The Founding of Modern States

Chapter Two

The Founding of Non-Democratic States

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Abstract:

All modern states claim that they rule by popular consent and that this consent arises out of the state's commitment to a transcendent social purpose demanded by their citizens. They also claim that both popular consent and the state's transcendent social purpose emerged from a founding moment when the state's right to rule was created. In this manuscript, I ask: How does the founding meld the metaphysical belief in the "will of the people," the granting of sovereignty, and the recognition of a transcendent social purpose into a symbolic act that then enables the state to secure political and social order? Although this melding is more complex than commonly acknowledged for traditional democracies, it is even more complicated for otherwise authoritarian regimes.

In those foundings that produce non-democratic states, the justification of the new sovereignty originates in a transcendent social purpose that is both clearly articulated in political doctrine and susceptible to misrecognition if subjected to conventional democratic politics. At the founding, the political party that led the revolution utilizes the form of a legislative assembly to craft a constitution but it is the party itself that manifests the popular will and thus melds sovereignty, social purpose, and the will of the people into the creation of a new state.

Note to the Reader

The text is obviously much too long. The best way to condense the reading to a manageable size is to treat the three middle sections (*this version*: on the Russian-pp. 7-24, Iranian-pp. 25-69, and Nazi-pp. 70-121 revolutions, respectively) as extended footnotes on the

material in the introduction (pp. 1-5) and conclusion (pp. 92-108).  Only the latter sections should be considered the "core" reading.

## Introduction

In all modern foundings, the new state has been dedicated to a clearly articulated transcendent social purpose.  In most cases, the announcement of this purpose prominently appears in the text of a new constitution.  In democratic foundings, this purpose is understood to be something that the people can fully comprehend in the sense that they both fully understand what it is and how it can be collectively realized.  As a result, the will of the people is considered to fundamentally determine the translation of the transcendent social purpose into the design of state institutions and principles.  The founding elite, such as they are, does no more than record and translate the popular will that is revealed in a free and open democratic process.  In non-democratic foundings, however, the transcendent social purpose is viewed as vulnerable to misrecognition if it is legislated in what is conventionally regarded as free and open democratic politics.  For that reason, the revolutionary elite directs a complex process in which the people are viewed as generally aware of what it is that they should (and do) will as the purpose to which the state must be dedicated but they are not, for whatever reason, competent to carry out the founding without the intervention of the revolutionary elite.  While the revolutionary elite still utilizes the form of a legislative assembly to craft a constitution, the elite itself claims to manifest the popular will and thus, as political agent, oversees the melding of sovereignty, social purpose, and the will of the people when the new state is founded.  Three non-democratic foundings  are examined in this chapter: the instantiation of the dictatorship of the proletariat in the Russian revolution; the creation of an Islamic theocracy in the Iranian revolution; and the emergence of the Third Reich as the enabler of the historical destiny of the German people.

In modern foundings, misrecognition of the transcendent social purpose is possible for at least two different reasons: (a) the will of the people may be not be evidenced because either (i) the identity of the people is not correctly specified or (ii) social relations within the political community somehow distort the people's apprehension of what they must do; or (b) the will of the people must be refined and shaped after state is created.[1]  The possibility of misrecognition in the first sense is the primary justification for political regulations in democratic states.  In the United States, for example, the federal and state governments regulate campaign contributions, require registration of voters at the polls, guarantee minority representation through the

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[1] The popular will is always imperfect in that something invariably impairs its natural expression in majority rule. This imperfection means that there is always a disjunction between the conception of the people (a) as imbricated in the social purpose to which a state's sovereignty is dedicated and (b) as revealed in unregulated majority voting.  For that reason, both democratic and non-democratic states "refine" the popular will.  This refinement assumes that the people could not accurately identify or effectively realize that transcendent social purpose--even after its recognition at the founding--in the absence of state intervention.

construction of district boundaries, certify candidates who may stand for election, set age and residency requirements for suffrage, and so forth.  These regulations operate on the popular will by either regulating its formation (e.g., campaign contributions), policing its expression (e.g., imposing suffrage requirements), restricting the alternatives from which the people may choose (e.g., outlawing party organizations, disqualifying individuals as candidates, or determining which issues might be the subject of a referendum), or compensating for deep-seated but improper opinions (e.g., racial and ethnic bias).

While there is no question that these things have a substantive impact on what is evidenced as the will of the people (e.g., in the outcome of elections), the declared purpose is to purify the popular will from contaminating influence without otherwise influencing what the popular will might express.  In this case, the concept of misrecognition thus presumes the existence of a pristine popular will that can be revealed if the political community eliminates or compensates for factors that would otherwise distort its manifestation.  In theory, the will of the people is left undisturbed by these eliminations and adjustments; the content (what the people would will) is merely made available to the community.  The transcendent social purpose in such states is thus dedicated to the identification and realization of the purified will of the people, along with those values and guarantees (e.g., freedom of the press) that facilitate the democratic process and make its reproduction through time possible.[2]

In non-democratic states, misrecognition of the transcendent social purpose occurs when the people have a broad but imperfect understanding of what it is they should (and thus do) will.  Here the problem directly concerns content and only indirectly involves process.  The content of what should be (and thus is) the will of the people can be (and is) revealed to those (in practice, the revolutionary elite) who are either particularly trained, skilled, or gifted in its comprehension.  This revolutionary elite utilizes the people's largely instinctual understanding of what they should (and thus do) will to mobilize them against the ancien regime which both views the will of the people and the people themselves as hostile forces.  The grounding for the revolutionary elite's privileged understanding of the will of the people is primarily historical, arising from comprehension of an unfolding pattern in which the people as both object and participant play a central role.  It is this role that the people can misrecognize even as they are instinctually summoned to realize their destiny.  The primary task of the revolutionary elite is thus, in the first instance, to mobilize the people's instinctual understanding of their historical destiny in order to found the new state and then to ensure that this destiny is forcefully and efficiently realized.  Part of that realization is the education and refinement of the people's understanding of their

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[2] The primary transcendent social purpose of democratic foundings is the dedication of the state to the <u>continued</u> and (largely) unfiltered control of the will of the people.  Thus the regulations described in the text apply to both the founding (when the popular will creates the state) and politics after the founding (when the popular will directs state policy).  Misrecognition of the will of the people originates, for the most part, in the same potentially distorting influences both before and after the founding.  The major difference is that, after the founding the state itself can become a self-interested (and thus potentially distorting) influence.

historical destiny in a process that is not consultative (in the manner of democratic states) but, instead, involves doctrinal instruction.

For example, in the Russian Revolution, Bolsheviks held that politically conscious workers could broadly recognize the historical role that their class must play but were nonetheless imperfectly aware of the proper political strategies and tactics that would realize their historical destiny. The actual content of the "dictatorship of the proletariat" was thus the responsibility of the vanguard party which acted not as representatives of or in the name of the workers but as their correctly-informed political consciousness. The Bolsheviks thus knew what it was that the workers should (and thus did) will even if the workers themselves might misrecognize the transcendent social purpose of the revolution (i.e., the historical destiny imbricated in the state in the founding). At the founding of the Soviet state, this transcendent social purpose (the realization of the communist revolution as the next and final historical stage) was thus a technical matter whose theoretical preconditions and practical actualization were perfectly known only to the vanguard party. As a result, the founding of the Soviet state primarily involved the installation of the political consciousness of the working-class as the elemental guide in realizing the communist revolution. And that political consciousness necessarily resided, in its perfected and thus practical form, in the vanguard party. Thus, in the first instance, the founding involved the inhabitation of the Russian state by the Bolshevik party. Following the founding, one of the most pressing tasks was the instruction of the people in a proper understanding of and alignment with party doctrine (and thus what was really their own political consciousness).

In the Iranian revolution, the Shi'ite clergy held that even the most devout among the Iranian people could never be as enlightened (with respect to God's will and purpose) as the ulama (religious scholars). However, the devout could nonetheless recognize the spiritual merit and accomplishments of the ulama in connection with the major historical Shi'ite project: proper preparation of the religious community for the return of the Hidden Imam. Although the people should (and thus did) will this proper preparation, their lack of training and imperfect spiritual enlightenment made misrecognition of what they actually willed inevitable. Here the problem took two forms. On the one hand, the people were inadequately trained as Islamic scholars and thus might very well make mistakes in religious interpretation. This could be partially but not completely corrected through religious training. On the other hand, this religious training could never transform the people into the anointed representative of the Hidden Imam on earth. Only the ulama could aspire to such a role and, even for them, their role was only to recognize the one among them who might be so anointed. The founding of the Islamic Republic thus created a theocratic state, ruled by the ulama, that would prepare the religious community for the return of the Hidden Imam. Just as there was no doubt that the Iranian people devoutly wished that their community would be so prepared, there was also no doubt that this was not a task that they could

undertake themselves in all its fullness.  The ulama constituted the spiritual consciousness of the people, inseparable from them within the religious community but also uniquely gifted in discerning the spiritual direction their community should take.  After the founding, the people were to be further instructed in religious doctrine in order to refine and purify their understanding.  But the people were also, within very strict limits, to be consulted with respect to the relative sanctity of individual members of the ulama.  Unlike the Bolsheviks, the Shi'ite clergy insisted on a periodic demonstration of the people's instinctual awareness of their leaders' piety.  The people, again within very strict limits, could detect sanctity but they were not competent to direct religious policy.

The founding of the Third Reich enacted the people's recognition of the Leader who physically and practically embodied the will of the people.  Like much of Volkisch thought, Nazi doctrine postulated a historical destiny for the German people, race, and nation.  The German people should (and thus did) will this destiny but alien and foreign influence had distracted them from their purpose.  The task of the Nazi Party and Hitler, as Leader, was, in the first instance, to cultivate a proper awareness among the people of this destiny and to eliminate those social and political elements that were frustrating its realization.  This awareness was inseparably connected to popular acclamation of Hitler as Leader because the purification of the German people, race, and nation would, inevitably, bring on the unification of people and Leader (in much the same way that the proletariat and the vanguard party became unified in the founding of the Soviet Union and, only slightly less so, the Iranian religious community and Khomeini became one under the Islamic Republic).  Politics, for the Nazis, was a process through which the Leader was revealed to the people who, in turn, evidenced that revelation through ever-increasing enthusiastic public demonstrations and rising electoral support for the National Socialist Party.  The founding of the Third Reich marked the point at which politics came to an end because the unification of the Leader and the will of the people under the auspices of and within the German state made realization of the German historical destiny a technical matter.  The economy of purpose and the clarity of vision that the Leader could mobilize in pursuit of that destiny, along with the certainty that the Leader would himself will anything that the people should (and did) will, made further formal consultation with the people superfluous.

In all three foundings, the transcendent social purpose to which the state was dedicated was identical with the will of the people (as understood, realized, and later refined by the revolutionary elite).  In each case, the authentic will of the people resided in a particular segment of the population defined by class, faith, or race: the proletariat in the case of the Soviet Union, devout Shi'a in Iran, and those of German "blood" in the Third Reich.  These conceptions of the people excluded sizable portions of the population then living within national boundaries (e.g., the bourgeoisie, those belonging to other religious faiths, and those whose ethnic identities were not German).  In that sense, the will of the people was not a "national" will as we ordinarily

understand it. In each case, there were also transnational extensions in these conceptions of the people: the international proletariat, devout Shi'a residing outside the political boundaries of Iran, and German communities located in nations other than Germany. These transnational extensions affected the way in which the state was founded by (a) making the will of the people practically inaccessible (e.g., because people in other nations could participate in referenda or elections) and by (b) conferring upon the state a transcendent social purpose that extended beyond the nation's boundaries. Thus, the Soviet state was dedicated to the promotion of worldwide proletarian revolution in a founding in which workers in other nations could not directly participate. The Islamic Republic was similarly dedicated at the founding to the preparation of the Shi'ite religious community (and Muslim communities generally) for the return of the Hidden Imam. And the Third Reich was dedicated, in the first instance, to the incorporation of German communities then located outside Germany and, subsequently, to an expansion of German settlement in Eastern Europe.

These internal exclusions and external inclusions in the conception of the people made the nation-state itself an imperfect vehicle for registering and actualizing the popular will because the political community and physical boundaries of the state were misaligned.[3] However, since the revolutionary elite could (and did) recognize and enact the popular will without formal consultation with the people, the main effect of this misalignment was to reinforce the subordination of the state to the revolutionary elite, both in the design of the new state and in its subsequent operation.

In the three cases analysed in this chapter, connections will be drawn between: (a) political beliefs as resident in the national culture before the revolution; (b) competition between ostensible representatives of those beliefs (usually competing parties) and between alternative beliefs (e.g., parliamentary democracy); (c) the particular conception of those beliefs as articulated by the successful revolutionary party; and (d) the manner in which those beliefs were embedded in the founding by way of the revolutionary party. The founding thus melds together (a) the revolutionary party as the correct and full expression of the will of the people, (b) the transcendent social purpose to which the state is dedicated, and (c) sovereignty (the right to rule in the name of that transcendent social purpose). The most important elements in this process include: (a) the way in which the revolutionary elite competes with other parties (e.g., how those parties are conceived as opponents, in particular their respective relation to the historical destiny of the people); (b) the ideological explanations that the revolutionary elite construct as they make (what would otherwise be considered) tactical concessions in the competition for power; and (c)

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[3] One of the central distinctions between non-democratic and democratic states is that the latter allow the people to decide, within limits, who should be included within the political community (i.e., as rights-bearing and participating members). Non-democratic states, particularly the three examined in this chapter, are founded upon a particular conception of the people that is unalterable precisely because it grounds their claim on sovereignty.

the manner in which the revolutionary party is positioned as both the embodiment of the will of the people and an infallible agent of their historical destiny.

## The Dictatorship of the Proletariat: the Russian Revolution

In March, 1917, the Tsar of All the Russias abdicated following mass demonstrations in Petrograd.  A committee of political leaders appointed by the Duma subsequently formed a Provisional Government.[4]  At the same time, workers and soldiers created a Petrograd Soviet of Workers' Deputies that both shared power with the Provisional Government and rapidly evolved into the leading component of the All-Russian Congress of Soviets.  After the destruction of the tsarist autocracy, the Provisional Government and Soviet thus became the only possible sources of legitimacy for the Russian state. Since none of the competing social forces mobilized within the Provisional Government and the Soviet was strong enough to provide an effective social base, each was stalemated in what turned out to be a paralyzing competition for control of the state.  This competition played itself out while the Bolshevik Party infiltrated the factory, the army, and the navy.  Once the party was confident of the support of the workers and troops in Petrograd, the Bolsheviks revolted against the Provisional Government, founded the new communist state under the auspices of the Soviet, and thus realized the ideological promise of a "dictatorship of the proletariat."  In thus founding the communist state, the Bolsheviks yoked their claim on sovereignty to the party's dedication to carrying out a Marxist working-class revolution.  They thus inhabited and gave a social purpose to a state apparatus that had been eroding while other social forces contended for control of the government.

The two most important events during the Russian Revolution were the abdication of the Tsar on March 15 and the Bolshevik revolt on November 7.[5]  The first of these was brought on by spontaneous demonstrations demanding food that erupted in Petrograd on March 8.[6]

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[4] The Duma was a representative assembly originally created as the monarchy's response to popular insurrections in the 1905 Russian Revolution.  By 1917, changes in suffrage qualifications and the allocation of delegates had drastically reduced its democratic quality: the landed aristocracy alone chose half the deputies.  Because it lacked popular legitimacy, the Duma became a nullity after the formation of the Provisional Government.  However, "groups of its members continued to meet in `private conferences,' where fulminations against anarchy and lawlessness were the regular order of the day."  William Henry Chamberlin, The Russian Revolution, 1917-1921, vol. 1 (New York: Grosset & Dunlap, 1965), pp. 60-1, 189.  Chamberlin later added that a "noteworthy weakness of the Provisional government throughout the whole course of its career was the absence of any generally recognized national assembly on which it could lean."  P. 200.

[5] When the revolution began, Russia still followed the old Julian calendar which lagged by thirteen days the Gregorian calendar used in most of the world.  For consistency, all dates cited in the text are based on the Gregorian calendar.

[6] Chamberlin described the popular movement that destroyed the Russian autocracy as "one of the most leaderless, spontaneous, anonymous revolutions of all time."  He went on to say that, once the Tsar gave up the throne, "the

Although these protests were not organized or led by any political party, they were not suppressed because the troops mutinied when ordered to fire upon the demonstrators. The leaders of the Duma soon concluded that only the Tsar's abdication would placate the demonstrators and thus allow the restoration of public order. After some delay, partially attributable to the fact that the Tsar was away from Petrograd at the time, Nicholas II abdicated in favor of his brother, the Grand Duke.[7] However, the Grand Duke, although himself more liberal and progressive than Nicholas, did not believe that he would enjoy enough support to rule effectively and refused to take the throne. That left the Duma leaders in control of the Russian state. Representing the major parties in that chamber, they immediately formed a Provisional Government based on the authority of the Duma and dedicated to laying the foundation for the formation of a democratic state.[8] The founding of that democratic state was to be carried out through the election of delegates to the Constituent Assembly that would write a new constitution. The Provisional Government and the promised election of a Constituent Assembly constituted the "democratic path" within the Russian Revolution.

The alternative "non-democratic path" was more complicated. At about the same time that the Provisional Government constituted itself as the residual state authority, the workers and soldiers in Petrograd and throughout the rest of Russia were organizing Soviets.[9] Although the Soviets were class organizations (in the case of the soldiers' soviets the vast majority of the members were peasants who had been conscripted into the army), most of the party

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Revolution may almost be said to have been made by telegraph, practically without resistance" as it spread throughout Russia. Russian Revolution, vol. 1, pp. 73, 79, 85. Edward Hallett Carr, The Bolshevik Revolution, 1917-1923, vol. 1 (New York: Macmillan, 1951), p. 70.

[7] For the text of the Tsar's abdication, see Martin McCauley, ed., The Russian Revolution and the Soviet State, 1917-1921: Documents (New York: Barnes & Noble, 1975), p. 13.

[8] The proclamation through which the assumption of authority was announced to the Russian people was remarkably understated: "…the Provisional Government realizes its obligations to the State [and] takes upon its shoulders the task of implementing all the financial obligations of the State incurred by the old regime, such as payment of interest, payment of the state debts, obligations under treaties, payments to civil servants, pensions and all other kinds of payment due by law, or treaty, or on some lawful foundation. On the other hand, all payments which are due to the public treasury, the taxes, customs, duties, and all kinds of payments must be paid as before into the public treasury until new laws are passed. The Provisional Government believes in the absolute necessity of the existing state departments being very careful in the expenditure of the money of the people. In order to emphasize this we must use the necessary measures for exercising active control. The magnitude of military expenditure at the present time, the increase of the state debt on account of the war, the increase of taxes, are all quite unavoidable..." James Mavor, The Russian Revolution (London: George Allen & Unwin, 1928), pp. 59-60.

[9] For a succinct history of the origins of the soviets in the 1905 Revolution and the role played by soviets twelve years later, see Harold Shukman, ed., The Blackwell Encyclopedia of the Russian Revolution (New York: Blackwell, 1988), pp. 135-7; Mavor, Russian Revolution, p. 130; Carr, Bolshevik Revolution, vol. 1, pp. 46-7. In 1917, the soviets more or less systematically overrepresented soldiers relative to workers in the apportionment of delegates with, for example, one delegate awarded for every 250 soldiers and for every 1,000 workers in Petrograd. By April 11, when an All-Russian Conference of Soviets met in Petrograd, delegates "from 138 local Soviets, seven armies, thirteen rear units and twenty-six front units" were in attendance. Chamberlin, Russian Revolution, vol. 1, p. 112.

organizations and leaders favored a democratic state in which even the bourgeoisie would participate.[10]  However, the relationship between the Soviets and the Provisional Government was often tense because the former pressed a class-based policy agenda (primarily land redistribution and an end to the war) that the more conservative Provisional Government either opposed or was reluctant to enact.[11]

The unelected Provisional Government nonetheless needed the Soviets because it lacked popular legitimacy and the elected Soviets, despite (or perhaps because of) their class basis, enjoyed much more mass support.  On the other hand, the Soviets needed the Provisional Government because the officer corps of the Russian army and navy strongly preferred the latter as their commander-in-chief, because the western powers were willing to recognize the Provisional Government as legitimate (and might well have balked at recognizing the Soviets), and because even the routine operations of the state bureaucracy demanded an expertise that many of the Soviet leaders lacked.[12]  Both the Provisional Government and Soviets anticipated that the election of a Constituent Assembly would resolve their uneasy bifurcation of responsibilities and social bases.

So the Soviets were at first largely devoted to the founding of a democratic state, although the shape that state might have assumed would have been significantly, perhaps dramatically, different from the one preferred by the Provisional Government.[13]  The major threat to a democratic founding came from the increasing radicalism of the urban masses and the rural peasantry.  Workers increasingly demanded influence over the management of factories while landless peasants illegally occupied land owned by the Russian nobility.  Profiting from and abetting this radical trend was the Bolshevik Party which: (a) demanded that the Provisional Government hold elections for a Constituent Assembly that would create a new state; (b) organized mass demonstrations under the slogan "All Power to the Soviets"; (c) advocated a tripartite program of land redistribution, immediate peace with Germany and its allies, and "bread" for the people; and (d) insisted on the exclusion of bourgeois parties from all

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[10] In fact, Duma leaders may have consulted with the executive committee of the Petrograd Soviet when constructing the new Provisional Government.  Mavor, Russian Revolution, p. 64.

