passed by the S.P.D. government shortly after its succession to power in 1969 and has to this moment in time not destroyed the autonomy of the universities. However, in 1961, cultural political conditions were very different from what they are now and the characteristic response of Dr. Martin and through him the C.D.U.-dominated press outlined an apparent fundamental difference between the two major parties with regard to the greater co-ordination of educational provision and its control in the Federal Republic. The one tended still more towards a unitary centralized, co-ordinated approach, and the other emphasized the ancient and traditional particularism of the different parts of Germany and of the different institutions concerned. In view of the fact that only Bavaria and the three city states have a tradition which extends back beyond 1945, the argument mounted by the C.D.U. and based on the preservation of the traditions of the Provinces now is difficult to understand. However, the C.D.U. was ambivalent for although setting up the first Cabinet office of Minister for Scientific Research in 1962, it at the same time attempted to dampen down the idea of the establishment of a German Council for Culture. Later both major parties came to support the idea of a German Council for Education and the first parliamentary initiative towards this was provided by the C.D.U./C.S.U. and F.D.P. parties in the Bundestag in October 1964.



Thus in the first period that we have reviewed the main area of conflict between the parties of the right and those of the left have been those that had arisen traditionally in German society and which we have briefly discussed with regard to the Weimar period: the issues of the denominational organization of the schools and of teacher education, the matter of the further continuation of a differentiated school system, the development of a reform of teacher education which would enable all teachers to be trained at the same level, and the issue of greater co-ordination of educational provision in the Federal Republic as against a continued fostering of particularism. These were the main areas of organizational conflict in the period that we have reviewed. The arguments that were drawn to support the various positions ranged from those which regarded the rights of parents to choose education and the freedom of the individual to choose education as absolutes on the one hand and those which regarded the changing way in which society was making demands of the educational system as something which should be subject to a more instrumental and pragmatic regulation. In our next chapter we go on to describe the way in which these ranging forces met and competed with regard to the taking of decisions in education.

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CHAPTER THIRTEEN

PARTICIPATION IN EDUCATIONAL DECISION-MAKING

In this the final chapter in Part Three we shall be looking at the way in which various groups have in the policies of the Churches and the political parties been represented as possessing a legitimate right to participation within educational decision-making. We have given in Part Three an overview of the way in which conflicting ideologies have resulted in different approaches to the content of education and to its organization in the period under review. In this we are concerned with three main groups: firstly, there are the parents and as has emerged from our historical study it is clear that the way in which the political parties and the Churches have regarded the rights of parents to participate in educational decision-making with regard to their own children in the school system have varied considerably. In particular the matter of parental rights in denominational education have been a matter of considerable conflict between the Churches and the political parties and the S.P.D. In addition we shall also be considering the way in which participation of other groups such as teachers and pupils has developed and advanced in the policies of the Churches and political parties in the period that we are now considering up to 1965.

It is imperative in discussing the question of participation in educational decision-making by any of the three categories, but especially parents to distinguish between denominational rights, i.e. those advanced almost in proxy form by the Churches for parents to be able to influence the external organization of the school system especially in the matter of the provision of denominational schools; formal representative rights of for example parents to

have a right to a say in school matters, and participatory or emancipatory rights to participation, through which the value of a pluralism of views is accepted in the form of democratic participation in decision-making. In the period up to 1965 there is a predominance of activity with regard to the first of these categories and the beginning of an exploration of what the second might involve but with the possible exception of Land Hessen there is very little practical development of the last, participatory category, and what it might mean. Certainly the party programmes and church proclamations were as eloquently silent in this last area as they were incommunicatively voluble.

After the revolution in 1918 many German states and predominantly those having Socialist governments introduced legislation entitling parents to participate in the organization of schools. In addition in Prussia, for example, parents councils (Elternbeiräte) were established which eventually grew into a nation-wide movement. This was abolished under the Nazi regime and development and re-establishment at the end of the war was varied and slow. In Lower Saxony, for example, in the British Zone, although informal parents' councils were established in many places in 1945, it was not until the 18th March, 1948, that under the enlightened S.P.D. Minister of Education, Adolf Grimme, a regulation was established giving these official status<sup>(1)</sup>. This provided for class parents' councils and a school parents' council and set down the mode and conditions of election to office in both and to representation on the latter.

As von Campenhausen points out the question of the importance of the rights of the parents was a matter of very considerable disagreement and discussion in the parliamentary council which led to the establishment of the Basic Law, although in these discussions

as in subsequent discussions the matter was usually abbreviated to a discussion of the right of parents to decide whether to send their children to a denominational nondenominational form of the school<sup>(2)</sup>.

Possibly in reaction to the period of National Socialist domination the Basic Law, although it did not take up the issue of the parents right to determine the denominational form of the school which their children attended which the Catholic Church and C.D.U./C.S.U. had demanded and the F.D.P. and S.P.D. vigorously opposed, none the less in Article 6 went far beyond what had previously been contained in the Weimar Constitution in establishing the rights of parents as basic rights (Grundrechte) with directly binding and valid consequences. However the rights of parents as represented in the Basic Law are not absolute rights although they are described as natural ones. In spite of this the Catholic Church fought to the last to defeat the constitution as it stood and when this failed to influence the result of the succeeding election and in Bavaria the new Grundgesetz was rejected for its inadequate treatment of parental rights amongst other matters. Thus a delicate balance has continually to be drawn by the Länder themselves between the demands of the rights of parents and the legitimate demands of the state and nowhere is this more so than in the field of education. On occasions the balance is tipped in one direction on other occasions it is tipped in favour of a greater say in the education of children on the part of the State. An example of this latter happening and later being corrected is the case of Hamburg where on 25th October, 1949, the Law on the school system of the Hansa City of Hamburg was passed by the Social Democratic-dominated assembly. This divided the upper school which was to follow on from the six year elementary school into a tri-partite system. Allocation to

these various types of school was decided by teachers and administrators on the basis of guidelines which were issued by the school authorities. There was an uproar about this which led to a considerable drop in the S.P.D.'s share of the votes and seats and the decision was then challenged by the parents concerned. A decision was given by the Hamburg Supreme Court on 16th April, 1953, which supported and confirmed the charge of the parents that the right to the free development of personality and of the parental education had been infringed by the regulation contrary to Article 19, Section 2, of the Basic Law<sup>(3)</sup>. By November of that year the S.P.D. found themselves swept from power and replaced by the coalition of the so-called Hamburg-Block of C.D.U., F.D.P. and the smaller parties.

The rights anchored in the Basic Law are, however, only effective if they are put in a form which can be operational. From this point of view the rights of parents to participate in making their voice heard with regard to the development of the educational system is anchored in the constitutions or school laws of all Länder. Particularly worthy of mention is the way in which the Constitution of Land Hessen, passed in October 1946, in Article 56, Section 6, afforded the right to parents not only the right to a voice, but also the right to participate in collectively determining the formation of the educational system<sup>(4)</sup>. This is perhaps one of the earliest and most progressive forms in which the rights of parents were anchored in the Länder constitutions although another similar but later example can be given in the case of Baden-Württemberg whose Constitution passed in 1953 sets down in Article 15, Section 2, the rights of parents to "effect" through chosen representatives the formation of the life and work of the school<sup>(5)</sup>.

In many ways it is against the background of Article 6 that the issue of parental involvement in decision-making is most crucially seen. There the competing rights of the parents to educate their children and the rights of the state to organize and supervise this provision are most starkly seen. However, Article 6 does not indicate in any way the demarcation of responsibility and certainly does not support the classic stand of the Catholic Church that parental rights are paramount and the rights of the state subsidiary. Although a regulation of parental rights was contained directly in only four Provincial Constitutions, those of Hessen, Baden-Württemberg, Northrhine Westphalia and the Saarland, all Länder had in this present period under discussion incorporated such a codification into school laws, regulations or edicts. In the case of the four Länder mentioned above the quality of the participation is differently expressed.

The Saarland, manifesting the strong influence of the Catholic Church indicates that parents have the right, on the basis of natural and Christian moral law to co-determine the education of their children, whilst the Constitution of Northrhine Westphalia is much weaker, affording parents the right to participate through representatives in the organization of the school system. The representative principle is enunciated in the Baden-Württemberg Constitution, but perhaps the broadest and most firmly-anchored parental participation is afforded by the Constitution of Land Hessen when it stipulates that parents have the right to co-determine the organization of the school system.

The genesis of these constitutions cannot concern us here and it suffices to observe that they were produced in very different



circumstances and due to pressure from contrasting groups. For example, in the case of the Article in the Hessen Constitution which has been referred to it was the result of an attempt by the socialist-dominated constitutional council to achieve a compromise with the C.D.U. on a whole array of issues including nationalization which led to a greater measure of participation by parents in educational decision-making and as such can be seen as a contribution to the democratization of the educational system. In the case of Baden-Württemberg the Article in the Constitution represents some accommodation to the demands of the Catholic Church prior to the establishment of Land Baden-Württemberg that the rights of parents should be strongly represented in the Constitution. The aim in this was the further preservation of the Churches influence on education and particularly the provision of denominational education and religious instruction. To this extent it was not an attempt to democratize participation in educational decision-making but to preserve or even restore the influence of a religious body over the form of education. This pressure had the effect of forcing the formation of an S.P.D./F.D.P. coalition in the face of combined pressure from the C.D.U. and the Catholic Church.

Heckel and Seipp differentiate in their description of the different ways in which parents were represented in decision-making in the school system up to 1965 between three different forms<sup>(6)</sup>. Firstly, there is the system of parent committees. In this case, groups or organizations of parents have an advisory and assisting role at the side of the school. In the case of the second form that is the parent-teacher associations, where the home and the school, parents and the school, are seen from the very beginning as

a unit and the right of parents to participate is recognized in advance in a common committee which consists both of members of the parents representatives and of the teachers representatives. The third system is a mixture of both of these. The first system was applicable in the grammar schools in Bavaria, Berlin, Bremen, Lower Saxony, Rhineland Palatinate, Saarland and Schleswig-Holstein. Under this system the basic unit was the class parents' association as the community of the parents of a particular class and their representative who then participates on the school parents' association, the so-called school parents' council (Schulelternbeirat). In addition to an elected group of parents at the school level there was usually a general assembly of parents and representatives of local government and of the teachers or local health authorities could be invited to meetings.

In Hessen this was developed slightly further with participation of pupils, teachers and parents or guardians in a school community group. The second system of parent-teacher associations was introduced in Bavaria in the elementary schools, in Hamburg in the general educational and vocational schools and in Northrhine-Westphalia in all schools with the exception of specialist vocational schools. This system attempted to bring into effect in organizational form the educational community of the school and home. In Northrhine-Westphalia the parent teacher group at class level consisted of the parents or guardians and the teachers which then proceeded to choose a chairman from the ranks of the parents. The school parent-teacher association consisted of the chairman of the class parent-teacher associations by the headmaster and by representatives of the teachers. In addition, in this case, as in the case of the other form of parent association, there was a general school assembly of all parents and teachers, to which in addition

representatives of various community interest groups and local government can be invited. Baden-Württemberg in its School Law of 5th May, 1964, introduced a mixed or parallel form of both systems. All three city states controlled by Social Democratic majorities had already passed new school laws before the introduction of the Basic Law, in all of which the democratic participation of parents and pupils was included in definitive form. The Law of 25th October, 1949, in Hamburg, for example, included a provision whereby teachers, pupils and parents should form the life of the school in common. In the case of Bavaria in 1948 by legislation and Northrhine-Westphalia by decree of 1949, school councils were established representative of parents and teachers and in the former case the local authority and the churches. In neither case, however, did the brief of these councils extend to school administration or supervision, and in the case of Bavaria parents were always in the minority until the new Elementary School Law of 1st January, 1967 established parents councils which gave parents more power, although even then there was no provision for class councils such have existed for many years in other Länder. In some cases these were complimented and the commitment amplified, as for example, in the Schleswig-Holstein regulation of 1948, by the establishment of Provincial Educational Councils to advise the Ministry (7).

A movement over time is also discernible in this period to formalize the right of parents to adopt an advisory role, but always without increasing the power of the parents. In Lower Saxony for example, as part of a more comprehensive legislative framework for education, the School Administration Law of 1954 set down in paragraph 22 that parents should elect committees to represent them (Elternvertretungen) which would have the right and the duty to foster in an advisory capacity, the work of the school and the

relationship of home and school<sup>(8)</sup>. The same section contained the somewhat flat statement that the "responsible participation" of the pupils in the life and work of the school is generally to be developed<sup>(9)</sup>. On the other hand legislation in Hessen moved rather more quickly and progressively. Already by the School Administration Law of 1953 school boards (Schulvorstände) had been set up which included representatives of the parents' committees, teachers and Churches amongst others.

Meanwhile by Law of 1958 the right of parents to co-determine the inner organization of the educational system had been established and one year later the right of co-determination of individual teachers and especially of the Teachers' Council in the school was clearly defined. The 1958 was the most progressive legislation of this era in this particular field. It provided for the establishment of class and school parents' councils, school communities (Gemeinde), district and town parents councils, a provincial parents council and a provincial schools council. The school community was to consist of all pupils, parents and teachers of the school. Moreover, the Provincial Parents' Council had to give its approval to such matters as the general determination of educational goals, content and examinations amongst other matters<sup>(10)</sup>. The Social Democratic government of Hessen also made a deliberate attempt to publicize the provisions of the Law and the rights which it involved for parents<sup>(11)</sup>. This was an exception, however, and in general it suited political parties in most parts of Germany to restrict parental involvement in the period up to 1965 to what has been described as a "symbolic gesture in the face of the demands of Catholic social teaching"<sup>(12)</sup>.

It is indeed in this context that conflict has mostly arisen concerning the rights of parents to determine the education of their children as interpreted by the Churches and the political parties,

although it must be borne in mind that when the Catholic Church spoke of the rights of parents in this first period, she was referring to a proxy, whereby the parents could represent her view of their rights in natural law. An interesting case arose in this connection in Rhineland Palatinate in 1952. when, on behalf of parents, the Bishop of Mainz, Dr. Stohr, demanded the introduction of the denominational school in Rhine-Hessen, and caused a government crisis. A compromise was achieved between the parties but in a second Pastoral Letter, Dr. Stohr felt compelled to express his disappointment that the Catholic population had not supported his demand<sup>(13)</sup>!

The Catholic Church was swift to organize and to marshal both teacher and parent opinion in the interest of this cause at the end of the Second World War. In the case of the teachers by the end of 1947 a working conference of Catholic Teachers Association of the West Zones had already been founded and in January 1948 an association for Catholic education including educators, from the pre-school stage to the level of higher education was set up. Similar swift development was evident in the case of parents' associations and this often at the instigation of the ecclesiastical authorities. So, for example, in September 1947 Bishop Landesdorfer of Passau re-established by Pastoral Letter the Catholic Parents' Associations within his Diocese which had been proscribed during the Third Reich. These parents associations were then used as a weapon to establish and maintain the aims of the Catholic Church in the educational sphere. For example, at the beginning of 1949 the executive of the Bavarian Catholic Parents association approached the parliamentary council in the name of over six hundred thousand fathers and mothers demanding that the coming Federal constitution should not in any way restrict the rights of parents<sup>(14)</sup>. The aims in the campaign were common throughout Germany and they were organizational rather than participatory though

they were often presented in the form of demands for greater weight to be given to the rights of parents. The main aims were the right to establish private and denominational schools, the securing of the place of religious education and a denominational organization of teacher education. From Bremen to Berlin and from Schleswig-Holstein to Bavaria the line-up was the same with the Catholic Church and the C.D.U. or C.S.U. allegedly defending the rights of parents and the S.P.D. standing firmly on the interdenominational community school and the right of the state to determine the external organization of the educational system. In the dispute in Bavaria the two largest Catholic pupils' associations were also thrown in the front line of the struggle against the S.P.D. and the military government and in the end they were successful. In Rhineland Palatinate the situation was very similar where the bishops whose dioceses were in that province were in conflict with the French military government with regard to the organization of education. They were demanding an unrestricted recognition of parental rights and a denominational organization of teacher education.

The negotiations for a new constitution for West Germany carried the battle to national level and in 1948 a conference was organized of representatives of both churches with leading members of the Parliamentary Council. The Catholic Church demanded unequivocally that the freedom of conscience and rights of parents should be expressed with due clarity in the coming constitution. Dr. Keller, the leader of the Catholic delegation made the members present aware of the difficulties which would arise if a majority of Catholic parents for reasons of conscience felt that they had to reject the constitution. In all of these negotiations the C.D.U./C.S.U. represented a similar position to that of the Catholic Church. When it became obvious that the battle was lost a special conference of

the German Bishops was called near Bonn for February 1949. The Conference was bitter in its condemnation of the proposed constitution and spoke of a rape of Catholic consciences. Even after the passage of the new Basic Law in the Parliamentary Council a special declaration of the Fulda Bishops Conference was made public in which a continuing struggle in the area of the rights of parents was heralded. In particular the eyes of the Catholic population were focussed on the coming elections and they were unambiguously encouraged to vote only for men and women who would support freedom of conscience and the full rights of parents. Even the Pope was enlisted in the battle and in a letter to Cardinal Frings with regard to the developments within the Parliamentary Council he expressed his concern. But the new Basic Law was passed with the opposition of only twelve members of the Communist Party, the Centre Party, the German Party and the C.S.U. The Constitution was then approved by ten of the eleven Länder with Bavaria rejecting the Constitution. One of the main reasons for this rejection was the inadequate definition and scope given to parental rights. Thus in the period up until 1945 the rights of parents to participate in decision-making within the educational system was seen very largely by the Catholic Church and to some extent also by the Christian Democratic Parties as an opportunity for parents to substantiate the traditional view of the way in which the educational system should be organized by the state in the interests of the Catholic Church rather than as any attempt even at a formal level to involve parents in the reality of making actual decisions about the education which their children would receive. The discussion could not even attain to the level of a representative democratization let alone any attempt to bring about a further penetration of the ideal of participatory democratization.

The Evangelical Church, on the other hand, although in the struggle surrounding the deliberations of the Parliamentary Council

it had felt itself forced to support the Catholic view of parental rights, had nonetheless trodden a very different path of development in the period from 1945<sup>(15)</sup>. Already in the Treysa declaration, for example, the establishment of working groups of pastors and teachers and the formation of Evangelical school committees had been proposed<sup>(16)</sup>. Although there were considerable divergencies within the Evangelical Church at this time as expressed in the difference between this declaration and the one by the Confessing Church in Frankfurt in 1945 none the less there was unanimity on the way in which no one should be forced by institutional methods to become a Christian and that the strength of Evangelical Christianity should not come from the imposition of umbrella organizations but rather from a natural growth from the roots in the parental home and in the communities<sup>(17)</sup>. The Evangelical Church also showed itself much more willing to involve itself in a partnership of critical dialogue with teachers than was the case with the Catholic Church and this dialogue received no better expression than the so-called Rengsdorfer Theses which were agreed on by representatives of some of the Evangelical provincial churches and representatives of the largest teachers association in the Federal Republic in November 1950<sup>(18)</sup>. These sought to regulate the position of teachers in the school system with regard to the teaching of religious education and to ensure that no one received disadvantage by dint of a refusal to undertake Evangelical religious instruction. At the same time but especially around 1950 a number of organizations of Evangelical teachers and educators were set up on a rather haphazard pattern throughout West Germany. These included organizations for teachers only, those for parents only and some of which combined the interests and membership of both. In her discussion of rights of parents Walz distinguishes between what she calls the denominational rights of parents and the educational rights



of parents by which she means in the first place the right of parents to determine whether their child shall attend a denominational school or an interdenominational community school with religion as an ordinary subject of instruction and, in the second place, the extent to which parents can participate and participate in and co-determine the way in which decisions are taken about the educational system. In the period up to 1965 it is possible as a generalization to say that the Catholic Church was almost exclusively concerned with the denominational rights of parents whereas the Evangelical Church had begun to make the transition between an exclusive concern for the confessional or denominational rights of parents and a concern that their educational rights should be extended<sup>(19)</sup>. The relay of this expansion of the educational rights of parents was then continued and supported by educationists and in particular by national commissions such as the German Committee whose thinking, however, on parental participation was of a rationalization kind rather than an emancipatory one. That is, it argued that because family education school education must complement and amplify each other therefore the home and the school must work as closely together as possible and thus also the parent and the teacher must be involved jointly in decision-making about the future of the child. However, this thinking did not extend to an emancipation of the child as well as having rights which should be expressed through participation in decision-making about his own career<sup>(20)</sup>.

It was at the province level and above all at the Federal level that the participation of parents in educational decision-making was particularly weak in the Federal Republic. The absence of a province-wide organization for parents to express their views and exert pressure on the educational system had led in some provinces as for example in Lower Saxony, Northrhine-Westphalia and Schleswig-

Holstein, to the establishment of provincial parents' councils as they are called and these organization strove to be recognized as the official umbrella organization for parents within the respective province. Even more neglected was the representation of parents at Federal level and although parents associations have been established at this level by the religious bodies and such other organizations as the Walddorfschulen and a Federal organization containing membership from these and other organizations has been established, it was as yet not possible to say that there was an organized and democratic representation of parental opinion in decision-making concerning education at federal level. It must, however, be added that this may not have been as important an issue at this moment in time as the establishment of adequate representation of parents at a provincial level and such a development although not totally so was certainly neglected in the period up to 1965.

The representation of pupils in the school was very similar in all of the Länder of West Germany in the period up to 1965. It usually commenced at the earliest in the fifth school year though in a few Länder it began from the seventh school year onwards. Each class chose in secret ballot a class representative. These class representatives then formed the school pupil council which in turn then chose for a period of one year at a time the school pupil representative. The school council was able to give itself a constitution in consultation with a special teacher who was chosen by the pupils to represent their interests and by the other teachers within the school. In some cities for example in Berlin, the school pupil representations established and chose a town school conference or pupil parliament and in many cases political education classes were seen as an opportunity to give pupils symbolic participation. The high-water mark of pupil participation in the period under

discussion was probably reached as a result of a resolution of the Permanent Conference of Ministers of Education which was issued in November 1963. The resolution has a platitudinous and paternalistic ring about it with its phrases that pupil "co-responsibility" is aimed at helping the teacher in partnership. The areas proposed for such pupil activity are indicative of the extent of involvement envisaged and the formal quality of the commitment<sup>(21)</sup>.

As far as the participation of teachers in the process of decision-making in the educational system is concerned there are in schools in the Federal Republic two basic patterns. The one which rests on the idea of a director head teacher as being the leader of the school and the more recent collegial form of school administration and organization. Regulations concerning the form of school administration are sometimes contained in laws although more frequently in instructions which are issued by the Ministry. In Hamburg, for example, in the period under review a teachers' council was established. Other Länder were less swift in establishing full teacher representation but it has to be pointed out that what was said about the establishment of parents' councils in the various Länder included in all cases the possibility that teachers would also be represented though to a minimal extent. From the perspective of 1973 participation of all groups in the period under review must appear Archaean.

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PART FOUR

EDUCATION IN A PLURALIST SOCIETY

## CHAPTER FOURTEEN

### CHANGING IDEOLOGIES

Thus far we have been concerned with the mounting pressures towards change in German society up to the watershed of 1965. We have looked at the way in which the Churches and the political parties had begun, in the latter part of the previous period under review, to accept the need to change traditional views or at least to see them as in part negotiable. We now pick up the thread of this incipient change and in this and succeeding chapters we describe the greater flexibility with which all parties approached the demands of living together in a pluralist society, and how this manifested itself in legislative, organizational and curricular change. In this Chapter we describe the way in which changing ideologies can be traced through into new legislation as a basis for the reform of the system and we do this with particular respect to the Länder Baden-Württemberg, Bavaria, Northrhine-Westphalia, Rhineland Palatinate and the Saarland, i.e. those Provinces which in the period under review changed the constitutional basis of their school systems in eloquent recognition of the new modus vivendi of society, churches and political parties. In each case the need to develop a more efficient school system, and by inference to spread educational opportunity, by excluding the further proliferation of "dwarf-schools" was, as it had been in Lower Saxony, a factor of considerable importance.

We have recounted in Chapter Ten some of the difficulties which had surrounded the birth of Land Baden-Württemberg and the compromise which the passage of its constitution in 1953, represented. In the election of 26th April, 1964, for the Landtag of Baden-Württemberg, the C.D.U. increased its proportion of the vote from just over 39% to over

46%. The S.P.D. vote also showed a small increase, but the vote of the Liberal and other parties fell back sharply, continuing a trend which had been marked from the time of the establishment of the State<sup>(1)</sup>. The previous coalition between the C.D.U. and the F.D.P./D.V.P. under Kiesinger continued but the G.D.P. was not invited to participate. The C.D.U. continued to hold the portfolio for education, whilst the previous Minister Storz, was now replaced by a man of the same party, but very different metal, Wilhelm Hahn, who after the passage of some ten years still remains in that same position in 1973, although he admits in his own account of the period on his office, that his many critics accuse him of having now lost his reforming zeal or rather having exchanged it for a conservative line<sup>(2)</sup>. Educational reform was high on the list of priorities and was highlighted in Kiesinger's Government Declaration given, on 25th June, 1964, on behalf of the new coalition. Hahn immediately on appointment began work on the establishment of a planning section within his Ministry such as did not exist at that time in any other Province of West Germany. The corner-stone of his policy was the equalization of educational opportunity and particularly through the acceleration of rural school reform (Landschulreform). On May 5th of that same year a new School Law had already been introduced, which had opened the way for a unification of the educational system in Baden-Württemberg, the introduction of the Ninth School Year and the development of neighbourhood schools<sup>(3)</sup>, and by legal amplification of 10th March, 1965, the Hauptschule was established as a continuation school. National agreements were also now having an effect as pace-setters for the Länder and none more so than that of the Permanent Conference of Ministers of Education in Hamburg in October 1964 on the unification of the educational system which consolidated the development of the Hauptschule<sup>(4)</sup>. On 10th July, 1965, the School Development Plan

for Baden-Württemberg was published by the Ministry of Education<sup>(5)</sup>, in the first section of which the development of neighbourhood schools by the amalgamation of several small schools is outlined. Only one thing, but it was a decisive one, stood in the way of this school reform. In South Baden, North Baden and Württemberg there was no constitutional difficulty, for the interdenominational school had been the Regelschule there for about a century and this provision had been carried across from the constitutions of Baden and Württemberg when the new Province was established<sup>(6)</sup>. In Württemberg-Hohenzollern the situation was different. The Constitution of 1947 had reiterated in several places the rights of parents in the education of their children and Article 114 specifically stated that public elementary schools were Christian schools, but that the will of the parents was decisive for the organization of the school system<sup>(7)</sup>. To implement the School Development Plan for the whole of Baden-Württemberg would thus necessitate a two-thirds majority to change the Constitution and would bring about a clash with the Catholic Church and particularly the Catholic Bishop of Rottenburg, Dr. Leiprecht.

