

GERMAN LOCAL GOVERNMENT

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In Germany self-government of the different bodies of population which constitute the various corporations is not the first consideration upon which the whole administration of the country is based, but rather a secondary one. The right of self-government is only a part of the omnipotence of the state. The leaders of the self-governing corporations possess their authority only by delegation; they are not only responsible to the state authority—that is obvious—but they are nominated or confirmed by that authority, which comes to be the same.

The municipalities in Germany, as a whole, with the exception of Wurtemberg and certain small parts of Western Germany, are administered by two bodies—the magistrate and the town council. The magistrate is elected by the town council, but his appointment must be confirmed by the King in case of towns having a population above 10,000, and by the president of the Provincial administration in the case of towns having a population below 10,000. When in the year 1876 an attempt was made in Prussia to reform the municipal organization, the right of the Government to confirm appointments was to be materially limited; but the reform miscarried.

The underlying principles of the franchise laws in the North German communities are as follows: Not one of these laws recognizes the general, equal, direct, and secret franchise. The franchise is, of course, direct throughout the whole kingdom, but is nowhere general; it is equal only in a few parts of the country, and secret exclusively in Frankfurt and in the diminutive state or province of Hohenzollern. Every one of the sixteen laws contains conditions which materially limit the franchise or completely remove it, so far as many classes of the community are concerned. That there is not such a thing as woman-suffrage is self-evident when we consider the conception which the Government and the ruling classes possess concerning the place of women. But still more significant are the statutes which define as conditions for the exercise of the franchise a minimum rateable value, or a comparatively high age-limit, or a considerable length of residence, and so on.

The equality of franchise is most seriously affected by the system of "three-class franchise." The principle of this three-class franchise is as follows: The electors are divided into three groups or classes, according to the direct rates which are levied upon them. Each of these classes elects one-third of the total number of councillors. The differentiation into classes is reached as follows: The rates paid by all the electors are tabulated, beginning with the highest amounts. The total is then divided by three, and those persons, beginning from the top of the list, whose rates together make up one-third constitute the first class. Those who come next on the list, and whose rates make up the second third, form the second, and the rest, who are obviously a large bulk of electors paying a low rate, form the third class.

The legal limitations, however, affect not only the active, but also the passive, franchise. The most important of these limitations is the privilege of the houseowners. In most provinces of Prussia, at least half the total number of the councillors must be themselves householders, and where the three-class system exists, at least half of the representatives of each class must be houseowners. In the rural electorate in most provinces, at least two-thirds of the councillors must be houseowners. These conditions mean much more in Germany than they would in England. In German towns the ownership of a house has been for a long time the exception, and not the rule; in the country districts, too, the number of separ-

ate houses is materially diminishing. It follows that the privilege of the houseowners tends constantly to increase.

The example of Berlin will make clear how these limitations affect the municipal franchise. The electoral roll of Berlin for the current year contains the names of 351,080 electors. For every 1 elector of the first class, there are 21 electors of the second, and 214 of the third class. There are 144 seats on the council—48 seats for each class. The result is that on an average 34 electors have the disposal of each seat in the first class, while in the second class 693 electors have the same right, and in the third 7,212 electors.

But these figures are average numbers. We can study the results of the system in particular cases. The city of Berlin is divided for the first class into 16 wards; for the second class also into 16 wards; and for the third class into 48 wards. The wards for the first and second class have each the right of electing 3 councillors. The 48 wards of the third class elect each only 1 councillor. Of the wards of the first class, the largest has at present 191 electors, and the smallest only 51; the wards of the second class vary from 864 to 4,904 electors. The smallest ward of the third class has 3,232 electors, and the largest 22,294 electors. The 51 electors of the smallest ward of the first class have to elect 3 councillors, which means 17 electors for each seat. In the largest ward of the third class the 22,294 electors have only one representative to elect. That means each elector in the last ward has only one thirteen-hundredth part of the electoral right of a member of the smallest ward of the first-class. I think that suffices to illustrate my meaning.

Where the three-class system does not exist, as for example, in Bavaria, there are other limitations of the franchise for the poorer classes of the population; for instance a high price payable for the purchase of the rights of citizenship. In Nurnberg only those have a vote who have obtained the rights of citizenship, and this right costs more than £6. For the working classes in that town it is impossible to pay such a sum. They have accordingly founded unions, and by paying sixpence a week per head, purchase a certain number of electoral rights annually, which are distributed by a kind of lottery, generally at Christmas.

In all important German towns, gas, electricity, means of communication, slaughterhouses, water supply, etc., are owned by the communities, or will shortly be so. Latterly, with the increasing prices of the necessities of life—in consequence of prohibitive tariff, which is so severe that already it pays to import British-grown wheat into Germany—the supply of the means of livelihood by the communities is becoming more and more frequent. Not only in the interests of public health, for instance, is the milk supply regulated, but the erection of municipal fish markets is undertaken, by which the middleman is excluded, also the building of places for the fattening of swine, etc.

We can record similar successes if we consider the care of the employees of the towns. The improvement in the material circumstances of these people is evident. The wages have risen, the hours of work are shortened, the workmen get holidays every year, and provision for old age and sickness is made, apart from the State insurance—not everywhere, of course. The legal improvement of conditions has not quite kept pace with these material improvements. Most of the cities deny to their employees the recognition of the right of unionism, though all do not go so far as beautiful Dresden, which requires from every scavenger an oath of loyalty to the king. Moreover, in the placing of public contracts, trade unions are very seldom recognized; in many cases the efforts of the unions are actually treated with brutality.