[11] Prosecution of the war against Germany was viewed by the Kadets and many Mensheviks and Social Revolutionaries as the nationalist precondition for state sovereignty.  Their position thus paralyzed cooperation with other social forces because the geo-political purposes of the war (honoring alliances with western powers and the goal of opening the Dardanelle and Bosporus to Russian traffic) were irrelevant to the immediate needs of the people for, among other things, food.

[12] Mavor, Russian Revolution, p. 131.  On tension between the Provisional Government and the Soviet, see, for example, George Vernadsky, The Russian Revolution, 1917-1931 (New York: Henry Holt, 1932), p. 43; Carr, Bolshevik Revolution, vol. 1, p. 70; Chamberlin, Russian Revolution, vol. 1, p. 84.

[13] Vernadsky, Russian Revolution, p. 43.

revolutionary political coalitions.[14]  At the beginning of the revolutionary period, just after the abdication of the Tsar, the Bolshevik party was insignificant in size and influence.  However, as the war ground on and economic conditions steadily deteriorated, the Bolsheviks exploited increasing working class distress and, later, rising disaffection within the army.  Under Lenin's leadership, the party consistently used tactical positions, such as support for the calling of a Constituent Assembly and participation in Duma elections, to further their ultimate goal of installing a "dictatorship of the proletariat" as the sole repository of state authority.

The Bolshevik Party thus constituted the "non-democratic" path within the Russian Revolution, gradually adapting the Soviet to its purposes as the party captured the local soviets that elected its delegates.[15]  The "democratic" and "non-democratic" paths were intermingled at the beginning of the revolution because the Provisional Government and the All Russian Soviet were both dominated by democratic parties, the former always more so than the latter.  While the Bolshevik Party came to power by violently overthrowing the Provisional Government, the right of the "dictatorship of the proletariat" to rule Russia was legitimated by legislative assemblies that were similar in form and content to those that found democratic states.  In order to see how and why this was so, we must briefly survey the several transformations in the construction of state institutions between the March demonstrations in Petrograd and the dissolution of the Constituent Assembly in January, 1918.

The unfolding of the Russian Revolution can be analyzed in several different ways: as a dynamic competition between the Provisional Government and the All-Russian Congress of Soviets, as political contention between the major political parties, and as the popular mobilization of workers and soldiers behind the political program of the Bolshevik Party.  As ways of understanding how the Soviet state was founded, all three of these perspectives are useful but the most productive is political contention between the major political parties.  Each of the party organizations was both strongly committed to a particular ideology and yet riven with internal divisions over the proper interpretation of what that ideology dictated in terms of political action and state formation.

On the right of the political spectrum stood the Constitutional Democrats (shortened to "Kadets") who represented the rural gentry (large landholders) and urban bourgeoisie (e.g., shopkeepers, factory owners and management, professionals: see Chart One).  The Tsarist autocracy had regarded the Kadets as "a liberal if not a radical party" but the Constitutional Democrats became, almost by default, "a bulwark of conservatism" after all the parties to its

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[14] See, for example, Lenin's "April Theses" partially reprinted and analyzed in Carr, <u>Bolshevik Revolution</u>, vol. 1, pp. 79, 84, 86-7.

[15] The Petrograd and Moscow Soviets, for example, first demonstrated Bolshevik majorities on September 13 and 18, respectively, and on October 8, Trotsky was elected President of the Petrograd Soviet.  Chamberlin, <u>Russian Revolution</u>, vol. 1, p. 221.

right disappeared following the Tsar's abdication.[16]  In many respects, the Kadets both resembled and modeled themselves after liberal parliamentary parties in Western Europe.[17]  True to their name, the Kadets were devoted to procedural rigor and an almost meditative attitude toward legislative deliberation, so much so that they seemed at times to endanger their very survival by swaddling themselves in democratic etiquette.[18]  As the only major political party that did not advocate socialism, the Kadets drew almost no support from workers, soldiers, and the peasantry.  For this reason and because their ideological commitments made them pariahs to much of the left, the Kadets were entirely locked out of the Soviets.  However, the party enjoyed substantial influence in the Provisional Government and still held several ministries in the last Kerensky cabinet when the Bolsheviks revolted.

The Mensheviks and the Bolsheviks were the two major Marxist parties and shared a working class base in the major cities.[19]  The Mensheviks also drew significant support from the urban intelligentsia and white collar workers in the state bureaucracy.  In terms of ideology, the Mensheviks contended that Russia had to pass through a "capitalist/democratic" stage in which the social and economic conditions for socialism would ripen.[20]  Although the Mensheviks were

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[16] Chamberlin, Russian Revolution, vol. 1, p. 102.  The absorption of the other conservative parties meant that the Kadet membership included some monarchists who wanted to reestablish the Tsarist autocracy and some authoritarians who preferred a military dictatorship to a socialist democracy.

[17] "Venerating legal principles and a rule of law, holding individual civil liberties as precious values in themselves, seeking political democracy in the main, rather than social democracy or class leveling, Kadets represented in Russia what can generally be regarded as basic European liberal traditions.  Also, like liberals elsewhere, most Kadets soon abandoned an early flirtation with radicalism, and came to fear the elimination of recognized authority just as they abhorred abuse of power, seeking reform from within established structures even while urging that those structures be overhauled." William G. Rosenberg, Liberals in the Russian Revolution: The Constitutional Democratic Party, 1917-1921 (Princeton, N.J.: Princeton University Press, 1974), pp. 5-6.  Emphasis in the original.

[18] Rosenberg describes the Kadets as persisting in the observance of correct parliamentary procedure and legislative courtesies even while the Bolsheviks were creating a new and powerful "anti-democratic reality" on the ground around them.  On October 31, for example, "when a group of Mensheviks proposed that the Council deal with the urgent question of anarchy and counterrevolution, Kadets insisted the matter be sent first to a `special commission' for `analysis.'  At the moment they were doing so, moreover, party `whips' were moving around the floor, reminding Kadets `in even voices' that fees for their club were due, and telling them what commission meetings were scheduled."  This was a week before the Bolsheviks seized power.  Liberals in the Russian Revolution, p. 255.

[19] Both the Mensheviks and Bolsheviks emerged as factions within the Russian Social Democratic Party founded in the last years of the nineteenth century.  After an initial rupture in the Brussels-London Congress in 1903, the final split took place in 1912 when the Bolshevik Conference in Prague organized that faction into a separate party organization.  Leszek Kolakowski, Main Currents of Marxism (New York: W.W. Norton, 2005), pp. 636, 731.

[20] The Menshevik program anticipated that the proletariat would ally with the bourgeoisie in order to overthrow the autocracy and, once the bourgeoisie was in power, the working class would constitute the main opposition to the capitalist government.  Kolakowski, Main Currents, p. 680.

certainly to the left of the Kadets, the two parties were more or less natural allies in the steadily intensifying competition with the Bolsheviks. However, that alignment, along with Menshevik support for parliamentary democracy in general, made them vulnerable to Bolshevik charges that the party was a thinly varnished bourgeois organization committed to thwarting the creation of a revolutionary communist state.[21] When violent street demonstrations in July threatened to pull the Bolshevik party into premature rebellion against the Provisional Government, Lenin argued that the attempt would fail because the masses still had faith in "the petty bourgeois capitalist-controlled policy of the Mensheviks and SRs [Socialist Revolutionaries]."[22] From an ideological perspective, Lenin was simply conveying his own interpretation of the political situation within a Marxist schema. However, his interpretation was also easily adapted to the kind of sloganeering that constituted "reason in the streets" because it characterized the Mensheviks, the Provisional Government, and, in fact, any and all opposition to the Bolsheviks as "bourgeois" and therefore "counter-revolutionary."

The Mensheviks had significant internal disagreements, primarily over continued participation in the war against the Germans. The Internationalist wing opposed continuation of the war and, on this and other issues, often sided with the Bolsheviks. The Defencist wing supported the war and was that much closer to the Kadets in opposition to the Bolsheviks. However, when the Bolsheviks seized power both Menshevik factions condemned the takeover for both ideological reasons (as premature in terms of the historical development of Russia) and as an affront to socialist solidarity.[23]

Menshevik participation in revolutionary politics was largely shaped by the party's doctrinal commitments and the declining popularity those commitments engendered. Menshevik insistence that Russia pass through a capitalist/democratic stage before reaching socialism committed the party to a reform program that became increasingly unpopular with the Russian masses. As the Bolsheviks relentlessly exploited their differences with this program by offering an immediate, sweeping social revolution as an alternative, the party increasingly drew industrial workers into their own ranks and, as a result, the mass base of the Menshevik party steadily shrank. By November, the party had become a head without a body and the prestige and standing of the Menshevik leadership among the nation's political elite was almost all that

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[21] On the other end of the political spectrum, this interpretation was shared by one of the leading Kadets who said that "the real preponderance in the Cabinet definitely belonged to the convinced supporters of bourgeois democracy." This was in early August when the Socialist Revolutionaries dominated the Provisional Government. Chamberlin, Russian Revolution, vol. 1, p. 187.

[22] Carr, Bolshevik Revolution, vol. 1, p. 91. Also see Kolakowski, Main Currents, p. 736.

[23] Leo Lande, "The Mensheviks in 1917," in The Mensheviks: From the Revolution of 1917 to the Second World War, Leopold H. Haimson, ed., (Chicago: University of Chicago Press, 1974), p. 94; Carr, Bolshevik Revolution, vol. 1, p. 112.

remained of the party's influence on events. In response to their rapidly fading popularity in the streets, the Menshevik leadership became increasingly committed to parliamentary democracy as an end unto itself. At first, parliamentary forms appear to have been a means through which the capitalist/democratic stage could be effected by way of enabling bourgeois elements (i.e., the Kadets) to construct the appropriate political economy for the Russian state. However, as the Bolshevik threat became ever more manifest, Menshevik leaders increasingly utilized parliamentary forms as a way of constructing a broad coalition of socialist and non-socialist parties in opposition to the Bolsheviks and containing the threat they presented within formal legislative institutions. Whatever ambivalence the Mensheviks might have felt toward parliamentary democracy in March, 1917, had vanished when the Constituent Assembly met in January, 1918.[24]

The Socialist Revolutionaries enjoyed the support of the vast majority of the Russian peasantry and, because peasants comprised the bulk of the Russian army, most of the troops mobilized for the war. This mass base made them by far the largest political party until they were suppressed by the Bolsheviks but their political program was very narrow, largely focused on the distribution of land to the peasantry.[25] Although the Socialist Revolutionaries were not a Marxist party, they did subscribe to a radical political ideology and, up until the overthrow of the autocracy, terrorist strategy.[26] Despite their size and the fervent devotion of their peasant supporters, the Socialist Revolutionaries were seriously handicapped in several ways. First, their support was largely concentrated in the rural expanses of Russia, far from the major cities where most revolutionary action occurred. When the Bolsheviks mobilized Petrograd workers for an

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[24] In the opening (and only) session of the Constituent Assembly, Irakli Tsereteli delivered a major speech in which he summarized Menshevik opposition to "anarchic attempts to introduce a socialist economy in a backward country" and argued that "the class struggle of the workers for their final liberation" could only be successfully realized within a political regime characterized by "popular sovereignty based on universal and equal suffrage." Carr, Bolshevik Revolution, vol. 1, p. 119.

[25] One estimate of class sizes in revolutionary Russia has placed the number of peasants (the social base of the Social Revolutionaries) at over a hundred million while the bourgeoisie (the social base of the Kadets) registered a comparatively paltry six million or so. The urban and industrial proletariat (the social base of the Mensheviks and Bolsheviks) held about twenty million people. Rosenberg, Liberals in the Russian Revolution, p. 123. If the outcome of the revolution had been dictated by numbers alone, the Social Revolutionaries would have built the new Russian state.

[26] "While the Socialist Revolutionaries were not blind to the changes in Russian life which had been brought about by the rapid development of capitalism in Russia during the last quarter, and especially during the last decade of the nineteenth century, they regarded the peasantry, rather than the industrial working class, as the main moving force for the revolutionary movement and placed the nationalization of the land and the confiscation of the landlords' estates for the benefit of the peasantry in the forefront of their demands. They also differed with the Marxian parties in advocating and practising individual terrorism. Within their Party and subject to its Central Committee, but quite independent in its activities and strictly secret in make-up, was the so-called Fighting Organization, the avowed purpose of which was to organize political assassination." Chamberlin, Russian Revolution, vol. 1, p. 40.

assault on the Winter Palace in November, 1917, for example, there was no way that the Socialist Revolutionaries could oppose them by bringing their own mass base into play.

Second, most peasants had little or no education, had little understanding of conditions and attitudes outside their villages, and were thus quite unsophisticated in terms of political doctrine or strategy. Although much of the leadership of the Social Revolutionary Party was as educated and urbane as their counterparts in the other parties, the gulf between the Social Revolutionary rank and file and their leaders was very wide.[27] When the Bolsheviks offered an immediate redistribution of land on terms that almost mimicked the Social Revolutionary program and combined that offer with withering criticism of Social Revolutionary support for the Provisional Government and commitment to parliamentary democracy, the peasantry flocked to the Bolshevik banner.[28] There was really only one demand that most peasants made in revolutionary politics and that demand was that they be allowed to occupy the lands held by the Russian gentry. Much of that occupation ultimately occurred through spontaneous action when the gentry fled to the comparative safety of the cities.

The third and perhaps most debilitating handicap was the lack of unity within the Social Revolutionary Party. The party's commitment to land redistribution was the only programmatic element that held the party together. And even there unity was elusive because many party members were at least as committed to parliamentary democracy as they were to land reform and thus wanted to wait until the Constituent Assembly had formed a new state before formally redistributing landed estates to the peasantry. Others saw no reason to delay action upon a demand that was both just on its face and inevitable in its realization. In addition, those Social Revolutionaries who were committed to continuing the war with the Germans anticipated that immediate reform would probably mean dissolution of the Russian army as peasant soldiers abandoned their units, rushing home to claim their share of land. In sum, immediate land reform, parliamentary democracy, and continuation of the war were mutually incompatible policies that divided the party into factions but, unlike the Bolsheviks, there "was no Lenin to place an iron yoke of discipline on [what became an] inchoate organization."[29]

As a formal party organization, the Left Socialist Revolutionaries emerged only after the Bolsheviks overthrew the Provisional Government. In fact, when elections were held for the Constituent Assembly in late November, the Socialist Revolutionaries fielded lists that still included their more radical colleagues. But by that time the Left Socialist Revolutionaries were already acting autonomously by refusing to leave the Second All-Russian Congress of Soviets when it endorsed the Bolshevik overthrow. Although they did not formally join the new

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[27] Chamberlin, Russian Revolution, vol. 1, p. 250; Vernadsky, Russian Revolution, p. 54.

[28] Chamberlin, Russian Revolution, vol. 1, p. 326.

[29] Chamberlin, Russian Revolution, vol. 1, p. 40.

government, they cooperated with the Bolsheviks in rejecting parliamentary democracy and supporting the immediate redistribution of land. Although they shared the same social base as their more moderate colleagues, they were made of much ruder social material than the "sober, well-to-do peasants" and intellectuals who comprised the mainstream leadership of the party.[30] In Chart One, the Left Socialist Revolutionaries are categorized as preferring a proletarian dictatorship to parliamentary democracy but that attitude toward the formation of new state was more a product of their emphatic hostility toward parliamentary democracy than their embrace of a Bolshevik-dominated dictatorship of the proletariat. That hostility kept them out of the Provisional Government. The only locus of power the party/faction enjoyed was in the Soviets.

At the beginning of the Russian revolution, most of the leadership of the Bolshevik Party was either in exile or in Siberian prison camps. Until the leaders returned to Russia and, in particular, Petrograd, the party was an insignificant factor in revolutionary politics with a program that could only with difficulty be distinguished from that of the Mensheviks. That all changed when Lenin arrived in Petrograd on April 16 and, on April 20, Pravda published his "April Theses," a set of doctrinal interpretations that subsequently guided the Bolshevik Party up to the November uprising. The second of these clearly broke with the orthodox Marxist position assumed by both the Mensheviks and many Bolsheviks.

> The peculiarity of the current moment in Russia consists in the
> transition from the first stage of the revolution, which gave power to
> the bourgeoisie as a result of the insufficient consciousness and
> organization of the proletariat, to its second stage, which should give
> the power into the hands of the proletariat and poorest strata of the
> peasantry.

Rejecting all cooperation with the Provisional Government, Lenin urged his party to actively educate and thus persuade the masses that "the Soviet of Workers' Deputies is the one possible form of revolutionary government" once it was no longer "subject to the influence of the bourgeoisie." The fundamental goal of the party was

> Not a parliamentary republic–a return to that from the Soviet of
> Workers' Deputies would be a step backwards–but a republic of Soviets
> of Workers,' Poor Peasants' and Peasants' Deputies throughout the
> country, growing from below upwards.

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[30] Chamberlin, Russian Revolution, vol. 1, p. 353.

The clear implication, as Carr put it, was "that the moment when the Bolsheviks, by means of mass education, secured a majority in the Soviet would be the moment of the passing of the revolution into its second, or socialist, phase."[31]

By late October the Bolsheviks were ready to seize power. By that point they had full control of the most important Soviets (including Petrograd), most of the military units in and around Petrograd, and broad support among workers in the major cities. On October 22, The Petrograd Soviet passed a resolution of "no confidence" in the Provisional Government and formed a War-Revolutionary Committee that the Mensheviks accurately described as "a staff for seizing power." Although clearly charged with political implications, the Bolsheviks made no attempt to conceal these measures nor did they deny their portent. So much was this the case, that the official Kadet newspaper on November 1 started a daily column with the heading, "Bolshevik Preparations" for taking power. And one member of the Bolshevik Central Committee remarked that "we are openly preparing an outbreak." Chaired by Trotsky, the War-Revolutionary Committee coordinated the deployment of Russian military and naval units. In an almost bloodless coup, the Bolsheviks occupied the major transportation, communication, and government centers on the evening of November 6 and, at 10 o'clock of the following morning, announced that the "Provisional Government is overthrown" and that the "authority of the State has been transferred to the hands of the organ of the Petersburg Soviet of the Workmen's and Soldiers' Deputies–the War-Revolutionary Committee, which is at the head of the Petersburg proletariat and garrison."

In the early morning of November 8, Trotsky announced the fall of the Provisional Government to the Petrograd Soviet. All that remained to be done at that point was the capture of the Winter Palace and the few ministers who sheltered there. Lenin also spoke to the Petrograd Soviet, explaining that "the overthrow" meant

> that we are going to have a Soviet government. We will have our own
> organ of authority without any participation of the bourgeoisie. The
> depressed masses will build up an authority for themselves. The old
> state apparatus is going to be broken up, and a new apparatus of
> administration, in the form of the Soviet organization, is going to be
> built up. From to-day a new phase in the history of Russia begins, and
> this third Russian Revolution, as a final result, is to bring the
> victory of socialism. (emphasis in the original)

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[31] Carr, Bolshevik Revolution, vol. 1, p. 79. The formal title of the April Theses was "On the Tasks of the Proletariat in the Present Revolution."

The Petrograd Soviet then passed a resolution approving the actions of the War-Revolutionary Committee and acknowledged its authority pending the establishment of a Soviet government.

By no coincidence, the Second All-Russian Congress of Soviets was also meeting in Petrograd on the night of November 7-8. [32]  When the Congress passed a resolution assuming authority over the Russian state, the Bolshevik coup thereby became a Soviet government.  In its second session on the evening of November 8, the Congress issued a decree:

> To establish for the administration of the country, until the
> Constituent Assembly provides otherwise, a Provisional Workers' and
> Peasants' Government, which is to be named `The Soviet of the Peoples'
> Commissars.'  The management of the different branches of the life of
> the State is entrusted to commissions, the personnel of which secures
> the accomplishment of the programme announced by the congress, in close
> contact with the mass organizations of the working men, working women,
> sailors, soldiers, peasants, and employees.  The governmental authority
> rests with the <u>collegia</u> of the chairmen of these commissions, viz. with
> the Soviet of the People's Commissars.

The Congress then appointed the Soviet of the People's Commissars (each commissar was responsible for a policy area in much the same way that ministers would be in a parliamentary regime) and named Lenin as chairman.[33]

When the First All-Russian Congress of Soviets had convened previously in June, the Bolsheviks only comprised a little under thirteen percent of the delegates (see Chart Two).  As the third largest party, the Bolsheviks were less than half the size of either the Mensheviks and Socialist Revolutionaries.  By November, however, the Bolsheviks could claim almost sixty percent of the Second All-Russian Congress of Soviets, a majority further buttressed by the support of the Left Socialist Revolutionaries (who had become a formally organized party).  Because the Bolsheviks thoroughly dominated the Congress of Soviets, this became the legislative assembly that founded the Soviet state and, for that reason, was the legislative assembly that capped the "non-democratic" revolutionary path.

The abdication of the Tsar had ended the old regime and thus constituted a revolution.  But the transfer of sovereignty to the new Provisional Government was more or less a default result of the Tsar's abdication and thus did not found a new state.  With the important exception

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[32] The Bolshevik coup had, in fact, been scheduled to take place just before the convening of the Second All-Russian Congress on November 7. Carr, <u>Bolshevik Revolution</u>, vol. 1, p. 98.

[33] Mavor, <u>Russian Revolution</u>, pp. 144-7, 156, 160-2; Rosenberg, <u>Liberals in the Russian Revolution</u>, pp. 130, 260; Chamberlin, <u>Russian Revolution</u>, vol. 1, pp. 297, 308-12, 320-3, 326-7.

of the Bolsheviks, all parties in the revolutionary coalition expected and favored the election of a Constituent Assembly that would then found that new state by writing a national constitution that would both legitimate its rule and instantiate a post-revolutionary settlement. However, elections to the Constituent Assembly were repeatedly postponed by the Provisional Government. They were finally held on November 25 soon after the Bolshevik uprising and did not go well for the Bolsheviks. They elected just under a quarter of the 704 delegates while their chief rivals, the Socialist Revolutionaries, won almost sixty percent of the seats.[34] If the Constituent Assembly had been permitted to draw up a constitution, it would have become the legislative assembly that capped the "democratic" revolutionary path.