However, as Bungardt points out, the publication in March, 1962 of Carnap and Edding's investigations into the relative figures for school enrolment in the various parts of the Federal Republic had brought into the open the fact that educational provision in the Republic was worst in those Länder with predominantly Catholic populations<sup>(8)</sup>. Ironically, the facts of the Catholic "educational deficit" had been openly discussed at the 1964 National Catholic Congress (Katholikentag) which was held in Stuttgart, in Baden-Württemberg and they were confirmed by the work of the Jesuit educationist Erlinghagen<sup>(9)</sup>. Catholic public opinion was thus alerted at a time of national interest in the reform of education and this together with the gentle breeze of change blowing across Catholic



Europe from the Second Vatican Council resulted in Catholic parents only slightly less than others expressing a preference for the inter-denominational school in a survey held in 1965 in Württemberg-Hohenzollern the Western and most Catholic part of Baden-Württemberg, by the Land government<sup>(10)</sup>. That was in December. The controversy continued to mount with the Catholic Church fighting to maintain its right to denominational schools, the S.P.D. unwilling to consider a solution similar to that in Lower Saxony and the whole future of the School Plan hanging in the balance because of this one obstacle. In June 1965 the S.P.D. put down a major question on the matter in the Landtag and on 11th July, 1966, they introduced a proposal that the interdenominational school should be generalized to all parts of Baden-Württemberg as the normal school type. On 22nd September of that same year the great "school debate" took place in the Landtag<sup>(11)</sup>. In his speech to the Assembly the leader of the S.P.D. opposition, Krause, explained his Party's unanimous wish to improve educational opportunity on the basis of the amendment of Article 15 of the Constitution yet made reference to the emphasis which the S.P.D. Godesberg Programme had laid on tolerance. Indeed his whole speech was imbued with the desire to reassure the Catholic authorities of the wish of the S.P.D. to preserve the Christian character of the school and the rights of parents, whilst at the same time, seeking to improve the efficiency of the educational system<sup>(12)</sup>.

On the initiative of the F.D.P. funding of "dwarf-schools" had already been completely halted and superficial progress was able to take place towards the reform of rural schools right up until the breaking of the Coalition in December, 1966, when Kiesinger was called to higher things; to be precise the Chancellorship and leadership of the Grand Coalition in Bonn, a development which under the pressure of apparent economic recession brought the S.P.D. for the first time into the government in the Federal Republic and provided them with a bridge

to independent government in 1969. A similar Grand Coalition was formed in Stuttgart and almost overnight there and in Bonn, the two-thirds majority necessary to pass constitutional amendments in both parliaments was available<sup>(13)</sup>, and the structure of the German party political system was decisively altered<sup>(14)</sup>.

A new willingness to compromise was now manifest in the words and actions of the coalition partners, the C.D.U. and S.P.D. and this willingness came quickly to fruition in the Province in the form of a government-sponsored Bill to change the Constitution with the aim of making the interdenominational school the usual school type in all parts of Baden-Württemberg, and to carry out the provisions of the amended Article 15. A proposal supported by the S.P.D. and C.D.U. came through the committee stage on 27th January and received its second and third readings in the face of amendments proposed by the F.D.P./D.V.P. and a small break-away group of C.D.U. supporters. The constitutional amendment was passed by 89 votes to 21 in the sitting of the Landtag on 8th February, 1967 with many Catholic members of the C.D.U. going against the advice of their Bishops and voting for it<sup>(15)</sup>. The speeches made by the leaders of the political parties after the passage of this piece of legislation breathe a new spirit of co-operation. The leader of the S.P.D. group, Hirrlinger, referring to the outstanding importance of the legislation, spoke of the weeks and months of difficulties which had had to be overcome and the way in which the outcome demonstrated the willingness of the S.P.D. to seek agreement. Deputy Gleichauf speaking for the dissident C.D.U. members, whilst welcoming the generalization of the Baden community school to the whole of Baden-Württemberg, referred to the way in which the solution chosen also restricted the rights of parents - a classical Catholic argument based in this case on Article 114 of the constitution of the former state of Württemberg-Hohenzollern. Diez, speaking for the majority of C.D.U. members felt it necessary to explain why a large

number of Catholic C.D.U. members had not followed the recommendation of their Bishop. Given that the new Law did not fulfil all of their wishes, they had sought, he said, not only a law based on fairness, but one which also valued the freedom of the other members of a coalition. Thus compromise is axiomatic where it does not offend against basic beliefs. He referred to the plebiscites and surveys which had shown that the majority of Catholic parents wanted the community school, and speaking as a Catholic regretted the legalistic positions that had sometimes been taken up by the Catholic Church. Society, he asserted, had changed since the signing of the last Concordat. The new Law opened up opportunities not only for the reform of the school system but also teacher training. The significance of his speech is unquestionable in the way in which it heralds the advent of a new phase of ideological development in West German society. The F.D.P. representative Stock, argued that to have voted for the Bill would have meant voting for those very measures which had led to the break of the Coalition on 12th December, 1966, such as state subventions for public denominational schools, and this the F.D.P. would not do. The Minister-President, Filbinger, speaking of the way in which the Federal Government had been informed of the Provincial Government's attitude to the solution and the vote which the former would consequently send to the Holy See, reasserted his Government's desire and intention to work in trust and co-operation with the Churches. The amendment of Article 15 of the Constitution was a mile-stone in the development of German education and it was followed by constitutional amendments in other Länder of similar intent. When, in early 1968 eminent Catholic statesmen such as Cardinal Döpfner and Bishop Diezfelbinger declared that the most appropriate contemporary form of the elementary school was a common one for Catholic and Evangelical children, but with separate

religious education, the C.D.U. was not slow to use this in the provincial elections in Baden-Württemberg some weeks later<sup>(16)</sup>. The statement was an overt declaration of changed demands on the part of the Church; a recognition of the realities of social change and a result of the gentle zephyrs from Vatican II but also a guarantee that the external form of the school was no longer a major issue for the Church and that its energies were to be concentrated from now onwards on curricular questions in the steady, slow but noticeable retreat which it was making in the field of education. The scene had shifted and the form of the elementary school was now no longer the main area of contention, a fact which was reflected in the absence of such questions from the manifestoes of the Parties for future elections no less than in the protocols of their Cultural Congresses<sup>(17)</sup>.

In Bavaria in the early 1960s dissatisfaction with the educational system grew perhaps even more rapidly than elsewhere. The revelations of Carnap, Edding and Picht concerning relative enrolment and provision of education seemed to show Bavaria in a poor enough light but in particular the astute use of what were after all facts which were manifest to everyone to see, by the Liberal Party member of the Landtag, Hildegard Hamm-Brücher served to highlight Bavaria's own individual educational catastrophe. Since the break of the S.P.D./C.S.U. coalition in 1947 there had been an S.P.D. government for only three years, from 1954-57<sup>(18)</sup>. Apart from this, however, the C.S.U. had held almost uninterrupted sway in Bavarian politics bolstered by the massive Catholic majority population of the Land.

One of the results of this Catholic majority and the consequent demands by the Catholic Church, even where numbers were small, for denominational school provision as in many rural areas, was an alarming and quite rapid increase in one-class elementary schools. From 779 in 1948-49, stimulated particularly by Section II of the

Schulorganisationsgesetz of 1950 which declared that each community was to have at least one elementary school, the number rose to 1,460 in 1951-52 and by the end of the socialist government in the school year 1957-58 had reached the astounding total of 2,134<sup>(19)</sup>.

For the debate on the 1964 Budget before the Bavarian Landtag, the Liberal Party in particular opened an aggressive campaign on the inadequacies of the educational system and the still alarming proportion of one- and two-class rural schools, which constituted at that time over 50% of all Bavarian elementary schools<sup>(20)</sup>. The onslaught was not confined to the elementary school deficit. Dr. Hamm-Brücher referred also to the low proportion of girls at secondary school and the fact that for every 1,000 Catholics 13.1 went on to secondary school, whereas for every 1,000 Protestants 19.4 did so. The facts of rural, regional, sex and religious disparities in education are well enough known now - but at the time they shocked politicians into action.

On 2nd February, 1965, the S.P.D. in the Bavarian Landtag brought in a proposal for an amended School Organization Law, which prompted the then Minister of Education, Dr. Ludwig Huber to announce that it was in any case his own intention to introduce just such a piece of legislation. Consequently the S.P.D. draft was held back until December of that year. When the S.P.D. threatened to bring it forward again they were told that negotiations with the Churches were still continuing and would not be completed until February, 1966<sup>(21)</sup>. Not until July, 1966, was the matter taken up in committee and then the controversy was so fierce that the S.P.D., and the F.D.P. which previously had put its weight behind a new School Organization Law after the failure of its own proposal for an amendment to the Bavarian Constitution had failed to get the necessary two-thirds majority in the Landtag, broke off the negotiations in committee and did not participate until the measure

came up for its second reading. The S.P.D. demanded the separation of the Grundschule from the Hauptschule, along the lines proposed in the Hamburg Agreement of the Ministers President, thus facilitating the development of larger schools. Members of the Social Democratic Party were particularly incensed by the C.S.U. proposals concerning minority teachers in schools with a small proportion of children of one denomination and the concomitant measures which would make more difficult the erection of community schools. The C.S.U. were able to force through the legislation, however, in spite of spirited and prolonged opposition on the part of the S.P.D. and F.D.P., using their absolute majority in the provincial parliament. The decision of the S.P.D. to go to the Provincial Constitutional Court was in vain. However, though its complaint was rejected, the arguments used to reject were a victory for the S.P.D. effectively turning two-thirds of the existing denominational schools into community schools<sup>(22)</sup>.

At the same time further steps were being taken by the F.D.P. and on 7th July, 1966, a proposal for an amendment to the Bavarian Constitution was introduced into the Bavarian Landtag by the F.D.P. group. Article 135 of the Bavarian Constitution stated that public elementary schools were denominational or community schools, the choice of the school form being open to the parents or guardians. However, community schools might only be erected in those places with a denominationally mixed population on the application of the parents or guardians. Section II of Article 135 states that at denominational schools only such teachers may be used who are suitable and ready to educate and instruct the children according to the bases of the appropriate religious denomination<sup>(23)</sup>. The F.D.P. proposal was that the wording of Article 135 should be changed so as to read that the public elementary schools are Christian community schools or denominational schools, the choice of

school type being open to the parents or guardians. This resolution was brought before the 105th sitting of the Fifth Legislative Period and put to the vote but was rejected because only 53 of the members were willing to vote for the acceptance of the amendment whereas 136, that is a two-thirds majority would have been necessary for the constitutional amendment to be passed<sup>(24)</sup>. It was for this reason that the F.D.P. Provincial Executive resolved on 12th July, 1966, to introduce a request for a referendum. On 16th November, 1966, therefore an application with around 86,000 signatures was handed into the Bavarian Ministry of the Interior with an application for a request for a referendum. The referendum was advertised on 26th November and published in the Bavarian State Gazette on 2nd December, 1966. The voting took place for the application for a referendum from 2nd January until 30th January, 1967, and on 1st February the provisional results were announced. However, it was not until 17th March, 1967, that the final result of the application for a referendum was made public. This showed that 625,464 persons had signed the application, that is some 9.3% of the electorate, but that none the less this did not represent the 10% of the electorate of the province which was necessary for the measure to be legitimized<sup>(25)</sup>. A similar path was trodden by the S.P.D. whereby on 18th April, 1967, an application by the F.D.P. for a change of the constitution was placed before the Landtag. This stated that the public elementary schools are Christian community schools, public denominational and secular schools may be erected on the application of the parents provided that an ordered school organization is possible. This measure was placed before the Landtag on 9th May, 1967, but was rejected by 94 votes to 73 with 13 abstentions. On 12th May, therefore, the S.P.D. provincial party executive decided to make an application for a referendum to take place and on 17th July, 1967, this application was handed in

to the Bavarian Ministry of the Interior with 265,000 signatures. From 3rd to 30th October, 1967, the voting took place and on 2nd November, provisional results were made public. By the 29th December, 1967, the final result of the application for a referendum was made known and this was that 12.9 percent of the electorate had voted for it and therefore that the application was substantiated.

Meanwhile the C.S.U. had also followed the other two parties and on 18th July, by resolution of the C.S.U. provincial party executive a resolution was carried to apply for a referendum. This was then handed in on 1st September, 1967, with 567,000 signatures to the Bavarian Ministry of the Interior. The voting took place in October and November 1967 and the result was made known on 29th December, 1967, to the effect that 17.2 percent of the electorate had voted for it and that it was therefore also substantiated. An interesting point here is the coincidence of date of publication. Though the application for a referendum made by the S.P.D. and F.D.P. had been handed in some two months before that of the C.S.U. both results were made known on the same date<sup>(26)</sup>.

It was now clear to both of the major parties (the F.D.P. having been eliminated from the Landtag in the previous election in November 1966) that they would have to come to some kind of compromise. This was particularly clear to the S.P.D. which since the formation of the Land Coalition in December 1966 with the C.D.U. and C.S.U. in Bonn had fared very badly indeed in the provincial elections. In the election of March 1967 in Berlin it had lost 5% of the votes. In the following month in Rhineland-Palatinate it had lost nearly 4% of its votes and in Bremen in October 1967 it had lost 9% of its votes<sup>(27)</sup>. Individual personalities did however play a large part in what happened from this point onwards and it is in no mean measure due to the present Federal Minister Dr. Hans-Jochen Vogel who was



at that time the Lord Mayor of Munich that the S.P.D. found itself in a position to be able to compromise in spite of the dogmatic affirmations of its left-wing radicals. The C.S.U. for their part in spite of the great success of their own application for a referendum were none the less willing to seek a compromise and in the Spring of 1968 secret negotiations took place between the parties which led very quickly to a basic unity of policy<sup>(28)</sup>. The negotiations were carried out by a small group of leading party members. For the C.S.U. there was Strauss and Huber, Volkmar and two other members and for the S.P.D. the main participants were Gabert and Vogel. The detailed conversations about the exact terms of the text were carried on in an even smaller circle in the form of a specialist commission which was set up by the C.S.U. and S.P.D. and which consisted of only four persons: for the C.S.U. the General Secretary Streibl and the C.S.U. member responsible for educational affairs Reinald Wolfram, the S.P.D. members being Helmut Meyer and the S.P.D. provincial parliament member Rothemund. The public was excluded from the discussions of this special commission and, after several interventions on the part of Lord Mayor Vogel with his colleagues in the S.P.D. in favour of greater concessions on their part, the text of the referendum was worked out. The role played by Helmut Meyer as a liberal, flexible and quite pragmatic negotiator has been paid tribute to even by those who were opposed to him in the negotiations. No press reports were made of the negotiations of this specialist commission which was surrounded by something approaching an atmosphere of political omertà and the public was thrown back on supposition with regard to what was happening. The agreed text of the constitutional amendment was put before the Landtag in July 1968, together with the results of the two applications

for referendum of the C.S.U. and the S.P.D.

In the constitutional referendum which took place on 7th July, 1968, the amendment proposed by the two major parties was accepted with 76.3% of the votes being cast in favour of it<sup>(29)</sup>, and by law of 22nd July, 1968, Article 135 of the Bavarian constitution was changed to read as follows: "The public elementary schools are common schools for all children of compulsory school age. In them children are instructed and educated according to the bases of the Christian denominations. Further provisions will be determined by elementary school law<sup>(30)</sup>. Great play was made by the C.S.U. in the 1970 provincial elections of the part they had played in this compromise solution and how "their" solution had led to a unification of the school system, whereas the S.P.D. proposal would have resulted in a continuing dualism in the Bavarian elementary school system<sup>(31)</sup>.

Of course even after this measure had been passed the administrative provisions for the execution of the new legislation had also to be secured and on 15th October, 1968, the S.P.D. and C.S.U. introduced into the Landtag an agreed version for the alteration of the Elementary School Law. The most important elements within this amendment were those connected with the common elementary school, that is Article 7, in which it was stated that in the public elementary schools, that is basic and main schools, the pupils are to be instructed and educated according to principles common to the Christian denominations. The second section of this Article was amended to read that in classes where the pupils were of the same denomination there should be a special regard paid to the particular tenets of this denomination.

Article 8 on the use of teachers, Article 9 on the formation of classes and Article 18 on the registration of pupils at elementary schools were also amended but the sum total effect of all of these

amendments was to break the constitutional bond of control by the religious denominations over the development of the school system in Bavaria and to open the way for a modernization of that provision particularly at the lower elementary school level<sup>(32)</sup>.

Of course the amendment to the constitution and the changed position of the elementary school within it and the later amendments to the Elementary School Law had implications for the Concordat and the Church treaties that had been signed with the Holy See and with the Evangelical Churches in Bavaria in 1924 and it was therefore necessary for amendments to be made to these documents. These were accomplished on the very day that the Law for the amendment of the Elementary School Law was promulgated, that is 13th December, 1968. At the same time a new version of the treaty between the free state of Bavaria and the Evangelical Lutheran Church in Bavaria was also made public<sup>(33)</sup>.

The amendment to the Concordat is of particular interest for the way in which it recognised the new battle ground on which the struggle for the influence of the churches on the educational system in Bavaria was to take place. The first provisions of this amendment are to do with the new developments which were taking place within the field of teacher education and the securing of religious education of an appropriate kind for children in classes where there was a denominational mixture. But both treaties were conducted, negotiated and signed in a spirit of friendliness which signified the new relationship between the Catholic and Evangelical Churches and the State of Bavaria in particular but also the other States in the Federal Republic of Germany. In this respect they are path-breaking for their impact on the educational system but they also possess deep and lasting implications for the form and content of education which we discuss in the next chapters. They also incidentally had

an impact on the organization of the C.S.U. in Bavaria, for there is strong evidence that would seem to suggest that the then Minister of Education, Dr. Ludwig Huber struck bargains in the negotiations which were unpalatable to influential sections of his party. Some of the party functionaries felt unconsulted and maintained that there was a gap between party policy and that pursued by the Minister of Education. As a result of this controversy a special cultural political section was established in the C.S.U. secretariat.

In Rhineland Palatinate the political complexion of the governments has been traditional and conservative. There has been no socialist member of the Government since 1951 and up until 1971 a coalition of C.D.U. and F.D.P. has ruled the Land. Since the end of the War, C.D.U. members have held the portfolio for education continuously. The Land Constitution of May, 1947, stipulated in Article 29 that the public schools were denominational or Christian interdenominational schools. It went on to say that in the denominational schools the pupils would be instructed and educated by teachers of the same denomination. Section 4 of that same Article also included provision whereby on the application of those responsible for the education of the children, that is the parents or guardians, the school form could change. The one proviso was that this should not be detrimental to the continuing good order of the school system a provision which, it was envisaged, could be met by the provision of one-class school<sup>(34)</sup>.

The result of this constitutional and political continuity was a considerable wastage of resources particularly on one-class schools and a relative absence of reform of the rural school system, such as that which had been undertaken in Lower Saxony or in Hessen. By the mid-1960s it was still possible for Dr. Hamm-Brücher to report that

27% of all elementary school children went to one- and two-class schools and that in certain districts the figure was as high as 45%: statistics which she described as the worst record in the Federal Republic. Moreover she pointed out that in other spheres too there was a considerable deficit in educational provision in Rhineland Palatinate. The teacher-pupil ratio, for example, of thirty-nine children per class was the highest within the Federal Republic and this was paralleled by the largest teacher shortage. The Ninth School Year already implemented in many other Länder was still a distant aspiration here and in addition of every one hundred pupils in Rhineland Palatinate in 1964 only 3.1 visited a middle school and only just over 16% of pupils visited either middle or secondary schools (35).

In the elections to the provincial parliament held on 31st March, 1963, the C.D.U. lost its overall majority. It obtained 46 seats as against 43 for the S.P.D. and 11 for the F.D.P. Thus the C.D.U. was forced, for the first time, to seek a coalition government with either the S.P.D. or with the F.D.P. The political scene was not yet right for the development of a Grand Coalition such as was to emerge at national and provincial level in the mid 1960s and so the C.D.U. decided to turn to the F.D.P. for a continuation of the previous coalition relationship. The F.D.P., however, was only willing to continue with the coalition on the understanding that the sub-section in Article 29, Section 4, permitting one-class schools to be considered as a fully ordered school organization, should be erased. In the coalition agreement the C.D.U. declared itself ready to make this alteration and as this accorded with the wishes and aspirations of the S.P.D. it could reasonably be expected that the reform measure would have an easy passage through the provincial parliament (36).

By November of that same year measures had been introduced and carried through the provincial parliament designed to bring about a reform of teacher training. Article 36 had previously stated that the training of teachers was to take place in special teacher training institutions which were divided according to denomination and which had to be permeated by the spirit of the appropriate denomination. This Article was altered from November 1963 so that interdenominational pädagogische Hochschulen could be erected, the first of which was the pädagogische Hochschule in Worms. In June 1964, Article 29 was amended in order to exclude one-class schools from fulfilling the provision necessitating an ordered organization of the school system and the way was opened for the development and improvement of the structure of the elementary school and a lessening of the number of one-class schools. Bungardt argues that, had it not been for the fact that the C.D.U. no longer had the overall majority within the provincial parliament it would not have been willing to make these concessions. It was rather the fact, that the F.D.P. and S.P.D. had they combined together could have formed a coalition government and therefore excluded the C.D.U. from power without, however, themselves being able to gain an overall majority of votes for the necessary constitutional changes, which made the C.D.U. look to places where it could make concessions in order to remain in government and one of these was in the field of education where the provision was notoriously backward<sup>(37)</sup>.

On 5th July, 1966, the F.D.P. introduced a Bill which would have had the effect of changing Articles 29 and 34 of the Land Constitution. Effectively the law sought to introduce the Christian interdenominational school as the usual school type whilst at the same time opening up the way for the separation of the elementary school into a basic school and a main school<sup>(38)</sup>. This draft Bill was, however, rejected by both the S.P.D. and the C.D.U. In October 1966 the S.P.D. set down an original proposal for the

alteration of the constitution and in the same month, that is October of that year, a special public meeting of the cultural political committee of the provincial parliament was held to which members of the teachers' unions, of the Ministry and in particular of the Churches were invited<sup>(39)</sup>. The original proposal of the S.P.D. had been designed to alter Article 29 in the following way: The new Article would read, "public basic and main schools are Christian community or denominational schools. In Christian community schools the entry of the pupils takes place without reference to their denomination". The amendment went on to stipulate that the Hauptschulen, that is the main schools, would usually be Christian interdenominational schools but that at the request of those responsible for the education of the children denominational schools could be erected wherever this did not interfere with the provision of an ordered school organization<sup>(40)</sup>. The measure was in many respects a compromise on the part of the S.P.D. and embodied proof of its willingness, as expressed in the Godesberg Programme and in the Concordat of 1965 in Lower Saxony, to seek an accommodation with the Churches which would not necessarily represent all that it as a Party would necessarily have demanded on purely ideological grounds. The reason for this compromise attitude on the part of the S.P.D. and the new draft Bill which they now put before the provincial parliament relates directly to the activities of the cultural political sub-committee which met in October. As was previously stated representatives of the teachers and of both Churches were invited to this hearing in the Landtag in Mainz. This in itself was epoch-making in so far as it was the first time that any cultural political sub-committee meeting had been opened up to the public in this way. The Chairman of the union Education and Science made a plea for the denominational school as the usual

school type whilst the Chairman of the Catholic Teachers' Association wished the solution which was represented in this proposition well. The representative of the three Evangelical provincial churches tended to the interdenominational school but emphasized that denominational matters should not influence adversely the way in which the school was able to carry out its task. On the other hand the representative of the Catholic Church in Triers, Dr. Paulus, adopted a traditional and uncompromising posture. In the names of the dioceses of Triers, of Mainz, of Speyer, of Limbourg and of Cologne, he emphasized that the opportunity which had previously been available to parents to choose the form of education corresponded, in the opinion of the Catholic Church, with the rights of the parents. With the introduction of an opportunity for parents to vote about the erection of main schools on the other hand, he argued, a new element had been introduced into the school system which it was difficult to reconcile with the rights of the parents. This is an argument which many might regard as peculiarly inverted. In view of this uncompromising attitude, however, it would appear that the S.P.D. has moved in the new proposal which they now brought before the provincial government to attempt some kind of accommodation with the Catholic Church in line with the ideological principles that had been laid down by the 1959 Godesberg Programme<sup>(41)</sup>.

It was in no mean measure due to the Lord Mayor of Mainz Jockel Fuchs who was the chairman of the cultural political committee of the provincial parliament and the main S.P.D. spokesman on educational matters that an accommodation was sought with the opinions represented by the Catholic Church and by many members of the C.D.U. and that this was achieved. A constitutional amendment was carried on 10th May, 1967, but the matter was still not yet put to rest and in January 1968 the S.P.D. brought in a further proposal in the provincial parliament that the constitution and in particular



Article 29 should be changed so as to read that the public basic and main schools would become Christian community schools. This was placed before the parliament but was rejected because it did not obtain the necessary constitutional two-thirds majority<sup>(42)</sup>.

The year 1968 turned out to be one of great activity in general for the S.P.D. and not an unsuccessful one for them in Rhineland-Palatinate with regard to the reform of the school system. Later on that year, for example, it was possible for them to introduce an original proposal for alterations to Article 36 Sections 2 and 3, which stipulated effectively that teacher education within Rhineland-Palatinate would no longer be separated according to denomination<sup>(43)</sup>. That was in September and the proposal was referred from the full provincial assembly to the cultural political sub-committee and came back to the main assembly in December of the same year. There it received the full backing of the Minister of Education and also of the cultural political sub-committee and was accepted unanimously<sup>(44)</sup>. Meanwhile the Catholic Church was reacting gently but nonetheless with vigour towards the legislative progress which had been made within Rhineland-Palatinate. Episcopal letters were distributed expressing the concern of the Bishop of Trier at the new legislation and in particular the law on the public basic, main and special schools in Rhineland Palatinate which had been passed in April of 1968. In a circular to the faithful in the Bishopric of Trier the Bishop exhorted all the faithful to make application as they were entitled to according to the letter of the amendment to the constitution which had been introduced earlier that year for the establishment of Catholic main schools<sup>(45)</sup>. It was clear that before further progress could be made in the development of the school system in Rhineland Palatinate discussions would have to take place

with the respective churches. In late 1969 the initiative was thus taken up by the F.D.P. in the provincial assembly of Rhineland Palatinate. A proposal was introduced by the F.D.P. requesting the provincial government to secure the necessary provisions for the change in the constitution which would be required to inter-denominationalize the basic and main schools of Rhineland Palatinate through negotiations with the Churches<sup>(46)</sup>. By this time the influence of Vatican II and a general loosening of the denominational school system throughout the whole of the rest of West Germany brought to bear an influence on the Catholic authorities in the bishoprics involved within Rhineland Palatinate. The negotiations which had been demanded by the F.D.P., and the need for which had been accepted by the other two political parties, were carried on in a spirit of friendship and willingness to co-operate and make concessions. Indicative of this new spirit was a declaration which was issued by the bishops of Rhineland Palatinate on the current situation in the school system<sup>(47)</sup>. In this document the bishops paid tribute to the friendly and amicable atmosphere in which discussions had taken place and expressed their regret if as a consequence a number of denominational schools needed to be closed. In what could be interpreted as an attempt to reassure parents they referred to the government declaration of February 1970 which went some considerable way towards securing the position of private schools within Rhineland Palatinate and thus the further development of Catholic education. They were also reassuring with regard to Article 34 of the constitution of Rhineland Palatinate which maintains the teaching of religious education as an ordinary subject of the curriculum in all schools. The declaration of Minister President Dr. Kohl with regard to the change of constitution was then published as an appendage to the letter of the Bishop. Both

tone and content of the brief declaration of the Catholic Bishops are indicative of the changed attitude of the Catholic Church, with the concentration of effort now moving from the area of the form of the school system to the provision of religious education within all schools, the development of a reinforced teacher training function, in this case through the provision of a state subsidized Catholic established in-service education institute and through the strengthening and further development of the private school system. In February 1970 the draft of a new law to amend Articles 28, 29 and 143b of the Constitution of Rhineland Palatinate had been presented by the Minister President of Rhineland Palatinate<sup>(48)</sup>.