However, the Bolsheviks had no intention of permitting the Constituent Assembly to draft a new constitution. The purely instrumental reason for their rejection of the assembly was clear: the party controlled the Soviets, much of the army and navy, the city of Petrograd in which the assembly was to meet, and the major posts in the government ministries. Given that they had already declared their own revolution and now wielded most of the authority of the Russian state, the Constituent Assembly was nothing but a threat to their rule. But the doctrinal justification for Bolshevik rejection of the Constituent Assembly nonetheless sheds light on the party's understanding of the new Russian state's social purpose.

Most of the doctrinal interpretation that informed the party's strategy originated, of course, with Lenin. While Russia was not yet ready for a communist revolution in March, Lenin believed that conditions were more than ripe by late October. In that short span of time, the economic base of Russia had certainly not significantly matured, so this ripening had little or nothing to do with the fundamental material preconditions for a communist revolution. But the attitude of the Russian masses had changed in ways that not only strengthened the Bolshevik party in the streets but also in the Soviets, the factories, and the Russian military. There was thus a link between popular public opinion (democracy) and the strategy of the party: the former both legitimated and enabled the latter. When Lenin presented the party's new land policy to the Second All-Russian Congress of Soviets one day after the Bolsheviks seized power, he attributed its doctrinal heterodoxy to the fact that: "As a democratic government, we cannot evade the decision of the popular masses, even if we were not in agreement with it." Even once the Bolsheviks were in power, the "vital first steps of the regime were…taken under the banner not of socialism, but of democracy."[35]

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[34] The Kadets were the only bourgeois party participating in these elections and were severely handicapped by Bolshevik suppression of their newspapers, disruptions of the party meetings, and arrest of their leaders. Aside from this interference, the elections were remarkably free and fairly conducted. Chamberlin, Russian Revolution, vol. 1, p. 365.

[35] Carr, Bolshevik Revolution, vol. 1, p. 106.

Lenin wanted to postpone the elections to the Constituent Assembly but was overruled by the party.[36]  When the returns revealed a massive defeat, the Bolsheviks considered suppressing the Constituent Assembly by not allowing it to convene.  Bukarin argued against suppression because, as he put it, "constitutional illusions are still alive in the broad masses."  However, he did advocate expulsion of the Kadets and a sufficient number of the other delegates so that the assembly would simply ratify the new Bolshevik regime.[37]  On December 26, 1917, Lenin anonymously published his "Theses on the Constituent Assembly" in Pravda in which he analyzed the Bolshevik seizure of power the previous month and concluded that the Constituent Assembly was now an anachronism.  Because "the constituent assembly is the highest form of the democratic principle" in a "bourgeois republic," the party's support for the assembly under the Tsarist autocracy had been "fully legitimate."

However, once the Tsar was overthrown and a bourgeois government assumed power, Bolsheviks had properly insisted that "a republic of Soviets is a higher form of democratic principle than the customary bourgeois republic with its constituent assembly" and was, in fact, "the only form capable of assuring the least painful transition to socialism."  In other words, once the transition from Tsarist autocracy to parliamentary democracy had occurred, the historical mission of "revolutionary social-democracy" became the instantiation of the dictatorship of the proletariat (in the form of the Bolshevik party).  This instantiation could most effectively be achieved through the agency of the Soviets once the masses became conscious of the actual alignment of class forces and revolutionary possibility.  On the other hand, these developments had also encouraged a proper understanding of their own class position among the bourgeoisie and their agents, the Kadets.  Their completely reasonable and anticipated hostility to the Bolshevik revolution had eliminated any "possibility of resolving the most acute questions in a formally democratic way."  There was thus an inevitable collision looming between the political orientation of the Constituent Assembly and "the will and interest of the toiling and exploited classes who [have begun] the socialist revolution against the bourgeoisie."  For these reasons, Lenin concluded, "any attempt, direct or indirect, to look at the question of the Constituent Assembly from the formal juridical standpoint, within the framework of bourgeois democracy" was a betrayal of the socialist revolution because it failed to properly "appraise the October rising and the tasks of the dictatorship of the proletariat."  If the Constituent Assembly, once it met, did not unconditionally accept "Soviet power" and support the "Soviet revolution," the ensuing "crisis…can be solved only by revolutionary means."[38]

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[36] Carr, Bolshevik Revolution, vol. 1, p. 109n.

[37] In Carr's words, Bukharin's recommendation would have turned "the Left rump into a `revolutionary convention'" that then would have symbolically effected "the transition from bourgeois to socialist revolution through the agency of the Constituent Assembly." Carr, Bolshevik Revolution, vol. 1, p. 113n.

[38] Carr, Bolshevik Revolution, vol. 1, pp. 113-4.

On January 2, 1918, the Bolshevik government announced that the Constituent Assembly would convene on January 18 and, on January 4, set January 21 as the date for the Third All-Russian Congress of Soviets.  On January 16, two days before the Constituent Assembly was to meet, the Central Executive Committee of the All-Russian Congress of Soviets adopted the "Declaration of Rights of the Toiling and Exploited People" which it rather peremptorily demanded that the assembly adopt.  The Central Executive Committee also requested that the assembly formally recognize that its members had been elected before the "masses" had risen "against the exploiters."  Because the masses had not "yet experienced the full force of the resistance of the exploiters in defence of their class privileges [and] had not yet undertaken in practical form the building of a socialist society," they had mistakenly elected delegates that they now realized did not reflect their true class interests.  For that reason, "the Constituent Assembly would think it fundamentally incorrect, even from the formal standpoint, to set itself up against the Soviet power."  In other words, the Constituent Assembly should naturally conclude that it had become an anachronism and had no other option other than to support the Bolshevik regime.  The Committee therefore asked the Constituent Assembly to announce that: "Supporting the Soviet power and the decrees of the Council of People's Commissars, the Constituent Assembly recognizes that its tasks are confined to the general working out of the fundamental principles of the socialist reconstruction of society."[39]

When the Constituent Assembly finally convened on January 18, Yakov Sverdlov, acting in the name of the Central Executive Committee, shoved aside the oldest delegate who, in accord with tradition, was about to open the proceedings and presented the Central Executive Committee's resolutions, asking that they be immediately considered and adopted.  The Assembly rejected the resolutions and elected Victor Chernov, a Socialist Revolutionary, as presiding officer (he defeated Marie Spiridonova, a Left Socialist Revolutionary backed by the Bolsheviks).  What followed then can be viewed as either one of the most interesting, if aborted, foundings in world history or, alternatively, as a tragic farce.  Although a large majority of the delegates were opposed to the new Bolshevik regime, the galleries were crowded with Bolshevik workers and sailors who were armed and had been drinking heavily.  They pointed their weapons at the delegates and made threatening cat calls while the Socialist Revolutionaries and delegates belonging to the other minor parties made parliamentary motions, adopted resolutions, and

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[39] Carr, Bolshevik Revolution, vol. 1, p. 117. On January 17, Izvestiya reprinted another committee resolution that underlined the imperative nature of these requests: "On the basis of all the achievements of the [November] revolution and in accordance with the Declaration of Rights of the Toiling and Exploited People adopted at the session of the Central Executive Committee on January 3, 1918, all power in the Russian republic belongs to the Soviets and Soviet institutions.  Therefore any attempt on the part of any person or institution whatever to usurp this or that function of state power will be regarded as a counter-revolutionary act.  Any such attempt will be crushed by all means at the disposal of the Soviet power, including the use of armed force."  Pp. 117-8.  By this point, the Bolsheviks had outlawed the Kadets and had arrested some of the more prominent, moderate leaders of the Socialist Revolutionaries.  As a result, some of the resistance to the November revolution had already been suppressed.

attempted to go about the business of founding a democratic state. After the Bolshevik delegates left the chamber, their seats on the chamber floor were taken by now quite rowdy workers and sailors who continued to insult and provoke the credentialed delegates.[40] Finally, the sailor who commanded the military guard in the hall approached Chernov on the dais and told him that the Constituent Assembly must adjourn "because the guard is tired."[41] After hurriedly clearing up the parliamentary business that was before them, the delegates adjourned and left the chamber.

When the delegates returned to the Tauride Palace the following day, they found armed guards blocking the doors. The Constituent Assembly never held another session. As a theoretical commentary on foundings, the point raised by the Constituent Assembly is how persistently the delegates tried to imagine that they were in touch with and were exercising the will of the Russian people even as their assembly was first surrounded by and eventually physically infested with roughnecks led by the Bolshevik party. The symbolic role of the Constituent Assembly in the founding of a Russian state demanded a neutrality toward, almost an insensibility to, the acts of personal intimidation directed at them. Their persistence in abiding parliamentary protocol in the face of a malicious display of potential violence wasn't a charade; it was a ritual form necessary to their very identity and purpose. As a ritual that could enact a democratic founding, it was necessary that that those delegates believed what they did and that the consequences of that belief materialize in actual political practice--necessary but not, in this case, sufficient.

On January 19, 1918, the same day that the delegates found the doors to the Tauride Palace blocked by armed guards, the Central Executive Committee announced the dissolution of the Constituent Assembly. The committee attributed its decision to the changing alignment of historical class forces within Russia and the consequent need to cleanse state institutions of bourgeois influence, unequivocally committing those institutions to the control of the dictatorship of the proletariat.

> At its very inception, the Russian revolution produced the Soviets of
> Workers', Soldiers' and Peasants' Deputies as the only mass
> organization of all the working and exploited classes capable of giving
> leadership to the struggle of these classes for their complete
> political and economic emancipation.

Throughout the initial period of the Russian revolution the Soviets grew in number, size and strength, their own experience disabusing them of the illusions regarding compromise with the bourgeoisie, opening their eyes to the fraudulence of the forms of bourgeois-democratic

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[40] Mavor, Russian Revolution, pp. 195-8.

[41] Carr believed that the order to close the session came directly from Lenin. Carr, Bolshevik Revolution, vol. 1, pp. 119-20; Chamberlin, Russian Revolution, vol. 1, p. 370.

parliamentarism, and leading them to the conclusion that the emancipation of the oppressed classes was unthinkable unless they broke with these forms and with every kind of compromise. Such a break came with the October Revolution, with the transfer of power to the Soviets…

The October Revolution, which gave power to the Soviets and through them to the working and exploited classes, aroused frantic resistance on the part of the exploiters, and in putting down this resistance it fully revealed itself as the beginning of the socialist revolution.

The working classes learned through experience that old bourgeois parliamentarism had outlived its day, that it was utterly incompatible with the tasks of Socialism, and that only class institutions (such as the Soviets) and not national ones were capable of overcoming the resistance of the propertied classes and laying the foundations of socialist society.

Any renunciation of the sovereign power of the Soviets, of the Soviet Republic won by the people, in favour of bourgeois parliamentarism and the Constituent Assembly would be a step backwards and would cause a collapse of the entire October Workers' and Peasants' Revolution…

Outside the Constituent Assembly, the parties which have the majority there, the right-wing Socialist-Revolutionaries and the Mensheviks, are waging an open struggle against Soviet power, calling in their press for its overthrow and thereby objectively supporting the exploiters' resistance to the transition of land and factories into the hands of the working people.

Obviously, under such circumstances the remaining part of the Constituent Assembly can only serve as a cover for the struggle of the bourgeois counter-revolution to overthrow the power of the Soviets.

In view of this, the Central Executive Committee resolves:

The Constituent Assembly is hereby dissolved.[42]

The Bolsheviks did not contest the fact that the delegates to the Constituent Assembly had been democratically elected.  Nor did they challenge the notion that a state must be founded in accordance with the "will of the people."  However, they lodged objections against bourgeois interpretations of what a "democratic election" might be and what constituted the "will of the people."

Both challenges originated in the Bolshevik conception of the connection between history and political consciousness.  At every historical stage, there was a "correct" correspondence between political consciousness and the material conditions of a class.  In March, 1917, the proletariat participated in a bourgeois revolution that destroyed the Tsarist autocracy and brought into existence a parliamentary democracy.  However, Russian workers were not yet fully conscious of the fact that this parliamentary democracy was but a temporary way station on the road to socialism.  Bending to that political reality, the Bolsheviks supported the calling of a

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[42] McCauley, Russian Revolution, pp. 184-6.

Constituent Assembly as a way of unmasking the bourgeois class orientation of the Provisional Government (because the latter was, in fact, reluctant to put at risk state policies, such as prosecution of the war with Germany, by holding elections). Bolshevik support for the Constituent Assembly was thus a means of educating the masses and did not involve a commitment to conventional democratic elections. When this education had created a correct political understanding of the historical moment within the proletariat, the Bolsheviks overthrew the Provisional Government.

On the one hand, the Bolsheviks knew that the proletariat had come to correctly understand what should be done because party cadre were in intimate contact with workers and soldiers who, in many cases, wanted more immediate, radical action than the party thought was prudent. The development of revolutionary consciousness was thus monitored in the streets, the factories, and the barracks. On the other hand, the Bolsheviks wanted, if possible, to demonstrate this consciousness by way of formal, organized political action, action that took the form of the election of delegates by the local soviets throughout the nation. So, when elections to the Second All-Russian Congress of Soviets resulted in a clear majority for the Bolsheviks, this allowed the party to claim that the Congress represented the "will of the people" and could thus legitimate the seizure of power that occurred just before it convened.

The Congress was, of course, a legislative assembly. And, aside from the exclusion of the bourgeoisie from the franchise (a small fraction of the population) and the class basis of constituencies, the Congress was democratically elected. In these respects, the founding of the Soviet state resembled more conventional democratic foundings. But the Bolsheviks grounded their conceptualization of the "will of the people" in a correct, doctrinal understanding of historical class destiny. The proletariat had to approximate that understanding or there could be no socialist revolution. But perfection of the understanding, in terms of how the state should be constructed and how society should be transformed, was the task of the Bolshevik Party as the vanguard of the revolution. The party thus became the vehicle for realizing the "dictatorship of the proletariat" as it pursued the construction of the new state and the transformation of society. And, because only the party could act upon a correct understanding of these things, individual preferences, as expression of individual "wills," were irrelevant (or even counter-revolutionary).[43] After the party decided upon a policy, often by voting as individuals, political discipline demanded individual conformity with the decision.[44] The party as a whole was the only unit that could identify and act upon a correct understanding of the historical moment.[45]

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[43] For an instance in which Lenin was in the minority with respect to a party decision, see Rosenberg, <u>Liberals in the Russian Revolution</u>, p. 271; Carr, <u>Bolshevik Revolution</u>, vol. 1, p. 109n.

[44] For the most striking instance of the party discipline, see Carr, <u>Bolshevik Revolution</u>, vol. 1, p. 109.

[45] This insistence on the absolute authority of the party over doctrinal interpretation made the Soviet founding rather unique in its inclination to disown its founders. For example, the official history of the communist party notes that

While most foundings are dramatic events that are readily recognized as breaks with the past, the durability of their claims on state sovereignty are often neither immediately obvious nor uncontested. In the Russian Revolution, the legitimation of the Bolshevik uprising by the Second All-Russian Congress in November was, in retrospect, clearly a founding but, many of those who witnessed the event and its immediate aftermath believed the attempted takeover would fail. As the Bolsheviks consolidated power, there were at least three other legislative assemblies that could conceivably be interpreted as playing a role in the founding of the Soviet state (see Chart Three). The most dramatic of these was the Bolshevik refusal to allow the newly-elected Constituent Assembly to meet in January, 1918. As it turned out, the adoption of a formal constitution by the Fifth All-Russian Congress of Soviets on July 10, 1918, was almost an afterthought.[46] But that was implied by Bolshevik doctrine because there was no need for a social contract when the party itself both embodied the will of the people and constituted the state. The idea that the party should or could contract with itself was a contradiction in terms.[47]

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only Zinoviev and Kamenev opposed the party's decision in late October to prepare for the overthrow of the Provisional Government: "They asserted that the working class was incapable of carrying out a Socialist revolution; they sank to the position of the Mensheviks, who were championing the bourgeois republic. This was a betrayal of Socialism. The capitulatory position of Zinoviev and Kamenev was no accident. Their treachery was the direct outcome of all their opportunist vacillations." And Trotsky, who did not vote against the resolution but, instead, "insisted on its being postponed until the Second Congress of Soviets was convened," was accused of assuming a position "tantamount to wrecking the insurrection, for the Socialist-Revolutionaries and Mensheviks might postpone the Congress, and that would have enabled the Provisional Government to concentrate its forces by the time the Congress opened, so as to smash the insurrection." **Error! Main Document Only.**B.N. Ponomaryov, et al., History of the Communist Party of the Soviet Union, Andrew Rothstein trans. (Moscow: Foreign Languages Publishing House, 1960), p. 252. All three of these dissenters were subsequently elected to the seven member Political Bureau and subsequently played leading roles in the Bolshevik revolution. Chamberlin, Russian Revolution, vol. 1, p. 292.

[46] The constitution did, however, formally define, primarily by exclusion, the proletariat: "the following categories [were prohibited] from voting or running as candidates in soviet elections: [1] Persons using hired labor with the aim of extracting profit (this covered kulaks, as well as urban entrepreneurs and artisans), persons living off unearned income (dividends from capital, profits from enterprises, rent from property, and so forth) [; 2] Private traders and middlemen [; 3] Monks and priests of all denominations [; 4] Former employees and agents of the Tsarist police, secret police, and special corps of gendarmes [; 5] Members of the former Imperial family, the House of Romanov." Sheila Fitzpatrick, Everyday Stalinism: Ordinary Life in Extraordinary Times: Soviet Russia in the 1930s (N.Y.: Oxford University Press, 1999), p. 117. The will of the people (the proletariat) was thus the will of those who were not excluded from voting or standing as candidates in elections. However, this was only theoretically interesting because the same constitution also provided that the Bolshevik party (as the embodiment of the proletarian will) would be the only organization fielding candidates in those elections. The elections themselves were thus redundant exercises.

[47] Carr reported that Lenin's writings in the months preceding adoption "will be searched in vain for any reference to constitution-making." This indifference was rooted in doctrine. Carr, Bolshevik Revolution, vol. 1, p. 125.

<u>Islamic Theocracy: The Iranian revolution</u>

On January 7, 1978, Daryush Homayun, the Shah's Information Minister, published an article in a semiofficial newspaper that described Ayatollah Ruhollah Khomeini as "an adventurer, without faith, and tied to the centers of colonialism…a man with a dubious past, tied to the more superficial and reactionary colonialists."  Writing under a pseudonym that in no way disguised the regime's authorship, Homayun accused Khomeini of accepting money from the British in return for his public attacks on the Shah's reform program.  Rioting broke out the following day in the holy city of Qom after the regime's security forces attempted to suppress protests by theological students.  Some seventy people were killed in the two days following publication of the article.  Thus began the Iranian Revolution.[48]

Other riots and protests soon followed.  On February 18, at least 27 people died and 262 were injured in a riot in Tabriz where "cinemas, liquor stores, restaurants, banks, hairdressing salons," and the headquarters of the regime's political party were attacked.  The nature of the targets eloquently traced the connection between western-style modernization and the Shah's reform program while unambiguously manifesting popular hostility to both of them.  On August 19, 480 people perished when an arsonist set fire to the Cinema Rex in Abadan.[49]  On September 8, martial law was declared in Tehran as troops killed hundreds of protestors in what was later called Black Friday.  On November 4, about a dozen students died in protests at Tehran University.  The next day, protesters burned "[b]anks, hotels, cinemas, showrooms," and the Ministry of Information.  The army watched but did nothing while these buildings burned and guerillas attacked police stations throughout the city.  Throughout this period, strikes and slow-

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[48] Nikki R. Keddie, <u>Modern Iran: Roots and Results of Revolution</u> (New Haven, Conn.: Yale University Press, 2003), p. 225.  In 1983, Sussan Siavoshi interviewed an anonymous protest leader who described the Qom incident as

> A turning point in many respects.  First of all, the secular leaders
> had no role in initiating the demonstration.  Second, slogans used by
> the demonstrators were clearly voiced in religious language.  And
> third, the regime's severe reaction convinced many people that the most
> feared enemy from the regime's point of view was the religious
> community and that therefore the religious opposition must be the most
> powerful of all opposition.

<u>Liberal Nationalism in Iran: The Failure of a Movement</u> (Boulder, Col.: Westview, 1990), p. 138.