In the first reading of the legislation on 18th February, 1970, the matter was referred to the cultural political sub-committee of the provincial parliament for further discussion. The second reading then took place on 16th June, 1970, and the matter was referred back again to the cultural political sub-committee by a majority vote. The measure came up for its final reading in the provincial assembly of Rhineland Palatinate on 8th July, 1970. The constitutional changes were accepted by the provincial assembly with the necessary two-thirds majority, there being only one vote against, that of the old and former Minister President Dr. Altmeier<sup>(49)</sup>.

After almost twenty years the F.D.P. had at last achieved what it had first requested in the 1950s, that is, the introduction of the interdenominational community school. This was now achieved in Rhineland Palatinate as it had been achieved in the other two Länder which we have discussed already and the way was open, though rather later than in other Länder it is true, but nonetheless it was opened for the development of a more modern educational system and within that of course experiments with regard to the placing together of several schools into a comprehensive school. Article 28 of the Constitution now reads: "Public and private schools serve the

education of youth. In erecting public schools the province and the communities work together. The churches and religious denominations are also recognized as providing bodies". Article 29 was then simplified to "The public, main and basic schools are Christian community schools". Article 30 permitted private schools to receive public finance. Article 143b provided that in so far as elementary schools continued to exist the same provisions applied to those as applied to the basic and main schools<sup>(50)</sup>.

The political background to the reform of education in the Saarland was even more complex and difficult than in the case of the Rhineland Palatinate. To begin with the Saarland itself had been regarded by the French military authorities as a separate entity from the rest of Germany and a constitution drawn up accordingly had been approved by the French Military Governor and by the Constituent Assembly of the Saarland on 15th December, 1947. It was thus the case that in the mid 1950s the main weight and impetus of political controversy surrounded the question of whether the Saarland should return to Germany or not. In the original constitution Article 27 had laid down that the public elementary schools were denominational schools and that the middle schools, vocational schools and higher schools were Christian community schools. Article 26 then reinforced this by giving parents the right to determine the education of their children. However within this there was no right for parents to request the interdenominational school even by application. There was, however, the opportunity for children of a denominational minority to be admitted to a denominational school organized by another denomination in a case where their number might be so small that they could not themselves have fulfilled the stipulation of the provision of an ordered school organization<sup>(51)</sup>.

Unlike the Rhineland Palatinate the Saarland did not even have the saving grace of a strong and vigorous Liberal Party that could prod the two larger parties into the necessary constitutional reforms to alter the organization of the elementary school. The F.D.P., for example, did not exist in the Saarland until 1955 and, at that time, the party was called the Democratic Party of the Saar (Demokratische Partei Saar). In its basic tenets the party was not liberal but national or even nationalistic. The reason for this was that the Party had felt it necessary to support first and foremost the restoration of the Saarland to Germany. Nor was the party leadership liberal. For practical and tactical political reasons within the overwhelmingly Catholic Saarland, it declared itself committed to the denominational character of the elementary school. It took the party nine years from the restoration of the Saarland to Germany for a new basis for its educational policy to emerge. Not until the cultural political principles were presented to the 1964 party conference and passed by that conference did the F.D.P. in the Saarland come out in strong commitment to the idea of the inter-denominational school<sup>(52)</sup>. Even so the proposal was gently phrased and it was felt necessary to refer to the support of the F.D.P. for the energies and efforts of the two Churches which were devoted to Christian unity. When Dr. Hamz-Brücher undertook her visit to the educational provinces of West Germany in 1964 and 1965 the comment that she made about the Saarland was that up to a few years ago it had been amongst the most reactionary, backwoodsman and confessionally-unbending of the provinces of West Germany<sup>(53)</sup>. In a brochure which the S.P.D. prepared for the 1965 elections in the Saarland the matter was expressed more statistically. In a series of charts which compared the educational achievements of the various provinces of West Germany, the brochure indicated that the

Saarland was the province where least finance was allocated to the elementary schools, where the pupil-teacher ratio was the second highest in any elementary schools in the Federal Republic and where only some five per cent of pupils managed to obtain the Middle School Leaving Certificate. In 1962 only some 5.6% of the age cohort had taken the Secondary School Leaving Certificate in the Saarland as opposed to over 10% in Berlin<sup>(54)</sup>. The whole picture was a dreary one of a province which had not even kept pace with the slow and unimpassive developments which had taken place in the Federal Republic as a whole. In the event the S.P.D. could not claim to be entirely lacking in responsibility for this situation for they had been represented in the cabinets of the three previous governments from 1956 to 1961 although from 1956 and indeed up until today the portfolio for education in the government of the Saarland has been held continuously by a member of the C.D.U.<sup>(55)</sup>.

Meanwhile the F.D.P./D.P.S. which was a member of the government from 1961 to 1965 and then again from 1965 until 1970, had taken the initiative in pressing the government and using their position within the Cabinet to bring about a change in the constitutional position which at one and the same time affirmed the rights of parents to determine the education of their children but nonetheless, against their wish in many cases forced upon them the denominational school. As a consequence of dissatisfaction with this legal position, on 27th January, 1965, the first reading of a Bill proposed by the C.D.U. to amend Article 27 of the Constitution was agreed. The amendment envisaged that the Christian interdenominational school could be introduced at the side of the denominational school on application from those responsible for the education of the children. At the same time, and similar in fact to the stepwise pattern of development which had been taking place in Rhineland-

Palatinate the section of the Saarland Constitution which permitted the one-class school to be regarded as an acceptable and ordered form of school organization was erased from the Constitution. But this was the minimal demand and the minimal step that the Saarland could, at that time, take in the face of mounting pressure from parents for better educational opportunities for their children and in the face of developments in other parts of the Federal Republic. Indeed, one liberal party politician has commented on the way in which even in the case of the F.D.P. the demands for the reform of education in general and the introduction of the interdenominational school in particular had been nothing more than declamations. In many cases the proposals which they had made in the provincial parliament had been withdrawn before the matter had even come to a vote in deference to the F.D.P./D.P.S.'s position in coalition at that time with the C.D.U. Thus it was possible for the C.D.U. to restrain and contain the development of a more progressive educational policy within the Saarland and to slow down the process of reform.

In the elections which took place in the summer of 1965 the S.P.D. increased its share of the vote considerably from 30% to 40.7% and, in spite of the fact, that the C.D.U. increased its share of the vote also by a somewhat smaller margin there was discussion of the possibility of the establishment of a Grand Coalition<sup>(56)</sup>. In spite of the poor showing of the F.D.P./D.P.S., however, it was nonetheless possible to establish a coalition government of the C.D.U. and F.D.P./D.P.S. with the F.D.P./D.P.S. taking the portfolios for finance and forestry and for work and later on the one for economic development. A general lethargy seemed to descend upon the S.P.D. and this was reflected in the bulletin which was published by the young socialists at the provincial conference on 2nd and 3rd March, 1968, in which they criticized the work and the initiatives

that the S.P.D. had taken within parliament, alleging that the work of the provincial executive and of the party group in the provincial assembly gave cause for serious concern. However, if lethargy seemed to typify the actions of the major parties in this field at the provincial level, at the local level parents were making their own voices heard. For example, on 15th June, 1966, in Schafbrücke discussions began whereby an amalgamation could take place of the existing Evangelical and Catholic denominational schools. There was support for this from the Catholic parents' committee and from the teachers and it was possible later that month for the Catholic and Evangelical parents' committees to support the establishment of the interdenominational community school in a unanimous resolution. The following month a circular letter was sent to the parents in Schafbrücke which gave details of the resolution which had been carried. The parents were then requested according to the Law to make application for the establishment of a Christian community school. However, in the middle of that month the local Catholic priest and the headmaster of the Catholic school sent round their own circular letter in which they argued that a Christian interdenominational school would easily become a cause of conflict within the population and that, in any case, denominational schools were better suited to educate people to tolerance. Furthermore, in an attempt to justify an undifferentiated school system they stated that, for educational reasons it was better that two age groups should be educated together than that children should be educated separately according to their age. It would be inevitable they added, that three separate school systems would develop in Schafbrücke if the application of the parents was successful. Amongst the other points that they made was the need for Catholic teachers to prepare children for their first Holy



Communion and the fact that the community school sought to propagate a sort of super-religion which did not exist. Later in July the Evangelical Church community in Schafbrücke issued a declaration saying that they did not regard the form of the school to be a matter which should be determined according to denomination and that, in any case, religious instruction of a particular denomination was secured within the interdenominational school. But in spite of the unwillingness of the headmaster of the Catholic school to give out the names and addresses of the parents of the children, sufficient parents of both Catholic and Evangelical children were encouraged to make application for the establishment of a denominational school for the matter to be approved. However, on 21st September, 1966, the Catholic authorities wrote to the Minister President of the Saarland, to the Minister of Education and of the Interior and to various other officials complaining that the action of both parents' committees had been illegal, arrogant and intolerant. Members of the Catholic clergy declared, on 23rd October, from the pulpit, that Catholic children who went to interdenominational schools would not be able to take part in religious education. Finally an assembly of parents was called at which pressure was brought to bear on the parents to withdraw their application for the establishment of an interdenominational school<sup>(57)</sup>.

This was not the first time that there had been interference by the Catholic Church in the development of the school system in the Saarland by any means. For example, in the early part of 1965 a Pastoral Letter on the school situation in the Saarland had been sent round by the Bishop of Trier to be read in the churches of his diocese. The Pastoral Letter is of interest now only in so far as it brings up the old skeleton of the terror of the National Socialist regime which had resulted in the imposition of the interdenominational community

school throughout Germany. Catholic parents were exhorted at that time to demand a Catholic school for their children according to their Catholic faith and their Catholic conscience<sup>(58)</sup>.

It was not in fact until 1969 that the whole problem was taken up again. A resolution of the C.D.U. members of the provincial parliament in October of that year stated that in future the basic schools, the main schools and the special schools should be community schools or Christian community schools and that with the projected alteration of the Constitution there would therefore be no further possibility of the erection of denominational schools at the side of community schools<sup>(59)</sup>. The momentum towards a new wave of reform in the Saarland had been given by the introduction of a law amending the school organization law<sup>(60)</sup>. This was introduced on 16th July, 1969, and made an important contribution to the re-organization of the school system in the Saarland because of the way in which it re-defined the idea of an ordered school system at the elementary level as consisting of at least four successive classes to cover the first four years. The implication of this Law is then that each age-group would be taught in a separate class. The Law is of importance for it obviously militates against the further development of one-class schools but more than that makes a positive contribution to the reform and amalgamation of the rural school system. A logical consequence of this Law was that there would need to be a change in Article 27 of the Constitution of the Saarland and this was in fact introduced in October and passed by the provincial parliament on 5th November, 1969. By dint of the legislation all public basic and main schools, that is, elementary schools, special schools, vocational schools, middle schools and grammar schools become common schools (Gemeinsame Schulen). In these new common schools pupils, regardless of their religious

persuasion, are to be educated and instructed together on the basis of Christian cultural values. The alteration of the Constitution also opened the way in 1969 for a reform of the teacher education system and as a consequence of further regulations it became possible to combine the previously separate colleges of education into a unitary academic college of education for the whole of the Saarland for teachers of all denominations<sup>(61)</sup>.

The welcome given to common schools through joint statements by eminent members of the Roman Catholic and Evangelical churches in Germany had contributed in no small way to the atmosphere which enabled the reform of the school system in the Saarland to take place. And this applied even where those declarations had been made in other provinces as was the case with the declaration made by the heads of the Evangelical and Catholic churches in Bavaria (The Bavarian Evangelical Church under Bishop Dietzfelbinger had been one of the four Provincial Churches to stand out for the denominational school). The new atmosphere was epitomized by the willingness of the government in the Saarland after the reform had taken place to enable those parents who wished to continue to send their children to denominational schools outside of the school system to private schools, to be able to do this, and certain alleviations and improvements in the position of the private schools were brought about by a law which was introduced two days later amending the Private School Law of 1962. On 1st August, 1970, a basic re-organization of the elementary school system was brought about and the process of facilitating the re-development of the school system had begun. The basic ideological objectives had been reached and philosophical difficulties which lay in the way of the reform of the school system had now been cleared but the process

had only begun and it is important to recognize that it was from this point onwards that it became possible to develop experiments in the school system such as those introducing comprehensive schools and that although all children were in future to be educated together in the same schools the religious division thus having been overcome the social division of the educational system in the Saarland is only now beginning to be tackled.

The early years of the development of the state of Northrhine-Westphalia were typified by long and bitter struggles with regard to the denominational influence on the form and content of education. The political balance within the State did not help matters. In the early years, for example, the Centre Party and C.D.U. tended to squeeze out the S.P.D. and the communist party. Although the Cabinets up until 1950 were all-party coalitions, from 1950 onwards, with a short break from 1956 to 1958 when the S.P.D. was in coalition with the F.D.P. and the Centre Party, the Catholic-dominated parties tended to control politics and thus also the religious bases of the educational system. In spite of this it was not until 1950 that the Constitution was able to legally anchor the rights of parents and in 1952 a general school law with similar provisions was able to be passed<sup>(62)</sup>. In fact this latter is a brief first attempt to provide regulations to carry out the provisions of the Constitution. The legislation had been the focus of long and embittered struggles between those parties which favoured the denominational school and thus the position of the Catholic Church and those who did not. A year, but for three days, elapsed between the first and second Reading and the measure was finally passed only by 110 votes (Centre Party and C.D.U.) to 94 (S.P.D. and F.D.P.)<sup>(63)</sup>. The elections of December 1966 then saw a turning point in the fortunes of the S.P.D. For with 49.5% of the total

votes cast they were able to obtain 99 of the seats in the provincial parliament and together with the 15 seats gained by the F.D.P. establish a coalition government which has continued into the present legislative period<sup>(64)</sup>.

The complexity of the political picture was compounded in the case of Northrhine-Westphalia by demographic and ideological factors. For example, the population of Northrhine-Westphalia increased from just over eleven million in 1946 to over sixteen million in 1967 and in addition the proportion of Evangelical population has increased from about 35% in 1939 to well over 40% in 1967<sup>(65)</sup>. One major consequence of this is that although in former times there were predominantly and almost exclusively Catholic or Evangelical areas within Northrhine-Westphalia there are now no homogeneously Catholic or Evangelical areas left. 23% of the whole population of the province of Northrhine-Westphalia are expellees or immigrants. The Law of 22nd April, 1952, which was passed by the votes of the C.D.U. and the Centre Party against the opposition of the S.P.D. and F.D.P. had the effect of making the denominational school equal with the interdenominational school and the ideological school. The choice of the school form was open to the parents in theory. In practice, however, the denominational school far and away preponderated so that by the end of 1954 of the 6,027 elementary schools 3,514 were Catholic, 1,690 Evangelical whereas there were only 823 interdenominational community schools. A further effect of this was that in rural areas very many "dwarf" and one-class schools emerged so that by 1967-68 almost 29% of all elementary schools were one- to three-class schools<sup>(66)</sup>.

The mid 1960s were exciting times both for the reform of education and for the social democratic party both at national and at provincial level in Northrhine-Westphalia. In October 1966,

for example, the F.D.P. broke the coalition government which they had formed with the C.D.U. after the July elections of 1966, and the way was open for the development either a Grand Coalition on the lines of the Bonn Grand Coalition or for the development of a smaller coalition between the S.P.D. and F.D.P. Considerable pressure was exerted on the S.P.D. in Northrhine-Westphalia to form a Grand Coalition with the C.D.U. and indeed Willi Brandt the Chairman of the S.P.D. travelled down to Düsseldorf to discuss the matter with his S.P.D. colleagues in the province. It was obvious that anti-C.D.U. feeling was so strong in the S.P.D. that it would be impossible to form a Grand Coalition in the province and so with a delay of two days in order to facilitate the coalition negotiations which were continuing in Bonn at that time a coalition of S.P.D. and F.D.P. was formed in Northrhine-Westphalia.

Heinz Kühn was elected as the Minister President and in his statement of government policy he declared that it was the task of the provincial government to develop the Hauptschule as a continuation school covering classes five to nine. Thus it was clear that one of the main tasks of the new coalition government would be the re-development of the elementary school system in Northrhine-Westphalia and although in the early part of the coalition government other matters were more pressing, such as, for example, the miners' strike, nonetheless this intention was carried out from 1963 onwards. By that time the reform plans of the S.P.D. were fed by a general malaise with the educational system in West Germany and the strident demands of pupil and student power throughout western Europe.

In March 1967 a conference of the governing coalition of the S.P.D. and F.D.P. was held in Castle Kalkum and arising from this three principles were enunciated which would be at the base of the

proposed school reform. These were the separation of the basic and the main school, the removal of the guarantee of the support for smaller schools and for one-class schools and the establishment of the main school as a continuation school for children of all denominations. It would appear that the resolution and the thoughtful way in which the coalition set out its policy in the reform of the school system may have caught the C.D.U. unawares for although there were individual cellular discussions within the party there was at that time little evidence of a coherent counter-policy. All the old skeletons were now hauled out of the cupboard again including the rights of parents and transgression of the Reich Concordat of 1933 but a positive contribution of the C.D.U. to the development of a coherent plan for the reform of the school system which would enable a broader bases of equality of educational opportunity to be introduced into the Land was a long time in coming. However, eventually on 12th June, 1967, the C.D.U. members of the Northrhine-Westphalia provincial parliament did issue a resolution with regard to the re-organization of the school system in the province. This laid down certain basic principles such as the securing of optimal educational opportunity for all children, the development of a free school system and where the rights of parents were safeguarded and the development of school peace in the province. A delegation was asked to secure these principles in its negotiations with the S.P.D. and F.D.P. A common negotiating commission of the S.P.D., C.D.U. and F.D.P. took up the matter from there and even the C.D.U. had to admit that many of their demands were met by the S.P.D. and F.D.P. in a spirit of compromise. In the matter of private schools, for example, which the C.D.U. saw as complementary to the re-organization of the school system almost all of their demands were met, in spite of the fact that the S.P.D. and F.D.P.

ultimately held the key to educational reform, if they wished, through their majority within the provincial parliament. ( It must be mentioned that in order to alter the Constitution a two-thirds majority was necessitated and therefore the support of at least some C.D.U. members would also be necessary.)<sup>(66)</sup>

Thus when the parallel proposals for a change in the Constitution of the province and for the draft of the Law to amend the First Law on the Organization of the School System in the Province came up for consideration by the provincial parliament on 27th June, 1967, it was on the basis of a common draft that had been prepared by the commission of delegates from the three parties and thus contained a wide measure of unanimity on the proposals which were to go before the provincial assembly<sup>(68)</sup>. The agreed drafts were then referred, after their first reading to the main committee and to the cultural political committee of the provincial parliament with no one voting against them and with only 5 members of the C.D.U. group in the parliament abstaining. The matter of the continued discussion of the drafts in the committee stage was one of some importance to the political parties and it was eventually in common sittings of the two committees on 6th, 7th and 8th February, and later on 21st February, 1968, that the bases for an agreed Second and Third Reading was prepared. The new laws were then passed on 29th February, 1968, through their second and third readings with well over the two-thirds majority of the provincial parliament which was necessary for a constitutional amendment voting for them.<sup>(69)</sup> Copies of the laws and drafts of the regulations which were necessary to carry out these laws were then published in the journal of the Ministry of Education in March and April 1968<sup>(70)</sup>.

The main effects of the new legislation was that the elementary schools was now to be divided up into two parts, the basic school and the main school and that there would in future be autonomous



basic schools and autonomous main schools. In addition, independently of their denominational character basic schools and main schools had to fulfil the demands of what was termed an ordered school system. This meant as a rule that basic schools would be of one-form entry and that they would have four age groups within them. Main schools, on the other hand, would be two-form entry and would have five age groups within them. The usual school form of the main school was that of an interdenominational community school and the denominational school was only allowed on application. The new legislation called forth from the Catholic hierarchy of the dioceses Aachen, Essen and Münster and the Arch-Dioceses of Cologne and Paderborn a joint Pastoral Letter which though measured in its terms exhorts Catholic parents to apply within their places of residence for the erection of Catholic schools<sup>(71)</sup>. The letter is noteworthy in so far as it does not attack the legislation but within the bounds of the legislation encourages Catholic parents to exercise the right that the law gives them. In this respect it epitomizes the new spirit of willingness to work within the law and develop the best school system for all children which had emerged from the ideological clashes between the three parties and the two churches in the mid 1960s. By 1970 the problem of the denominational school in West German education had by and large been solved, although not in every case had the denominational school been abolished. It was still possible, for example, in Northrhine-Westphalia for parents to apply for the establishment of a denominational school. Nonetheless the foundations had been laid for the development of an educational system which could now attack some of the broader political issues, such as the development of greater equality of educational opportunity, of curriculum reform, of more democratic participation, and the establishment of strategies calculated to help educationally disadvantaged children which had

previously had to take the hind seat to issues of deeper ideological significance for the major contending partners but of very much less significance for the establishment of an educational system which was more modern, up-to-date and appropriate to the needs of children and the development of greater equality of educational opportunity. It can thus be argued that an agreed ideological base had now been established for the educational system of West Germany and it is interesting to note that from this moment onwards the main debate within the field of education in West Germany centred not around the denominational form of the school system but around its organization in terms of developing greater equality. It is thus such questions as the curriculum of the school and the content of that curriculum and, in particular, whether there should be a differentiated school system or a unified comprehensive type of system to which the main battle ground of ideological commitment within the educational system had now shifted. Issues such as those of parental rights are now transmuted into issues of participation of various groups including parents but certainly not excluding students and pupils within policy-making in the educational system.

In December of 1966 the S.P.D. had joined the C.D.U. in the Grand Coalition. In the following three years educational policy in the Federal Republic took a distinct upward turn in terms of both quality and quantity and became ever more animated as the 1969 General Election approached. Educational policy issues featured large in the pre-election party programmes and campaigns. In addition to the Party Conferences in 1967 and 1968, each of the major contestants issued extensive commitments to education. The C.D.U. held a Cultural-Political Congress in Bad Godesberg in

February/March 1969 which came out strongly in favour of a reform of the educational system based on the differentiated achievement school (differenzierte Leistungsschule)<sup>(72)</sup>. The F.D.P. launched its cultural political offensive under the banner of the "open school"<sup>(73)</sup> and the S.P.D. advanced apace with a commitment to the Gesamtschule (comprehensive school) as a part of a model for a democratic educational system<sup>(74)</sup>. It was clear that whichever party won, education would be at the top of its list of priorities and indeed in his government declaration, following his party's victory, Chancellor Brandt made exactly that pledge<sup>(75)</sup>. Education had now become a major focus of interest in the consumer society and the parties were pressing hard to sell their educational wares. What this meant in terms of the reform of the content, organization and control of education, we go on to discuss in the succeeding chapters of Part Four.

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CHAPTER FIFTEEN

CURRICULUM REFORM

In this chapter we pick up the theme of the development and reform of the curriculum which we last dealt with in Chapter eleven. As in that chapter, we are here concerned with the themes of religious education and of political education in the period from 1965 onwards. The school prayer question raised in our last curriculum chapter gradually faded away and has never been resurrected. In our last chapter we attempted to portray the ideological changes which were taking place in West Germany and in particular in the inter-action of the Churches and the political parties in the field of education in the late '60s and early '70s. Our task in this chapter is to trace through the analysis into the content of education.

In the field of political education there is a clearly recognizable break in the mid-1960's from the post-war emphasis on a liberal, anti-totalitarian, representation to parliamentary-democratic order as the consensus base of causes in political education to the growth of a view which sought a radical, socialist, participatory type of political education, and which regarded the previous period of political education as manipulative, conservative, repressive and inegalitarian. Although it would be wrong to over-emphasize the extent to which this second phase may ever represent a basis for consensus, there was certainly in the late 1960's an increasing tendency for reformulations of political education to be identified more and more with what might loosely be termed a classless socialist view of society. In religious education the break

although not so marked is nevertheless significant in the acceptance of the need for reforms and its gingerly espoused commitment to greater freedom of choice. In this sense both of these areas of the curriculum manifest the early stages of progression towards greater freedom of choice in education and represent an at least formal recognition of the need for greater equity. We begin with religious education, where although the change is qualitatively less dramatic, it may in the event prove to be quantitatively more significant in the long term for German education.

It is clear that the main influence purging the Catholic Church in West Germany and its attitude to education in the period from 1965 onwards was the edicts and deliberations but much more important the spirit of the Second Vatican Council. In fact in its words alone, the declaration on education of the Second Vatican Council did little more than confirm previous Church legislation such as the Corpus Iuris Canonici as propounded most notably in the Encyclical Divini illius magistri. For example, the rights of the individual person to education were stressed, the role and rights of parents were once again emphasized, the importance of the family in the education of children was reiterated and the role of the Church in the education of young people was restated. Particularly highlighted was the inalienable right and duty of parents to educate their children and the fact that to facilitate this they must be free in their choice of a school<sup>(1)</sup>. This was followed by a discussion of the importance of the Catholic school in fulfilling the work of God. The declaration had little new to say concerning the area of religious education. In a follow-up announcement by the German Bishops on the school question which was published on 4th March, 1966, the Bishops reiterated the importance which the Second Vatican Council had

attached to Christian education and the necessity and importance of the Catholic school. The Bishops reminded Catholic parents and teachers of their obligations with regard to religious education and exhorted them to feel a responsibility for the whole educational system<sup>(2)</sup>. However, the wind of change took quite a while to penetrate the corridors of power of the Catholic Church in West Germany and it was not really until the meeting of the Hildesheim Synod of the Catholic Church in Germany in May of 1963, when for the first time lay-members were allowed to participate in the deliberations of the Synod, that a real and fundamental change took place in the previously so authoritarian relationships within the Catholic Church<sup>(3)</sup>. It was not that the Synod itself had a great deal to say about religious education and yet from that moment onwards an unease concerning the state of religious education teaching within schools manifested itself as a counterpart to the deliberations and discussions which were taking place within the school system in general about the content of education. These had been stimulated by previous Anglo-Saxon concern with curriculum development and its quixotic penetration into German education but also the movement towards new forms of school provision, such as the main and comprehensive schools.