[49] Regime opponents renamed the movie theater "Kebab House of the Sun of the Aryans" after a royal title the Shah had created in an attempt to imitate Louis XIV.  Said Amir Arjomand, <u>The Turban for the Crown: The Islamic Revolution in Iran</u> (New York: Oxford University Press, 1988), pp. 117-8.  Several years later, a Muslim fundamentalist was convicted of setting this fire.  One of the witnesses who had known of his guilt stated that he, the witness, had withheld information from the police "For the sake of Revolution."  Suroosh Irfani, <u>Iran's Islamic Revolution: Popular Liberation or Religious Dictatorship?</u> (London: Zed Books, 1983), p. 180n.

downs by public employees in government offices and state-owned enterprises increasingly paralyzed both bureaucratic routine and economic activity.[50]

On December 10 and 11, these protests and strikes culminated in massive parades in Tehran that ostensibly commemorated the martyrdom of Imam Hussein. Over two million marchers called for the immediate abdication of the Shah and the impending end of the Pahlavi dynasty was now obvious. On December 30, the Shah asked Shapour Bakhtiar, a prominent liberal leader, to become prime minister. Bakhtiar agreed to take the post only if the Shah agreed to leave Iran and the Shah subsequently left for Egypt on January 16, 1979. However, because Bakhtiar had negotiated with the regime, his former allies in the liberal, secular wing of the protest movement deserted him. After several fruitless attempts to bargain with Khomeini (who was in Paris), Bakhtiar finally allowed the Ayatollah to return to Iran. After sixteen years in exile, Khomeini arrived in Tehran on February 1. Three million people turned out to celebrate his return. Three days later, Khomeini appointed a provisional government led by Mehdi Bazargan, a "Muslim liberal." Although Bakhtiar refused to cede control of the government, the military declared its political neutrality and the Bakhtiar government fell on February 11. After that, the revolutionary movement, led by Ayatollah Khomeini, controlled the Iranian state.[51]

All modern states, even those that would not usually be categorized as democracies, are founded in rituals through which sovereignty, the will of the people, and a transcendent social purpose are melded together as the foundation of state authority. The Islamic Republic of Iran was founded in two such rituals, one the precursor to the other. On March 30-31, 1979, the Iranian people voted in a national referendum asking them whether they wanted the new state to be an "Islamic republic" or a monarchy. Over 98 percent of those who voted favored the founding of an Islamic republic. A little more than eight months later, on December 2-3, a second national referendum asked the Iranian people whether the newly drafted constitution should be the basis of that Islamic republic. Over 99 percent of those who voted approved adoption of the new constitution. Although there were other significant events and moments attending the founding of the Islamic Republic, these two were the most important. On their face and, from a particular perspective, they were unequivocal expressions of the popular will as it

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[50] Arjomand, Turban for the Crown, pp. 114-117; Ali Gheissari and Vali Nasr, Democracy in Iran: History and the Quest for Liberty (New York: Oxford University Press, 2006), pp. 71-2. For a detailed description of politically-inspired strikes between September, 1978, and February, 1979, including their economic and political impact, see Misagh Parsa, Social Origins of the Iranian Revolution (New Brunswick, N.J.: Rutgers University Press, 1989), pp. 145-64.

[51] Houchang E. Chehavi, "Religion and Politics in Iran: How Theocratic Is the Islamic Republic?" Daedalus 120:3 (1991): 74; Arjomand, Turban for the Crown, pp. 121-2, 134; Keddie, Modern Iran, pp. 234, 238; Jahangir Amuzegar, The Dynamics of the Iranian Revolution: The Pahlavis' Triumph and Tragedy (Albany: State University of New York Press, 1991), p. 291; Dilip Hiro, Iran under the Ayatollahs (London: Routledge & Kegan Paul, 1985), pp. 90.

founded a new state.  However, that new state, ostensibly founded by mass democratic rituals, was not to be a democracy.

As in the Russian case, there were two paths the Iranian Revolution might have taken. One of them would have led to a more recognizably "western-style" democracy in which political competition and public debate were not tightly regulated and controlled by the state. The other led, as it turned out, to a theocracy in which religious doctrine and members of the clergy dominated society and the state.  The leading forces favoring the democratic path were the National Front and the Liberation Movement which drew their strength from urban professionals and civil servants.  The National Front, for example, was a "bourgeois democratic or reformist social democratic organization" whose leader, Karim Sanjabi, met with Khomeini in Paris and afterward produced a declaration stating that both Islam and democracy would be basic principles underlying the post-revolutionary state.  This declaration went a long way toward reassuring the National Front that the new regime would resemble the social democracy that secular liberals desired.  That reassurance, in turn, made them very reluctant to negotiate a compromise solution with the Shah in which the latter would have retained as least some role in the government.  Aside from some of the Marxist organizations and parties, the National Front was probably the most secular political element in the revolutionary coalition.

Mehdi Bazargan, who later led the first revolutionary government, was a founding member of the Liberation Movement when it emerged in Iranian politics in 1961.  While most of its original leadership was drawn from the National Front, the organization insisted that state authority be compatible with Islamic principles and that political participation by devout Muslims and the clergy was morally imperative.  For most of the period leading up to the revolution, the Liberation Movement both supported the monarchy and advocated liberalization of the regime.  However, political suppression gradually pushed the Liberation Movement toward more radical positions and their disaffection helped alienate the urban middle class from the regime.[52]

Ironically perhaps, much of the new urban middle class in Iran was the byproduct of the Shah's modernization program.  That meant that much of the impetus for a more western-style democratic polity had been created by a regime that suppressed its claims for greater political participation in the government.[53]  That suppression then pushed liberal, secular organizations into coalition with the fundamentalist clergy, an embrace that not only smothered liberal democratic elements in Iran but also reversed or stalled what had been the modernizing thrust of the Shah's reform program.  In 1977, the "new middle-class sectors" represented only eighteen

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[52] Hossein Bahiriyeh, The State and Revolution in Iran, 1962-1982 (New York: St. Martin's, 1984), p. 174; Mohsen M. Milani, The Making of Iran's Islamic Revolution: From Monarchy to Islamic Republic (Boulder, Col.: Westview Press, 1988), pp. 143-4; Keddie, Modern Iran, pp. 233-4; Siavoshi, Liberal Nationalism, p. 158.

[53] Arjomand, Turban for the Crown, p. 108.

percent of the population. As in the Russian Revolution, these sectors threw up many articulate, pragmatic, and experienced political leaders but the revolutionary settlement was largely shaped by street demonstrations in which the middle-class was far outnumbered by other sectors historically tied to the clergy: the "traditional" bourgeoisie (e.g., the bazaar merchants) who made up about ten percent of the population; the working class (33 percent); and the peasantry (36 percent).[54] The position assumed by these sectors was also a byproduct of the Shah's policies. For example, modernization had negative implications for the traditional organization of the economy overseen by merchants who sold their wares and services in urban bazaars. The Shah responded to their protests with policies that increasingly marked them as retrograde opponents who should be eliminated.[55] As was the case with new middle class, both repression and policy pushed the traditional bourgeoisie into the arms of the clergy; however, the link between the Islamic clergy and bazaar merchants was already strong and long-standing.[56]

The backbone of the massive street demonstrations in 1978 was composed of illiterate or semi-literate, unskilled peasants who had migrated to the cities and worked in the informal, part-time economy at the margins of the modern industrial and service sectors.[57] These migrants lived in slums on the outskirts of the cities where they raised very large families, adopted lifestyles characterized by some of the aspects of modern life (e.g., television and popular fashions), but otherwise retained a very traditional relationship with Islam and the Islamic clergy. Khomeini and the fundamentalist clergy called them the "dispossessed" and frequently described them as "oppressed" and "innocent." Although Khomeini never stated exactly what should be done to relieve the miseries of the migrants, he nonetheless persuasively blamed the regime's modernization policies for their suffering. These migrants far outnumbered skilled, industrial workers in the Iranian economy and, along with bazaar merchants, composed the "core social basis" of the Iranian Revolution.[58]

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[54] Arjomand, Turban for the Crown, p. 281.

[55] Parsa, Social Origins, p. 94; Theda Skocpol, "Rentier State and Shi'a Islam in the Iranian Revolution," Theory and Society 11:3 (1982): 272. Dilip Hiro has described the Iranian bazaar as a network of "wholesalers, commission agents, brokers, middlemen, merchants, money-changers, workshop owners, artisans, craftsmen, apprentices, shopkeepers, shop assistants, hawkers, peddlers and porters" into which both much of the working class and clergy were thickly embedded. Iran under the Ayatollahs, p. 375n.

[56] This was and is a reciprocal relationship in which "the bazaris are dependent on the clergy to legitimate them and their economic activities, and the clergy depend on the economic power of the bazaris for support, in part to establish and maintain their schools and religious buildings as well as religious activities in general." Masoud Kamali, Revolutionary Iran: Civil Society and State in the Modernization Process (Aldershot, Eng.: Ashgate, 1998), p. 187. Also see, Arjomand, Turban for the Crown, p. 15; Skocpol, "Rentier State…", pp. 270, 272, 274; Keddie, Modern Iran, p. 226.

[57] Keddie, Modern Iran, p. 232.

[58] Kamali, Revolutionary Iran, pp. 175-8, 181-3. See pages 199-203 for a description of the role of marginalized urban migrants in particular revolutionary events.

In all these ways, the political economy that structured the Iranian Revolution was the product of Pahlavi reforms and policies that dated back fifty years to the founding of the dynasty in 1925 by Reza Shah Pahlavi, the Shah's father. Those economic and social policies shaped and in some cases brought into being sectors that remodeled the political landscape and produced the political demands that now characterized the modernizing nation. But these changes tended, from the Shah's perspective, to increase resistance to his reform agenda faster than they created sympathetic constituencies. There was thus a gap between what was expected to be long-run strengthening of popular support for economic and social change (arising out of the modernization program as new sectors supporting change were created and traditional sectors opposing change atrophied) and short-term political opposition to reform. The latter was increasing faster than the former and threatened to halt the Shah's program before it could become self-sustaining. The Shah attempted to bridge that gap by creating a secret police, the SAVAK, that employed some 60,000 people who routinely beat, whipped, burned, and executed those who opposed the regime.[59] By 1975, Amnesty International described Iran as having "the highest rate of death penalties in the world and a history of torture which is beyond belief."[60] Intense repression on this scale dissolved what might otherwise have been a natural inclination to support or at least tolerate the Shah's rule when challenged by the fundamentalist clergy.

Whatever chance that the Iranian Revolution might have resulted in the founding of a democratic state was probably eliminated by the Shah's reliance on repression.[61] Even without repression, secular liberals and their Islamic allies constituted a fairly small minority of Iranian society and their prospects thus depended on the continued political demobilization of migrant workers and the peasantry. And that demobilization depended to a large extent on the attitude assumed by an Islamic clergy that was far from monolithic in either its doctrinal principles or political philosophy.

Shi'a Islam

All Muslims believe that Muhammad was "God's Messenger" whose preaching, when set down in writing, became the Qur'an, the holy book of Islam. The two great sects within Islam, the Sunnis and Shias, share three additional beliefs (monotheism, resurrection, and the existence

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[59] The SAVAK was originally created in 1953 with the assistance of the CIA in order to eliminate the underground organization of the Tudeh, the Communist party in Iran. Arjomand, Turban for the Crown, p. 73.

[60] Hiro, Iran under the Ayatollahs, p. 96; Irfani, Iran's Islamic Revolution, p. 151.

[61] Arjomand concludes that the historically created context explains why the "modern political revolution [that] occurred in Iran in 1979…was destined to be an Islamic revolution with the goal of establishing a theocracy." Turban for the Crown, p. 6.

of prophets).  However, Shias also have two beliefs that distinguish them from Sunnis: the Imamat and a particular conception of justice.[62]  The vast majority of Iranians are Shias and almost all of them are followers of Twelver Shi'ism in which the fundamental tenet is that there have been twelve Imams chosen by God to lead the Islamic community.  The last of these, the Mehdi, vanished in 870 C.E. when he was five years old.  For seventy years afterward, he maintained contact with believers through regents.  When the last of these regents died in 940 C.E., communication with the Twelfth Imam ended and what is known as the Greater Occultation began.  However, Shias believe that the Hidden Imam will return "at the end of time to impose godly justice."[63]

Shias believe that legitimate authority can only be exercised by the Imam.  In the absence of the Twelfth Imam (who now resides in an inaccessible, non-earthly plane), any claim to a right to rule over the faithful is illegitimate unless the person making that claim can conclusively demonstrate that he acts on behalf of the Hidden Imam.  Those who can most persuasively demonstrate that connection are the Grand Ayatollahs, the highest ranking members of the Shi'ite clergy.  Each Grand Ayatollah has the right to form an independent judgment on religious questions and a responsibility to thus guide the faithful in the absence of the Hidden Imam.  Each member of the faith chooses one of the Grand Ayatollahs as their guide, unquestioningly accepting their interpretations of Islamic law and doctrine as "emanating indirectly from God and the Hidden Imam."[64]  For most of Iranian history since Twelver Shi'ites were invited into Persia in the early 16th century, the clergy and the monarchy enjoyed a (sometimes uneasy) symbiotic relationship.  The monarchy needed the clergy in order to legitimize their rule because they otherwise could not claim to act on behalf of the Hidden Imam.  The clergy needed the monarchy in order to maintain and routinize their own, more material relationship to the people (e.g., in the form of religious taxes that supported mosques and centers of theological learning).

The Shah's modernization program inevitably brought social and cultural change to Iran and much of that change made the Islamic clergy uncomfortable.  Many of them, in fact, were horrified by the presence of American military advisers, the distribution of western movies and other cultural media, the adoption of western fashions that did not respect traditional Islamic mores, and the Shah's increasingly indifferent, if not openly hostile, attitude toward the clergy.[65]  However, most of the clergy did not become involved in politics even after Khomeini was exiled in 1964.  As a result, most of the regime's suppression fell upon either secular or lay Islamic

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[62] Hiro, Iran under the Ayatollahs, pp. 9, 12.

[63] Milani, Making of Iran's Islamic Revolution, p. 46; Kamali, Revolutionary Iran, pp. 22-3.

[64] In 1982, for example, there were 10 Grand Ayatollahs.  Irfani, Iran's Islamic Revolution, pp. 11-2, 18n.

[65] For a summary of regime policies during the 1960s and 1970s that either ignored or targeted clergy interests and relations with Iranian society, see Keddie, Modern Iran, p. 222; Skocpol, "Rentier State…", pp. 82-3.

organizations that advocated liberalization of the political system.  Mosques thus remained solely places of worship, quiet sanctuaries in which people could safely gather and communicate. When the revolution came, the thick distribution of mosques throughout Iranian society, the close ties between the clergy and bazaar, and the devout beliefs of much of the peasantry and working class transformed mosques into a national network that underpinned and shaped popular mobilization against the regime.  In fact, the Shah's repression of what would have been more secular and lay Islamic alternatives meant that the mosque network was the only social structure through which the masses could be brought into politics.[66]


### The Revolutionary Movement

Under the Shah, Iran had turned into a "rentier state" that funded modernization, military expansion, and most social welfare policies out of oil revenues that flowed almost exclusively into government coffers.  This reliance on outside, foreign revenues meant that the regime never developed close ties with Iranian society and, as long as repression was effective, could safely ignore popular sentiment.  In many ways, the Shah was personally responsible for his regime's isolation.  For example, the Shah's agrarian reform program had enabled much of the independent peasantry to buy land, thus making them yet another class that had been created by the regime's modernizing policies.  He could have easily nurtured the land-owning peasantry as an extension of the regime's social base but, instead, rather gratuitously branded them an obsolescent impediment to progress by publicly stating, in 1975, that, "Iran's small and relatively unproductive farmers are an extravagance that the country can no longer afford."[67]  The Shah's absolutist temperament only increased the regime's isolation by transforming the monarchy into the sole target of mass opposition.[68]

The revolutionary movement that deposed the Shah has been described as a "rainbow" coalition of

> avowed Marxist-atheists, liberal agnostics, non-practicing Moslems, progressive
> Islamic elements among intellectuals and students, social democrat followers of
> former Prime Minister Mossadeq, Islamic-Marxist reformers, the established Shi'ite
> hierarchy (with different objectives and involvement), and, finally, Islamic
> fundamentalists and hard-line disciples of Ayatollah Khomeini.  Participants in
> street marches and demonstrations included _déclassé_ aristocrats, old-time

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[66] Parsa, Social Origins, pp. 190, 301, 306.

[67] Arjomand, Turban for the Crown, p. 107.

[68] Skocpol, "Rentier State…", pp. 269-70.

politicians, disgruntled job-seekers, small businessmen, new industrialists, urban workers, and idle hangers-on.[69]

Once the Shah was gone and the military had returned to the barracks, this coalition almost immediately began to break up.[70] As the coalition disintegrated, the various elements that had been previously allied articulated differing visions of what they wanted the new Iranian state to be. We are less interested in those visions than we are in how they connected those visions to what they conceived to have been the "will of the people." In every case, that vision and the conception of the "popular will" were intimately related.

The National Front, for example, conceived of the popular will from a liberal perspective. While conceding that the influence of the Shi'ite clergy and the strength of Islamic sentiment in society would mean that there could be no strict separation of church and state in Iran, most leaders of the National Front still advocated a more or less secular social democratic political system in which religious institutions and personnel would stand aside from politics. As is the case with most western liberals, the political system would be primarily process-oriented in that a free press, open political competition, and universal suffrage would enable a largely uninhibited expression of the popular will.[71]

The Liberation Movement also preferred the construction of a more or less liberal democratic regime but would have imposed more constraints on the exercise of the popular will in the form of mild regulation of electoral competition and a privileged position for the clergy with respect to oversight of legislation that implicated areas already covered by Islamic law (e.g., Sha'ria). Their orientation would have centered expression of the popular will more squarely within the Shi'ite mainstream of Iranian society by excluding more secular policies and possibilities. At the margin, the Liberation Movement overlapped with the Mujahedin-e Khalq, an armed, leftist guerilla organization that favored the creation of "an egalitarian Islamic society through fusion of Islam and Marxism." The Mujahedin envisioned a radical restructuring of property relations prescribed, as they saw it, in both the Qur'an and in Marxist theories of historical materialism. The Islamic movement, from their perspective, was the vanguard of a social revolution that would naturally adopt, over time, a more orthodox Marxist program. They

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[69] Amuzegar, Dynamics of the Iranian Revolution, p. 14. Amuzegar described the "collective, and somewhat incongruous, objective of the [revolutionary] coalition [as] a government of national unity--at once Islamic, nationalist, democratic, egalitarian, bourgeois, nonaligned, socialist, and economically self-sufficient. It was in the truest sense of the word, a government of all things to all men." P. 18.

[70] On the fracturing of the revolutionary coalition, see Jerrold D. Green, Revolution in Iran: The Politics of Countermoblilization (New York: Praeger, 1982), pp. 142-4.

[71] A constitutional prohibition on the recognition of a church as an organic element of the state or the instantiation of religious principles as state-imposed policies is, of course, a circumscription of the "will of the people" because it rules out some of the ways that will might be expressed. From that perspective, the United States Constitution is more constraining than one that lacked such a prohibition.

thus already anticipated what the popular will in Iran desired as an historical outcome and would have tailored regulation of the political expression of that will in such a way that it would have produced that outcome. Whether or not popular opinion at the present moment properly reflected that will had no relevance (aside from tactical considerations of how to conduct revolutionary politics and operations).[72]

More orthodox Marxist-Leninist organizations such as the Fedai Khalq (an armed guerilla organization similar to the Mujahedin) and the Tudeh (a formally organized political party aligned with and strongly influenced by Moscow) were more secular in their orientation but even more restrictive with respect to the range of ways in which the "will of the people" might be expressed.[73] The vast majority of the membership of the Tudeh and the two guerilla organizations came from students who were or had been enrolled in universities and other educational institutions. Like the urban middle class from which they came, they were the product of the Shah's modernization policies that had, in this instance, more than doubled student enrolment during the 1970s. For those belonging to these organizations, "the revolution itself was the supreme redemptive act and would automatically produce the ideal society through their agency in the vanguard."[74] Although the left was a major influence upon the modernizing middle class in Iran, it failed to penetrate the bazaar or the working class, both of which remained devoted to fundamentalist Islamic beliefs. This failure ultimately drove the Mujahedin and the Fedai Khalq back into armed opposition once fundamentalist consolidation of the Islamic Republic began in earnest. All of the above groups--whether they be secular liberals, Islamic radicals, or Marxist guerillas--assumed that the "people" encompassed all who lived within the national boundaries of Iran. Not so the separatist groups representing the nationalist aspirations of Kurds, Turkomans, Arabs, and Baluchis who either advocated complete independence (thus constructing an entirely separate people that might express a will) or regional political autonomy (a radical constriction on what the "will of the people" at the national level might enact).[75]

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[72] For a detailed and sympathetic history of the Mujahedin-e Khalq that severely criticizes the secular Marxist wing, see Irfani, Iran's Islamic Revolution, pp. 89-115. For links between the Mojahedin and the modernist clergy, see Milani, Making of Iran's Islamic Revolution, pp. 146, 148-9.

[73] The "strongest voices in the modern middle class and among intellectuals and students were associated with the Left…The Left was not a pro-democracy force in the 1970s; its world-view was collectivist and was not primarily concerned with the rule of law, civil liberties, or individual rights. Rather, it saw the rhetoric of democracy as a means to an end. It was strongly antistate, favored class war and revolution, and promised a utopian state." Gheissari and Nasr, Democracy in Iran, pp. 67, 68. Also see, Asghar Schirazi, trans. John O'Kane, The Constitution of Iran: Politics and the State in the Islamic Republic (London: I.B. Tauris, 1997), p. 294.

[74] Arjomand, Turban for the Crown, p. 106.

[75] For a brief review of the political ideologies associated with different elements of the revolutionary coalition, see Hiro, Iran under the Ayatollahs, p. 103.

Given the variety of ways the post-revolutionary state was envisioned and the resulting incompatibility between their interpretations of how the will of the people should be purified by way of electoral regulation, policy injunctions, and constitutional prohibitions, the founding of the Iranian state would have been complicated even without the participation and influence of the Islamic clergy.  However, as it turned out, the clergy became the almost hegemonic force behind the founding as it first tentatively compromised with other elements of the revolutionary coalition, then almost unilaterally imposed a largely theocratic design upon the constitutional assembly, and finally eliminated, often by force and violence, competing political formations that refused to passively yield to clerical rule.  We will turn to an account of how that transpired in a moment.  First, though, we need to describe political attitudes and positions within the clergy itself because the Shi'ite ulama was far from united on questions involving the relation between church and state.

The Ulama

The highest clerical rank in Twelver Shi'ism is occupied by maraja'e taqlid (sources of imitation), each of whom draws upon the Qur'an and Islamic religious traditions as he legislates the proper relationship between Islam and the temporal affairs.  Each marja'e taqlid draws to himself followers who accept and obey him as the authoritative interpreter of Islamic thought.  His interpretation takes the form of judgments and rulings and are usually codified and published.[76]  A mullah only becomes a marja'e taqlid after many years of scholarly training and study during which he must demonstrate his piety through exemplary conduct and material simplicity.  He must also attract a following, a community of believers, who declare him to be their guiding authority with respect to Islamic principles and law.[77]  Accompanying this declaration is a commitment by the faithful to pay religious taxes to the marja'e taqlid.  These taxes are then used to fund religious schools, to aid the poor and sick, and to maintain mosques and other religious centers.  Under Shi'i tradition, no marja'e taqlid can impose his interpretations and rulings upon any other marja'e taqlid.  Each is formally equal to and autonomous of the others.  In addition, the number of maraja'e taqlid is limited only their individual ability to attract enough followers to form a self-sustaining community.  In combination, these two principles guarantee that Twelver Shi'ism will contain diversity of doctrinal perspectives (encouraged by the implicit competition between maraja'e taqlid for

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[76] Milani, Making of Iran's Islamic Revolution, pp. 138, 330.  Maraja'-e taqlid are more commonly referred to as "Grand Ayatollahs."  Hiro, Iran under the Ayatollahs, p. 376n.

[77] Arjomand, Turban for the Crown, p. 16.

followers) and a rather polycephalic clerical hierarchy (with each of the lower ranking clergy aligned with one of the maraja'e taqlid).[78]

In the period before the revolution, Shi'i interpretations of Islam's relation to state authority could be divided into three distinct but, in practice, often overlapping perspectives: fundamentalist, modernist, and orthodox. The fundamentalists held the state responsible for increasing immorality in Iranian society and the declining religious devotion of the people. As leaders of this faction (not an inappropriate word), Ayatollahs Komeini and Montazeri condemned the Shah's modernization program as the reason decadent western mores had taken hold among the faithful. When their opposition became openly political, the Shah attempted to suppress them. At that point they became irrevocably hostile to the regime and viewed formal clerical political power, in some form, as the only remedy for Iran's slide into decadence and wickedness.

Modernists, such as Ayatollah Mahmoud Taleqani, viewed modernization as beneficial or, regardless of its benefits, inevitable. The problem was the Shah's regime and that problem could be solved by creating a healthier and more organic relationship between the people and the state. As a political movement, clerical modernists attracted many followers who believed that Shi'ism and Marxism could be reconciled in that Shi'ism "could fulfill Marxist ideology's historic function and become a material force." From that perspective, Shi'ism became an ideology grounded in a "creed of justice" in which concern for the poor became a leading guide for action.[79] There would be a role for the clergy in the politics of the state but that role would have been one of facilitation as opposed to domination.[80]

In rather sharp contrast to both the fundamentalists and modernists, the orthodox clergy, led by Ayatollahs Khorasani and Golpayegani, preferred to stand aloof from politics. While they, too, deplored the changes taking place in Iran, they continued to subscribe to the traditional role of the clergy in Iranian politics: tacit support for the ruling regime in return for clerical

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[78] James A. Bill, "Power and Religion in Revolutionary Iran," Middle East Journal 36:1 (Winter 1982): 23; Chehavi, "Religion and Politics in Iran," p. 80; Milani, Making of Iran's Islamic Revolution, p. 154; Siavoshi, Liberal Nationalism, p. 192; Kamali, Revolutionary Iran, pp. 28, 30; Martin Riesebrodt, trans. Don Reneau, Pious Passion: The Emergence of Modern Fundamentalism in the United States and Iran (Berkeley: University of California Press, 1998), p. 149.

[79] Gheissari and Nasr, Democracy in Iran, pp. 70-1; Milani, Making of Iran's Islamic Revolution, pp. 139-40, 144.

[80] Describing the thought of Ayatollah Taleqani, Nikki Keddie writes: "Human laws ('urf) are fragmentary, limited by history, and subject to change. They are easily diverted by a tyrannic power; are influenced by passions; and must be applied by coercion. Only Islam is the perfect legislator--it encourages reason to follow the path of God instead of misleading it; frees man from the slavery of human customs; teaches all to distinguish good from evil; and makes of a man controlled by passions a controller of himself. Because of these qualities, Islamic law (fiqh) is not accessible to all; only mujtahids can decide its application." Modern Iran, 2003), p. 197.

autonomy in religious matters and the administration of Islamic institutions.[81]  After the death of Ayatollah Borujerdi in 1961, an orthodox leader who had openly cooperated with the regime, the Shah became increasingly less interested in upholding the state's end of this reciprocal relationship.  By the mid-1970s, it was not at all clear that the orthodox had a viable strategy for maintaining the clergy's place in Iranian society.[82]

Because the fundamentalists became the most important force driving the Iranian revolution, we must closely examine their perspective on the proper relationship between state sovereignty and the will of the people.  Because his thought so strongly influenced the revolution and so completely dominated what became his political faction, that examination must focus on Ayatollah Khomeini.  Ruhollah Musavi Khomeini was born in 1902.  In 1919, he became a disciple of Ayatollah Ha'eri and went with him to Qom two years later.  After years of study under Ha'eri, Khomeini became a respected member of the clergy in his own right.  In 1930 he married the daughter of a wealthy ayatollah and that union subsequently produced five children, two sons and three daughters.[83]  His political activity began in 1944, when he published an open letter to the clergy encouraging them to condemn public immorality.  In that same year, Khomeini published a book, Secrets Exposed, as a response to the writings of a disciple of Ahmad Kasravi, an anticlerical intellectual.  In this book, Khomeini contended that "attacks on religious leaders help to destroy the country and its independence."  But most of his criticism was directed at Reza Shah (Mohammad Reza Shah's father and the founder of the Pahlavi dynasty) whom he characterized as the enemy of Islam.  Although some parts of the book appeared to tolerate rule by a monarch hedged about with constitutional limitations, Khomeini concluded that "apart from the royalty of God, all royalty is against the interests of the people and oppressive; apart from the law of God, all laws are null and absurd.  A government of Islamic law, controlled by religious jurists (faqihs) will be superior to all the iniquitous governments of the world."

During the 1950s, Khomeini became a disciple of Ayatollah Borujerdi, the most influential cleric in Iran.  Since Borujerdi was very conservative and supported the Shah's regime, Khomeini was politically inactive.  After 1960, however, he again began to criticize the regime, this time as a teacher of ethics in Qom.  After Borujerdi passed away in 1961, Khomeini

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[81] Milani, Making of Iran's Islamic Revolution, p. 138.  For a slightly different categorization of the clergy in this period, see Kamali, Revolutionary Iran, p. 180.

[82] Riesebrodt, Pius Passion, p. 149; Milani, Making of Iran's Islamic Revolution, p. 138.  For the historical origins of the traditional relationship between church and state in Twelver Shi'ism, see Arjomand, Turban for the Crown, pp. 15, 75, 79; Gheissari and Nasr, Democracy in Iran, p. 69.

[83] One of the sons, Mustapha, was apparently poisoned by SAVAK agents in October, 1978.  He was killed in retaliation for an unsuccessful assassination attempt on the Shah's sister a month or so earlier.  Hiro, Iran under the Ayatollahs, p. 69.

became a marja'-e taqlid in his own right and soon after began to publicly attack the regime.[84] In January, 1963, the Shah proposed that a national referendum be held on reform principles that subsequently became known as the "White Revolution."  Two months later, Ayatollha Khomeini publicly charged that the Shah was attacking Islam.  Khomeini's criticism both initiated active clerical resistance to the Shah and gave him leadership of that movement.

On June 3, 1963, Khomeini gave a speech in Qom ridiculing the Shah as a spineless puppet of forces that he did not comprehend:

> Let me give you some advice, Mr. Shah!  Dear Mr. Shah…Maybe those
> people (advisers and the government in power) want to present you as a
> Jew so that I will denounce you as an unbeliever and they can expel you
> from Iran and put an end to you!  Don't you know that if one day some
> uproar occurs and the tables are turned, none of these people around
> you will be your friends.  They are friends of the dollars; they have
> no religion, no loyalty.

Khomeini also called upon the "commanders of the great Iranian army, its respectable officers, and its noble members" to join in the "salvation of Islam and Iran."  The next day he was arrested.  The day after that demonstrations and riots broke out throughout Iran.[85]  After intervention by other Grand Ayatollahs, Khomeini was released and placed under house arrest. When Khomeini again attacked the regime the following year, he was exiled to Turkey.  From there, he later moved to Najaf in Iraq, one of the holiest cities in Shi'ite Islam.  There he remained until 1978 when he left for Paris.[86]

While in Iraq, Khomeini continued his political opposition to the Shah by making public declarations in which he linked the regime, western imperialism, and Zionism.  His pronouncements were widely circulated inside Iran in the form of tape cassettes.  During this period, a book, Islamic Government, was compiled from lecture notes taken down by his students.  In this book, Khomeini asserted that both monarchy and "dynastic succession" were alien to Islam and thus concluded that the Shah's regime was illegitimate.  Instead of monarchy, Khomeini stated that Islamic law, as laid down in the Qur'an and tradition arising out of the Prophet's practice, contained "all the laws and principles needed by man for his happiness and perfection".  Until the return of the Hidden Imam, the only ones who can interpret Islamic law

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[84] Hiro, Iran under the Ayatollahs, pp. 49, 51.

[85] Milani, Making of Iran's Islamic Revolution, pp. 91-2.

[86] Irfani, Iran's Islamic Revolution, p. 84; Arjomand, Turban for the Crown, pp. 72, 85-6; Shaul Bakhash, The Reign of the Ayatollahs: Iran and the Islamic Revolution (New York: Basic Books, 1984), p. 30.

are Muslim jurists and, thus, it is they who should govern the people.  Khomeini called upon the ulama to purify Islam by exposing the corrupting influence of western thought and ways.  Those among the clergy who support the regime were to be condemned and ostracized.[87]

At the heart of Khomeini's political thought was his theory of Velayat-e Faqih (Guardianship of the Jurist).  Lodging supreme political authority with the clergy, this doctrine radically revised the traditional Shia conceptualization of the proper relationship between mosque and state.  Under the traditional conceptualization, only the return of the Hidden Imam could inaugurate "just rule."  Because all worldly governance would be imperfect in the absence of the Hidden Imam, the ulama should stand apart from politics until his return and the proper role of the ulama was thus restricted to the protection and propagation of Islam.  While that might include advice to those who ruled and, in extremis, political intervention by the ulama, the clergy should normally remain aloof from the impurity unavoidably associated the exercise of the government authority.[88]

Khomeini found theological justification for the direct assumption of political power by the ulama in the practical realities of creating and maintaining a devout Islamic community.  First, he noted that Islamic law could not reform and purify society unless it was publicly enforced.  The achievement of human happiness through the establishment of a devout Islamic community thus necessitated the exercise of state authority.  Second, Khomeini observed that God had given the community Islamic law by revealing the Sha'ria and the teaching and practice of the Prophet.  Once those revelations had been received, they required political rule by the ulama because only the clergy could properly interpret and thus execute Islamic law.  Third, in the absence of the Hidden Imam, responsibility for representation of God's will unavoidably devolved upon the ulama.  To shirk this responsibility for the sake of a fictitious religious purity was itself a transgression of Qur'anic commands.  Since the Sha'ria and the teaching and practice of the Prophet were both fully revealed and covered the entirety of those areas that must underpin the creation and maintenance of a purified Islamic community, Islamic law would be more or less self-executing.  What was needed, then, was a strong leader who could carry out what had already been decided and ordered by God.  While there was some room for consultation among the ulama (even, perhaps, taking the form of an assembly of clerics), the proper form of an Islamic government should concentrate authority in a single leader, the most learned and devout among the ulama.

If a deserving jurist is endowed with these two qualities [justice and

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[87] Keddie, Modern Iran, pp. 191-4.

[88] Gheissari and Nasr, Democracy in Iran, p. 69; S.M.A. Sayeed, Iran before and after Khomeini (Karachi: Royal Book Company, 1999), p. 44; Milani, Making of Iran's Islamic Revolution, pp. 149-54.

knowledge of Islamic law], then his regency will be the same as enjoyed by the Prophet in the governing of the Islamic community, and it is incumbent on all Moslems to obey him.[89]

That leader thus accepts a political authority identical to that exercised by the Prophet and the Imams. Although the latter are far superior to the ulama in terms of spiritual virtue, the political authority associated with the enforcement of Islamic law is otherwise the same.[90]

In all these ways, Khomeini's political thought exploited Twelver Shi'ism's millennial preoccupation with the return of the Hidden Imam. The ulama were the regents who must rule in his absence. The assumption of power by the religious leader was humbled by the knowledge that he would only govern in place of the Hidden Imam. Because Islamic law was already known in its fullness, the leader was merely the agent of a self-executing divine will; in effect, the leader would have neither a personal will nor individual ambition. One of the popular slogans of the insurgency emphasized this temporary regency: "The Revolution shall continue until the return of the Mehdi, the Lord of the Age." For the fundamentalist clergy and their followers, "the revolution was heading towards a divine destination and to that end they…sought to eliminate evil and promote revolutionary/religious virtue." The revolution itself heralded the imminent return of the Hidden Imam. In preparation for that return, the Islamic community must be purified and made ready; all vestiges of the immorality and corruption of the Shah's regime must be eradicated. Many of Khomeini's followers began to call him the "Imam," thus placing him somewhere in the Shi'ite pantheon. And there were rumors that Khomeini himself had been in direct communication with the Hidden Imam and that his leadership of the revolution thus validated the movement as the expression and realization of God's will. Those who opposed the revolution were not mere political rivals but were "apostates" who had to be dealt with according to the religious code of sin."[91]

Although most of the other Grand Ayatollahs came to oppose the Shah's regime and supported the revolutionary movement, they never accepted Khomeini's theological innovations

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[89] Bakhash, Reign of the Ayatollahs, p. 38.

[90] Sayeed, Iran before and after Khomeini, pp. 46-50. Sayeed concludes that Khomeini's political thought should be read "as an ideology…a synthesis of seminal ideas and symbols, more action oriented than metaphysical…a conceptual framework to render political strategy intelligible…" P. 64. On the nature of Islamic law in Khomeini's thought, also see Farzin Vahdat, God and Juggernaut: Iran's Intellectual Encounter with Modernity (Syracuse, N.Y.: Syracuse University Press, 2002), pp. 163-4; Arjomand, Turban for the Crown, pp. 98-9.

[91] Bahiriyeh, State and Revolution in Iran, pp. 174-6; Gheissari and Nasr, Democracy in Iran, p. 87-8; Chehavi, "Religion and Politics in Iran," pp. 72, 75; Milani, Making of Iran's Islamic Revolution, p. 326; Arjomand, Turban for the Crown, pp. 6, 99, 101, 103, 177-88. Although Khomeini apparently never explicitly embraced "the charismatic title of Imam with its subtle millenarian connotations," Arjomand observes that he "used" its appeal "to oust the Shah, to destroy the new, Westernized middle class, and to set up a theocracy in Iran."

as correct or even plausible interpretations of Shi'ite belief. While their reservations were rarely made public, they dismissed his theory of clerical leadership, his apparent rejection of collegial consultation among his peers in the Shi'ite hierarchy, and, perhaps most of all, his insistence that the clergy become directly involved in the exercise of political authority.[92] The strongest criticism came from Grand Ayatollah Shariatmadari whose numerous Azeri-speaking followers dominated much of the northwest corner of Iran. Of clerical involvement in politics, Shariatmadari said, "In Islam there is no provision that the ulama must absolutely intervene in matters of state." Such intervention was only justified when parliament was likely to pass a law that violated the Sha'ria or no secular leader could maintain social order. Otherwise, the ulama should not "involve themselves in politics, that is for the government…We [the clergy] must simply advise the government when what they do is contrary to Islam…It is the duty of government to govern. There should be no direct interference from spiritual leaders."[93] However, Shariatmadari was only providing a careful summary of traditional Shi'ite teaching, teaching that, in practice, limited the forms in which the other leading Shi'ite ayatollahs could openly express and otherwise act upon their dissent. Khomeini's entry into politics thus engendered little <u>political</u> opposition from the conservative clergy even though they rejected his doctrinal innovations and clearly comprehended his political intent.

What is more difficult to understand is the warm embrace that Khomeini received from secular democrats and the radical left. As Jahangir Amuzegar notes, "Khomeini's politics and philosophy were an open book to all who cared to know them…But, like Hitler's <u>Mein Kampf</u>…the ayatollah's master plan for Iran was either misread or disbelieved." In the end, Khomeini simply "did exactly what he always wanted to do."[94] During the summer months of 1978, those middle-class Iranians who had come to accept western notions of democracy and political debate euphorically celebrated after mass demonstrations apparently compelled the regime to embark upon what they believed to be would be a self-sustaining liberalization of national politics. They seriously misjudged the situation in at least four ways: (1) they believed that the masses who participated in these demonstrations shared their political values; (2) they assumed that Ayatollah Khomeini would observe the traditional Shi'ite orientation toward politics and return to a quiet life of religious study once the crisis was over; (3) they anticipated that the Shah would adopt reform measures that would enable him to retain the monarchy with sharply circumscribed powers; and (4) if the Shah failed to liberalize the regime, the subsequent

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[92] Sayeed, <u>Iran before and after Khomeini</u>, pp. 178-9, 181; Riesebrodt, <u>Pius Passion</u>, p. 150; Chehavi, "Religion and Politics in Iran," p. 73.

[93] Hiro, <u>Iran under the Ayatollahs</u>, pp. 117-8. Also see Schirazi, <u>Constitution of Iran</u>, p. 47-8; Milani, <u>Making of Iran's Islamic Revolution</u>, p. 267.

[94] <u>Dynamics of the Iranian Revolution</u>, p. 260. Also see, Milani, <u>Making of Iran's Islamic Revolution</u>, p. 206.

revolution would assign social democrats a major role in shaping the new state.  On each and every one of these things, they were emphatically and categorically mistaken.[95]

The Iranian Revolution

Revolutions and foundings are often, if not always, very different things.  A revolution must assemble a broad coalition that either tolerates or supports the overthrow of an existing regime.  In the Iranian case, that coalition was held together by personal hostility to the Shah and his security agencies.  Because the regime rested on a very narrow social base primarily composed of the royal family, high ranking state officials and their retainers, and the military, there was very little popular support for the Shah when the revolutionary movement began to demonstrate its strength in the streets.  But the streets were deceptive because they only displayed passionate and broad hatred of the regime.

For example, one of the most effective tactics was to schedule mass demonstrations so that they coincided with the observance of mourning for fallen comrades.  Under Shi'i tradition, mourning anniversaries were observed at forty-day intervals after death.  Since everyone knew when someone had been killed in a previous demonstration, the interval and thus the next occasion for a demonstration was public knowledge and required little in the way of formal arrangements.  In addition, both devout and secular elements in the revolutionary coalition could demonstrate under color of a religious observance that effectively blended their respective commitments.  Finally, the regime could not repress funereal rituals without risking a massive reaction among those who could only be mobilized by an unmistakeable transgression of Islamic practice.  The net result was a splendid tactic that both united the movement and out-maneuvered the regime but was otherwise rather devoid of real meaning and substance.[96]

As expressions of the will of the people, demonstrations rely on simple slogans as mobilizing themes and visible displays of sentiment.  As a result, they did not provide much evidence of the kind of state that the masses wanted to erect once the revolution had succeeded.  That was an advantage in that every element in the revolutionary coalition could rally around slogans proclaiming "liberty and social justice" as principles that the Shah had transgressed.  And almost every group in the coalition accepted religious imagery as a way of communicating with the masses they led.  As a result, the ideological themes displayed in the streets blandly

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[95] Keddie, Modern Iran, p. 230.  For an interpretation that views the acceptance of fundamentalist leadership of the revolution by the liberal intelligentsia as a more or less Faustian bargain arising out of recognition of the clergy's influence over the masses and admiration for the ulama's opposition to the Shah, see Arjomand, Turban for the Crown, p. 97.

[96] Keddie, Modern Iran, p. 226; Siavoshi, Liberal Nationalism, p. 138; Mhamed Heikal, The Return of the Ayatollah: The Iranian Revolution from Mossadeq to Khomeini (London: Andre Deutsch, 1981), pp. 88-9.

emphasized those things upon which almost everyone in the revolutionary coalition could interpret in a way that seemed to favor their own particular goals.[97]  However, despite their shared opposition to the Shah, there was little agreement within the coalition with respect to the founding of the new revolutionary state.  For many in the coalition, that discovery would come later and would come as a very unhappy surprise.

During the revolutionary crisis of 1978 and the early part of 1979, Khomeini cloaked his goals in public rhetoric that comforted the more secular and leftist elements in the coalition.[98]  When asked what would be entailed in the establishment of an Islamic government in September, 1978, Khomeini categorically denied that "religious leaders should themselves run the affairs of government" because they should only "lead people in defining their Islamic demands."  As for the possibility that he himself would be involved in the new government, Khomeini stated that "neither my age, nor my desire, nor my [religious] position permits such a thing."  His role and that of the ulama would be restricted to "guidance and counseling" in order to ensure that "there were no deviations and people were not subjected to oppression."  Khomeini even went so far as to say that women would be free to choose "their profession, activities, and destiny" under the Islamic government.[99]  Around the same time, Khomeini told a French newspaper reporter that: "We are for a regime of total liberty.  The future regime of Iran has to be one of liberty.  Its only limits will be, as in any other state, the general interest of society, but also considerations of dignity."[100]

In an attempt to relieve apprehension that the clergy intended to take over the government, Khomeini distinguished between the routine, technical policies of a government and those that affected Islam as a spiritual community.