In a sense it is not to single out the Catholic Church in West Germany for censure because the effects of Vatican II and the message of aggiornamento took so long to achieve a mercurial entry into its organization and to influence its working. One of its major effects of the Second Vatican Council was a process of opening up and a turning outwards of previous obsessions with internal matters, which had so long appeared becalmed and myopic. The Church was now increasingly concerned with such matters as the problems of the whole world, the critical state of humanity, the lot of the

countries outside of the industrialized and opulent countries of western Europe and this is reflected in the topics and concerns of the various national meetings of the Catholic Church during this time. The deliberations of the 83rd German Catholic Congress in 1970 are a very good instance of this new-found matter of factness where the problems of the third world were discussed and the theme of reform dominated the discussions and deliberations of the meeting<sup>(4)</sup>.

Now, however, in the late 60s just as the Hamburg Agreement of the Ministers President of the Provinces of the Federal Republic on the unification of the school system in 1964 had jogged recalcitrant provinces into taking steps to reform their school systems and brought to a head problems such as the denominational organization of education, so the continuing implications of that reform and of the establishment of the German Council for Education in 1965 meant that the Churches were increasingly drawn away from organizational reform where the battle was in any case lost but little by little they were now called upon to face the new role of religious education within a state which was almost totally committed to the idea of the interdenominational community school. In addition, impulses from England and America with regard to the reform of the curriculum on the basis of a behavioural definition of objectives and increasing evidence of a concern in German research institutions with the reform of the curriculum meant that the Churches were faced with a radical re-appraisal of the content and aims of religious education<sup>(5)</sup>.

Evidence of the increasing concern with the state of religious education is provided by the declaration of the conference of German Bishops which took place in December 1969. The declaration issued by the Conference is interesting for the way in which it heralded the opening of a second front in the Church's struggle. The first was

was the undoubted need to reform quickly the content and aims of religious education, particularly Catholic religious education, in the schools the other, however, was the need to measure carefully proliferating moves towards an interdenominational religious education. It is clear during the three or four succeeding years the main areas of concern with regard to religious education in school have been just these two. The document, to which were appended excerpts from the Concordat of 1933 and those sections of the Basic Law of 1949 which were to do with religious education, outlined the task of fitting religious education to developments and demands within the field of the Church, theology, society and the school as being a matter of urgency. As a consequence, in addition to reiterating the indispensable role which religious education plays in schools, the need for it to present an objective portrayal of faith and to be carried out on a denominational basis the declaration proposes the setting up of a specialist committee that would look more closely at the function and place of religious education in the school in the various school types and school forms and which would make proposals and develop models for the subject and composition of working parties which might pursue the question of the co-operation of the two denominations<sup>(6)</sup>.

Arising from this a special commission for questions of religious education in the schools was set up and reported in December of 1970<sup>(7)</sup>. Making reference to the malaise which the changes within the school system, within theology and within the Church had caused within the area of religious education, the declaration makes reference to certain fundamental questions. The declaration is noteworthy for the attempt which it makes to objectify the position of religious education and its role within the school. In particular, it points out in detached almost legalistic terms the constitutional basis on

which the state affords to the religious groups and churches an opportunity to participate in the curriculum of the schools. It substantiates a case for the teaching of religious education on a denominational basis as being one way of answering those very important questions which are raised by modern youth within the school and it stresses the importance of scientific methods. The tenour of the document is governed by the idea of service: the service which a Catholic religious education can offer to young people rather than on any attempt to impose dogmatic statements on unwilling students. In an attitude of a most detached humility the Commission was of the opinion that the results of current curriculum research were so important that the solution of problems within the area of religious education should be delegated for consideration to qualified committees. In particular reference was made to the German Institute for Academic Education in Münster and to the importance of the in-service provision of teachers a statement which was to lead to the establishment of such institutes financed by the Church. It recommends that in addition to those super-regional institutions for in-service education which already existed should be established further such institutes. Furthermore, it proposed that the diocesan catechetical institutes should be extended and that there should be smaller centres in as many smaller places as possible.

Some of the recommendations were swiftly implemented, such as the one for a curriculum commission and the movement continued to gather momentum. In their meeting on 22nd and 23rd November, 1972, the German Bishops Conference made a further statement on religious education. Once again the emphasis is upon a facilitating role for religious education and the way in which such instruction can offer to students an opportunity to come to know the answers which the Church proves to their questions. Tolerance and understanding and

the development of responsibility in the Church and in society were questions which were very much to the fore. One of the major tasks of religious education, however, was seen as the enabling of the individual to make personal decisions in his consideration of the beliefs and religions of others and their ideologies in order to contribute to the development of an understanding and tolerance of their decisions. In this emphasis on service, on understanding, on tolerance and on responsibility the declaration fully reflects the lighthouse beam of change emanating from the Second Vatican Council but much more important even than this it gives safe haven to the charting of a whole new approach to religious education on the part of the Catholic Church in West Germany. The Catholic Church was beginning to accommodate to the needs of a pluralist and rapidly democratizing society.

An added urgency was given to the deliberations about religious education by an agreement of the Standing Conference of Ministers of Education on 7th July, 1972 with regard to the restructuring of the upper part of the secondary selective school<sup>(9)</sup>. This introduced a whole dimension of choice into the curriculum that the student could build up for himself at this stage of education and, in particular, with regard to the subjects which he will present himself for in the examination for the Abitur. The agreement had the character of guidelines which would need to be interpreted on the basis of regulations and decrees and be issued by each Minister of Education and thus translated into the school practice. The Catholic Church with a renewed vigour was not slow to see the implications of the element of choice which was to be built into the stage of education and which was to take place in such a way as not to offend against legislative provisions that religious education should be a regular subject of instruction in all schools.

The reaction was appropriate for time was short. Already in August in the province of Northrhine-Westphalia sixty-five selective secondary schools were instituting experiments on the basis of the draft recommendation of the Permanent Conference of Ministers of Education. A special commission was set up in the Province which devised recommendations responding to the substantive and organizational implications of the reforms and the school departments of the five diocese in Northrhine-Westphalia began to publish material which could explain and elucidate the re-deployed position of Catholic religious education in the new upper secondary stage<sup>(10)</sup>.

In other Länder the implications of the agreement of the Permanent Conference of Ministers of Education was being interpreted in different ways and in some cases by the provision of joint commissions of Evangelical and Catholic specialists who drew up courses of study for a combined basic instruction in Evangelical and Catholic religion<sup>(11)</sup>. Such was the aim of the plan which was put forward by the Commission for Evangelical and Catholic Religious Instruction in Baden-Württemberg in December 1972. Although the report of this Commission and its recommendations are approved only ad experinendum for a period of two years, nonetheless the project is of epoch-making importance in the development of a relationship of brotherly rivalry between the two Christian Churches in West Germany.

In the case of the Evangelical Church the area of religious education in the mid 1960s was faced by what has been called by one author the crisis of religious education<sup>(12)</sup>. Although, for example, the Council for the Evangelical Church in Germany established in 1962 a chamber for education, culture and instruction it is fair to say that no serious practical initiatives came forward from this body and that its attraction was little more than esoteric. Not



until 1967 did the Synod of the Evangelical Church in Germany on the initiative of Professor Sucker, the Church President of the Evangelical Church in Hessen and Nassau, press further its work with regard to cultural and educational questions. The committee for cultural policy was established which in turn put forward recommendations that there should be at all Synod Congresses a cultural political committee and a reconstitution of the chamber for educational questions which had been set up in 1962. Attempts at overcoming internal dissension and the particularism of much of the Evangelical Church's policy in the field of education were in fact not immediately successful and the work lost impetus partly due to the tragic death of Dr. Sucker in late 1968 and partly due to the fact that because of disagreement with regard to who should take over the chairmanship of this committee all members of the Chamber gave back their brief to the Evangelical Church in Germany in the Autumn of 1969. Moreover as with the Catholic Church increasing attention was being given in these years at least at Federal level externally to matters concerned with developing countries and internally to the constitutional and organizational consequences of the de facto political split between East and West Germany for the formerly allegedly united Evangelical Church in Germany<sup>(13)</sup>. The attention of the Council of the Evangelical Church in Germany was also particularly concerned about the political unrest in West Germany in the late 1960s.

However, in December 1969 the Church Conference of the Evangelical Church in Germany began to discuss the parlous state of religious education and it asked the Council of the Evangelical Church in Germany to investigate the situation of religious education in West Germany. Accordingly the Council of the Evangelical Church in Germany established two commissions. One commission had the task of clarifying the interpretation of the

legal basis of religious education and a second commission was to discuss and investigate the religious educational tasks which were implicit in this. Both Commissions were constituted in May of 1970. Increased urgency was added to the work of both of these commissions by the publication in the Spring of 1970 of the structural plan for the educational system which gave the appearance of tolerating religious education but did not plan it as an organic part of the school, or at least this was the way that it struck prominent Evangelical educationists<sup>(14)</sup>.

What seemed to be needed if the Evangelical Church was not to be completely bypassed by the plethora of changes and reforms in the educational system at large was the development of a convincing, compact and practical theory of its thought and action in this particular field<sup>(15)</sup>. The first commission which had been established by the Council of the Evangelical Church in Germany and had been entrusted with the brief of investigating the legislative basis of religious education had soon reported but held itself in readiness for further investigations should these be necessary in order to support the work of the second commission. The second commission, as at that time discussion was already beginning to be stimulated by the work and thinking of the Permanent Conference of Ministers of Education into the reorganization of secondary education, had decided to adopt a step for step approach towards its brief and to attempt to devise recommendations on one area of education at a time, the upper secondary stage being first. The writing was in any case on the wall, for the German Council for Education had excluded the subject of religious education from its proposals for experiments with comprehensive schools and from its suggested curriculum for the upper secondary stage. The need for a counter attack was clear if religious education in the schools of the future was not to become a negligible quantity. Commission Two

had prepared its report by the early part of 1971 and had in general approved the theoretical bases of the 'Structural Plan' put forward by the German Council for Education. It had moreover proposed with regard to the specific problem of religious education in the upper secondary school that the subject of religious education should be incorporated within the sociological areas of study which already existed as a group in order that it should not be isolated.

In this it was following an early and important development which had taken place in Bavaria from 1970 onwards when a so-called Munich model for the development of religious education had been worked out. This can be traced back to work which began as early as 1968 in the Institute for the Educational Study of Selective Schools whose work has been reported upon by the Bavarian Ministry. From September 1970 the assistance of the Institute for School Education in Munich was enlisted in order to assess and monitor the practical application of the theoretical models that had been worked out in the previous two years by the former institute. The result of this collaborative exercise was then published in 1972 by the Bavarian Ministry. The material and guidelines for Catholic and Evangelical religious education which were partly prepared and scrutinized by combined working parties and groups of both Catholics and Evangelicals are extensive, forward-looking and appropriate both to the stage of development of the students concerned and also to the state of development of a technological and highly industrialized society demanding a sophisticated interpretation<sup>(16)</sup>.

The self-confidence of the Evangelical Church in Germany and of its constituent churches seemed to have been rejuvenated. But something more than this. The constituent Churches themselves realized that with the increasing importance of the role of the Federal state in educational matters there was need for an equivalent

voice of the Evangelical Church in Germany at a Federal level and thus several of the constituent Evangelical Churches carried unprecedented resolutions supporting the work of the Evangelical Church in Germany in this particular area<sup>(17)</sup>. At the same time the individual provincial Churches were assiduous in taking their own initiatives to improve provision throughout 1970, 1971 and 1972 in the field of religious education. The Evangelical Lutheran Provincial Church in Schleswig-Holstein, for example, determined in the Autumn of 1970 to call a special conference in the Spring of 1971 which would deal with questions of religious education in particular and the role of the Church in general. Six specialist committees were set up and one of these, the second, had the task of studying and reporting on the school and religious education. The forty-first meeting of the Provincial Synod of the Evangelical Church in Schleswig-Holstein then issued the recommendations of the different working groups in the form of comments and proposals. For example, it was felt necessary for the Church as a whole to react at the Federal level to the 'Structural Plan' of the German Council for Education. The reaction of this and other Churches was indicative of a new development within German Protestantism in so far as the individual provincial Churches had always previously been extremely jealous of their power and the extent to which they delegated this to the Evangelical Church in Germany and this was reflected in parallel thorny discussions of a new constitution for the E.K.D. Here, however, were several of the provincial Churches actively supporting initiatives of the E.K.D. and exhorting the E.K.D. to take up a unified view with regard to the development of education and particularly religious education in West Germany. The Synod did not restrict its comments to the field of religious education although these are the ones which

concern us most in this chapter. It also referred to the organization of the training of teachers of religious education and the need for an attempt to overcome the shortage in that area and also on such general educational matters as the proposal to establish a comprehensive university at Flensburg<sup>(18)</sup>.

The inter-play of provincial and Federal initiatives and the inter-linking of these with initiatives being taken by the State and by the Churches provided a medley of progress during the summer and early autumn of 1971. In July, for example, the Council for the Evangelical Church in Germany considered the report of Commission One on the legislative situation of religious education and recommended it to the provincial churches for their consideration. Two months later the Federal Provincial Commission for Educational Planning stated that there was agreement with regard to amongst other things the reform of the upper stage of secondary education. In October the Schleswig-Holstein Church issued its publication on religious education and instruction in the public educational system and in November of that year the Synod of the Evangelical Church in Germany made a statement at its meeting in Frankfurt-am-Main on co-responsibility of the Church for education and instruction. A common stand was provided to all these developments by the desire that the Church should have a voice both at provincial and at federal level in determining how the educational system as a whole might be reformed but also how the provision of an up-to-date service of religious education in the schools and especially at the upper secondary stage might be effected. Somewhat surprisingly there was concern, as there was on the part of the Catholic Church authorities that religious education should be incorporated within the sociological group of subjects which were to be studied at upper secondary level according to the recommendations of the K.I.I.K.

and also that there should, if possible, though there was a certain amount of controversy here, be joint commissions and working parties of the Evangelical Churches and the Roman Catholic Church<sup>(19)</sup>.

Early in November of that same year the fourth Synod of the E.K.D. in an unprecedentedly toughly-worded communique set out its recommendations and proposals for religious education as an ordinary subject of instruction in the public schools. Approving the recommendation of the Council of the E.K.D. on the position of religious education in the upper secondary school as the basis for negotiations with federal and provincial authorities and with the Catholic Church, the Synod expressed its co-responsibility for religious education in school and stated that this must be secured in order that pupils might be able to exercise their right to religious education in the school of the future. After welcoming the work of the member Churches in the religious education institutes and catechical centres, the Synod then proceeded to enunciate its expectations. These were that it expected from the member Churches that they would be more active than previously with regard to the requirements, material and of personnel, that the drawing up of new curricula would demand. It was bluntly stated, that developments would necessitate better co-ordination and co-operation of existing institutes and organizations and better support for the Comenius Institute as a centralized place for the marshalling of religious educational research and educational planning<sup>(20)</sup>.

The profile of the political parties in the necessary reforms which were being introduced by the Churches in the late 60s and early 70s was low and the major parties have been happy to keep it so to this time. Apart from the fact that in the area of curriculum all political parties saw the necessity for a scientific and deliberated approach to curriculum reform as a whole and within this, to the

reform of religious education, and thus gave whole hearted support to projects of research into curriculum reform as, for example, in Bavaria in the case of C.S.U. and in Hessen in the case of the S.P.D., the period was not one of great conflict between the religious and political parties in the field of religious education<sup>(21)</sup>. In any case in the first part of the period under review, that is from 1965 onwards, in some Länder there was still continuing conflict about the denominational organization of education and particularly private education and this tended to preoccupy the main field of competitive contact between the Churches and the political parties until 1972/73. Added to this in the second half of this period the major concern of the Churches seemed to be pre-occupied with their own organizational and constitutional change or with improving the service which they could offer to the faithful both outside of school and in school in the form of religious education programme. These did not, as a whole, prove to be areas of considerable conflict although we shall be going on to qualify this with some examples of the way in which increasingly towards the end of this period the political parties and the Churches in some Länder at least saw their vital interests at stake in the area of religious education and social studies, social or sociological studies in the curriculum and this was to lead to new conflicts breaking out.

The reports of the various party groups in the provincial parliaments confirm for the period up to 1973, that the main areas of concern of the political parties were ones where it was unlikely that they would enter into conflict with the Churches, such as pre-school education, vocational education and university and higher education. However, in 1972 and early 1973 the question of the content of the curriculum became an increasing area of conflict and particularly in Hessen and Northrhine-Westphalia. The area of the curriculum of education in the form of such issues as disciplinary

or interdisciplinary work, the new mathematics and foreign language teaching, had already been taking on greater prominence in the party programmes in the time up to the 1972 general election. The S.P.D., for example, had called for a democratization of the content of education in its election manifesto<sup>(22)</sup>. Hessen had established under its socialist government in 1968 a Grand Commission for the Curriculum which under the Chairmanship of Professor Klafki was to attempt to prepare and test new curricula for all the Hessen schools up until 1971. This attempt to work out educational syllabuses scientifically proved abortive. In 1971, therefore, new special commissions were set up which were given the task of developing new outline syllabuses taking into account the work of the Grand Commission and to provide curricula which were to be oriented to the stage of education, not the school type, and to define behavioural and educational objectives. By the end of 1972 these reports were already available in Hessen for the basic school and for the upper age ranges of the elementary school and these were then followed by the guidelines for the selective secondary school in 1973. In Northrhine-Westphalia the guidelines for political education were constructed in the Ministry on the basis of the work of Professor Blankertz, and although in neither Land is the work on political education based on a clearly recognizable theory, it is clear that in the case of Hessen the new guidelines are based on a 'tuned-down' Dahrendorf conflict theory of society<sup>(23)</sup>.

The whole development of the school system in Hessen at this time was surrounded by intense conflict between the C.D.U. and the S.P.D. with the C.D.U. consistently complaining of cases of socialist indoctrination and propaganda in school instruction. What is certain is that at this time left-wing radical groups were active in Hessen not least in the university of Frankfurt and that a meeting of the Frankfurt School Committee was interrupted by the



activities of a group of left-wing radical teachers and pupils<sup>(24)</sup>.

Two particular areas of concern for the C.D.U. in the subject of political education were the way that matters of national defence and of national military service were dealt with. The whole issue came to a head in a debate resulting from questions raised by the C.D.U. with the S.P.D. government and in the publication by the C.D.U. of an extensive documentation on socialism in the schools in Hessen. This raised considerable interest, concern and attention far beyond the boundaries of Hessen about the ideological way in which the content of education should be determined<sup>(25)</sup>. And it was such ideological misgivings as this that both the Catholic Church in Hessen and the C.D.U. shared with regard to the publication of the new outline syllabuses for the curriculum. Although these guidelines were, according to a circular letter which was issued by the Ministry of Education in Hessen in August 1972, only sent out as a basis for discussion and testing, nonetheless the Catholic Church in Hessen and in particular the three bishoprics represented in Hessen those of Fulda, Limberg and Mainz felt it necessary to react to the publication of these guidelines not just with regard to those for religious education but to also with regard to those in other areas such as German, sociology and art and visual communication. A word of explanation is necessary here with regard to the new guidelines and particularly those in political education. In the first place the previous disciplines of history, geography and politics were combined into Gesellschaftslehre (the study of society). Based on an attenuated conflict model of society, as we have explained above, the main objectives were the development of self and co-determination and the recognition of the need for more democracy. The pupil was to be enabled to see himself as a zoon politikon and to be critical of the structures and institutions of existing society<sup>(26)</sup>. Thus, although the guidelines took their point of

departure from the Federal and State Constitutions it was inevitable that they should arouse the anxiety and reaction of the C.D.U. and the Churches.

The C.D.U. attacked the guidelines in Gesellschaftslehre as a means for class conflict, indoctrination and manipulation. They were opposed to the loss of traditional subjects such as geography and history and attacked the politicizing of the subject German. Most of all they were in fundamental disagreement with what they erroneously interpreted as a Marxist view of society. The reaction of the C.D.U., though predictable, is nonetheless ill-judged and precipitate even in the face of what are clearly open to interpretation as subversive tendencies in the guidelines. It was also deleterious to the judicious assessment of the guidelines which they demanded when they were published as a basis for discussion.

An interesting epistemological problem is raised by the way in which the C.D.U. attacked what they saw as the abolition of traditional subjects such as history and geography and it is similar to the questions posed by their attitude to the guidelines for German and raises the whole issue of the relationship of bourgeois values to bourgeois language. Although on occasions polemical, as when it accuses the drafters of guidelines of using the "sociologist's Chinese of the new anti-enlightenment", it does nonetheless for the first time in party political controversy in West Germany raise the whole issue of language and its role in society - and this is a major advance<sup>(27)</sup>.

The reaction of the Catholic Church was in many ways remarkably restrained. In a declaration concerning the outline guidelines, for example, in Catholic education the three Hessen bishoprics expressed their concern. But the declaration breathed the new tradition of Catholic participation in the development of the educational system and particularly in the formulation of

curriculum content. It is a considered document which strains upwards to objectivity and attempts to give credit where credit is due at the same time as expressing very substantial misgivings with regard to the impression of a purely anthropological basis for religious instruction which is, according to the Bishops, given by the guidelines. The document is fairly extensive and recounts to Catholics in Land Hessen the development in curriculum reform so far in a chronological context and giving information about the way in which comments and criticisms of the guidelines can be sent forward to the two further commissions which had been established, the one a lay, state commission and the other a committee established by the Catholic Church but whose chairman is also a member of the lay commission<sup>(28)</sup>.

In a similar considered vein, the statements of the Catholic Provincial Conference for School and Education in Hessen at its full assembly on 19th June, 1973, considered the new outline syllabuses giving measured criticisms and proposals for alterations. In a brief document but one which is remarkable for the understanding which it shows of the difficulty of drawing up curricula in the areas chosen and for its sensitivity to the problem of devising syllabuses within a pluralist society the provincial conference takes issue with the way in which the general objectives of the new outline syllabuses are laid down and in particular with the model of society on which they are based. In particular in this area they are critical of the emphasis placed upon a conflict model of society which in the new outline syllabuses is, they feel, presented almost in an absolute way which neglects the recognition of commonalities within society. The question of the values and norms implicit in the syllabuses is also raised and issue is taken with the way in which they imply that traditional values and norms can no longer

legitimate the existing social system. Lastly, they find fault with the understanding of the human being which is implicit in the outline syllabuses where social life is seen as a compulsory living together which restricts the individuality of the human being and his self realisation. On the basis of these criticisms the provincial conference argues for an attenuation of the one-sided view of society contained in the syllabuses and the substitution of a much more realistic way which will emphasize not the prevalence of ones own interests but the search for compromises in an atmosphere of mutual respect which maximises the ability to act regardless of all differences of opinion. The outline syllabuses, the provincial conference goes on, must be so conceived that neither the teachers nor the pupils are restricted to one particular view of reality but have the opportunity and the possibility to get to know and to adopt alternatives. Finally, they argue that no one method of instruction should receive exclusive attention but rather that the formulation of objectives must be appropriate to the age, ability and learning capacity of the children. The whole has the appearance and the substance of a detached attempt to appraise and to criticise the outline syllabuses presented by the Ministry and to make positive proposals with regard to how they can be improved on the basis of one expressed particular ideological point of view. In their academic approach to the presentation of arguments and criticism they are representative of the new phase of activity of the Churches in Western Germany in the period of the early 70s and their response to the challenge of the new guidelines is appropriate to and helpful for a pluralist society. They acknowledge the presence of the Church as one interest-group with its own values and norms competing with other interest-groups with their own values and norms in society. In a spirit of tolerance and humanity, however, they attempt to present

arguments on the basis of a positive academic and detached approach which nonetheless has reality for the members of the various churches. In this respect they signify an enormous leap forward in the role of the Churches in the life of West German society and a greater willingness to accept the hazards of co-existence in an open society. A similar willingness to discuss, appraise, encourage and to seek out the kernel of the opponent's argument and objectify ones own response is also manifest in the more recent declarations of the Bishops<sup>(29)</sup> with regard to religious education and in particular the new guidelines in the province of Hessen. In this respect the controversy in Hessen about the new outline syllabuses is indicative of a whole new epoch in the relationship of both churches with the state in the field of education and in particular with regard to the curriculum. Almost erased are the old pettiness and mutual resentment. In their place is a new kind of toughness in the battle to negotiate reality, but one which is more open and conducive to the recognition of the necessary diversity of views that democracy implies. The inexorable logic of this change is a change in society and its view of knowledge. One which will also serve people in modern society better than the old conflicts did.

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1. The text of the Vatican II declaration is taken from a German source. See Bischöfliches Vikariat Essen, Dokumente zur Schulfage (Essen: 1966), pp. 4-10.
2. "Erklärung der deutschen Bischöfe zur Schulfrage von 4 März 1966", in Bischöfliches Vikariat Essen, op. cit., p. 11.
3. For a report on the 1968 Synod and the interesting comments of the observer from the Evangelical Church, see Bauer, R., "Katholische Kirche beschritt neuen Weg", Rheinische Post (1968), XXIII: 116 (18th May), p. 2.
4. "Problems of Third World and Reform dominate Catholic Congress at Trier", The German Tribune (1970), no. 442, p. 5.

5. One of the most influential German texts and in many ways the starting point of more recent curriculum development work in West Germany was Robinsohn, S. B., Bildungsreform als Revision des Curriculum (Neuwied and Berlin: Luchterhand, 1967).
6. "Erklärung der Deutschen Bishopskonferenz zu Fragen des katholischen Religionsunterrichts in den Schulen (vom 22 Dezember 1969)", in Erzdiözese Paderborn-Schulabteilung, Mitteilungen (1973), no. 13, pp. 9-10.
7. "Erklärung zum Religionsunterricht", ibid., pp. 4-8.
8. "Erklärung der Deutschen Bishopskonferenz zum Religionsunterricht", ibid., p. 3.
9. The basis for discussion and decision was a document produced by the K.M.K. Ständige Konferenz der Kultusminister der Länder, Entwurf einer Vereinbarung zur Neugestaltung der gymnasialen Oberstufe in der Sekundarstufe II (Bonn: 1972). See also Ständige Konferenz der Kultusminister. Vereinbarung zur Neugestaltung der Sekundarstufe II vom 7 Juli 1972 (Neuwied: Hermann Luchterhand Verlag, 1972).
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11. Lehrplankommission für den Evangelischen und Katholischen Religionsunterricht in der gymnasialen Oberstufe in Baden-Württemberg, Lehrplanentwurf für Grundkurse in Evangelischer und Katholischer Religionslehre auf der reformierten Oberstufe der Gymnasien in Baden-Württemberg (Stuttgart: 1972).
12. Schreiber, H. M., Interaktion Kirche-Schule (Hamburg: Furche Verlag H. Rennebach K. G., 1971). Schreiber is perhaps unduly pessimistic with regard to the real progress which has been made in accommodating to changed political and religious realities in West Germany by the E.K.D.
13. See "Wort der E.K.D. zur innenpolitischen Unruhe in Deutschland", Der Tagespiegel (1968), XXIV: 6885 (4th May), p. 1.
14. Deutscher Bildungsrat, Strukturplan für das Bildungswesen (Bonn: 1970).
15. The judgements are made by Schreiber, op. cit., p. 21.
16. Bayerisches Staatsministerium für Unterricht und Kultus (ed.), Schulreform in Bayern (Band II: Kollegstufe am Gymnasium) (München: 1972), especially pp. 37-59.
17. For example Evangelische Kirche von Westfalen, 6 Westfälische Landesynode am 15 Oktober, 1971, "Beschluss Nr. 81". Provided by Landeskirchenamt Bielefeld, (mimeo.).

18. Evangelisch-Lutherische Landeskirche Schleswig-Holsteins, "Die Verantwortung der Kirche für Bildung, Erziehung und Unterricht-Beschlüsse der 41 Landessynode der Ev.-Luth. Landeskirche anlässlich ihrer Tagung vom 21-23 Mai 1971 in Rendsburg", Beilage des Kirchlichen Gesetz- und Verordnungsblattes von 1 Juli 1971.
19. Recommendations were transmitted with this content by the member Churches to the E.K.D. and similar proposals were the subject of public exhortation by prominent members of the Churches. See "Religionsunterricht in der Sekundarstufe II, Evangelische Kommentare (1971), no. 6, pp. 348-350.
20. Kirchenkanzlei der Evangelischen Kirche in Deutschland (ed.), Die evangelische Kirche und die Bildungsplanung (Gütersloh: Gütersloher Verlagshaus Gerd Mohn, 1972), pp. 104-106.
21. See for example the action programme approved by the 1970 C.S.U. Party Conference, Landesleitung der Christlich Sozialen Union in Bayern, Aktionsprogramm Kulturpolitik (Munich: 1972), especially pp. 8-9.
22. See Vorstand der S.P.D., Wahlprogramm der S.P.D. (Bonn: 1972), p. 44. (The Election Manifesto was approved at an Extraordinary Party Congress in Dortmund in October, 1972.)
23. The work of the Commissions in Hessen is briefly referred to in the Hessen biennial report to the Permanent Conference of Ministers Ständige Konferenz der Kultusminister, Kulturpolitik der Länder 1971-1972 (Bonn: 1973), pp. 115ff. The text for Northrhine-Westphalia was published in April 1973 as Der Kultusminister des Landes Nordrhein-Westfalen, Richtlinien für den Politischen Unterricht (Düsseldorf: Lehrmittelverlag Wilhelm Hagemann, 1973).
24. An account of these conflicts is given in C.D.U. Fraktion im Hessischen Landtag, Arbeitsbericht 1972 (Frankfurt: 1973), p. 6.
25. C.D.U. Landesverband Hessen, Sozialismus im Hessischen Schulwesen (Wiesbaden: 1972).
26. See Der Hessische Kultusminister, Rahmenrichtlinien: Sekundarstufe I, Gesellschaftslehre (Frankfurt: 1972).
27. See C.D.U. Landesverband Hessen, Marx statt Rechtschreibung (Wiesbaden: 1973). I am grateful to colleagues at the University of Frankfurt for accounts of this controversy.
28. Bistümer Fulda, Limburg und Mainz, "Erklärung der Schulreferenten der Hessischen Bistümer zu den Rahmenrichtlinien für Katholische Religion", April 1973.
29. The recent pastoral letter of the Bishop of Mainz is indicative of this "new epoch" in church participation in education in West Germany. See "Die Situation des Religionunterrichtes an den Schulen: Hirtenbrief der Bischöfe von Fulda, Limburg, Mainz und des Kapitularvikars von Paderborn zum Schuljahrsbeginn" Mainz, 1. August, 1973.

CHAPTER SIXTEEN

ORGANIZATIONAL REFORM

The early part of the post-1965 period was dominated above all by the Hamburg Agreement of the Minister Presidents of the 29th October, 1964. In this Agreement amongst other things it was proposed that compulsory schooling should end after nine school years and that, where possible, a voluntary tenth year should be added. In addition, there was some tidying up of the nomenclature of German education. The common lower stage of the elementary school, usually the first four years, was designated the basic school or Grundschule and the different types of schools which then were built on this foundation school were called the Hauptschule or main school, the Realschule and the Gymnasium or secondary selective school. The basic school and the main school together could continue to carry the designation, elementary school, and the proposal was made that classes five and six would be a promotion and observation stage. All pupils would begin at least one foreign language in the fifth class. One major result of this was that the old tradition in many parts of Germany of each community having its own school, at least at the elementary level, could no longer be sustained and the school development plans which were produced by the various provinces from that time onwards contained proposals for Mittelpunktschulen or for other schemes amalgamating several different schools<sup>(1)</sup>. This Agreement which was given added impetus by the work of Picht and by the revelations of Carnap, Edding and Hamm-Brücher immediately implied that new forms of school organization would need to be developed by all Länder concerned if they were to comply with the terms of the agreement. A particular difficulty in



this process of consolidation would be encountered by those Länder which had constitutional provision for the denominational school. Already by the mid-1960s the school situation in a number of the provinces of West Germany had become critical, as we have recounted in Chapter Fourteen, with regard to the further or continuing existence of the denominational school. In Baden-Württemberg, for example, Minister of Education had presented his school development plan in July 1964 which envisaged the development of middle-point schools.

By amplification of the Law of 5th May, 1964 and in execution of the Hamburg Agreement the Hauptschule was introduced in Baden-Württemberg as a continuation school which followed on from the end of the Grundschule. This was on the 10th March, 1965. In South Baden, North Baden and Württemberg there were no insurmountable problems in the projected implementation of this legislation. However in the 1947 Constitution of South Württemberg-Hohenzollern the Christian, i.e. denominational school had been stipulated as the normal school form. It was this clause concerning only one part of Baden-Württemberg which endangered the implementation of the proposed and necessary re-organization of education. Minister President Kiesinger, after initial discussions with the two Catholic Bishops concerned proposed a solution which envisaged the introduction of the interdenominational community school as the regular school type and the denominational school as the "request-school" everywhere in the Province. However, the S.P.D. was unwilling to agree to any improvement in school provision in one part of the Province at the cost of what they saw as a deterioration in the other three parts. The F.D.P. and the Evangelical Church were also unwilling to support Kiesinger's proposal. Thus unless some party or other was willing to change there was deadlock in the further implementation of the school development plan. Long and

bitter discussions and negotiations began in which the Papal Nuntio, Bafile intervened and during which the Ministry of Education began with proposals to set up consolidated classes in the eighth and ninth school years - a first step on the road to the consolidation of schools. The Minister of Justice confirmed the illegality of the steps that were being taken to implement Nachbarschaftsschulen in South Württemberg-Hohenzollern, later modifying his position to clarify that referenda of parental opinion could take place after the formation of such schools. The whole matter was precipitated by the foundation of a C.D.U./S.P.D. coalition under Filbinger which immediately announced its intention of introducing legislation to change the Constitution and introduce the community school as the Regelschule. There were school strikes for and against the governments plans, the Church took the Land to the Provincial Administrative Court and the Vatican and Federal Government were drawn into the controversy with rumours of a possible re-organization of the ecclesiastical boundaries in the Eastern Territories if such legislation were passed<sup>(2)</sup>. Eventually the Constitution was changed to make the Christian community school the form for the public elementary school throughout the province and by the same Law of 8th February, 1967, denominational schools which had previously existed in Südwürttemberg-Hohenzollern were turned according to Article 15, section 2, of the Constitution into private but subsidized denominational schools<sup>(3)</sup>. For as long as the state had provided for denominational education within its system of education, there had been neither great need nor demand for private education. However, partly no doubt due to the favourable financial settlement involved, a new co-ordinating organization for Catholic private schools in this part of Baden-Württemberg was set up in order to fight what it called the state school monopoly and to

help Catholic parents to exploit the clauses in the legislation enabling them to sustain and establish private schools to the full<sup>(4)</sup>.

Of all the Länder in West Germany, Bavaria found it most difficult to accommodate to the recommendations of the Ministers President of October 1964. Through long tradition and by dint of a very close association of large proportions of the population in rural areas with the Church and with denominational education it was particularly difficult for the three political parties and the two Churches to agree on a unification and modernization of the educational system. As we have related in Chapter Fourteen the discussions were vigorous and protracted. It was not until 1968 that the political parties and the Churches could agree on new legislation which would enable a unified school system to be developed throughout Bavaria on a basis of a common school for children of all denominations and even after this had been achieved the treaty with the Evangelical Churches and the Concordat with the Roman Catholic Church had to be re-negotiated. Legislation for this, however, did not appear on the statute book until December of 1968. It was thus not until August 1969, some three years after many other Länder had begun their re-organization on the basis of the Hamburg Agreement, that the re-organized elementary schools in Bavaria took up their work. Of course, even before this the Catholic Church had accepted the necessity of a reduction in the number of small rural schools which were no longer appropriate to the age or to their educational task and these had reduced rapidly over the last two to three years. Though it would be wrong to over-estimate the importance of the words of the Second Vatican Council declaration on Christian education it would be important for an understanding of the way in which all parties were able to yield a little in the compromise which was achieved in Bavaria in

1968 and 1969 to relate this to the general climate of aggiornamento which was widespread in Catholic circles generally in West Germany by this time<sup>(5)</sup>. This was evidenced by the changing tone of Catholic Conferences on the schools questions, and especially the Catholic Congresses. The 80th Congress in Stuttgart in 1964 displayed signs of the internal conflict within the Catholic Church, with the Bishop of Aachen, Dr. Pohlschneider making a vain attempt to stem the sea of change not least in the field of education, whereas the 81st Catholic Congress in Bamberg in 1966 continued and consolidated the trend, bringing Catholics to terms with the reality of establishing Catholic schools, but more fundamentally, eliciting a statement that in solving the schools issue, the rights of other minorities should not be injured<sup>(6)</sup>. In particular for an understanding of this development mention should be made of the joint declaration of Cardinal Döpfner and Bishop Dietzfelbinger and the common guidelines for instruction and education according to common principles of the Christian denominations which they signed in November 1967. These contributed greatly to the idea of greater cohesion between the Churches and communities in Bavaria, and in particular, made it possible for the Bavarian Bishops to make a compassionate, concerned and relatively detached declaration with regard to the new position of elementary schools in Bavaria in 1969. In this declaration they drew the attention of their membership to the new organization of elementary education and expressed the hope that no considerable hardship would accrue to elementary school children because of it. They made reference to the chance which they considered that this re-organization gave to teachers to develop education and their teaching according to the common principles which had been agreed and published and to the way in which the new Christian elementary

school offered all parents in Bavaria the opportunity not only to give their children the best general educational opportunities but also religious-moral ones too. More parents were exhorted to participate and be interested in the work of the school and particularly in the work of the parents' councils and their attention was drawn to the fact that single denominational classes could be established where the number of children merited this. They completed their declaration with a word about the private schools and the way in which the new legislation guaranteed a substantial improvement to the position of Catholic private schools which could now be established for specific educational reasons and as model schools<sup>(7)</sup>. Noteworthy once again is thus the considerable improvement in the position of private schools completing a jig-saw pattern in all Länder of West Germany both those which had a unified school system prior to 1965 and those which introduced one afterwards.

In West Berlin where there was a particularly severe separation of church and state the form of the elementary school of six years duration had been consolidated by the Law of 7th August, 1961. There was thus not the wealth of organizational difficulties to be settled between the Churches and the state in Berlin that there were in some of the other Länder. However, two major points did remain in the mid-1960s a matter of contention between the Catholic Church and the state of West Berlin and these were the position of private schools and the preparation of teachers of religious instruction and the extent to which they could be trained at the pädagogische Hochschule in West Berlin. With regard to the first of these after long negotiations the state subvention for private schools was increased on 1st January, 1966, by which time the Catholic Church was supporting a score of private schools which were attended by some

four and a half thousand children. This agreement resulted in an increase of the state subvention from fifty per cent to seventy per cent of the staffing costs for private schools, that is some sixty per cent of the total costs for a single private school from 1st January, 1966. In addition, according to a later agreement of 2nd July, 1970, between the Senate of West Berlin and the Catholic Bishop's Office in Berlin the position of some private schools was further improved so that one hundred per cent of staffing costs were offered to recognized private schools which were willing to convert to integrated comprehensive schools, to schools which were special schools or those which had a residential unit attached. This again was a considerable improvement in the position of private school education within Berlin which parallels the improvement which we have described in the previous two provinces.

The protocol which was signed between the Catholic Church and the Senate of Berlin on 2nd July, 1970, and the history of the development of this protocol<sup>(8)</sup>, are indicative of the Churches striving at that time to regulate its relationship anew in many parts of the world, even with governments holding ideological views unattractive to the Church. In 1964 Willi Brandt who was at that time Lord Mayor of West Berlin proposed to the general vicar of the Catholic Church in Berlin that the relationships between the Catholic Church and West Berlin should be regulated anew on the basis of a treaty. However, in spite of long negotiations the realization was gradually brought about that in view of the political situation of West Berlin it would not be appropriate for a full treaty or Concordat to be signed between the Catholic Church and the Senate of West Berlin. The protocol which was signed covered a whole range of factors in this relationship including the state school system, private schools, co-operation in certain parts of the curriculum such as civics, state subsidies for religious education, which in

Berlin according to the tradition of complete separation of Church and state is completely under the jurisdiction of the Churches and adult education. It was in particular in this penultimate matter that the Catholic Church felt that the Senate of West Berlin represented by the Senator for Education had been especially helpful for he had agreed to the participation of teachers of religious education not only from the private schools but also from state schools at special courses being organized at the theological pedagogical academy to prepare them to give religious instruction. A further easing was provided by a regulation of June 1971 under which it became possible for religious education studied at the theological pedagogical academy to be recognized by the state as an optional subject for the purposes of the state examinations<sup>(9)</sup>. A similar treaty was also signed with the Evangelical Church in West Berlin and then on a co-operative basis, which included discussions between the Catholic Bishop's Office in West Berlin, the Office for Evangelical Religious Education in West Berlin, the School Senator and groups of headteachers and teachers, a new set of regulations for religious education in West Berlin was issued on 12th October, 1971<sup>(10)</sup>. The agreement was in effect a further strengthening of co-operative work between the two Churches and the state in West Berlin, although two points should be made in particular concerning the way in which that co-operation was progressing and the repercussions it was having in other areas than the state organization of education. As in the other Länder which we have discussed there was evident a further strengthening of the private school system financially and numerically and secondly there was a transfer of new sources of the Church's energies onto the area of curriculum and particularly the place of religious education leading to a strengthening of commitment and provision in that particular area.

In the two city states of Bremen and Hamburg it had not been difficult for the authorities to respond to the 1964 declaration and the problem of private schools was not a very great one. In Bremen for example fifty per cent of the staffing cost although none of the institutional costs were available for private schools by the mid 1960s. However of the 157 general educational schools in Bremen at the beginning of 1972 only seven were private. Very different is the story in Hamburg where the state provides ninety per cent of the staffing costs and all institutional costs for private schools. The private school system in Hamburg is acknowledged to be the best in the Federal Republic and contains seventeen elementary schools some of which have main school classes and two grammar schools which together are visited by about a half of the Catholic children of Hamburg who are of compulsory school age<sup>(11)</sup>.

In Hessen the private school system is not large although growing both in terms of numbers of Catholic and Evangelical schools. More controversial in the period has been the revision of the school Law in Hessen. From 1964 up until 1968 the number of schools providing "promotion classes" (Förderstufen) had increased from twenty-seven to sixty and the Ministry in Hessen felt that it was time to introduce a compulsory provision of the promotion stage for all children and at the same time provide legislation for the introduction of comprehensive schools. The draft of the new legislation was widely circulated and copies were sent to the Catholic Bishops in Hessen for their comments. In addition the main theoretical and practical underpinning for the changes was published by the Ministry in Hessen in its publication series<sup>(12)</sup>. In their reply to the Minister of Education the Catholic Bishops of Land Hessen expressed their reservations about the compulsory introduction of the promotion stage and the introduction of the



comprehensive school at this time. Acknowledging that there was no unanimity and certainly not amongst Catholic educationists, they suggested that the promotion stage should be so organized that all able pupils whose parents wished it could have access to the continuation school and proposed, in order to avoid possible mistakes, the introduction of an eight-day examination at the end of this promotion stage. They expressed concern that as it was proposed to organize this promotion stage at the moment, the "classic" grammar school would no longer be able to continue. On the subject of Catholic private schools they expressed disquiet about the definition of comprehensive schools and the fact that they were not clearly enough described in the Law to enable the private schools to accommodate to the new structures of the state system. Furthermore, they were uneasy about the difficulty that many private schools would have in providing a main school section and in introducing a promotion stage and modern school stream<sup>(13)</sup>. In spite of these reservations the new legislation was introduced by the S.P.D., although opposed by the C.D.U. and it was passed by the Provincial Assembly on 30th May, 1969, and the promotion phase was thus introduced by law in two county districts, Wetzlar and Usingen. On 14th March, 1972, new guidelines for the promotion stage were introduced by the Ministry of Education in Hessen and the number of schools with promotion stages rose from 170 in 1970-71 to 208 in the school year 1972-73. At the same time once the comprehensive school had been legislatively anchored in the School Law of 1969. The number of comprehensive schools increased rapidly and by 1972-73 there were 53 integrated and 31 differentiated comprehensive schools in Hessen<sup>(14)</sup>. The battle against the promotion phase was carried by some parents groups to the Federal Constitutional Court but the Federal Constitutional Court in its

decision supported the reforms which the provincial government had introduced. The accompanying law on the reform of teacher training had also been distributed to the Bishops of Hessen for their comment. The section in which they attempt to analyse the reforms of teacher education which it was intended to introduce was a reflection of the new spirit of attempting to objectify reforms and to comment positively but also to take issue and criticize in a principled manner. Certainly the comments which they make about the new legislation on teacher education though in certain parts critical are unexceptionable and would no doubt be helpful and constructive. Thus, whilst by no means being in the pocket of the state, the Churches were learning to measure their criticisms against changed social realities and their own best interests, in a way which was neither dogmatic nor doctrinaire, but which at the same time conceded no important point of dogma or doctrine.

Lower Saxony, although at first having seemed to be swimming in the opposite direction to the general current of developments in the relationship of Church and state in education in West Germany, once again assimilated into the general direction of progress. With the completion of negotiations for the Concordat with the Holy See in 1965 in Lower Saxony, it was almost as though the ritual had been completed and the problem vicariously solved. One year later, for example, no request had been made under the new legislation for the establishment of confessional schools. On the other hand the general development of the educational system in Lower Saxony was braked because of the financial plight of the Land, because of its wide geographical spread and also because of denominational difficulties. In Oldenburg for example the Concordat had strengthened the position of Catholic schools. Oldenburg is a traditionally strong Catholic area of Lower Saxony within a

province which is preponderantly Evangelical. However in the county of Oldenburg the very fact of a preponderance of Catholic children meant that the development of middle point schools of a viable nature which would include Evangelical children was held up by the Catholic Church's insistence on denominational schools even if this meant inconvenience or injury to the rights of other children of a denominational minority in that area.

The 38th Synod of the Evangelical Lutheran Church in Oldenburg turned its mind to this matter and a draft of a new school law to overcome this was submitted to the Evangelical Church before its introduction to the Provincial Parliament. In its declaration on the school question in Oldenburg the 38th Synod had stated that the change of Evangelical denominational schools into Christian interdenominational schools should be made possible wherever the parents and managers of such schools wished it<sup>(15)</sup>, thus giving broad support to the plan of the 'grand coalition' in office in Lower Saxony at that time. The Law was then passed to the Lower Saxony Provincial Parliament on 4th July, 1969, and with effect from 1st August of that year twenty-five schools which had previously been designated denominational schools in the area of Oldenburg were changed into schools for children of all denominations. One year later on 14th June, 1970, in the Provincial Assembly elections the S.P.D. gained an absolute majority in the Provincial Parliament for the first time in the history of the province and in 1971 a new School Administration Law was introduced in order to abolish insufficiently differentiated schools. As a result of these policies, in the period from 1968 to 1972, the number of undifferentiated schools in Lower Saxony was reduced by fifty per cent. Thus though these were the only beginnings of the organizational reform of education in Lower Saxony nonetheless they had been facilitated by the new spirit of willingness to agree

on the pressing need for a reform and particularly in rural areas and a bringing up to date of the educational system in Lower Saxony as a result of joint efforts on the part of the political parties and the Churches.

In Northrhine-Westphalia the matter was perhaps even more complicated because of the relative balance of numbers of the denominations and because according to the provincial constitution a one-class rural school was still considered as a permissible form of school organization. By 1966 there were nearly four thousand Catholic and almost two thousand Evangelical denominational schools as against just under one thousand interdenominational community schools in the Province<sup>(16)</sup>. In 1964 the S.P.D., thinking that it had the support of the F.D.P. members of the coalition government had raised the question of a change in the Constitution to enable the interdenominational school to be the usual school type. In November of 1964 the Bishops of Northrhine-Westphalia, although they were away at the time in Rome participating in the Second Vatican Council, had felt it so important, that they had issued from Rome a combined Pastoral Letter encouraging Catholic parents to send their children to Catholic schools<sup>(17)</sup>. However by 1965 things were beginning to change. In March, 1965, Cardinal Döpfner of Cologne in a long statement expressed his support for the denominational school but in one paragraph mentioned that under certain circumstances a co-ordination or amalgamation of several different schools was permissible. The Minister of Education in Northrhine-Westphalia at the time was Dr. Paul Mikat and though he did not agree with the proposal of the S.P.D. to introduce interdenominational schools everywhere and the necessary constitutional amendment, he was nonetheless a liberal and progressive Minister of Education and wished through a policy of flexibility to develop a more modern educational system. Thus he introduced in March 1966, guidelines

for the establishment of middle point schools which, though they were relatively conservative, aroused a storm of protest from Catholic circles not least from the Union of German Catholic Women Teachers<sup>(18)</sup>. In July of that year a proposal including a clause for the establishment of pre-school facilities for children who were of school age but not yet ready for full-time education was withdrawn from legislation and the S.P.D. voted against the law for this reason. It was quite clear that discussions about the school question had played a part in the formation of the new C.D.U./F.D.P. coalition and the F.D.P. sensing the strength of their pivotal position came out quite firmly in favour of all elementary school provision being as a rule at a community school. A vote of no confidence against the government was proposed and carried and it was replaced by an F.D.P./S.P.D. coalition under the new Minister-President Kühne with Fritz Holthoff as the Minister of Education. Immediately the attempt to reform the educational system in Northrhine-Westphalia began to accelerate.

The Churches were by no means united on their view of the way in which education should be reformed and on 28th October, 1966, by resolution of the Westphalian Provincial Synod, the Evangelical Provincial Churches expressed their wish that the Hauptschule should take the form of a Christian community school. In March of 1967 the two coalition partners the F.D.P. and the S.P.D. met at Kalkum and agreed on a policy for the development of education in Northrhine-Westphalia. The offer which was contained in these resolutions for the improved position of private schools was especially advantageous. However the Catholic Church was rightly rather suspicious because no formal and official offer on the basis of these resolutions was ever made to it and the reason for this was assumed by the Catholic Church to be disagreement within the coalition with regard to the implementation

of the resolutions<sup>(19)</sup>. The major teachers' association in Northrhine-Westphalia also joined the battle and issued a booklet called "For Progress with the Community School", and this was immediately responded to with another booklet from the Catholic Church called "For Progress and Against All Direction"<sup>(20)</sup>. The bishops of Northrhine-Westphalia issued two Pastoral Letters, one in late 1967 and the other in February 1968 in the face of what was now rapidly taking on the dimensions of a compromise solution agreed to by all the members of the provincial parliament. In both of these the Catholic Bishops expressed their desire to see as effective as possible an educational system provided for children in Northrhine-Westphalia. As a partial contribution to this a joint declaration was made by the Evangelical Churches and the Catholic Bishops of Northrhine-Westphalia represented by Cardinal Frings and Dr. Beckmann with regard to the school situation in which they stated that the existing organization of schools at the basic school stage should continue as at present and that the main school, for reasons of conscience, might under certain circumstances, even in towns for example, be one-class entry. They also expressed their uneasiness concerning the way in which such matters as religious education and church services should be arranged for those children who attended the interdenominational community school. In addition, they were also concerned that the representation of parents should increase and improve<sup>(21)</sup>. The new legislation was introduced on 28th February, 1968 and one more province had achieved a hard-won progress in its efforts to reform the organization of education. However there were still difficulties to overcome, such as, the reform of teacher education which was necessary to fit in with the reform of the school system. The negotiations on this problem led to an exchange of notes between the Minister President

of Northrhine-Westphalia, Kühne, and the Apostolic Nuncio in West Germany but the impact of the legislation was to release the colleges of education from their previous denominational character and bring about a symmetry between the school and teacher education systems. This in its own way had a further salutary effect on the development of education in Northrhine-Westphalia and in particular the role that the Catholic Church saw itself as playing. For from this time onwards it was possible and certainly as the Catholic Church saw it desirable for it to change and extend its commitment into the field of teacher in-service education and this it strived to do, for example, by the establishment of the institute for in-service education in Essen from 1970<sup>(22)</sup>. Once again however, it has to be reported that the compromise which was introduced led to a more up-to-date and differentiated educational system being made available for the children of Northrhine-Westphalia but at the same time it also facilitated the further development at state expense of a private school system. Moreover the Church was quick to see the implications of the new school legislation in terms of marshalling parental opinion and in 1970 a treaty was signed between the different dioceses and arch-dioceses of Northrhine-Westphalia setting up a Catholic Provincial Conference for school and education in the Province which genuinely sought to broaden the base of the Church's decision-making. One year later in June 1971 the Church concluded with the state of Northrhine-Westphalia an agreement concerning the provision of religious education which sought to improve such provision<sup>(23)</sup>. However as late as January 1972 the Church authorities in a rearguard action were still encouraging the clergy to advise parents to register their children for Catholic denominational schools<sup>(24)</sup>.