> There are certain matters which are executive affairs such as urban
> planning and traffic regulations.  These are not related to [Sacred]
> Law, and it is beneath the dignity of Islam to concern itself with
> them; they are not related to basic laws.  In Islam there is no room
> for the institution of basic laws and if an assembly is installed it
> will not be a legislative assembly in that sense, but an assembly to
> supervise government.  It will deliberate [and determine] the executive

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[97] Amuzegar, Dynamics of the Iranian Revolution, p. 35; Milani, Making of Iran's Islamic Revolution, p. 134; Arjomand, Turban for the Crown, p. 103; Gheissari and Nasr, Democracy in Iran, p. 66.

[98] Milani, Making of Iran's Islamic Revolution, p. 206; Gheissari and Nasr, Democracy in Iran, p. 69; Keddie, Modern Iran, p. 240.

[99] Irfani, Iran's Islamic Revolution, p. 84.

[100] Chehavi, "Religion and Politics in Iran," p. 76.

matters of the kind I mentioned and not basic laws [which are already

laid down by Islam].

Here Khomeini was speaking in the midst of a revolutionary crisis in which he was endeavoring to hold together a diverse coalition that would compel the government to permit his return to Iran.[101]

Jahangir Amuzegar has described Khomeini's revolutionary strategy as "four-pronged": (1) demonizing the Shah as hostile to Islam and morally aligned with American and Israeli interests; (2) evoking religious and communitarian sentiment within the military so that the troops ultimately became undependable props for the regime; (3) mobilizing the faithful behind strikes and boycotts of state agencies in order to paralyze government operations; and (4) veiling his plans for an Islamic government behind a platitudinous rhetoric stressing the humility and democratic ethos of the ulama. This strategy succeeded because, from the very beginning of the revolutionary crisis, Khomeini and other fundamentalist leaders exhibited the most unequivocal commitment to the Shah's removal. They were also widely recognized and admired as the most determined and heroic of the Shah's opponents.

By 1978, Khomeini had constructed a subterranean empire resting upon the network of mosques that spanned Iran, the clergy he had trained and taught who now preached in many of these mosques, his followers who could now be mobilized by these clerics, and the religious taxes that these followers paid into the his religious institutions and operations. Using this personal empire, Khomeini could communicate with much of the Iranian citizenry without being monitored by either the Shah's regime or those in the revolutionary coalition who subsequently became his political competitors.[102]

When the revolutionary crisis broke out in January, 1978, the most articulate and visible leaders were liberal democrats whose demands most resonated with the educated middle class in the major urban centers, most particularly Tehran. Even before the street demonstrations began, the intelligentsia was politically active in organizing open-letter campaigns and holding public poetry readings in which reform themes played a prominent role. While these activities were not viewed as threatening by the regime, they did establish liberal democrats as the most well-known leaders of the reform movement inside Iran. Khomeini, it should be remembered, was still in exile.[103] In some ways the prominence of the liberal intelligentsia played into Khomeini's hands, because he well "understood the game of numbers. Though the Iranian middle class was

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[101] From an interview in Paris on January 2, 1979, shortly before Khomeini returned to Iran. Arjomand, Turban for the Crown, pp. 148-9.

[102] Amuzegar, Dynamics of the Iranian Revolution, pp. 36, 259. Also see, Hiro, Iran under the Ayatollahs, p. 100.

[103] Arjomand, Turban for the Crown, p. 108; Siavoshi, Liberal Nationalism, p. 137.

prominent in the economy and dominated intellectual and political debates, it was far smaller than the lower middle classes."  And it was the relative silence of the lower middle classes that lulled the liberal democrats into thinking that it was they who would lead the reform movement to victory.[104]

Nothing underscored this delusion more dramatically than the climactic street demonstrations in Tehran on December 10-11, 1978.  On December 10, the modernist Ayatollah Taleqani and Karim Sanjabi, the liberal democratic leader of the National Front, marched at the head of a column of almost one million demonstrators that took six hours to pass through the center of the Tehran.  The next day, they again lead a demonstration but this time the number of marchers had doubled, now totaling almost two million.  On both occasions, Taleqani and Sanjabi figuratively led protests largely composed of Khomeini's supporters.  These same demonstrators who followed Taleqani and Sanjabi through the streets of Tehran later enabled Khomeini to reject both Taleqani and Sanjabi's visions for a post-Shah polity.  Although they were riding a tiger that they believed was of their own making, it was Khomeini's creation and his to command.[105]

The massive demonstrations in Tehran in December spelled the end of the Shah's regime.  At the end of the month, he had appointed Shapour Bakhtiar prime minister of a transitional government and two weeks after that the royal family left Iran for Egypt.  On February 1, Khomeini returned to Iran.  Ten days later Bakhtiar's government was replaced by one appointed by Khomeini.  The revolution had been completed but the founding was yet to come.

From Khomeini's perspective, there were three events that cumulatively constituted the founding of the Islamic Republic of Iran.  Taken alone, Khomeini might have considered each of them as sufficient for the purpose of formally melding sovereignty, the will of the people, and a transcendent purpose within the new state.  However, "facts on the ground" ultimately compelled Khomeini to found his republic in a fairly conventional manner.  The first event that might have founded the new state was the mass demonstrations that brought down the Shah.  Here Khomeini could cite the huge rally in Tehran on December 11, 1978, where some two million people approved by acclamation a "seventeen-point charter" that demanded abolition of the monarchy, accepted Khomeini as leader, and approved the formation of an Islamic government.[106]  Michel

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[104] Gheissari and Nasr, Democracy in Iran, p. 69.  After August, 1978, demonstrators drawn from Khomeini's natural constituency of the urban poor, unskilled workers, and the lower middle class increasingly outnumbered those groups hitherto drawn to the moderate opposition.  However, the leadership of these demonstrations was still composed of liberal democrats and the Islamic left.  Siavoshi, Liberal Nationalism, p. 141; Kamali, Revolutionary Iran, pp. 193, 197.

[105] This was the first occasion in which Khomeini activated his theological network to bring into the city large numbers of demonstrators from the surrounding villages.  Hiro, Iran under the Ayatollahs, p. 84.

[106] "Later opposition claims notwithstanding, Khomeini in Paris had not pledged to permit the people a free choice on the form of government that would replace the monarchy.  He took the position, rather, that the people had

Foucault, who was in Tehran at the time, regarded that display as a very rare but nonetheless unmistakable "real-world" manifestation of the popular will.

> Among the things that characterize this revolutionary event, there is
> the fact that it has brought out -- and few peoples in history have had
> this -- an absolutely collective will.  The collective will is a
> political myth with which jurists and political philosophers try to
> analyse or to justify institutions, etc.  It's a theoretical tool:
> nobody has ever seen the `the collective will' and, personally, I
> thought that the collective will was like God, like the soul, something
> one would never encounter.  I don't know whether you agree with me, but
> we met in Tehran and throughout Iran, the collective will of a people.
> Well, you have to salute it, it doesn't happen every day.

However, Foucault also pointed out that "this collective will has been given one object, one target and one only, namely the departure of the shah."[107]  From that perspective, mass demonstrations that occurred before the Shah was overthrown were too closely linked to the revolution to constitute a founding.  Within the revolutionary coalition there were radically different interpretations of the kind of state the demonstrators actually wanted to replace the Shah and each of those interpretations could be said to have contributed to the success of the revolution.

To put those competing interpretations to rest, Khomeini called for a national referendum on the establishment of a new Iranian state.  Aside from whether or not a successful founding could be made through a simple, one-sentence referendum, there were two important questions that had to be settled.  The first question involved the title of the new state; the second whether citizens would be offered alternative choices.  Khomeini settled the first question when he spoke to a great crowd in Qom on March 1, 1978: "What the nation wants," he said, "is an Islamic republic: not just a republic, not a democratic republic, not a democratic Islamic republic.  Do not use this term, `democratic.'  That is the Western style."[108]  Implying that democracy might

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already voted in a `referendum' for an Islamic republic by taking part in the great anti-shah demonstrations, or that a referendum would be held, but only to confirm a choice already made."  Bakhash, Reign of the Ayatollahs, p. 72.  Also see, Hiro, Iran under the Ayatollahs, pp. 84-5; Arjomand, Turban for the Crown, p. 134.

[107] Ali M. Ansari, Iran, Islam, and Democracy: The Politics of Managing Change (London: Chatham House, 2006), second edition, pp. 41-2.  Ansari suggests that "what Foucault was witnessing was the social manifestation of the myth of political emancipation, which had finally come of age."

[108] Bakhash, Reign of the Ayatollahs, p. 73.  Khomeini added, "We respect Western civilization, but will not follow it."  Hiro, Iran under the Ayatollahs, p. 108.

have no place in a properly constructed Islamic republic, Khomeini also said: "Democracy is another word for usurpation of God's authority to rule."[109] Later, in urging people to support the referendum, Khomeini again defended the title he had chosen, "Not the `republic of Iran,' nor the `democratic republic of Iran,' nor the `democratic Islamic republic of Iran,' just the `Islamic Republic of Iran.'"[110] By that time, "democratic" had become a somewhat dangerous code word for the liberal elements in the revolutionary coalition. On the one hand, the adjective seemed to open up the range of political debate and possibility as the new state was constructed. On the other, as Khomeini noted, "democratic" was associated with the western impulses and doctrines that were anathema to the fundamentalist clergy.[111]

The question of whether or not the people should be offered alternatives in this referendum was settled in much the same way. The conservative Grand Ayatollah Shariatmadari and many others insisted that the Iranian people should have more than one political system as choices.[112] Other groups with more secular or Marxist leanings, such as the Democratic National Front, the Fedai Khalq, and the Mujadin-e Khalq, thought that voters should be asked to vote on a constitution once one had been drafted so that they might better know what kind of government they were approving. These demands were rejected and the ballot simply asked voters, "Do you favor an Islamic Republic or a monarchy?" Fearing that the impending endorsement of an Islamic republic would further marginalize them, the Democratic National Front, the National Front, the Fedai Khalq, and the Kurdish separatist parties boycotted the referendum. Since a vote for the monarchy would have been a vote for the Shah's (now defunct) regime, over 98 percent of all those who voted chose an Islamic Republic.[113]

Khomeini probably regarded this referendum as an expedient tactic that was somewhat at variance with his own political belief. The latter was perhaps better articulated in his 1963 opposition to the Shah's proposed referendum on the "White Revolution" in which he stated that a "referendum or national approval has no validity in Islam…and the voters should have sufficient knowledge to understand what they are voting for. Consequently, a large majority [or Iranians] do not have the right to vote [for the referendum]."[114] The faithful would never know

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[109] Hiro, <u>Iran under the Ayatollahs</u>, p. 106.

[110] Arjomand, <u>Turban for the Crown</u>, p. 137.

[111] Keddie, <u>Modern Iran</u>, p. 234.

[112] Ayatollah Shariatmadari, for example, preferred that the referendum ask voters "What kind of political system would you prefer?" Hiro, <u>Iran under the Ayatollahs</u>, p. 118.

[113] Milani, <u>Making of Iran's Islamic Revolution</u>, p. 261; Bakhash, <u>Reign of the Ayatollahs</u>, p. 73. The left-leaning Democratic National Front had spun off from the National Front.

[114] Milani, <u>Making of Iran's Islamic Revolution</u>, p. 91.

enough to decide whether or not a political decision might transgress upon Islamic law. That was the task of the clergy. The referendum on whether Iran should become an "Islamic Republic" skirted this problem only because the ballot constructed the choice in such a way that voters would overwhelmingly endorse clerical rule.

As foundings go, this referendum might have been conclusive had the fundamentalist clergy been able to impose their own vision of what an "Islamic Republic" should be. But this was not the case for several reasons. For one thing, the fundamentalist design for government encompassed a dominant role for a clerical "leader" of the faithful and that principle was strongly opposed by almost every Grand Ayatollah other than Khomeini. In addition, clerical institutions under Shi'ite tradition provided rather poor models for the governance of a complex, industrializing society. The lack of a good model was perhaps most problematic when it came to distinguishing between routine, technical policies that could be administered by specialized bureaucracies and those matters that the clergy would have to decide because they implicated and thus possibly transgressed upon Islamic law. Because the boundary between these two was not always obvious, defining and policing the distinction between them demanded institutions more intricate and predictable than the charismatic organization of a theological seminary. Finally and perhaps most importantly, Khomeini himself did not seem to have a clear idea of the kind of state he wanted to create.[115] As long as he remained far and away the most dominant political influence in Iran, he seemed to be inclined to "muddle through" as he developed a conception of what an Islamic Republic should be. In many ways, this muddling was reactive in that he simply created temporary political arrangements in order to reject institutions and policies proposed by his political opponents.[116] However, at some point this incremental and somewhat haphazard process would have to be rationalized if it was to institute the basis for a stable political order.

In early June, Khomeini celebrated the 16th anniversary of the 1963 uprising against the Shah in a speech that warned the intelligentsia not to oppose clerical rule:

> Those who did not participate in this movement have no right to advance
> any claims…Who are they that wish to divert our Islamic movement from
> Islam?...It was the mosques that created this Revolution, the mosques
> that brought this movement into being…So preserve your mosques, O
> people. Intellectuals, do not be Western-style intellectuals, imported

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[115] Arjomand, <u>Turban for the Crown</u>, p. 150.

[116] See, for example, Keddie, <u>Modern Iran</u>, p. 245.

intellectuals; do your share to preserve the mosques.[117]

By mid-July, the Provisional Revolutionary Government had drafted a new constitution that was rather unoriginal in its major provisions.  Although the monarchy was eliminated, the framework was remarkably similar to the former 1906 constitution that both Shahs had more or less turned into a dead letter during their reigns.  The draft provided for a strong presidency, a parliament, and a Council of Guardians that would be responsible for ensuring that all legislation was compatible with Islamic law.  Only five of the twelve members of this council would be clergy.  The other seven, a majority, were to be laymen.  Everything considered, this would have been a strikingly mild version of what should have been considered possible under the rubric of an "Islamic republic."  Nonetheless, many of the same groups that had been critical of the referendum now opposed the draft.  Others, such as Ayatollah Shariatmadari, the National Front, and the Freedom Movement, gave it their support.  For his part, Khomeini only demanded that the draft be changed so that women would be ineligible for judgeships and the presidency.  Otherwise, he approved the draft and recommended that it be submitted to a vote of the people without revision.[118]

Sayeed describes the draft as "neither enough Islamic nor secular" and thus falling "short of the expectations both of the secular and religious factions."  With the proposed constitution taking fire from both sides, Khomeini worked out a compromise through which an Assembly of Experts would be elected to revise the framework.[119]  This met the demands of the secular parties because they anticipated that they would be able to liberalize the document's restrictions on human rights, social welfare guarantees, and democratic participation.  Islamic radicals, on the other hand, wanted to move the framework in a much more theocratic direction.[120]  With the election of the Assembly of Experts scheduled for August 3 and the secular parties already in the

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[117] Arjomand, Turban for the Crown, p. 137.  As Arjomand notes, Khomeini's hostility to the intelligentsia should have come as no surprise since he had repeatedly announced that "the complete eradication of Occidentalism, or Western cultural influence" was one of his two most important political goals (the other was "the establishment of an Islamic theocracy").  Emphasis in the original.  P. 138.

[118] Milani, Making of Iran's Islamic Revolution, pp. 261-2.

[119] Khomeini's support for the Assembly of Experts should perhaps have come as no surprise because he had publicly declared, in a speech delivered the day after returning to Iran, that "it is our duty to continue this movement until all elements of the Shah's regime have been eliminated and we have established a Constituent Assembly based on the votes of the people and the first permanent government of the Islamic Republic."  Vahdat, God and Juggernaut, p. 164.

[120] Sayeed, Iran before and after Khomeini, pp. 167-8.  In a clear demonstration of who was the better judge of political reality, Hashemi-Rafsanjani, one of Khomeini's most loyal supporters, asked Mehdi Bazargan and Abo Hassan Bani-Sadr: "Who do you think will be elected to a constituent assembly?  A fistful of ignorant and fanatic fundamentalists who will do such damage that you will regret ever having convened them."  Arjomand, Turban for the Crown, p. 150.

field, Khomeini mobilized the clergy by insisting that revision of the draft constitution was both their prerogative and their obligation.

> This right belongs to you.  It is those knowledgeable in Islam who may
> express an opinion on the law of Islam.  The constitution of the
> Islamic Republic means the constitution of Islam.  Don't sit back while
> foreignized intellectuals, who have no faith in Islam, give their views
> and write the things they write.  Pick up your pens and in the mosques,
> from the altars, in the streets and bazaars, speak of the things that
> in your view should be included in the constitution.[121]

The vastly outnumbered and fragmented ranks of the secular parties proved no match for the Khomeini's ulama.

The Constitution of the Islamic Republic of Iran

The Assembly of Experts was in many ways equivalent to what in more secular contexts would be called a "constituent assembly."  It was composed of seventy-three members elected from constituencies throughout the nation and was entrusted with the "high politics" of crafting a fundamental law.  As it turned out, fifty-five of those seventy-three members belonged to the clergy.[122]  Although the Assembly adopted rules that required a two-thirds majority for approval of each provision in the new constitution, the clerics had little difficulty in dominating the legislative process.  The only problems arose in coordinating the actions of fundamentalists who were rather untrained in the art of deliberative politics.  However, as it turned out, some of Khomeini's former students turned out to be surprisingly adept at what were normally secular parliamentary arts.[123]

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[121] Arjomand, Turban for the Crown, p. 151.

[122] Although most of these clerics would have prevailed in any case, their numbers were enhanced by the decision of the National Front, the National Democratic Front, and Shariatmadari's Azeri-based Moslem People's Republican Party to boycott the election in protest against clergy control of the media, physical attacks on their headquarters and candidates by the Hezbollah (a militant organization loyal to Khomeini), and anticipated voting fraud by the Provisional Revolutionary Government.  However, the election itself was remarkably free of disruption.  Milani, Making of Iran's Islamic Revolution, p. 262; Hiro, Iran under the Ayatollahs, p. 119.  For an itemized list of voting irregularities, see Schirazi, Constitution of Iran, pp. 31-2, 43n.  However, several of the problems that Schirazi cites seem to be either minor or attributable to the fact that much of the electorate was both uneducated and devoutly religious: because they were uneducated they needed assistance in completing the voting ritual (e.g., filling in the ballot) and because they were devout they depended on clerics for that assistance.  Although the voting was largely peaceful, fundamentalists later replaced twelve elected members of the opposition with members belonging to Khomeini's Islamic Republican Party.  Bahiriyeh, State and Revolution in Iran, pp. 150-1.

[123] Sayeed, Iran before and after Khomeini, pp. 168-9.

The Assembly of Experts convened on the August 19 and finished its deliberations on November 15, 1979. During those three months, the convention racked up around 560 hours in formal sessions. The mandate given to the Assembly of Experts had been to "review" the original draft of the constitution within thirty days, making such corrections and changes that it thought would improve the document. Once it convened, however, the Assembly basically started from scratch and ignored the time limit that had been set on its deliberations.[124] When the members had finished, they had produced an almost entirely new document. That document opened with a long, discursive Introduction that basically recited the history of the revolution and then laid out the constitutional framework of the new Islamic Republic in 175 separate articles.[125]

Although the Introduction mentions the referendum in which "Iranian people declared their final and firm decision" to create "the Islamic Republic," most of the text recounts other ways in which the popular will was manifested during the revolution:

> Thus it was that the awakened conscience of the nation, under the
> leadership of that precious marja'-i taqlid, Ayatullah al-Uzma Imam
> Khomeini, came to perceive the necessity of pursuing an authentically
> Islamic and ideological line in its struggles…
>
> The Islamic Revolution of Iran was nurtured by the blood of hundreds of
> young believers, women and men, who met the firing squads at dawn with
> cries of "Allahu akbar," or who were gunned down by the enemy in
> streets and marketplaces…
>
> Commemorations of the martyrs of the Revolution, on the seventh and
> fortieth days after their death, like a series of steady heartbeats
> brought greater life, ardor, and enthusiasm to this movement, which now
> was unfolding across the country…

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[124] As Mohsen Milani notes, the American Constitutional Convention in 1787 had similarly exceeded the narrow mandate under which it had been created and thus provided ample precedent for the Assembly of Experts' aggressive reinterpretation of its prerogatives. Making of Iran's Islamic Revolution, p. 263. Some have argued that Khomeini and the Islamic Republican Party misled others in the revolutionary coalition into thinking that the Assembly of Experts would more or less rubber stamp the preliminary draft. These critics charge that the fundamentalists then surprised their allies by thoroughly revising the earlier draft in a way that immeasurably strengthened the clerical control of the new republic. See, for example, Schirazi, Constitution of Iran, pp. 28-31.

[125] For an analytical summary of the constitution's provisions, see Schirazi, Constitution of Iran, pp. 8-19.

The common sight of mothers with infants in their arms running toward
the scene of battle and the barrels of machineguns demonstrated the
essential and decisive role played by this major segment of society in
the struggle.

After slightly more than a year of continuous and steadfast struggle,
this sapling of a revolution, watered by the blood of 60,000 martyrs
and 100,000 wounded and disabled, not to mention billions of tumans'
worth of property damage, came to bear fruit amidst loud cries of
"Independence! Freedom! Islamic government!"