The development in Rhineland Palatinate took on a peculiar leap-frogging pattern of development from the time in 1963 when the C.D.U. lost their overall majority in the provincial parliament and

therefore had to form a coalition with the F.D.P. The F.D.P. immediately used its lynch-pin position in the political life of Rhineland Palatinate to persuade its coalition partner that an alteration of Article 29 of the constitution was necessary.

Article 29 was a particularly inhibiting factor in the way of the development of a more rationalized system of educational provision in Rhineland Palatinate for in paragraph 3 it was stated that a viable school organization could be provided by even a one-class school<sup>(25)</sup>. In 1965 the S.P.D. attempting to draw the implications of the Hamburg Agreement for Rhineland Palatinate began gently to chip away at the constitutional basis of denominational education in Rhineland Palatinate demanding that a "minority teacher" should be appointed to the school when the number of pupils of a particular denominational minority climbed above a certain number. In March 1966 the government itself put forward a draft law to solve the problem but then in July 1966 this was overtaken by a proposal of the F.D.P. which suggested an alteration of Articles 29 and 34 of the Constitution<sup>(26)</sup>. This was, however, rejected by the S.P.D. and C.D.U. and it was only subsequent to further discussions with the Churches that all three political parties agreed on a common front with regard to the necessary changes to the articles of the Constitution. The appropriate legislation for the introduction of the Christian Community school was passed by the Assembly on 8th July, 1970. One interesting point emerges when one considers that at the same time and immediately after this point on the agenda was the discussion of an alteration to the private school law for Rhineland Palatinate that would improve the position of the private sector amongst which were fifty private schools some of which were supported by the Churches<sup>(27)</sup>. Thus once again the way was open in Rhineland Palatinate for the development and



modernization of the educational system and the introduction for example, of comprehensive schools. In addition the establishment of an academic educational university for Rhineland Palatinate from 1971 which was able to offer the degree of Diplom Pädagoge was facilitated. All of these developments, however, were paralleled also by the expansion of commitment on the part of the state to a private school system so that once again one has the parallel development of improvements in the state system resulting in improvements and expansion of a private system of education. In the school year 1972/73, Rhineland Palatinate was still well behind other Länder in its programme of experimental provision of education and particularly in the development of comprehensive education having only three so-called co-operative models, that is schools which are multi-lateral rather than integrated in the form of comprehensive education that they provide. Here again, as in other Länder, the Catholic Church was not slow to establish its own provision of teacher in-service education as a response to the state's take-over of all initial training of teachers<sup>(28)</sup>.

In the Saarland developments were even more difficult than in Rhineland Palatinate. The Constitution included provision for denominational schools only, and even after the declaration of the Ministers President in 1964 the government of the Saarland itself proclaimed that it stood by the denominational school and rejected the development of middle point schools. In spite of this, in February 1965, the Constitution, or at least Article 27 of the Constitution, was altered in order that either denominational or Christian community schools should be permissible. Once again it was the F.D.P. which as coalition partner announced in October of 1966 that it was making a proposal that middle point schools should be established as a rule as Christian community schools. The Constitution was altered so that Article 27 read that public, basic

and main schools that is elementary schools, special schools, vocational schools and modern and high schools are "common schools"<sup>(29)</sup>. In these children were to be educated and instructed irrespective of their religious denomination. Article 8 then continued to give permission for private schools to be established as a substitute for public schools and set down the circumstances under which they would receive financial assistance in some cases continuing support with regard to salaries and institutional costs on the scale which was equivalent to that afforded to public schools. Thus once again in the Saarland one has the same picture of a broadening of the educational system, a unification and an abolition of old religious divisions at the same time as the private school system is strengthened and supported from public funds<sup>(30)</sup>.

With an eighty-eight per cent Evangelical population Schleswig-Holstein has had little of the difficulties that the other Länder have experienced. It has had a ninth school year for example for one hundred and fifty years and the establishment of private schools has been restricted under fairly severe conditions which stipulated that a private educational establishment could be set up only where a real necessity existed and the provision of public schools was insufficient<sup>(31)</sup>.

To generalize it is possible to say that in this part of the post-war period the churches have gradually receded from the organization of state education as one of their major foci. However they have made very considerable efforts during this time to accommodate to changed circumstances and in no area more particularly than that of the provision of private schools. They have everywhere seized the opportunities provided to them by more recent legislation to expand their provision of private education and have sought to capitalize on the section in the Structural Plan of the German Council for Education which supports the continuing existence of

private schools. Thus the financial and institutional provision of private schools in almost every part of West Germany has increased substantially in the period since 1965. In addition the Churches have drawn the implication of a re-deployed school system in the other areas too. For example, although in organizational terms they have withdrawn in general from the area of initial teacher education they have established within the past few years their own private institution of initial teacher education in Bavaria and a number of in-service teacher education institutions throughout West Germany. They have pressed very hard for better facilities for the training of theologians and especially for religious education teachers within the state system and this not unsuccessfully. In addition they have developed their own research work and have become much more attuned to the broader developments within society and the educational system as a whole. One good example of this more attuned reaction to wider developments is the publication of "The Structural Plan and the School" which was distributed by the office of the Church in the Bishopric of Münster<sup>(32)</sup>. In a determined and yet disciplined consideration of the implications of the new proposals, in which in general the plan and the attempt which it makes to develop an overall framework for the further improvement of education in West Germany is greeted, the consequences of the proposed changes and developments are drawn for the Church and in no area more seriously than that of the organization of Catholic private schools. The Structural Plan seems to offer to the Church a new opportunity to develop and finance its own private educational system in closer co-ordination with that of the state<sup>(33)</sup>. Thus, although the Church expresses its concern at the lack of an ideological concept of the development of education which is in line with its own thinking and appreciates that the Structural Plan is an attempt to orientate the educational system to the present and

future development of society, nonetheless it is speedy to draw the consequences for its own work and development in the field of private school education. Indeed the promise of a greater although still circumscribed autonomy for all schools would once again seem to draw the private denominational school into the orbit of state supervision, finance and support whilst at the same time giving state schools a similar element of autonomy to that which has been enjoyed in the past by private schools. The implications of this for a re-denominationalization and ideological re-differentiation of the educational system seen as a whole must not be under-estimated.

In other fields too the Church has been re-deploying its resources and none more so than in the field of research and the development of a more scientific and academic approach to the discussion of social and religious problems. For example the German Institute for Academic Education (Deutsches Institut für Wissenschaftliche Pädagogik) was reorganized and re-constituted in July 1971 and the aims as set out for that re-constituted institute are of considerable interest to the new role of the Church in education. The reorganized Institute explicitly acknowledges that the conditions for the effectiveness of the Church and of its member organizations in the field of education have changed and that this recognition must be the point de départ for its future activity. Such an experimental approach to the future role of and justification for Catholic schools is evidenced in other writing as are other proposals such as those for ecumenical schools on a deliberately model school basis<sup>(34)</sup>. The opportunity to have a voice and to participate in decisions in this area of society are seen to be possible in the first instance through argument, through example and through discussion and the offering of ideas. This competitive market of ideas increasingly takes place on the basis of scientific, academic discussion which

places education and educational policy within the context of a process of changing circumstances in science and in educational and social political practice. The words used in the new aims of this Institute are highly significant for the altered role of the Churches in West German society and the extent to which they are now willing to involve themselves as one strong, influential and traditional interest-group with an undoubted and substantial contribution to make to the further development of a more humane society through a process of social negotiation and competition<sup>(35)</sup>. Thus in the field of the organization of education, though the overall picture would seem to be one of a recession of the influence of the Churches on the organization of education as such, nonetheless the re-deployment of resources and thinking which this has involved for the Church has brought about the beginnings of a process which has forced the Churches to come to terms with their new position in society. This development may also prove advantageous to society in general in opening up one more rejuvenated and re-deployed philosophical base from which its citizens can seek their values and the way in which they regulate their lives together. As Berger and Luckmann point out the break-down of traditional definitions of reality, such as that monopolistically claimed by the Churches is likely to accelerate social change<sup>(36)</sup> and this is exactly what we argue is happening in West German society at the moment, with value changes producing changes in the organization of education which themselves can only serve to compound and accelerate the process of ideological and structural reform in the broader society.

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CHAPTER SEVENTEEN

PARTICIPATORY EDUCATIONAL REFORM

In this the final chapter of Part Four we attempt to gauge the way in which the issue of participation in educational decision-making has developed in the period since 1965 in general and in the thinking and efforts of the Churches and political parties. In reviewing the present position and the developments which have taken place in the period under review it will be important to distinguish between participation at the school or institutional level, participation at the local level and that at the provincial or Land level. At the moment the almost exclusive weight of decision-making rests with the teachers although the Basic Law in Article 6 and the Constitutions of Hessen, Baden-Württemberg, Northrhine-Westphalia and the Saarland contain provisions concerning the rights of parents and in the latter cases their involvement in the school system. Many Länder now have parents' advisory councils at local and regional level and in Hessen the provincial parents' council even has certain supervisory functions. In addition at local and provincial level, most Länder have school advisory councils on which parents, employers, trade-unions and such groups as the Churches have representation. A federal body to represent parents was established in 1952 and with the accession of the Saarland Parents' Association to this body, the Federal Parents' Council has represented parents at national level in dealings with such bodies as the German Council for Education<sup>(1)</sup>. Arising from the 1963 resolution of the Permanent Conference of Ministers of Education and the student disturbances of the late 1960s all Länder have begun the process of reforming pupil participation and in many cases this has extended to the local and regional levels. In Hessen in 1970 for example the previous

auxiliary function of the pupil representative system was replaced by active if circumscribed rights to co-determination in certain areas<sup>(2)</sup>.

With regard to the three groups that we mentioned in our previous chapter on participation, that is, teachers, parents and pupils, substantial progress has been made at least at a formal level in attempting to involve each of these groups more intimately in educational decision-making and we shall be referring in specific to the new Hamburg legislation and the recommendation of the German Council for Education. This development, however, is tempered by a counter-current whereby public responsibility for the values, the curriculum and the organization and finance of education is ever more centralized both within the Federal Republic and within individual Länder at the same time as an attempt is being made to give greater autonomy and decision-making power to the schools and to the groups that we have mentioned in particular<sup>(3)</sup>. This has been a common development throughout the whole of West Germany and has been supported to some extent by the Churches, by the political parties at provincial and at national level, and by the reports of national commissions, such as the Structural Plan for the educational system published by the German Council for Education in 1970<sup>(4)</sup>. Within this context of general agreement however it is quite clear that major divergencies are appearing with regard to what is meant by such terms as participation and democracy and that the process of social negotiation and conflict with regard to what these will in fact and practice mean, has only just begun<sup>(5)</sup>.

In Baden-Württemberg for example, pupils and parents can select up to three representatives to membership of the teachers' conferences which exist in all schools. In addition to this there is a parents'

advisory committee consisting of elected representatives of parents and similar pupils' committees exercising co-responsibility over certain restricted areas. A school committee having three representatives from each of the groups of parents, teachers and pupils and with the headmaster as a non-voting chairman can also be formed. At the local level there is a general parents' advisory committee and a schools advisory committee which has representatives of parents, teachers, the local authority, commercial and community interests, and the religious denominations. At Land level there is a provincial parents' advisory committee consisting of elected members, and a provincial schools advisory committee consisting of the representatives of parents, teachers, universities, institutions of further education, vocational training and local branches of associations at regional level, employers federations, trade unions, family organizations of religious communities and indeed all other relevant groups within education. However, in spite of the extensive and formal-sounding nature of these various representations it should be noted that there is no official representation of students other than at the institutional level and that the representation of parents at local and national level leaves them as a very small minority voice in the face of large numbers of other interest-groups. Thus in spite of the fact that parents in Baden-Württemberg have a right to sit in on class teaching once a year their effective representation is very formal and circumscribed<sup>(6)</sup>. The position of the Churches is also increasingly problematic as decision-making is centred on the school and they can no longer claim proxy representation of parents.

Pupil representation in spite of new guidelines issued on a provincial basis in the summer of 1970 with regard to pupil co-responsibility is even more circumscribed. Teachers are relatively

well-catered for having representation through the formal institutions of administration and also through their own professional associations such as the G.E.W. However, it is as well to point out that at the same time the Churches have lost their previous exceptional dominance of certain sections of the educational system as parental and teacher representation has been strengthened through other channels, although it must be added that the democratization heralded in the Structural Plan was in general welcomed by the Churches and felt by Church organizations to open up hopeful perspectives<sup>(7)</sup>.

However, it is noticeable that in a Land such as Bavaria which is predominantly Catholic the official regulations issued on 20th December, 1960, are still in force and these permit the head and teachers of the school within the teachers council to jointly discuss school affairs. The participation envisaged for pupils and parents and indeed any other interest-group in the organization of education is minimal and indeed quite recently the C.S.U. Minister of Education for Bavaria Hans Meier, came out strongly against increased participation of parents, teachers and pupils in schools arguing that this would tend to destroy parliamentary, i.e. democratic responsibility for education. Political decisions, he argued, are the concern of the elected representatives of the people and professional decisions should be made in schools and concern only the experts who are qualified to make such decisions<sup>(8)</sup>. This is diametrically opposed to the attitude of the Bavarian S.P.D. and in particular its spokesman on education Hans Hochleitner. In a statement of policy passed at the party congress in October 1970 the C.S.U. indicated that it was its opinion that the demand for the democratization of the school had to be judged against the task and the function of the school and the supervision and administration of the school had to be discussed primarily from a specialist point of view. This is in conformity with

the approach of the Bavarian C.S.U. to the idea of greater participation of various groups in the organization of education and particularly at institutional level. At local and regional levels the issue had hardly been raised by the C.S.U. Such a restricted concept of democracy is diametrically opposed to the attitudes of the F.D.P. and the S.P.D. in Bavaria as reflected in their statements and actions over the past few years. The whole matter looks like building up into a major issue of confrontation between the F.D.P. and S.P.D. on the one hand and the C.S.U. and C.D.U. in other Länder on the other hand<sup>(9)</sup>. The attitude of the C.S.U. in Bavaria has however been a selective and discriminating one. For example, they supported along with the S.P.D. a proposal in the provincial parliament in 1970 to change the elementary school law of 1966 which eased the way in which parents qualified to be eligible for election to the parents' council in particular schools. This was unanimously passed on 15th July, 1970<sup>(10)</sup> by the provincial parliament. However a proposal by the S.P.D. that meetings of the parents' advisory council should be open to the public and that school heads should have to distribute invitations from the parents' advisory council in an unaltered form in grammar schools and in modern schools was rejected. Similarly the C.S.U. rejected a proposal that finance should be made available to develop and support pupil co-responsibility in the schools and that the gazette of the Bavarian Ministry of Education should be made available to the chairman of the parents' advisory councils in all schools. These two proposals were also rejected<sup>(11)</sup>. At a formal level, however, meetings have now begun between the various parents' associations at provincial level and the Minister of Education. The first one being in February of 1973 when the Minister of Education, Professor Hans Meier, met representatives of the parents' associations from elementary and special schools from the Bavarian Parents

Association, the Evangelical Parents Association and the Catholic Parents Association. .... It has now been agreed that such meetings will take place regularly in future<sup>(12)</sup>. There, however, the matter is certainly not likely to rest. The C.S.U. in their speakers' service refer to what they call the fata morgana of a completely autonomous school and of a false democratization of education. They go on to say that the school is a much too serious matter to be given over to the conflict of parents, teachers and pupils and that those who attempt in spite of this to involve the school in a local self-determination must realise that they are acting unconstitutionally<sup>(13)</sup>. On the other hand the F.D.P. in their draft of a working programme for the second half of the legislative period presented in October 1972 indicated quite clearly their intention of putting forward a draft law for the improvement and strengthening of parent and pupil co-determination in educational institutions<sup>(14)</sup>. Thus in spite of the resolution of the Ministry of Education of September 1971 which affords to pupils in the upper secondary stage of education in Bavaria a large measure of participation it is likely that this area will, nonetheless, be one of great controversy in the next legislative period<sup>(15)</sup>.

In Berlin the relevant legislation permits co-responsibility on the part of pupils only at the first level, that is the school or institutional level. The schools are administered through an executive board which comprises the headteacher and a number of senior teachers. However new legislation submitted in August of 1973 and no doubt taking into account the recommendations of the Education Commissions of the German Council for Education, includes representation of pupils at both the local and the provincial schools advisory committee levels. The position in the other two city states, both of which are socialist controlled, is very similar

except that in Bremen the new proposals which shadow the proposals of the Education Commission of the German Council for Education are to be presented in the Autumn of 1973 whereas in Hamburg after two and a half years of discussion a major proposal for a new law governing school administration has been passed on 12th April, 1973<sup>(16)</sup>. In Bremen the discussions have extended over the last four years, reaching back to the 1969 guidelines on the establishment of committees comprising parents; pupils and teachers and the regulations which were issued in 1970 on pupil representation and led to widespread experimentation with different forms of school decision making. A draft of the Hamburg legislation was introduced by the S.P.D. who after their election victory on 22nd March obtained 70 of the 120 seats in the Hamburg House of Burgesses and formed a coalition government with the Free Democrats. The Law sponsored jointly by the Social Democrats and the Free Democrats was violently opposed by the Christian Democratic opposition who claimed that the Law did not result in more rights for and privileges for teachers, parents and pupils and that it was a dubious contribution to the democratization of education. The proposal was also opposed by some S.P.D. members and by the major teachers union in Hamburg the G.E.W.<sup>(17)</sup>. Of course Hamburg has always had a very strong parents movement as was demonstrated in the four years from 1953-57 in the legal battle about the selection procedure for entry to high schools or the more recent controversy with regard to the introduction of guidelines for the teaching of sex education in the schools of Hamburg which was challenged successfully in the Hamburg Administrative Court by the head of the Hamburg Parents' Association, a member of the C.D.U. The new law provided for senior pupils to be given a say in future in the appointment of headmasters who will be elected for a ten year period after a two year trial period. The school conference

which will make this appointment will be composed of equal groups of teachers, parents and pupils over the age of fourteen years. Each of these three groups will nominate between three and five delegates to the conference. In addition a pupil council composed of elected representatives of the various classes will be able to give its opinion on various facets of school life including such matters as grading. During this whole controversy the Churches have kept a fairly low profile. Publications have appeared, representing for example the Catholic point of view and putting forward the case for a strengthening of the parents position<sup>(18)</sup>. However, statements from the Catholic Church and its organizations, whilst taking account of the pluralist nature of modern society, tend to emphasize responsibility for the education of the child as resting with three original groups, i.e. the parents, the state and the Church with the parents' rights and responsibilities having precedence in case of conflict<sup>(19)</sup>. However, one good example of the Church's wish to update its concept of participation is the establishment of provincial councils for education in various dioceses and in particular the issue of outline standing orders for the administration of the Catholic "free" i.e. private schools. One such example is the instructions issued in July 1972 for the Catholic private schools in Berlin. In instructions quite clearly based on an equilibrium model of society the Bishop of Berlin describes the ways in which pupils, teachers and parents can participate in the school and school system. The establishment of a school advisory committee for the Bishopric is proposed but representation of pupils, teachers and parents is very small, being two in the case of teachers and pupils and one in the case of parents<sup>(20)</sup>. On the other hand the Synod of the Evangelical Church in Germany had in November 1971 carried a resolution concerning the co-operation of parents and pupils and teachers in the school system<sup>(21)</sup>. In this latter statement, in



addition to proposing special steps to increase the involvement of less advantaged parents and citizens, the declaration goes on to say that parents, teachers and pupils should all work together in the internal and external organization of the educational system and that the extent of co-operation should be considerably increased over the present situation. In this process, in so far as it is compatible with a democratic society, genuine rights of co-determination should be founded and secured in formal institutions. Pupils are referred to specifically and it is proposed that their rights and participation should be appropriate to their age, so that with increasing age the extent to which they can participate in the decision-making should also grow. The Synod encourages its member churches to provide all possible opportunities for parents, teachers and pupils to work together in many different ways and to make sure that in Church schools and other educational establishments parents, pupils and teachers have no less right to co-operate than they have in the public sector. At a practical level such developments are reflected in the establishment by the Evangelical Church in the Rhineland of a Synodal Committee for Education and Instruction, and the increased emphasis placed by the Northrhine-Westphalian branch of the Evangelical Parents' Association in their plan of campaign for 1973 on the role of parents in the co-determination of the educational system<sup>(22)</sup>.

With the publication in mid-1973 of the recommendations of the Educational Commission of the German Council for Education on co-determination by pupils and parents in the school a hornets nest of criticism was stirred up especially from the C.D.U. and C.S.U. Ministers of Education. The Commission argued that the school should have greater autonomy and that this autonomy required the participation of teachers, pupils and parents to help cope with the shifted emphasis in decision-making from the state and local authorities to

the school<sup>(23)</sup>. With regard to teachers, the Report recommended that, because they would carry the weight of decision-making in an independent school, they should have the majority on internal school committees. As far as the participation of pupils was concerned, it was recommended that for the discussion of teaching a forum should be organized in which teachers and pupils could discuss and develop an institutionalized critique of the teaching and learning in the school. A similar arrangement was also envisaged for parents and in addition it was proposed that they should be able to visit and see classes at work. In addition the Council made recommendations on the provision of school constitutions and organizational models for the involvement and participation of parents, pupils and teachers in school decision-making. A further report is due on school supervisory bodies. It is to be expected that arising out of these recommendations, educational institutions will have greater responsibility in curricular, financial and organizational matters as well as in the appointment and dismissal of staff and their duties. Although it is envisaged that well-defined general principles will be set down by legislation at provincial level, the detailed aims and curricula of the schools will be defined, determined and controlled by various participating groups and predominantly with teachers through a committee structure organized according to subject, school year and school. In addition, pupils and parents, as well as having their own independent structure of committees will participate in all decisions and will have defined roles in planning, implementation and monitoring of decisions. Financially schools will also have greater independence and the former inspection functions of the Land will be replaced by an advisory system. The headteacher will be elected for a limited period of time and his function will become largely executive.

As might be expected the recommendations which were not passed unanimously by the Council aroused a storm of adverse comment and particularly from the Länder with C.D.U./C.S.U. governments. Bernard Vogel for example, Minister of Education for Rhineland-Palatinate in a discussion with the daily newspaper Die Welt declared that the image of the Educational Council had suffered so much that a new restructuring of the Council was necessary. In particular he demanded a stronger participation of political parties although one of the things which is causing concern with the new recommendations is the politicization of the school. There is strong evidence that he was speaking for all of the Ministers of Education of the C.D.U./C.S.U. Länder, two of which, Bavaria and Baden-Württemberg would like to liquidate the Council for Education. Nor has West Germany been completely devoid of its own Black Papers. At a meeting in January 1972 a number of contributions to a conference on freedom of conscience took up very strong positions for example, against pupil co-determination.

In his reply to Minister Vogel, Hermann Krings, chairman of the Educational Commission of the German Council for Education emphasizes that the recommendations of the Commission were by no means a majority verdict with only sixteen of seventeen feeling that they were able to support the recommendations as a whole and seven members not feeling able to concur with each individual recommendation (25).

As the ideal of democratization moves like lava into the school system so more and more Länder have put forward proposals to revise the extent to which parents, pupils and teachers can participate in the decision-making in the educational system. In Hamburg, Bremen, Rhineland-Palatinate and Bavaria the governments have introduced or intend shortly to introduce a parity of teachers, parents and pupils in certain parts of the committee structure of the school system. Drafts for new legislation are at the moment being either submitted

to parliament or discussed in committee in Lower Saxony and Berlin and final texts are available for provisions for Bremen and Rhineland-Palatinate for legislation in late 1973, with Northrhine-Westphalia and the Saarland intending to follow possibly in early 1974. In Northrhine-Westphalia after an intensive period of discussion stimulated by the social democratic Minister of Education, Jürgen Girgensohn, the Ministry has now put forward a Bill on participation in the school system which differs little from the proposals of other S.P.D. governed Länder except that in this case a school conference is proposed composed of fifty per cent teachers on the one hand and on the other hand fifty per cent parents and pupils. This conference is to be the main decision-making body in the school.

Perhaps the best institutionalized and formalized provision for parents in decision-making within the educational system is in the province of Hessen where there is strong representation of parents at institutional, at local and especially at regional level. Particularly worthy of note is the function of the Provincial Parents' Advisory Committee whose approval is required for general provisions with regard to educational aims and the various educational routes to the achievement of such aims, general provisions regulating admission to secondary schools and transfer between schools, general guidelines for the selection of teaching aids and general school regulations to the extent to which they influence teaching. The Provincial Parents' Advisory Committee can veto the issuing of instructions on up to two occasions and if this veto is passed by a two-thirds majority of the Provincial Parents' Advisory Committee then the Minister of Education has to go to the Provincial Assembly before he can then implement his own new regulation. The introduction of the compulsory promotion phase has proved a particular difficulty in the development of the school system and both the Catholic Church and the C.D.U. have come

out strongly against this arguing that it restricts the right of parents to choose the school their child will attend. An application was made to the Federal Constitutional Court which found that, contrary to the Catholic/C.D.U. case, the introduction of the obligatory promotion phase into the educational system did not conflict with the rights of parents. Another example serves to illustrate the delicate state of affairs at the moment. Recently the S.P.D. government of the Province of Hessen failed to re-issue the guide on parental representation which has been available for the last few years to inform parents of their rights and encourage participation. The C.D.U. has taken up the case of the parents and has published a booklet of its own entitled "What Rights do Parents Have?"<sup>(26)</sup>, in which the S.P.D. is taken to task for not re-issuing the booklet. The C.D.U. publication seems to mix the functions of providing a useful and helpful service to parents, one which was necessary, and on the other hand concentrating a somewhat polemical attack on such facets of S.P.D. policy as the introduction of comprehensive schools. Both are mixed, thereby devaluing the service and the case.

Thus the picture with regard to participatory educational planning within the Federal Republic is not only very mixed but is also in a state of great flux. It seems certain, however, that as parents achieve more direct representation and participation in educational decision-making the role of the Church as a mouth-piece for them is bound to recede and this has certain dangers for the Churches' political influence on the field of education, already in retreat, and the extent to which it can continue to claim to represent parental opinions within educational decision-making functions. In general the area of participatory educational planning has not so far been one of great conflict and certainly not at the national level between the political parties and the Churches in the field of education except in so far as it concerns the rights of parents over a fairly

narrow field. However, it is likely that as the democratization of the school system continues apace, the Church will see its rights in the field of education particularly within the state system ever more receding or being by-passed by more direct representation of the pupils, teachers and parents. To some extent at institutional level this may also apply to the political parties and this would account for the C.D.U. argument that more extensive participation of parents, pupils and teachers means a reduction in democratic, i.e. party political control by the representatives of the people. It is to be expected that the area of educational decision-making will become one of the major areas of conflict in the near future as each group strives to put forward and have succeed its own concept of what democracy really means in the educational system.

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3. The following account is based in part on a paper submitted to O.E.C.D. in preparation for an international consultation of experts in Paris in January, 1973. See O.E.C.D., Directorate for Scientific Affairs, Participatory Planning in Education: Country Reports: Germany (Paris: O.E.C.D., 1973).
4. Deutscher Bildungsrat, Empfehlungen der Bildungskommission, Strukturplan für das Bildungswesen (Bonn: 1970), especially pp. 259-269.
5. An interesting, if tendentious attempt to compare and contrast the C.D.U. and S.P.D. concepts of democratization is Dettling, W., "Demokratisierung als Alternative? Zum Demokratiebegriff der C.D.U. und S.P.D.", in Erhard, L. et al., Grenzen der Demokratie (Düsseldorf: Econ Verlag, 1973), pp. 145-182.

6. Reported by Schleicher, K., Elternhaus und Schule: Kooperation ohne Erfolg (Düsseldorf: Pädagogischer Verlag Schwann, 1972), p. 36.
7. See, for example, Dezernat Schule und Erziehung im Bischöflichen Generalvikariat, Der Strukturplan des Deutschen Bildungsrates und die Kirche (Münster: 1972), p. 66.
8. "Education Minister Maier: Against increased co-determination in Schools", Bildung und Wissenschaft (1972), no. 4, p. 21.
9. Landesleitung der Christlich-Sozialen Union in Bayern, Aktionsprogramm Kulturpolitik (München: 1970), p. 4.
10. See S.P.D. Landtagsfraktion, Die Landespolitik der S.P.D. in Bayern 1969/70 (München: 1971), p. 23.
11. S.P.D. Landtagsfraktion, Die Landespolitik der S.P.D. in Bayern 1971/72 (München: 1973), pp. 22-23.
12. Bayerisches Staatsministerium für Unterricht und Kultus, Informationen: Drei Elternverbände beim Kultusminister (München: 28th February, 1973).
13. Landesleitung der C.S.U. in Bayern, Rednerdienst (April 1972) (Kulturpolitik) (München: 1972), 10.
14. F.D.P. Fraktion im Bayerischen Landtag, "Entwurf eines Arbeitsprogrammes der F.D.P. - Landtagsfraktion für die zweite Halbzeit der Legislaturperiode", München: 16th October, 1972, p. 7, mimeo.
15. The resolution is contained in Bayerisches Staatsministerium für Unterricht und Kultus, Schulreform in Bayern: Kollegstufe am Gymnasium (München: 1972, pp. 353-355.
16. "Schulverfassungsgesetz der Freien und Hansestadt Hamburg", Bildung und Erziehung (1973), XXVI:4, pp. 316-331.
17. "Hamburg legislation gives pupils a share in school decision-making", The German Tribune (1973), no. 574, p. 13.
18. See Wehnes, F.-J., Der Mensch in der Schulischen Mitbestimmung (Essen: Ludgenus Verlag, 1972).
19. See "Erklärung der Vollversammlung des Zentralkomitees der deutschen Katholiken von 9 und 10 Juni 1967" in Kulturbeirat des Zentralkomitees der deutschen Katholiken, Bildung und Erziehung in katholischer Sicht (Cologne: Verlag J. P. Bachem, 1969).
20. See Der Bischof von Berlin, Rahmenschulordnung für die Katholischen Schulen in West-Berlin, deren Träger das Bistum Berlin ist. (Berlin: 1972).
21. Kirchenkanzlei der Evangelischen Kirche in Deutschland, Die Evangelische Kirche und die Bildungsplanung (Gütersloh: Gütersloher Verlagshaus Gerd Mohr, 1972), pp. 107-109.

22. Schule und Kirche (1973), no. 1, p. 3 and p. 7.
23. Deutscher Bildungsrat, Zur Reform von Organization und Verwaltung im Bildungswesen (Bonn: 1973), p. 17.
24. Löwenthal, R. (ed.), Schule 72. Schulkrise - Schulreform - Lehrererbildung (Cologne: Markus Verlag, 1972). Reference to the "Black Papers" comparison is made in Hörner, W. and Kuebart, F., "Neuere Literatur zur Schulverfassung und Mitbestimmung in der Schule", Bildung und Erziehung (1973), XXVI:4, p. 337.
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**PART FIVE**

CHAPTER EIGHTEEN

EDUCATIONAL REFORM AND SOCIAL CHANGE IN WEST GERMANY

We have described and analysed how in all parts of West Germany a movement to denominationalize the form, the content and decision-making within the educational system took place which reached its peak in the early post-war years. To say this, however, is merely to reiterate what was in fact evidence of an on-going restorational tendency which, in the broader perspective of history attempted within this study, can clearly be seen to have reached its peak in the period after the end of the First World War and before the advent of the Hitler dictatorship. Gradually the process of democratization which commenced at the end of the Second World War has led to a challenging and eventual reversal of the policy of the denominational organization of education, where it existed; a process which has contributed to what has been described by one author as the secularization of the German school<sup>(1)</sup>. But to speak of the secularization of the German school must not be to ignore the broader social causation behind that process. Our concern in this study has been to look at the development and interaction of the policies of the Churches and political parties with regard to the values, content, the organization and decision-making within the field of education in a broader cultural and historical perspective. In this chapter we reiterate some of the changes which have been referred to in previous chapters, seeking to give an overall and more cohesive picture of the interrelationships of the various developments to broader social change and we examine these in terms of their implications for what is argued to be a basic political change accompanying a fundamental restructuring of West German society. Finally we seek to assess the methodology and findings of the

study and suggest areas for further work and research.

The restructuring of West German society to which we have referred can be seen in large measure as a consequence of two major phenomena in West German society which distinguish it radically from all previous German societies. The one is its unprecedented economic progress and the other is the widespread penetration of the ideal of democracy throughout West German society and education. The latter is leading to a fundamental change in the way in which education is conceived of in terms of its aims and functions, whilst the former has provided the means for the at least partial implementation of these articulated values. This is not to argue that economic advance itself has not led to changes in values. This would clearly be untenable, for it is clear that economic progress and democratization have been closely linked in West Germany in the period which we have been considering, even if this has not been the case elsewhere. However, our major focus in this study has been on the influence of political and religious belief on educational policy and progress and not on the relationship of economic progress to educational advance. Thus whilst bearing in mind the importance of the economic dimension in the process of democratization and in the implementation of democratizing policies in education in particular, we continue in this chapter, the ideological orientation of the previous sections of our study whilst broadening it to consider broader questions of religious, political and social change.

The process of democratization is not one to be confused with a simple formalization of democratic structures. Indeed in so far as the word is used to refer to the process of opening up the whole of the value system of society from which different interest-groups choose their own specific value systems, an inevitable concomitant of

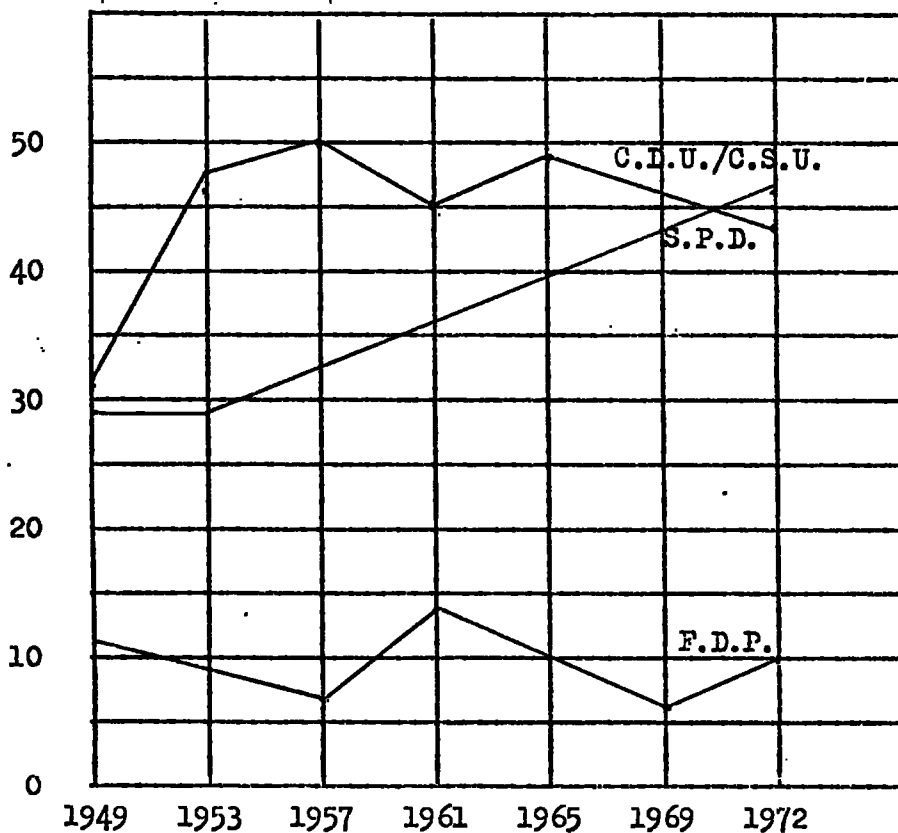
the development of democratization within any society is that formerly-binding religious and ideological values are eroded and replaced by a more pluralist system of instrumental regulation of social behaviour. This change in the basis for human action is then reflected in changes in the structure of society and particularly in social sub-systems such as education. It is inevitable within this process of change that interest groups, however dominant and coherent their values may have seemed in the past, such as was manifestly the case with the major Churches, become more and more subject to change both in their values and structures and a competitive market develops where these older traditional groups are ranged alongside other equally vociferous interest-groups which strive for the advance of their own ideals within society.

It would be false, however, to assume that in this process all of society's values have been swept away. Social structures continue to rest upon social values, and what in fact has happened has been that there has been a broadening of the selection of values from which interest groups and individuals may choose their own personal mode of life, which is not peculiar to West Germany but is typical of western society in particular in the period from the end of the Second World War. One manifestation of this had been through the voting patterns which one can trace within West Germany in the period from the foundation of the Federal Republic. It is quite clear that the smaller interest group parties have been swept away in what is a common though not universal phenomenon in western society based on democratic practice, that is, a polarization between the parties of the right and those of the left. Figure Two indicates the way in which the voting patterns of the three major parties have changed in the period from 1949 onwards. At the same time as minor parties have departed from the political scene, the remaining major

parties have facilitated and benefitted from this process by the progressive extension of the values and policies which they have felt able to embrace. At those times when this extension has stalled, other political groups such as the extreme N.D.P. and the extra-parliamentary opposition have appeared in order to fill the gap.

Figure III<sup>(2)</sup>

Proportion of Total Vote Gained by Main Political Parties  
in National Elections 1949-73



Significant here is not only the way in which voting proportions of the C.D.U./C.S.U. and S.P.D. have come closer together to give within West Germany a greater symmetry between the two major parties but it must also be noted that this has come about mainly as a consequence of the greater overall diversity but closer approximation between the political theories, aspirations and policies of the two parties. Evidence has been brought forward, for example, that there is now greater willingness on the part of voters to transfer their

votes between the two major parties than was the case in the past, and this can certainly be seen as one consequence of this closing of the gap between the major parties, and particularly so in the larger Catholic cities where there are indications that the former relationships between the religious denomination of the voter and his voting pattern have been slowly weakening in West Germany as they have in other parts of Western Europe, with the result that in the 1965 general election the position of the Union parties as the leading parties within the Catholic cities was altered substantially enough for them to be replaced by the S.P.D. This, combined with the fact that the S.P.D. has been able to recruit more women's votes, has led in the last general election in 1972 to the S.P.D. becoming the largest single party represented in the Bundestag<sup>(3)</sup>. Educational as well as religious factors are also at work, however, and we shall be referring to these later in particular in relation to the upward movement of the F.D.P.

If the results of surveys which were carried out in the early post-war years are compared with present voting habits, there are strong indications of the previous relationship between church-going and membership of a political party being weakened and gradually replaced by a complex of factors which may be described as being concerned with educational level and social structure. In a survey of public opinion in occupied Germany which was carried out during the period from 1945 to 1949, it was found that 71% of regular church-going Catholics preferred the C.D.U. or the C.S.U. to any other party. On the other hand, however, irregular church-going members of both faiths, Catholic and Evangelical, were predominantly S.P.D. supporters. Furthermore, support for re-constitution of the Centre Party was found amongst 32% of regular church-going Catholics whereas all other characteristic groups were strongly opposed to it<sup>(4)</sup>.

In a survey which was conducted in January 1948 it was discovered that 90% of those who were canvassed, supported the teaching of religion in schools and a further survey in April of that same year in the American Zone discovered that 96% favoured the teaching of religious education in schools and 92% of those interviewed in West Berlin were of a similar opinion, whereas, on the other hand, only a minority supported the idea of denominational schools, in fact 28% in the American zone and 26% in West Berlin<sup>(5)</sup>.

Further evidence is provided by two surveys which were carried out prior to the elections for the second Bundestag in 1953 in which a large proportion of voters said that they had voted for the C.D.U. because it was the Christian party. Although clearly such evidence must for methodological reasons be interpreted with caution, further weight is added to the arguments that have been described of a continuing close association in the early years of the Federal Republic between religious affiliation and voting habits and this is in spite of the changed structure of political parties in comparison with the Weimar period<sup>(6)</sup>. Almost twice as many Catholics declared themselves for the C.D.U. as did Protestants and the appeal of the C.D.U. seemed to be particularly strong to Catholic women. On the other hand, more Protestants declared themselves for the S.P.D. than did Catholics<sup>(7)</sup>. One point of interest is the way in which this denominational distribution of votes led to the election of candidates in almost exactly the same proportion as the proportion of Catholics and Protestants who had voted for the C.D.U., that is, 60% Catholic and approximately 36% Protestant. This is roughly inversely proportional to the number of Catholics and Protestants in the whole population. All C.D.U. members declared allegiance to some Christian denomination or other, almost 40% of them belonging to the Evangelical Churches and just over 60% to the Roman Catholic Church<sup>(8)</sup>. On the

other hand although figures are unreliable because of the fact that the Social Democratic Party regards the denomination of its candidates as a private matter, there are strong indications that 30% of the S.P.D. members elected in the 1953 general election belonged to the Evangelical Church and only just over 13% to the Roman Catholic Church. The message of the 1953 and 1957 elections for the S.P.D. was thus that they must rapidly reassess the ideological basis on which they approached the electorate. This they did in a number of ways but especially through the development of the Godesberg-Programme in 1959 and also by a re-grouping of those who were in political influence within the party towards moderate centre leaders such as Willi Brandt, Carlo Schmidt, Herbert Wehner and Fritz Exler.

At the same time as this was happening however there was an increasingly strong definition taking place in voting patterns and in the electoral platforms which were used by the various political parties to the electorate. For example, whereas there had been in 1949 15 parties which contested the elections, in 1953 there were 17 but in 1957 this had been reduced to 14. From that time onwards there is a gradual reduction in the number of splinter parties to 9 in 1961 (10 in 1965 and 11 in 1969) of whom only 3 in this latter period obtained sufficient votes to be represented in the Bundestag<sup>(9)</sup>.

Characteristic of this latter development has been a gradual approximation of the educational policies of the two main parties, their attitudes to pre-school education and comprehensive schools being cases in point, and increasing evidence of the emergence of the phenomenon of the floating voter in particular from the time of the 1961 general election. This movement of electors from one major party to the other is especially noticeable in the performance of the C.D.U. in larger urban areas. For example, whereas in 1957 the C.D.U. was still able to retain an overall majority in 62 of the largest urban



areas by 1969 this had been reduced to 14. In addition, although the C.D.U./C.S.U. continued to gain its best results in Catholic rural areas and the S.P.D. its best results in Protestant urban areas, the Social Democratic Party would appear to be progressively squeezing the C.D.U./C.S.U. out of the larger urban cities, even those which had been previously Catholic. A similar movement was detected in Schleswig-Holstein and in Lower Saxony in the 1969 general election, where a direct movement of voters from the C.D.U./C.S.U. to the S.P.D. was observed<sup>(10)</sup>. Even in a traditional centre of C.D.U. support such as the Saarland, the trend would appear the same and it is one of weakening of ties between the C.D.U. and the Catholic population without a corresponding improvement of the C.D.U.'s attractiveness to the Evangelical population<sup>(11)</sup>. There is thus clear evidence of a loosening of ties to and influence by the Churches on the voting patterns of electors in the Federal Republic, and through this, upon the structure of society and in particular education.

The changes in values which have taken place from the foundation of the Federal Republic and have led to a loosening of the religious-based value system during that same period of time have had an impact beyond voting patterns. For example, large organizations, such as the trade unions, given that they may contain distinctly church-oriented minorities, are nonetheless in their total structure neutral towards religion, and post-war attempts to refound a Christian-based mass trade union organization were unsuccessful. With regard to the press a similar picture emerges. In 1933, for example, 50% of the press had some denominational or other ideological basis and the Centre Party alone published over 600 newspapers of its own. By 1956 the proportion of such papers had been reduced to 20%. A counter-attack phenomenon is by no means absent from West German society either geographically or socially, however. For example, although the

Catholic Church has a newspaper circulation of its own which occupies only approximately one per cent of total newspaper circulation, broadly Christian-oriented newspapers still occupy some 10% of the circulation of newspapers within the whole of West Germany and a similar proportion of sales is taken up by denominational magazines. Unsuccessful attempts have been made to reverse this trend and there is now once again no national Catholic daily or weekly publication of any consequence. The last effort by the Catholic Church to launch a Catholic weekly entitled Publik in September 1968 foundered after a mere three and a half years, during which it absorbed over 32 million Marks of Church money. It ceased publication in September 1971.

The lack of success of the Centre Party, re-established in some areas at the end of the War, and its eventual elimination from significant political power is added evidence of the decline of political Catholicism and of an increasing neutrality of the State in Church matters which is paralleled by a growing accommodation of the Churches to the idea of being one influence group competing on a more pragmatic basis than in the past with other influence groups within a democratizing society<sup>(12)</sup>. The Churches everywhere seem to be in retreat. Membership has dropped severely in both Churches and although the fall is less rapid now, it is estimated that the Catholic Church lost over 100,000 members in 1971 and 1972 alone. The Aggiornamento of John XXIII seems to have been both cause and effect of this development.

The concomitant developments in the school system are not hard to discern. In 1961 it was still possible to estimate that over 50% of all pupils in the Federal Republic attended denominational schools. In four Länder the denominational school was the usual school type and in the Saarland it was the exclusive school type. In the Federal Republic 17.2% of schools were Evangelical denominational,

39.3% were Catholic denominational and only 43.5% were interdenominational community schools<sup>(13)</sup>. Reform of the system was still blocked by traditional views and by Church agreements. This position has now radically altered. As Figure IV indicates up to 1967 progress had been slow, but in the two year period from 1967 to 1969 there was dramatic increase in the proportion of interdenominational schools from just less than 50% to approximately 75% with a corresponding reduction in the number of denominational schools<sup>(14)</sup>. The change in status of large numbers of special schools was even more striking.

Figure IV

Public and Private Schools in the Federal Republic

School Type	Year	Total	Christian Community Schools	Community Schools	Denominational Schs. Evangelical	Catholic	Others
Elementary Schools	1955	29465 <sup>(2)</sup>	9319 <sup>(3)</sup>		4465 <sup>(3)</sup>	10954 <sup>(3)</sup>	4727 <sup>(3)</sup>
	1958	30295		13193	5224	11853	25
	1963	30196		13071	5194	11925	6
	1964	29992		12990	5117	11879	6
	1965	29287		12722	4926	11633	6
	1966	28452		12527	4634	11248	43
	1967	26913		13371	3628	9908	6
	1969	23069		17314	1239	3758	758
Special <sup>(5)</sup>	1955	1047 <sup>(2)</sup>	555 <sup>(3)</sup>	45 <sup>(4)</sup>	82 <sup>(4)</sup>	204 <sup>(4)</sup>	161 <sup>(3)</sup>
	1958	1118		643	72	222	181 <sup>(3)</sup>
	1963	1284		838	75	227	144
	1964	1374		900	79	241	154
	1965	1469		959	89	250	171
	1966	1641		1116	89	255	181
	1967	1834		1237	84	270	203
	1969	2191		2061	49	81	-

- Notes:
1. Without Hamburg, Bremen and West Berlin.
  2. Without Saarland.
  3. Without Lower Saxony.
  4. All figures in this column from this point onwards without Lower Saxony.
  5. Federal Republic and West Berlin.

There is no longer a single province in the Federal Republic which has the denominational school as its usual school form and the Federal Statistical Office no longer regards state denominational schools as a significant enough category to merit collecting statistics on them. Thus in the organizational sphere, at first sight, the problems seem to have been largely resolved. It is true that in isolated cases the religious problem can still delay reform and experiment. In Lower Saxony, for example, shadows of the 1965 controversy returned with the announcement in late 1972 by the social democratic Minister of Education van Oertzen of his intention to introduce legislation turning the fifth and sixth classes in all schools into orientation stages. The legislation was held up for a period of time whilst secret negotiations took place between the Minister of Education and the Papal Nuncio in Bonn. Eventually, however, a supplementary protocol to the Concordat of 1965 was agreed and signed and the orientation stage is to be introduced gradually up to 1976, under the terms of legislation jointly supported by the S.P.D. and C.D.U. But such difficulties are in many ways isolated throw-backs<sup>(15)</sup>. The private school system which is almost exclusively denominational and predominantly Catholic has increased, it is true, and is now more generously subsidized by the State in all of those provinces where constitutional changes have taken place. As a corollary, however, those areas of education which are public are now correspondingly less susceptible to Church influence. This is a much more disturbing tendency noticeable in the organizational field, in that space and parallel with a general unification of the state systems of education, a considerable growth has taken place in private school provision which is substantially state subsidized. This means effectively that albeit for a smaller number of children than previously the former religious divisions far from being abolished as

would appear at first sight, are in fact being compounded and supported now by social and economic factors. In common with many other advanced societies including America and England, rising standards of educational expectation are luring more and more parents to private education and though the problem is still small in West Germany, it has been accelerated by the school reforms that we have described and it is likely to continue to grow.

In addition the Churches' influence in the area of teacher education has also receded in spite of the establishment in 1973 of the first Church comprehensive institution of higher education which was set up by the seven Bavarian dioceses on the basis of a resolution of the Bavarian Bishops' Conference. This is the Hochschule at Eichstätt which was given State approval by the Ministry of Education and Culture in Bavaria by resolution of the 29th September, 1972<sup>(16)</sup>. The Churches everywhere in West Germany are now striving to play an increasing part in the provision of in-service opportunities for teachers and several reports have been received of in-service education centres being established by the Catholic Church or by particular dioceses.

As can readily be understood from Chapter Fifteen it is in the area of the curriculum where it might be argued the Churches have most vigorously counter-attacked against the decline in their influence. The Evangelical Church, whilst remaining true to the words and spirit of the commitment to a "free service to a free school" made at the 1958 Synod and whilst arguing that religious education in schools is not organized for the Church's sake, but rather because each citizen has a guaranteed basic right to religious education which the Churches have an obligation to provide if the citizen so wishes it, has quite naturally sought to secure the conditions under which that religious education can be given.

The 1969 Agreement between the Evangelical Churches and the State of Northrhine-Westphalia is a good example of this in the form of a church-state initiative, but equally important has been the ecumenical closing of ranks between the two major Churches heralded in the resolutions of the 1973 Synod of the Evangelical Church in the Rhineland<sup>(17)</sup> and embodied in the "Munich model" of upper secondary education with regard to religious education and in the draft guidelines for combined basic courses in Catholic and Evangelical religious education produced by the Baden-Württemberg Commission<sup>(18)</sup>. Similar counterpart developments can be seen in Hessen. These and other equivalent developments are indications of the greater recognition of a common interest by the two Churches. More recently the critical reception which the Catholic Bishops in Hessen gave to the new Hessen curriculum guidelines in their Pastoral Letter of August, 1973, was indicative of the continuing and growing influence and interest of the Catholic Church in the curriculum<sup>(19)</sup>. Equally important and no less fundamental has been the acceptance by both Churches of the sociological dimension on and in religious studies. After a long period when sociology was looked upon if not with open hostility then with unhelpful suspicion, demands are now heard that religious studies should be more closely associated with historical, social and civic studies.

Analyses of the relationship between denomination, voting pattern, education and social structure commenting on the 1972 West German General Election are only just beginning to appear, but it is already clear from these that a major change has taken place and that the direction of this change is likely to continue. A preliminary analysis by the Konrad Adenauer Foundation investigates the relationship between voting pattern in the 1972 election and two major social factors, those of density of population and proportion

of Catholics in the electorate, which taken together, are found to explain 69% of the movement in the C.D.U./C.S.U. vote<sup>(20)</sup>. Figure V indicates the continuing very high correlation between the sociographical indices of religion and the proportion of the vote obtained by the parties.

Figure V (21)

Strength of Correlation: Voting and Given Indices

Proportion of votes for the major parties Sociographic indices	C.D.U./C.S.U.	S.F.D.	F.D.P.
Occupational Groups in Agriculture and Forestry	0.60	-0.55	-0.38
Productive Professions	0.35	0.27	0.34
Commerce, Transport	-0.16	0.54	0.64
Other Service Industries	0.09	0.26	0.63
Self-Employed	0.75	-0.40	-0.03
Civil Servants, White-collar workers	-0.05	0.48	0.78
Manual Workers	0.45	0.29	0.30
Evangelical	-0.27	0.62	0.53
Catholic	0.61	-0.40	-0.35

It is clear from the Table that although there is a continuing and strong relationship between the denomination of the voter and the proportion of votes obtained by the three major parties, this is exceeded by the even closer relationship between those who are self-employed and who vote for C.D.U./C.S.U. This latter factor is noted in conjunction with other social structural factors and their relationship to voting patterns in a report which was prepared by the F.D.P. in Bremen and will be referred to later. For the moment it must be observed that any weakening of relationship with the Catholic Church on the part of voters and any movement towards increased

density of population will threaten the position of the C.D.U./C.S.U. Such areas, however, are the very ones where there has been considerable change since the end of the Second World War and where within German society the social structure can be said to be changing most. As the report points out these movements are in line with developments which have taken place in voting patterns since 1953, according to which the S.P.D. regularly achieves a 3% increase in votes in each federal election whilst the C.D.U./C.S.U. having reached their highest points in the elections of 1957 and 1965, have, apart from this, been relatively stagnant. This tendency, it is argued, is in harmony with a general change in the structure of German society which is above all indicated by the approximately 50% reduction of the proportion of self-employed in West Germany and a corresponding increase in the number of non self-employed amongst whom the preponderance is now in favour of white-collar workers rather than manual workers. The political consequences of this are above all the reduction in the size of those sections of the community who have traditionally voted for the C.D.U./C.S.U. with a counterpart growth in the number of potentially floating voters which form a reservoir that the S.P.D. has now been able to begin to tap. The report continues by identifying four major areas of the population where this process of movement from one major party to another is taking place. These are the urbanized middle classes, the Catholic workers, the female population and young voters. It is not proposed to go into each of these factors in detail here, but it is clear that the fact that there has been in the post-war period no Christian trade union in Germany as such, and certainly none dominated by the Roman Catholic Church has in the long run worked in favour of the S.P.D. Thus whereas the Church as a norm-setting institution has lost ground over the last ten years, the way in which the trade unions in



Germany have tended to be politically active has worked very much in favour of the S.P.D. This is particularly so with regard to Catholic workers. As a generalization it is possible to say that across all social groups the proportion of C.D.U./C.S.U. voters amongst regular Catholic church-goers sank in the last ten years from 67% to 59%. It is quite clear that in all four areas which were previously mentioned the factor of education is of considerable importance. This is not a factor, however, which is analysed or elucidated in the report mentioned and we must therefore turn to other evidence provided by the F.D.P. with regard to the relationship of education and educational achievement to the development of the new middle classes amongst whom will be many who can be assumed to compose a major part of the floating voters.