In the course of its revolutionary development, our nation has cleansed
itself of the dust and impurities that accumulated during the
tyrannical regime and purged itself of foreign ideological influences
returning to the intellectual positions and authentic world-view of
Islam.  It now intends to establish an ideal and model society on the
basis of Islamic criteria.

…the Constitution provides the necessary basis for ensuring the
continuation of the Revolution at home and abroad.  In particular, in
the development of external relations, the Revolution will strive, in
concert with other Islamic and popular movements, to prepare the way
for the formation of a single world community, in accordance with the
Qur'anic verse `This your nation is a single nation, and I am your
Lord, so worship Me' (21:92), and to assure the continuation of the
struggle for the liberation of all deprived and oppressed peoples in
the world.[126]

The first article then announces that: "The form of government of Iran is that of an
Islamic Republic, which received an affirmative vote from the Iranian people on the basis of
their longstanding belief in the Qur'anic government of truth and Justice, after their victorious
Islamic Revolution led by the eminent marja'-e taqlid, Ayatollah al-Uzma Imam Khomeini…"
Article 2 lays out the ideological basis of the Islamic Republic, characterizing it as "a system of
government based on belief in:

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[126] Constitution of the Islamic Republic of Iran, trans. Hamid Algar, (Berkeley, Calif.: Mizan Press, 1980), pp. 14-8.

a. the One God (as stated in the Islamic creed `There is no god but God'), His exclusive possession of sovereignty and the right to legislate, and the necessity of submission to His commands;

b. divine revelation and its fundamental role in the expounding of laws;

c. the return to God in the hereafter, and the constructive role of this belief in man's ascending progress toward God;

d. the justice of God in creation and legislation;

e. continuous leadership and guidance, and its fundamental role in assuring the continuity of the revolution of Islam;

f. the exalted dignity and value of man, and his freedom, joined to responsibilities, before God;

which secures equity, justice, and political, economic, social, and cultural independence, and national solidarity, by recourse to:

a. continuous itihad of the fuqaha possessing the necessary qualifications, exercised on the basis of the Book of God and the Sunna of the Ma'sumin, upon all of whom be peace…[127]

The Introduction and the first two articles thus clearly but indirectly associate the March referendum with the founding of the Islamic Republic.

In brief, the referendum constituted the "final and firm decision" of the Iranian people to found an Islamic Republic. Because an Islamic Republic was dedicated to realizing God's commandments and because those commandments were divinely revealed only to those clerics who manifested qualities of scholarship and piety, only those clerics could rule over an Islamic society. As rulers, those same clerics would be responsible for and guided by interpretations of

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[127] Constitution of the Islamic Republic of Iran, pp. 26-7. Ijtihad is "the deduction of particular applications of Islamic law from its sources and general principle by a religious scholar who possesses the appropriate qualifications." The fuqaha are scholars "of the Islamic religious sciences, especially jurisprudence." The Sunna is "the normative practice of the Prophet Muhammad." The ma'sumin are "those divinely endowed with the attribute 'ismat, i.e., freedom from error and the commission of major sin; in Shi'i Muslim belief, the Prophet, his daughter Fatima, and the Twelve Imams."

Islamic law and the tradition of the Prophet.  Those interpretations would determine the substance of state policy not as a political prerogative associated with ruling but as logical deductions from scripture and tradition.  In sum, the Iranian people had dedicated state sovereignty to the clergy who, in turn, had dedicated themselves to interpreting and realizing the command of God.  These decisions were irreversible in the first instance because the Iranian people did not possess the scholarship and judgment necessary to determine and execute God's commandments.  But, even more to the point, reversing these decisions was simply inconceivable because no people, once embarked on the path to righteousness (e.g., the creation and purification of a just Islamic society), would ever knowingly choose to deviate from that path.  However, they might unwittingly commit an error.  And it was the role of the clergy to make sure that such errors were either suppressed (as heretical possibilities) or corrected (as misunderstandings of God's command).  With respect to the clergy, it was similarly inconceivable that clerics possessing a thorough understanding of Islamic law and sublime piety would ever mislead the people.  In fact, once the new republic was up and running, even to suggest that clerics might dishonor themselves by violating their divine responsibilities was itself heresy.

The remaining 173 articles work out the details of how God's commandments, as revealed through Islamic law and scholarship, can become institutionally realized in state policy. Here there are three primary areas of interest with respect to the founding of a non-democratic state: the authority of the Supreme Leader, the relationship of the Supreme Leader to the rank and file of the Islamic clergy, and the relationship of both of them to the Iranian people.  As we shall see, there are apparent contradictions in some of these arrangements but they do not seem to be as inconsistent as some have suggested.[128]

The Supreme Leader is the Hidden Imam's representative on earth:

> During the Occultation of the Lord of the Age (may God hasten his renewed manifestation!), the governance and leadership of the nation devolve upon the just and pious <u>faqih</u> who is acquainted with the circumstances of his age; courageous, resourceful, and possessed of administrative ability; and recognized and accepted as leader by the majority of the people."[129]

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[128] For a sampling of those who have noted contradictions in the Iranian constitution, see Ansari, <u>Iran, Islam, and Democracy</u>, pp. 45-6; Schirazi, <u>Constitution of Iran</u>, pp. 1, 37, 52-3; Sayeed, <u>Iran before and after Khomeini</u>, pp. 44, 67; Vahdat, <u>God and Juggernaut</u>, p. 180.

[129] Article 5. <u>Constitution of the Islamic Republic of Iran</u>, p. 29.

Although we will return to how a majority of the people recognize and accept the leader in a moment, the Assembly of Experts left no doubt that this question was already settled at the time they drafted the constitution:

> Whenever one of the fuqaha possessing the qualifications specified in Article 5 of the Constitution is recognized and accepted as marja' and leader by a decisive majority of the people--as has been the case with the exalted marja'-i taqlid and leader of the revolution, Ayatullah al-Uzma Imam Khomeini--he is to exercise governance and all the responsibilities arising therefrom.[130]

By universal acclamation, the Iranian people had already recognized Khomeini as the Supreme Leader. In fact, both his recognition and the role he was given predated the constitution because they were organically determined by the relation between the Islamic community and their God. In effect, the constitution was merely enshrining the Supreme Leader within the apparatus of the Islamic Republic (as opposed to creating an office and allocating prerogatives to the person who occupied that office).[131]

The Supreme Leader's authority is so extensive that whoever occupies the office is constrained only by the ideational constraints of Shi'ite tradition.[132] For example, he appoints almost all of the high posts in the judiciary, exercises almost complete command of the armed forces (including the power to declare war), approves the candidates who stand for election to the presidency and, once a candidate has been elected, approves his election, dismisses the president if the latter fails to perform well, and selects the members of the Council of Guardians (half of the twelve members directly and the others indirectly through a process in which the Supreme Leader plays a major role).[133] The Council of Guardians, in turn, regulates the conduct of

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[130] Article 107. Constitution of the Islamic Republic of Iran, p. 66.

[131] The authority assigned to the Supreme Leader under the Iranian Constitution has sometimes been compared to that of a philosopher king in Plato's Republic. See, for example, Gheissari and Nasr, Democracy in Iran, p. 86; Sayeed, Iran before and after Khomeini, p. 45; Milani, Making of Iran's Islamic Revolution, p. 152; Ansari, Iran, Islam, and Democracy, p. 47. On the origins of the Supreme Leader in Khomeini's pre-revolutionary writings, see Schirazi, Constitution of Iran, p. 55.

[132] For an interpretive summary of the Supreme Leader's authority, see Milani, Making of Iran's Islamic Revolution, pp. 264-5. On the consolidation of power in the Supreme Leader after adoption of the constitution, see Schirazi, Constitution of Iran, pp. 61-85. For a detailed chart depicting "State Structures of the Islamic Republic of Iran" that strikingly illustrates the centrality and authority of the Supreme Leader (Faqih), see Cheryl Benard and Zalmay Khalilzad, "The Government of God": Iran's Islamic Republic (N.Y.: Columbia University Press, 1984), p. 119.

[133] Article 91. The six members who are not directly appointed by the Supreme Leader are "to be elected by the National Consultative Assembly from among the Muslim jurists presented to it by the Supreme Judicial Council."

elections to the Majles (the Iranian Parliament), approves candidates who may stand for election to the Majles, and approves (or rejects) legislation passed by the Majles. Several of these powers are shared with other appointed bodies but the Supreme Leader himself appoints the members of these bodies. In effect, most of the government apparatus is susceptible to the Supreme Leader's control if he chooses to influence its decisions. Given his role as the Hidden Imam's representative on earth, there was little ideational justification for limiting the Supreme Leader's powers.[134] That includes his term in office: the Supreme Leader serves until the end of his natural life.[135]

The Supreme Leader's relations with other clerics can be divided into three areas: relations with other Grand Ayatollahs and Ayatollahs outside the government; relations with those clerics who occupy official posts in the government; and relations with those clerics who select a new Supreme Leader. The Supreme Leader's relations with high-ranking clergy outside the government is left more or less untouched by the constitution. In Shi'ite tradition and custom, the Supreme Leader may be the first among equals outside of government but he may also not be. The clerical hierarchy is multi-headed and each Grand Ayatollah is largely independent and autonomous from the others. Although the constitution does engender a political practice that has implications for the organization and operation of the Shi'ite clerical community outside of government, the constitution does not formally intrude the government into selection of clerical leaders, the operation of theological schools, the staffing of mosques,

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Two of the five members of this Supreme Judicial Council are appointed by the Supreme Leader; the other three are "chosen by all the judges of the country." Constitution of the Islamic Republic of Iran, p. 60.

[134] As Dilip Hiro put it, the Supreme Leader "does not rule according to his own will" and, thus, his rule cannot be "dictatorial." Iran under the Ayatollahs, 117.

[135] After the Assembly of Experts had created the post of Supreme Leader and specified his powers, the Italian journalist Oriana Fallaci asked Khomeini what the implications of this arrangement might be for popular democracy in Iran.

"Fallaci's question: In drafting the new constitution, the assembly of experts passed one article…by which the head of the country will have to be the supreme religious authority. That is you. And the supreme decisions will be made only by those who know the Koran well--that is, the clergy. Doesn't this mean that, according to the constitution, politics will continue to be determined by the priests [clergy] and no one else?

"Khomeini's answer: This law, which the people will ratify, is in no way in contradiction with democracy. Since the people love the clergy, have faith in the clergy, want to be guided by the clergy, it is right that the supreme religious authority should oversee the work of the prime minister or of the president of the republic, to make sure that they don't make mistakes or go against the Koran."

Khomeini then added: "the word Islam does not need adjectives such as democratic. Precisely because Islam is everything, it means everything. It is sad for us to add another word near the word Islam, which is perfect.'"

Skocpol, "Rentier State…", pp. 277-8. For more of the interview, see International Herald Tribune, 15 October 1979, p. 5.

and the scholarship and rulings produced by clerics.  Although it would be too simplistic to say that the clergy have inhabited the government but not vice versa, that roughly summarizes the relationship.  The Supreme Leader exercises no more authority over the clerical community outside of government than the prestige he has earned through scholarship and piety.[136]

The situation is quite different with respect to the Supreme Leader's relations with clergy who are given posts within the government.  Many of those posts are reserved for clerics.  And every post may be filled by a cleric.  Either directly or indirectly (through bodies that he appoints), the Supreme Leader makes almost all of these appointments.  Because the Council of Guardians determines who is eligible for election to the Majles, the Supreme Leader can also prevent a cleric from serving there as well.  In all these ways, there is a very strict clerical hierarchy within the Islamic Republic that is quite at odds with the structure of the traditional clerical community outside of government.  The Supreme Leader can impose an orthodoxy within government that would be beyond his reach in the rest of society.

Because the Supreme Leader is mortal, the constitution provides for the selection of a replacement.  There would be no difficulty if, as was the case for Khomeini, the Iranian people designate a successor by acclamation.  However, if this is not the case

> experts elected by the people will review and consult among themselves
> concerning all persons qualified to act as marja' and leader.  If they
> discern outstanding capacity for leadership in a certain marja', they
> will present him to the people as their leader; if not, they will
> appoint either three or five marja's possessing the necessary
> qualifications for leadership and present them as members of the
> Leadership Council.[137]

These "experts" must be members of the clergy.  Only those whose candidacies are approved by the Council of Guardians and the Supreme Leader may be chosen "by the people" in elections.  In that and other ways, the popular will is very constrained.  After it is constituted, the Assembly of Experts (it takes on the same name as the constitutional convention) may change the way in which "experts" are selected.[138]  Thus, if the Supreme Leader is still alive, he will play a very

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[136] The decentralized organization of the clerical network outside the Iranian state has, however, subsequently come under criticism by those who would like to see the Islamic Republic centralize the operation of religious institutions, including the training of students and the collection of revenue.  See, for example, Schirazi, Constitution of Iran, p. 260

[137] Article 107. Constitution of the Islamic Republic of Iran, p. 66.

[138] Article 108. Constitution of the Islamic Republic of Iran, p. 67.  The text in this article is unclear.  It could be read as granting full autonomy to the Assembly of Experts in regulating the manner of their election and the vetting of their candidacies but that interpretation seems unlikely.

large and perhaps determining role in the selection of his successor.  But the successor himself is not in a position to influence his selection.  The role played by the people is, in keeping with the ideational justification for clerical rule, largely to signal their willingness to delegate the selection of a new Supreme Leader to "experts" who better understand Islamic law and are in a better position to evaluate the piety of those who might be eligible.[139]  However, if no one person seems qualified to serve alone, the "experts" may select several clerics to serve collectively as a "Leadership Council."

The election of "experts" for the selection of a new Supreme Leader is one of several instances in which the constitution provides for popular election.  These are all briefly described in Article 6:

> In the Islamic Republic of Iran, the affairs of the country must be administered on the basis of public opinion expressed by means of elections, including the election of the President of the Republic, the representatives of the National Consultative Assembly [the Majles], and the members of councils, or by means of referenda in matters specified in other articles of this Constitution.

However, the eligibility of candidates is so tightly controlled by either the Supreme Leader or bodies dominated by his appointees that "public opinion" can only be expressed within a fairly narrow range of alternatives.  Within this range there can be and has been intense political competition but the constitution purifies the will of the people by restricting the range of alternatives before that competition begins.  Once purified in this way, the will of the people can be appropriately and productively expressed.

Given the high priority placed by the constitution on creating situations in which the Iranian people can consent (by way of elections or referenda) to rule by the clergy, we might reasonably ask why the constitution provides for any elections at all.[140]  As the Introduction notes, the Iranian people in a "final and firm decision" had endorsed the founding of an Islamic Republic and, in that act, requested that they be governed by God's commandments as divinely revealed to the clergy.  Interpreted in that way, the Islamic Republic seems to have no place for

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[139] For an example of how this interpretation surfaced during deliberation in the Assembly of Experts, see Schirazi, Constitution of Iran, p. 37.

[140] On the incompatibility of popular democracy with "the teachings of Twelver Shi'ism, see Amuzegar, Dynamics of the Iranian Revolution, p. 120.

elections in any form.[141]  Part of the answer probably lies in an attempt by the Assembly of Experts to appease more liberal elements in the revolutionary coalition, although by that point they were already so marginalized as to be almost irrelevant.  Part of the answer may also lie in the representation of the Islamic Republic in the world at large where popular consent would have been interpreted differently (e.g., as more or less regularly expressed in elections as opposed to a "one time only" grant of authority to the clergy).  But the major reason lies in the nature of Shi'ite Islam in which popular opinion has traditionally played a major role in determining the clerical hierarchy.  We will return to this at a later point.

First, though, we should at least mention a few issues that don't seem to reconcilable with the ostensible purpose of an Islamic Republic.  Shi'ite Islam, like most religions, only recognizes the political borders of nations as artificial, if unavoidable, boundaries dividing the faithful.[142]  Article 10 of the constitution emphatically states this perspective in relation to the fundamentalist project of exporting religious revolution.

> In accordance with the verse "This your nation is a single nation, and
> I am your Lord, so worship Me," all Muslims form a single nation, and
> the government of the Islamic Republic of Iran has the duty of
> formulating its general policies with a view to the merging and union
> of all Muslim peoples, and it must constantly strive to bring about the
> political, economic, and cultural unity of the Islamic world.[143]

Article 12 states that the "official religion of Iran is Islam" but then immediately restricts that designation to "the Twelver Ja'fari school of thought," further specifying that "this principle shall remain eternally immutable."  While this is not surprising given the basis of the government's founding, it does seem to be a little at odds with the goal of "merging and union of all Muslim peoples."  That goal also seems compromised in the same article when the constitution states that other "Islamic schools of thought…are to be accorded full respect, and their followers are free to act in accordance with their own jurisprudence" and running their own

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[141] Ayatollha Beheshti presided over debate in the Assembly of Experts and was the primary author of Article 5 that created the Supreme Leader.  Referring to popular democracy during discussion of this article, he took the position that: "In the present system the leadership and legislation cannot be left to the majority at any given moment.  This would contradict the ideological character of the Islamic Republic."  Beheshti "thus rejected democracy as un-Islamic on the grounds that the people could fall into error.  In his view a state that had to take account of the voice of the people would have to submit to laws that were influenced by such errors."  Schirazi, Constitution of Iran, p. 35.

[142] For example, Khomeini's interpretation of "divine law" must transcend "the artificial geographic boundaries of nation-states" because it "applied to all of humanity."  Vahdat, God and Juggernaut, p. 163.

[143] Constitution of the Islamic Republic of Iran, p. 31.

schools.  However, they only enjoy full autonomy, as religious communities, where they "constitute a majority" of the local population.  Even more incongruously, the "Zoroastrian, Jewish, and Christian Iranians" are designated as "recognized minorities" and, in addition, are guaranteed representation in the Majles.

Zoroastrians are presumably tolerated because theirs is an ancient faith practiced by the Persian (now Iranian) people.  Judaism and Christianity are both faiths distantly related to Islam and followed by significant numbers of Iranians.  In addition, religious toleration has long been one of the fundamental tenets of Islam.  So both political reality and religious doctrine can explain these exceptions.  The incongruity arises between the emphasis in Article 10 on the revolutionary export of Twelver Shi'ism and the recognition and incorporation of religious diversity in Iran.[144]  Why should Iran bother to export Twelver Shi'ism if religious conversion to the one true faith is not at least strongly encouraged at home?  What exactly is being exported by the Iranian state that religious missionaries could not do as well or even more effectively?  The problem seems to lie in the nature of the purification of Islamic society that the revolution was meant to undertake.  Most of that purification involved the rejection of Western values and cultural influence and, thus, a cleansing of alien elements that had infiltrated traditional Iranian society.  From that perspective, religions that had long been followed by a minority of Iranians could be tolerated because they were not western in origin.  However, this cleansing of alien elements grated against the self-image of the revolution which prided itself as both "modern" and "devout."  And that was the primary reason (along with more jihadic traditions) for the emphasis on dedication of the state to bringing about the "political, economic, and cultural unity of the Islamic world."

This dedication also seems at odds with the one passage in which nationalism clearly rears its head.  Article 115 lays out the criteria determining the eligibility of those "religious and political personalities" who can serve as "President of the Republic."

> Iranian origin; Iranian nationality; administrative and managerial
> capacities; a good past record; trustworthiness; piety; convinced
> belief in the fundamental principles of the Islamic Republic of Iran
> and the official school of thought of the country.[145]

Since the constitution has already, in Article 110, stated that the Council of Guardians will evaluate "the suitability of candidates for the presidency" before they are permitted to stand for election and since the Supreme Leader in practice controls the Council of Guardians, these

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[144] See Articles 12, 13, and 64. Constitution of the Islamic Republic of Iran, pp. 32, 52.

[145] Constitution of the Islamic Republic of Iran, pp. 70-1.

criteria might seem superfluous because they would not significantly constrain either the Council or the Supreme Leader. Neither can be overruled within the Iranian state. But the first two criteria, "Iranian origin" and "Iranian nationality," are not superfluous because they are facts almost always set down in official documents long before men might become presidential candidates. By making both those born outside the political boundaries of Iran and those who are not Iranian citizens ineligible for the presidency, the constitution clearly constrains the Council of Guardians and the Supreme Leader because they are not permitted to approve a candidate who does not possess an Iranian birth certificate or Iranian citizenship. Viewed against the rest of the constitution, particularly the more theocratic elements, these restrictions appear a little anomalous in at least two respects.[146] First, they recognize limitations on the spiritual enlightenment of the Council of Guardians and the Supreme Leader in that they are not permitted to approve a candidate who is in other respects a pious believer in Twelver Shi'ism (among the other qualities set forth in the article). But, more importantly, the nationalist criteria emphatically and voluntarily impose a political boundary within the Islamic community. Other parts of the constitution that have nationalist implications, such as the creation of a national army, might be explained away as impositions forced upon Iran by the political reality of the international system of nation states. But that same political reality cannot justify the nationalist restrictions placed on eligibility for the presidency.[147]

### Adoption of the Constitution and Consolidation of the Islamic Republic

The Iranian people were asked to approve the constitution in a referendum held on December 2-3, 1979. Over 99 percent of the 15,785,956 voters cast ballots favored adoption.[148] Although a large majority would have approved the constitution in any case, the margin was swelled by the occupation of the United States embassy in Tehran by "Students Following the

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[146] See, for example, Ansari, Iran, Islam, and Democracy, p. 46.

[147] Khomeini seems to have played only a marginal role in the work of the Assembly of Experts. Arjomand, for example, describes the legislative deliberations as "largely independent of the personal inclination of the participating ayatollahs" in which the primary task was "working out the full logical and institutional implications of Khomeini's theocratic idea in the framework of the modern nation-state. This impersonal process, a novel rationalization of the political order, unfolded in the form of the constitution making of the clerically dominated Assembly of Experts…" Turban for the Crown, p. 151. The best account of the Assembly's deliberations appears in Schirazi, Constitution of Iran, pp. 35-55. Although some of the debates were vigorously contested, the decisions were remarkably consensual. Schirazi reports, for example, that an average of 66 votes were cast on roll calls taken in the Assembly, of which an average of only two dissented from the majority while four, again on the average, abstained. P. 55n.