An analysis by the F.D.P. of the Hamburg Assembly elections of 1970 which was drawn up in preparation for the Federal election of 1972 highlights the importance of education in the factors that we have identified. In a study which attempts to use the techniques of ecological election analysis two main factors are identified which determine the outcome of the election. These are described as social success and social independence<sup>(22)</sup>. The factor social success comprised all those characteristics which have to do with the level of education of the population. Those parts of Hamburg in which the educational level of the population is high demonstrate high values on the factor social success. The analysis provides the link between the proportion of white-collar workers and civil servants in the population and their relationship with the social factor, social success. Areas of Hamburg in which these two groups were proportionally over-represented were areas which were identical with those areas which demonstrated the higher level of educational achievement and thus were high on the factor of social success. The other factor which was

analysed was that of social independence and to this belonged the proportion of self-employed people within the population. The analysis made by the F.D.P. then continues to examine the polarity between the S.P.D. and the C.D.U. as being one which now has essentially social structural parallels. The S.P.D., for example, did well in those areas which were low on the factor of social independence and conversely the C.D.U. did badly. Although the factor of social success is argued to have only a slight influence on the results of the S.P.D. and C.D.U., it is argued that for the F.D.P. this factor of social success is of outstanding importance. Slightly over-simplifying the report describes the C.D.U. as the party of the self-employed whilst the F.D.P. is described as the party of the educated. It argues that the factor social success and within this the educational level of the voters liberates for the F.D.P. a pool of potential voters which is not at all dependent on the other two parties<sup>(23)</sup>.

An analysis of the federal election of 1972 which was carried out for the Hamburg F.D.P. by Troitzsch further develops this thesis of the relationship between educational level and voting patterns in terms of the F.D.P. voter<sup>(24)</sup>. This report indicates that the proportion of white-collar workers and civil servants, that is those with a higher than average formal educational level, has increased as a proportion of the F.D.P. voters from about a half to two-thirds. The analysis which was carried out for Hamburg but with regard to a federal election as opposed to the previous report concerning the provincial election, indicates once more, that the factor of social success is an important one in determining the proportion of votes which the F.D.P. is able to gain. On the other hand, the factor of social independence seems to be an important one for the C.D.U. in a positive sense and the S.P.D. in a negative sense. The interesting

thing about this analysis is that although the F.D.P. continues to be a party which draws its support from the upper middle class the upper middle class itself is now changing from previously having had a very high proportion of self-employed people to being composed of white-collar workers and civil servants who largely live on the outskirts of the city and have a higher than normal educational level. The relationship between residents in the new suburbs of Hamburg, educational level and voting for the F.D.P. is further evidence of the emergence in Germany of a new middle class which is voting on a basis more pragmatic than the previous ideological commitment to voting either for the C.D.U. or the S.P.D. Although the argument is not developed by any of the reports which have been quoted there is strong evidence that a new means of categorizing the social structure of German society is now needed and this is particularly the case in attempting to differentiate between the middle class as it was previously generalized to exist, and the newer phenomenon of the emergence of a new middle class.

It is concerning this last factor that the main committee of the F.D.P. met, in March 1973, to discuss and analyse the results of the federal election of 19th November, 1972. The conclusions of this meeting which were published by the F.D.P. in its information service at federal level seemed to indicate that the proportion of workers amongst F.D.P. voters had risen only slightly but that the proportion of white-collar workers and civil servants, that is those amongst the new middle-class who would score heavily on the factor of social success had increased and that the F.D.P. was strongly over-represented in this particular social group<sup>(25)</sup>. Conversely other sections of the middle class, such as for example, those who were self-employed had fallen off in the proportion of the F.D.P. voters. Indeed, looked at in the twenty year period from 1953 to

1973 the proportion of white-collar workers and civil servants amongst the F.D.P. voters had increased from 34% to 66% at the federal election of 1972 and the proportion of those who were self-employed but nonetheless part of the traditional middle class had fallen back from 35% to 11%. An examination of the distribution of votes in the 1972 General Election cast as second votes in the proportional representation system at present in use in West Germany, although unsatisfactory in terms of the social divisions which are proposed and difficult for English readers to understand, nonetheless gives a very strong indication of how the S.P.D. and the F.D.P. are achieving high proportions of votes within those social groups which are expanding most rapidly. Thus, for example, the S.P.D. is shown to be obtaining 48% of the votes of the white-collar workers and civil servants, that is, those who previously have been defined as having high educational levels and living on the outskirts of major cities which are expanding rapidly. Interestingly the S.P.D. is in second place to the C.D.U./C.S.U. in terms of its ability to obtain the votes of academics where the C.D.U./C.S.U. still lead the way but where the F.D.P. is more than proportionately represented.

Of course, the C.D.U./C.S.U. and the S.P.D. still continue to have their traditional pool of voters amongst the free professions and those who are self-employed and amongst the workers respectively but there is strong evidence that in those social groups which are expanding rapidly within German society and which have a high level of educational achievement and score highly on the factor of social success both the F.D.P. and the S.P.D. are gaining ground. The S.P.D. has now clearly replaced the C.D.U./C.S.U. as the majority party within the new middle class, and as a generalization it can be argued that the C.D.U./C.S.U. is beginning to suffer the general slide in popularity which has been experienced by Christian Democracy throughout Western Europe. It is, moreover, a decline which the

weakening of political Catholicism can only accelerate.

Thus the evidence of our last chapter would seem to indicate a very strong relationship between the beginnings of a breaking down of previously pervasive religious and social values and the relationship of these values to political allegiance and the emergence of a new social structure in West Germany which is based upon the development of a new middle class possessing a high level of educational achievement. The relationship between the factors of religion and politics in the sphere of education would thus seem to be a dialectical one where, although strong loyalties still obtain, these are now receding in favour of more democratizing factors such as those connected with success in a more modern and open society and the level of educational achievement of the persons concerned. It would appear that the policies which have been proposed and pursued by the S.P.D. in particular since the 1959 Godesberg Programme was developed, are likely eventually to lead to the expansion of that particular social group which in terms of voting patterns is of most benefit to the F.D.P. and the S.P.D. and of least to the C.D.U./C.S.U. At the same time the factor of affiliation to religious group and the impact which this had on voting behaviour and therefore on the distribution of power within society is also changing rapidly, for amongst those sections of the population where traditionally there has been strong support for the C.D.U./C.S.U. there is now a decline of religious belief and traditional values associated with this, which can only work to the disadvantage of the C.D.U./C.S.U.

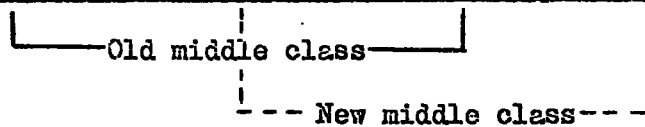
A very strong social trend is in evidence which manifests itself in the achievement of power by the parties of the middle and of the left and which is likely to continue to do so within the foreseeable future and will bring in its wake the implications that the parties of the right and traditional religious interest groups within society

will have a weakening influence upon political decision-making not least in the area of education.

Figure VI (26)

Profession of the Head of Household and Voting (Second Votes 1972)

	Free Professions %	Non-independent Academics %	Other self-employed %	Other white collar & civil servants %	Workers %	Farmers %
S.P.D.	24	31	19	48	57	8
C.D.U./C.S.U.	45	39	61	32	26	74
F.D.P.	20	27	8	14	5	7
Other	3	-	-	-	-	-
Non-voters	8	2	11	6	12	11



The factors involved in the democratization which we described as taking place in the preamble to the introduction to Part Three of our study are thus seen to have far-reaching effects in terms of both the structure of society and the way in which power is distributed within it and these factors in turn have their impact on the types of policies which are being and are likely to be brought forward with regard to the reform of the educational system and its democratization. All the major political parties now give issues of democratization considerable prominence in their educational policy platforms and the recent recommendations of the German Council for Education on the reforms of the organization and administration of the educational system raise fundamental questions of the participation of various groups in the processes of decision-making within the educational system. Development is inhibited by the administrative inconvenience of the division of responsibility for education in the Federal

Republic which acts as a brake on the generation and implementation of policies which would lead to a more rapid democratization of the educational system. This incongruence between the broader democratization of society in general and the sluggishly responding educational system represents an important conflict in the development and modernization of German society which will have to be overcome if it is not to appear over the next decade that the German educational system is insufficiently responsive and articulate in terms of broader social need and ideological development.

In summary it is possible on the basis of our study to come to a number of conclusions. The first of these is that the influence of the Churches is receding in all sectors of West German society and in education in particular. The arena of conflict has changed and the Churches' attitudes are now in many cases much more open. This latter is also correspondingly so for the major political parties. The content of education and, to a lesser extent increased participation of various groups, now emerge as the major areas of dispute and this is likely to remain so for some time. Christian Democracy is seen to be on the wane as a political movement in West Germany and the likelihood of a gap emerging in German political life is a factor to be taken into account. How this vacuum will be filled is a matter of some considerable importance to the future democratic development of German political life. Secondly, it is quite clear that there is emerging a fundamental change in the structure of West German society which is dominated above all by a new middle class which has a high level of educational achievement and of social aspiration. Thirdly, this in turn, is encouraging changes in voting habits which affect the distribution of power within society, access to political decision-making in general and to decision-making in education in particular.

Fourthly, and deriving from changing voting habits, democratizing policies are emerging which seek to equalize educational provision and raise levels of education generally, and to overcome factors which inhibit this process. Additionally and in parallel all political parties are proposing policies which will provide the school with greater autonomy and encourage greater participation. Fifthly, higher levels of educational aspiration are leading to competition between the major political parties in devising and developing policies which may seem conducive to democratization to the electorate and in particular to the new floating voters. Sixthly, such policies are likely to lead to further changes in educational provision; in its organization, in the development of new curricula, in greater participation by all social and chronological groups but also in the other direction of the greater administrative centralization and harmonization of education within the Federal Republic; all of which in turn may be expected to lead to further social change. On the basis of our description and analysis, therefore, the Federal Republic is shown to be in the process of a very rapid social change which is manifesting itself in the social, political and educational structures, but also in the values supporting these, and is spurred in no small measure by the continuing economic boom.

With regard to the approach to the study which we have adopted it is necessary to conclude with an attempt to assess how far it has been useful in fulfilling the task which it was designed to facilitate. It is appropriate in this connection to make acknowledgements of an alternative, historical and ideological interpretation of the very phenomenon which we have examined. A Marxist appraisal would probably agree with the identified change within this study, but would argue that such changes as the comprehensive school, far from representing a democratization, are part of a not fully comprehended forced rationalization, where the technological needs of the



reproductive progress give an appearance of democratic change to what is in effect the demontage of feudal, pre-industrial values and relationships in the interests of economic modernization. This view would argue that the distinction between reality and appearance, between the needs and problems as they appear and the conditions, especially economic, which have caused them, is crucial to an understanding of the way in which the phenomenon under discussion can be seen as part of a rampant consumerism; under the spell and necessity of material production and thus merely an alibi for genuine democratization.

In so far as this view accepts the criss-crossing and overlapping inter-relatedness of all mental and social factors there is little divergence from the philosophical basis of this study. In the identification of phenomena, it is possible to test and correct for false perception of the changes described. It is in the interpretation of social phenomena and the cultural and especially economic aetiology where the divergence occurs. Whilst, many of the reforms, changes and innovations which we have described are, as we acknowledge, still embedded in an economic efficiency view of education, many others, we argue, manifest the beginnings of a commitment to greater equity and justice which is hardly economically motivated on the one hand, nor the result of the unanticipated consequences of economic necessity on the other. Thus whilst this study shows much of the Marxist mistrust of 'objective' appearance and accepts the need to scrutinize closely the cultural phenomena giving rise to the social change and vice versa, indeed this is part of the methodology of the study, it is not a Marxist interpretation of change, but neither is it, for all its optimism that conditions made by man are changeable by man, a latter-day Aufklärung approach to social change.

It is appropriate next to consider the structure of the study

Firstly, the lengthy historical introduction proved not only desirable, but also necessary in order to portray the genesis of the issues which continued to have such importance and influence on education in the major period of our study. Secondly, the four themes approach which we adopted in the latter part of the work has helped to clarify not only where underlying values are in conflict, but also to catalogue the movement of conflict from an emphasis on organizational issues to a much greater concern with matters of substance and process. Thirdly, the chronological cut-off points that we have used have helped to chronicle the developments which have taken place and give them a coherence within broader social developments which would otherwise have proved difficult to obtain. Our final date of 1973 has proved particularly accurate as it represents in many ways the end of an era. It is a year free from elections, where the political parties are taking stock and bracing themselves for the next battles but where a newly returned S.P.D./F.D.P. coalition government has a good, strong majority. In Church affairs, the drain from the Churches of large numbers of members, though continuing is slowing down and it is a year which witnessed the Coburg Synod of the Evangelical Church in Germany which served to close an important chapter in the post-war story of that Church. In the educational sphere the first volleys have been fired in the major engagements about the content and control of education.

Finally, the study has served to highlight a whole area of further empirical and descriptive work at the micro and macro levels. At the methodological level it is quite clear that further conceptual development is needed if comparative education is to climb beyond scientific aspirations. More micro studies of the process of value transmission and innovation would also help us to refine our comprehension of exactly how political policies "see the light of day" and how these are then operationalized. Closer operational

studies as a comparative basis are needed of the process of organizational and curriculum innovation in clusters of schools in different countries. Finally the process of liberalizing and democratizing school government and administration is a topical but nonetheless crucial area of investigation if schools of the future are to avoid the authoritarian excesses in new guise of the schools of the past. Such studies could be undertaken to facilitate understanding, to inform innovation, to encourage reflection and reform and to make a little more deliberate, systematic and humane the process by which human beings regulate the way they live and learn together in school and society.

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1. Erlinghagen, K., Die Säkularisierung der deutschen Schule (Hanover: Hermann Schroedel Verlag, 1972).
2. Vogel et al., op. cit., p. 205. Adapted and amplified.
3. Ibid., p. 229.
4. Details taken from Merritt, A. J. and Merritt, R. L. (eds.), Public Opinion in Occupied Germany: The CMCUS Surveys 1945/49 (Urbana: University of Illinois Press, 1970), pp. 81-83.
5. Ibid., pp. 203ff and 243ff.
6. Hirsch-Weber, W. and Schütz, K., Wähler und Gewählte (Eine Untersuchung der Bundestagswahlen 1953) (Berlin: Verlag Franz Vahlen G.m.b.H., 1957), pp. 336ff.
7. Ibid., p. 235. Faul in discussing the sociology of the West German electorate points to the consistently higher voting participation of Catholics and makes the point that voting is at its highest in predominantly Catholic constituencies. See Faul, E. (ed.), Wahlen und Wähler in Westdeutschland (Villingen: Ring-Verlag, 1960), pp. 163ff. He argues that this may in part be due to the encouragement of the clergy.
8. Ibid., p. 357.
9. Vogel, et. al., op. cit., p. 202.
10. Ibid., pp. 228-229.

11. Indeed the C.D.U. analysis of the 1970 provincial elections makes the very point which is so often made about the role of the Catholic Church and Catholic clergy in the poor showing of the S.P.D., when it comments that the traditional attitude of the Evangelical population against the C.D.U. is fostered by a section of the Evangelical clergy who orally and in writing explicitly support the S.P.D. and even speak against the C.D.U. See C.D.U. Saar, Wahlanalyse: Landtagswahl 1970 (Saarbrücken: 1970), p. 11.
12. A sociological description of this process of secularization is Fürstenberg, F., "Konfessionalisierungstendenz und Gesellschaftsstruktur" Zeitschrift für Politik (1966), XII, pp. 404-412, from which some of these details are taken.
13. Ibid., p. 409.
14. The sources for Figure IV are data supplied by the Federal Statistical Office directly to the writer. Figures for 1969 are taken from Statistisches Bundesamt, Fachserie A, Bevölkerung und Kultur (Reihe 10, Bildungswesen I. Allgemeinbildende Schulen) (Wiesbaden: 1970), p. 9.
15. Account taken from Gesamtschule-Informationen (1972), no. 4, p. 24 and (1973), no. 2/2, p. 14.
16. Information received from Bischöfl. Generalvikariat, Eichstätt, 15th May, 1973.
17. See in particular Schule und Kirche (1973), 1, pp. 26-30.
18. Kultusministerium Baden-Württemberg, Lehrplankommission für den Evangelischen und Katholischen Religionsunterricht in der gymnasialen Oberstufe in Baden-Württemberg, Lehrplangentwurf für Grundkurse in Evangelischer und Katholischer Religionslehre auf der reformierten Oberstufe der Gymnasien in Baden-Württemberg (Stuttgart: December, 1972). But see also Bayerisches Staatsministerium für Unterricht und Kultus, Schulreform in Bayern II: Kollegstufe am Gymnasium (Munich: 1972), pp. 40-59.
19. See, for example, Das Bistum Mainz, Die Situation des Religionsunterrichts an den Schulen (Mainz: August, 1973).
20. Sozialwissenschaftliches Forschungsinstitut der Konrad Adenauer Stiftung, Die Bundestagswahl 1972 (Extract from draft report mimeo., 1973).
21. Table taken from above report. Ibid., p. 78.
22. "Sozialstrukturelle Determination von Wahlergebnissen und Zielgruppenanalyse" (Hamburg: F.D.P., Landesverband Hamburg, 1973), mimeo, p. 2.
23. Ibid., p. 4.
24. F.D.P., Landesverband Hamburg, Geschäftsbericht 1972/73 (Hamburg: F.D.P., 1973), mimeo.

25. "F.D.P. - Hauptausschuss diskutiert Wahlergebnis" in Pressedienst der Freien Demokratischen Partei, Freie Demokratische Korrespondenz (Bonn: 17th March, 1973), p. 2.
26. Table obtained from the above report and slightly adapted.

GLOSSARY

GLOSSARY

Arbeitsgemeinschaft deutscher Lehrerverbände (A.G.D.L.)	Working Group of German Teachers Associations
Allgemeiner Deutscher Arbeiterverein	General German Workers Association
Allgemeiner deutscher Lehrerinnenverein	General German Association of Women Teachers
Allgemeiner Deutscher Lehrerverein	General German Teachers Association
Aufbau-	Promotion Type of School
Bayern Partei (B.P.)	Bavarian Party
Bayrische Volkspartei (B.V.P.)	Bavarian People's Party
Beirat	Advisory Council
Bildnerhochschule	Spranger's Concept of an institution of higher education <u>sui generis</u> to train educators
Die Bekenntnisschule	The Denominational School
Die Bekennende Kirche	The Confessing Church
Berufsschule	Vocational School
Block der Heimatvertriebenen und Entrechteten (B.H.E.)	Refugee Party - Block of those driven from their homes and deprived of their rights
Bremer Plan	Bremen Plan of A.G.D.L. for reform of educational system
Bundesrat	Upper House of Federal Parliament
Bundestag	Lower House of Federal Parliament
Bundesverfassungsgericht	Federal Constitutional Court
Bund-Länder-Kommission für Bildungsplanung	Joint Federal Government - States Commission for Educational Planning
Christlich-demokratische Aufbaupartei	Christian Democratic Construction Party
Christlich-Demokratische Union (C.D.U.)	Christian Democratic Union Christian Social Union in Bavaria

Christlich-Soziale Union (C.S.U.)	Christian Social Union (Counterpart of C.D.U. in Bavaria)
Christliche Gemeinschaftsschule	The (Interdenominational) Christian Community School
Christliche Volkspartei (C.V.P.)	Christian People's Party (Centre)
Deutsche Arbeitsfront	German Workers Front (Nazi)
Deutscher Ausschuss für das Erziehungs- und Bildungswesen	German Committee for the Educational and Cultural System (1953-65)
Deutscher Bildungsrat	German Council for Education
Deutsche Christen (D.C.)	German Christians (A Nazi- dominated Organization)
Deutsche Demokratische Party (D.D.P.)	German Democratic Party
Deutsche Evangelische Kirche (D.E.K.)	German Evangelical Church (1933-45)
Deutsche Erziehergemeinschaft (D.E.G.)	German Educational Association (Nazi-dominated)
Deutsche Friedensunion (D.F.U.)	German Peace Union (Continuation of German Communist Party in West Germany after 1954)
Deutscher Lehrerverein	German Teachers' Association
Deutsche Nationale Volkspartei (D.N.V.P.)	German National People's Party
Deutsche Partei (D.P.)	German Party
Deutsche Reichspartei (D.R.P.)	German Reich Party
Deutsche Volkspartei (D.V.P.)	German People's Party
Deutscher Wissenschaftsrat	German Science Council
Einheitsschule	Unity (Comprehensive) School
Elternvertretung(en)	Parents' Committee(s)
Evangelische Kirche in Deutschland (E.K.D.)	Evangelical Church in Germany (from 1945)
Evangelische Kirche der Union (E.K.U.)	Evangelical Church of the Union
Fachschule	Specialized Vocational School
Förderstufe	Promotion phase - normally classes five and six



Fortschrittspartei	Progressive Party (from 1861)
Freie Demokratische Partei (F.D.P.)	Free Democratic Party
Fuldaer Bischofskonferenz (later Deutsche Bischofskonferenz)	Fulda Conference of Catholic Bishops (more recently renamed German Bishops' Conference)
Gemeinde	Parish
Gemeinsame Schule	Common School (for children of all denominations)
Gesamtdeutsche Partei (G.D.P.)	All-German Party
Gesamtschule	Comprehensive School
Gewerkschaft Erziehung und Wissenschaft (G.E.W.)	Union Education and Science (Largest Teachers Association in West Germany)
Glaubensbewegung deutsche Christen (G.D.C.)	German Christian Movement (Nazi-dominated)
Grundschule	Basic (Primary) School
Gymnasium	Grammar School (Selective Secondary School)
Hauptschule	Elementary Continuation School (Sometimes compared with the English Secondary Modern School)
H.I.C.O.G.	Office of the United States High Commissioner for Germany (1949-53)
Hochschule	A generic term used to describe institutions of higher education
Hochschule für Erziehung	Teachers College
Hochschule für Lehrerbildung (H.F.L.)	National-Socialist Teachers' College
Katholikentag	Catholic Congress
Kommunistische Partei Deutschlands (K.P.D.)	Communist Party of Germany
Konservative Volkspartei (K.V.P.)	Conservative People's Party
Kreis	County
Kreisschulrat	County Education Officer
Kulturkampf	Struggle between Catholic Church and Bismark Germany

Kultusminister	Minister of Education
Land (Länder)	State/Province (States/Provinces)
Landeskirche	Provincial Church
Landtag	Provincial Assembly
Landkreis	Rural County
Lehrerbildungsanstalt	National-Socialist Teacher Training Institution
Liberal-Demokratische Partei (L.D.P.)	Liberal Democratic Party (Free Democratic Party in the Western Zones)
Magistrat	Executive Council of Local Government
Ministerpräsident	State Premier
Missio Canonica	Permission (from Catholic Church) to teach religion
Mittelpunktschule	Centrally located rural school
Nachbarschaftsschule	Neighbourhood School
Nationaldemokratische Partei Deutschlands (N.P.D.)	National Democratic Party of Germany
Nationalfront	National Front: Block of Political Parties in Soviet Zone
Nationalsozialistischer Lehrerbund (N.S.L.B.)	National Socialist Teacher's League
Nationalsozialistische Deutsche Arbeiterpartei (N.S.D.A.P.)	National-Socialist German Workers Party
Niedersächsische Landespartei (N.L.P.)	Lower Saxon State Party
OMGUS	Office of Military Government for Germany (United States) 1945-49
Pädagogische Akademie (P.A.)	Training College
Pädagogische Hochschule (P.H.)	College of Education
Pfarrerernotbund	Pastors' Emergency Association (During Nazi Regime)
Rahmenplan	Outline Plan of German Committee
Realschule	Intermediate School
Regelschule	Usual school form as laid down in constitution or school laws

Regierungsbezirk	Administrative subdivision of State
Reich	Empire (National)
Reichsbrüdererrat	National Association of Brothers
Reichstag	Pre-war German Parliament in Berlin
S.M.A.	Soviet Military Authority in Berlin and the five East German Provinces
Simultanschule	The Interdenominational School
Sozialdemokratische Arbeiterpartei (A.D.A.V.)	Social Democratic Workers' Party (from 1865 to 1875)
Sozialdemokratische Partei Deutschlands (S.P.D.)	Social Democratic Party of Germany
Sozialer Volksbund	Social People's League
Sozialistische Einheitspartei (S.E.D.)	Socialist Unity Party (In East Germany)
Sozialistische Reichspartei	Socialist Reich Party (to 1953)
Spartakusbund	Spartacus League (from 1916)
Staatspartei	State Party (from 1930-1933)
Stadtkreis	Large town (c.f. English County Borough)
Stadtschulrat	Education Officer of Stadtkreis
Ständige Konferenz der Kultusminister (K.K.K.)	Permanent Conference of Ministers of Education
Strukturplan	Structural Plan of German Council for Education for reform of the educational system
Südschleswiger Wählerverband (S.S.W.)	South Schleswig Electoral Association
Unabhängige Sozialdemokratische Partei (U.S.P.D.)	Independent Social Democratic Party (from 1916-1920)
Vokation	Permission (from Evangelical Church) to teach religion
Vereinigte Evangelisch-Lutherische Kirche Deutschland (V.E.L.K.D.)	United Evangelical-Lutheran Church of Germany

Weimarer Republik

Weimar Republic (1919-33)

Die weltliche Schule

Secular School

Westdeutsche Rektorenkonferenz  
(W.R.K.)

West German Conference of Rectors

Wirtschaftliche Aufbauvereinigung  
(W.A.V.)

Economic Reconstruction League  
(1945-53)

Wissenschaftsrat

Science Council

Zentrum

Centre Party

Zwergschule

Small (often one-class) rural  
school

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