[148] Hiro, Iran under the Ayatollahs, p. 120. The Moslem People's Republican Party, Ayatollah Shariatmadari, and the National Front supported a boycott of the referendum. Milani, Making of Iran's Islamic Revolution, p. 279. Referring to the provision for a Supreme Leader in the constitution, Shariatmadari lamented, "We seem to be moving from one monarchy to another." Hiro, Iran under the Ayatollahs, p. 139.

Line of the Imam" on November 4. The ensuing hostage crisis brought down the Provisional Revolutionary Government of Mehdi Bazargan who had become, by default, a relatively liberal figure because of the continuing marginalization of secular and leftist elements in the original revolutionary coalition. His fall thus enabled the fundamentalists to further tighten their grip on state institutions. In addition, the occupation of the embassy unleashed nationalist sentiment that rallied around Khomeini and the fundamentalists as the only leaders who could stand up to the United States and thus defend the revolution from foreign intervention.[149]

The fundamentalists had begun to consolidate their control of the revolution even before the constitution was ratified.[150] In the first stage of that consolidation, they joined with the Marxist left in purging liberal democrats from the revolutionary coalition. During the summer of 1979, the fundamentalists either shut down opposition newspapers or took them over. They already controlled the radio and television networks because they had been regulated by the state before the revolution and had thus fallen into fundamentalist hands as part of the "spoils of war."[151] Many of the supporters of the National Front and the National Democratic Front were educated middle-class professionals and they now emigrated from Iran by the hundreds of thousands. Their exodus helped the fundamentalists suppress demands for democratic participation.[152] Once that was done, the fundamentalists turned their attention to the Marxist left and drove them from the coalition. On August 16, for example, Khomeini warned the nation, "Let no one expect that the corrupt and American or non-American left will be able to reappear in this country." "We gave them time and treated them mildly in the hope that they would stop their devilish acts…We can, when we want, in a few hours throw them in the dustbin of death."

On July 20, 1980, the Mujadin-e Khalq issued a statement that blamed Khomeini's religious pretension for the split. "Mr. Khomeini is so convinced of his divinity that he sees any opposition to himself as opposition to God, Islam and the Holy Quran…Although he thinks he is deputizing for the Twelfth Imam, we have never accepted him in that role." By this time, the leftist guerillas had returned to the underground and had begun to assassinate fundamentalist leaders.[153] However, Khomeini found the Tudeh, the Moscow-oriented communist party, useful because they continued to interpret the revolution as "an anti-imperialist petty

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[149] Keddie, Modern Iran, p. 248; Arjomand, Turban for the Crown, p. 139.

[150] Gheissari and Nasr, Democracy in Iran, p. 80.

[151] Hiro, Iran under the Ayatollahs, p. 128; Arjomand, Turban for the Crown, p. 138; Milani, Making of Iran's Islamic Revolution, p. 263.

[152] Keddie, Modern Iran, p. 243.

[153] Hiro, Iran under the Ayatollahs, pp. 128, 188-9; Bakhash, Reign of the Ayatollahs, p. 219.

bourgeois…precursor to socialist revolution" and thus supported the fundamentalist project.  The fundamentalists tolerated the Tudeh until 1983 when it, too, was brutally suppressed.[154]  The last stage of consolidation involved the silencing of the conservative clergy who opposed Khomeini.  By that point, Grand Ayatollah Shariatmadari was the only real threat.  Shariatmadari's Moslem People's Republican Party was suppressed, his residence was attacked, and Khomeini's followers stripped him of his status as a Grand Ayatollah as punishment for secretly collaborating with the Shah during the Revolution.[155]

One of the last refuges of political dissent was the universities but these, too, fell in the opening months of 1980 when they were forcibly occupied by Khomeini's followers during the Iranian "Cultural Revolution."  The professors and students were expelled (some of them killed) and the universities were closed.[156]  Noting that secular scholarship had no place in the Islamic Republic, Khomeini concluded, "If we extensively survey all the universities in the world, we will see that all the troubles that have afflicted mankind have their roots in the university."[157]

Soon after Khomeini's return to Iran, the fundamentalists began to systematically execute their opponents.  The first executions were, in fact, carried out on the rooftop of a building in which Khomeini was holding court.  Convictions were speedily obtained because Khomeini decided that public trials, defense counsel, and judicial due process should not stand in the way of the will of the people.  An insistence on such procedures before prisoners were executed reflected "the Western sickness among us" because "criminals should not be tried; they should be killed."[158]  By the summer of 1981, executions were routine.[159]

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[154] Hiro, Iran under the Ayatollahs, p. 229; Keddie, Modern Iran, p. 254.  For the official line of the Tudeh, see Hiro, Iran under the Ayatollahs, p. 203.

[155] Chehavi, "Religion and Politics in Iran," p. 82; Arjomand, Turban for the Crown, p. 140; Hiro, Iran under the Ayatollahs, pp. 140-1,218; Sayeed, Iran before and after Khomeini, pp. 178-9; Bakhash, Reign of the Ayatollahs, p. 67; Milani, Making of Iran's Islamic Revolution, pp. 279-80.  For the opposition of some of the other Grand Ayatollahs to Shariatmadari's defrocking, see Irfani, Iran's Islamic Revolution, p. 230.

[156] Arjomand dscribes Khomeini as having conducted a "massive Kulturkampf against the Westernized intelligentsia" of which the assault on the universities was a part.  Turban for the Crown, p. 87.  Also see Hiro, Iran under the Ayatollahs, pp. 159-60; Keddie, Modern Iran, p. 250.

[157] Irfani, Iran's Islamic Revolution, p. 205.

[158] Bakhash, Reign of the Ayatollahs, p. 62.

[159] On September 9, 1981, Khomeini gave these executions a scriptural basis: "When Prophet Muhammad failed to improve the people with advice, he hit them on the head with a sword until he made them human beings."  Hiro, Iran under the Ayatollahs, p. 196; also see, pp. 106-7.  "Men and women were killed for everything from drug and sexual offenses to `corruption on earth,' from plotting counter-revolution and spying for Israel to membership in opposition groups."  Bakhash, Reign of the Ayatollahs, p. 111.  Also see pp. 59, 111-2, 220-30.  For a close analysis of 863 executions of members of secular communist political organizations between 1981 and 1983, see Ali Mirsepassi, Intellectual Discourse and the Politics of Modernization: Negotiating Modernity in Iran (New York: Cambridge University Press, 2000), pp. 171-5.  This analysis does not include 9,368 executions of those belonging to the

Much of the political suppression that helped to consolidate the revolutionary regime was carried out by the Party of Allah (the Hezbollah), a loosely structured organization directly controlled by the fundamentalists. A pamphlet put out by one of the government ministries described a typical Hezbollahi as

a wild torrent surpassing the imagination…He is a maktabi [one who follows Islam comprehensively], disgusted with any leaning to the East or West. He has a pocketful of documents exposing the treason of those who pose as intellectuals. He is simple, sincere and angry. Stay away from his anger, which destroys all in its path. Khomeini is his heart and soul…The Hezbollahi does not use eau de cologne, wear a tie or smoke American cigarettes…You might wonder where he gets his information. He is everywhere, serving your food, selling ice-cream."[160]

No one knows for sure how many people died during the Iranian Revolution. For the period between January, 1978, and February, 1979, the estimates range from several thousand to as many as 40,000.[161] And thousands more died in street fighting and executions after the Shah was overthrown.

Many of the people who fought for the revolution died for principles and ideas that did not find their way into the founding of the Islamic Republic. In fact, many of them died at the hand of the Islamic Republic. Their deaths underscore the necessary distinction between revolutions and foundings. Although the causes of the Iranian Revolution are heartily contested, they probably arose out of the increasing estrangement between the Shah's modernizing regime and Iranian society.[162] Much of that estrangement was an unavoidable byproduct of the Shah's developmental programs because they necessarily upset or intruded upon very powerful traditional sectors in the economy and the social groups that rested upon those sectors. But many

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Mujadin-e Khalq because that organization was Islamic. The Tudeh was still legally operating during this period and thus none of its members were killed.

[160] Hiro, Iran under the Ayatollahs, pp. 242-3.

[161] For a sampling of estimates, see Arjomand, Turban for the Crown, p. 120; Bill, "Power and Religion…", p. 28; Hiro, Iran under the Ayatollahs, p. 94.

[162] The Shah's program intended to modernize society by modernizing the state and the economy. Because the modernization of society was a precondition for releasing the will of the people in national politics, the regime anticipated that will by centralizing authority in the monarchy. The dilemma facing the Shah was that modernization of society prematurely created a popular demand within the urban middle class for democratic participation that could not be accommodated without fatally undercutting the regime program. Political mistakes and miscalculations by the Shah (understandable mistakes and miscalculations as evidenced by American diplomatic traffic) then pushed secular and leftist groups into a tacit (because under-negotiated) alliance with Khomeini and the fundamentalist clergy. For a similar interpretation of the relationship between modernization and the Iranian Revolution, see Gheissari and Nasr, Democracy in Iran, pp. 55, 65.

of the Shah's problems were of his own making in that he either gratuitously attacked or insulted many of these social groups while neglecting other classes that might have been willing to support the regime if given a larger role in the making of its policies.[163]  In any case, revolutions are usually backward-looking and, in this case, the unifying element for the revolutionary coalition was an almost blinding hatred of the Shah and the regime he had built.[164]  Once the Shah was gone, that hatred was not of much use as a basis for founding a new state.

As the almost universally recognized leader of the revolution, Ayatollah Khomeini was in the best position to shape the founding and, as most analysts and scholars agree, he made the most of his opportunity.  Although there are moments of hesitancy in which he appears to have underestimated fundamentalist strength, he made no serious mistakes as he first confronted the Shah, then balanced and maneuvered against the several elements of the revolutionary coalition, and finally went up against his opponents among the conservative clergy.  His opponents, on the other hand, made many errors, most of them arising out of a serious misapprehension of Khomeini's ultimate goals and the strength of the political resources at his command.  Theda Skocpol has called the Iranian Revolution a "social revolution" in which there is a "rapid, basic" transformation "of a country's state and class" structure and "its dominant ideology…carried through, in part, by class-based upheavals from below."  However, she also adds that "idea systems and cultural understandings in the shaping of political action" played an inordinately large role in the Iranian social revolution.[165]  Because social revolutions erupt from below, the masses often have a vague conception of the kind of state they want to found in place of the ancien regime.  This vague conception creates an opening for the revolutionary leadership as it seizes (and sometimes creates) the moment of victory in which the ancien regime falls and then defines, often through force and violence, what the political goal of the revolution actually will be.

Their primary opponents are usually liberals and democratic socialists who would create a political process in which the popular will is elicited from, as opposed to imposed upon, society.  However, the creation of a political process that elicits the popular will invariably slows down or even reverses much of the radical impetus that throws up a social revolution in the first place.  Realizing that fact, those revolutionary leaderships that are willing to make much stronger and imperative assumptions of what constitutes the popular will and to advocate the erection of

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[163] On the inseparability of modernization and the Shah's political mistakes as causes of the revolution, see Bill, "Power and Religion…", p. 26.

[164] Among those characteristics that make the Iranian Revolution unusual, if not unique, in world history, Jahangir Amuzegar cites its "vague" ideology and "ultimate singular objective, to oust the shah."  In this connection, he also mentions the revolution's rapid, unanticipated eruption and broad base of support in the cities. Dynamics of the Iranian Revolution, p. 10.

[165] Skocpol, "Rentier State…", pp. 265-6, 268.

strong, centralized state institutions as instruments for the imposition of that will end up founding the new revolutionary state.[166]   Much of this interpretation appears to fit the Iranian Revolution rather well.[167]

What doesn't fit quite as well is the "ideational content" of the Iranian founding, specifically its thick underpinnings in Islamic theology and formal incorporation of the Shi'ite clergy in state administration.  Although there is usually some overlap, church and state are almost always separate institutions in modern societies.  When they are combined, the political system is called a theocracy in which, in its ideal form, "God is recognized as the immediate ruler and His laws are taken as the legal code of the community and are expounded and administered by holy men as His agents."[168]   This certainly fits Khomeini's conception of the Islamic Republic but, in practice, this conception has been undermined, first, by the absence of a strict clerical hierarchy in Shi'ite Islam and, second, disagreement within the clergy on their proper relation to the state.

From that perspective, the "linchpin of the theocratic component of the constitution" was the creation of the office of Supreme Leader whose sweeping authority within the state was only matched by its ideational justification in the Supreme Leader's direct relation to God through the agency of the Hidden Imam.  The creation of such an office, along with the formal mobilization of clergy as the wielders of state authority, represented "a clear attempt at church building" that tried to create an ecclesiastical institution within the state itself.[169]   Regardless of whether or not we call the result a theocracy, the ostensible social purpose of state sovereignty is the realization of God's commandments on earth through the creation of a pure and just Islamic community.[170]

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[166] Skocpol, "Rentier State…", p. 276.  Khomeini himself offered an interpretation of the Iranian Revolution that placed it alongside other popular revolts: "The great reformist movements in history did not possess power at their inception…The cadres of the [reformist] movement would draw the attention of the people to oppression and awaken them to the dangers of submitting to the rule of the tyrants, then the people became the active force which sweeps all the obstacles in its way."  Hiro, Iran under the Ayatollahs, p. 117.  In the Iranian case, the goal of the reform movement was the establishment of an Islamic Republic and the cadre was the fundamentalist clergy.

[167] However, Skocpol does say that the broad consensus on the Shah's ouster strongly distinguished the Iranian Revolution from its French, Russian, and Chinese antecedents in that "a mass-based social movement" intended "to overthrow the old order" from the very inception of the revolution.  "Rentier State…", p. 267.

[168] The quotation is taken from Vernon Bognador, ed., The Blackwell Encyclopaedia of Political Institutions (Oxford: Basil Blackwell, 1987), p. 610.  Reprinted in Chehavi, "Religion and Politics in Iran," p. 69.  Chehavi, however, hastens to add that neither Shi'ite Islam in general nor the fundamentalist clergy in particular "strictly…constitute a church in the sociological sense."  For a definition of a church, he cites Max Weber, Economy and Society, Guenther Roth and Claus Wittich, eds. (Berkeley: University of California Press, 1978), p. 1164.

[169] Chehavi, "Religion and Politics in Iran," p. 77.

[170] Chehavi, for example, concludes that, although the clergy "now exercise power directly as theocrats," the "attempt to found a theocracy in Iran has been only a superficial success."  He appears to suggest that "authoritarian regime" might be the default designation for the Islamic Republic if it is not labeled a theocracy.  "Religion and Politics in Iran," pp. 81, 83, 87.  Ali Gheissari and Vali Nasr conclude that the "theocratic edifice of the Islamic

And that social purpose is very different from the more materialist and thus worldly goals of most social revolutions in which revolutionary upheaval intends the reshaping of the social order as a social order (not the purification of society through the eradication of alien, evil elements).

As has been noted, the constitution of the Islamic Republic assumes that the Iranian people have already made a "final and firm" decision to grant the clergy and, in particular, the Supreme Leader the right to rule. This grant rests on the public demonstrations that overthrew the Shah, referenda that designated the Islamic Republic as the preferred form of government, the election of members to the Assembly of Experts that wrote the constitution, and the referendum through which the people approved that constitution. The political theory underlying the concept of the Islamic Republic rests on two broad principles: (1) that the people wish to constitute and perfect an ideal Islamic community on earth in preparation for the return of Hidden Imam; and (2) that the people realize that only the clergy can interpret and execute Islamic law and the practice of the Prophet through which this ideal community can be realized. Since Khomeini and the fundamentalists who followed him viewed Islamic law and the practice of the Prophet as an exhaustive guide to all those matters relating to the construction of an ideal Islamic community, there was no need for further manifestation of the popular will.[171] Those matters that government undertook that were irrelevant to the construction and governance of an ideal Islamic community could be safely entrusted to specialists who would efficiently and capably run the material infrastructure of the nation (e.g., construct and maintain highways, hospitals, and water systems). Those matters that involved the spiritual and moral health of the community must be the prerogative of the clergy.[172]

Khomeini himself justified the founding of the Islamic Republic as a reflection of "the will of the people and the precepts of Islam."[173] With respect to the latter, Khomeini said

> The law of Islam, divine command, has absolute authority over all

Republic has…produced a pragmatic authoritarian regime" in which the "religious leadership ruled collectively, acting as a dominant class, and they were distinguished from the general population by dress and education; the revolution transformed the ulama into a political caste." Democracy in Iran, pp. 3, 100. Other scholars do not qualify their judgement that Iran is now a theocracy. Parsa, Social Origins, p. 2; Bahiriyeh, State and Revolution in Iran, p. 177.

[171] As Schirazi puts it, once the Islamic Republic is up and running, the "people are not active subjects of the state but the state's objects." Constitution of Iran, p. 55.

[172] The construction of this ideal Islamic society necessitates the inculcation of "a spiritual unity that characterizes the entire community" and that inculcation, in turn, requires an "ideological conversion" that will produce "morally virtuous human beings…The shaping of the economic and political relations of society through the medium of social control leads to the creation" of the conditions under which this ideological conversion will occur. Sayeed, Iran before and after Khomeini, p. 64.

[173] Vanessa Martin, Creating an Islamic State: Khomeini and the Making of a New Iran (London: I.B. Tauris, 2000), p. 165.

individuals and the Islamic government…In Islam, then, government has
the sense of adherence to law; it is law alone that rules over society.
Even the limited powers given to the Most Noble Messenger (upon whom be
peace) and those exercising rule after him have been conferred upon
them by God.

An Islamic Republic under which sovereignty (the right to rule) can only belong to God is the most popular (in the sense of consensual agreement) form of government because the "body of Islamic laws that exist in the Quran and the Sunnah [tradition of the Prophet] has been accepted by the Muslims and recognized by them as worthy of obedience.  This consent and acceptance facilitates the task of government and makes it truly belong to the people."  There is thus no ambiguity concerning what the people want in the form of the laws that will govern society because they are already laid down in an Islamic law and tradition that the people have ratified en bloc when the Islamic Republic was founded.[174]

There was thus no role for a popularly elected legislative assembly in Khomeini's political theory because such a body could only introduce error into what would otherwise be clerical imposition of God's design.  As Khomeini wrote, "Since Islamic government is a government of law, knowledge of the law is necessary for the ruler, as has been laid down in tradition."[175]  A popularly elected legislative assembly would inevitably introduce error either by electing lay members who did not possess a proper understanding of Islamic law (and thus made mistakes) or elevating clerics of lesser scholarly distinction over their brethren who were better able, through superior training and piety, to preside over the Islamic community.  With respect to the latter, only the clergy could properly evaluate the scholarship and piety of their peers.

However, Shi'ite Islam does provide a significant role for public opinion in the elevation of clerics within the Shi'ite hierarchy.  As we have noted, as one precondition for becoming a Grand Ayatollha, a cleric must attract a following of believers who are willing to accept their spiritual guidance in the interpretation of Islamic law and other religious matters.  These believers then contribute to the support of their Grand Ayatollah through the payment of religious taxes.  These funds then enable their spiritual leader to create and maintain religious

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[174] Najibullah Lafraie, Revolutionary Ideology and Islamic Militancy: The Iranian Revolution and Interpretations of the Quran (London: Tauris Academic Studies, 2009), pp. 68-9.  As Sayeed puts it, the "sovereignty of God and unconditional obedience to the body of law embedded in the Quran and the Sunna, gives this apparently authoritarian government a semblance of democracy.  Accepting dictates with faith and fervor, made obedience a matter of obligation for the people.  It facilitates the task of a government and harmonises it with the attitude of the people."  Iran before and after Khomeini, p. 50.

[175] Kamali, Revolutionary Iran, p. 159.  "Khomeini rejected the idea of human legislation, and therefore also of legislatures, on the grounds that, because true consciousness and justice were not within the province of humans, they had no right to `forge' legislation."  Clerics, on the other hand, would only be a conduit for God's commands. Vahdat, God and Juggernaut, p. 163.  Also see Schirazi, Constitution of Iran, p. 55.

academies and other institutions that contribute to the well-being of the Islamic community.  But the key point here is that believers choose which cleric that they follow, a choice that is unrestricted other than that the cleric must have undergone extensive training under one or more ayatollahs and have exhibited a superior understanding of Islamic law in their own writings.[176]

There is thus at least an analogical basis for recognizing the will of the people as an influence on state policy after the founding of the Islamic Republic.  If we imagine, for a moment, that members of the Majles bear a similar relation to the people that an ayatollah does to his followers (e.g., both are voluntarily chosen by their followers as their leader and representative), then a democratic election merely becomes the means through which these followers make known their choice.[177]  Similarly, the range of alternatives from which followers must choose is strongly constrained.  In the case of ayatollahs, those whom believers may choose to follow must have completed years (often decades) of religious training and study in which their scholarship, piety, and personal character are monitored by a collective, clerical elite that, through informal means, determine whether or not they qualify as a possible Source of Imitation for believers.  The vetting process in the case of those who stand for election to the Majles is much shorter but is nonetheless equally rigorous.  That process also involves many of the same characteristics that qualify a cleric for religious leadership.

The Iranian constitution provides only that the "qualifications of electors and candidates, as well as the method of election [to the Majles], will be specified by law."[178]  That law was laid down, in the first instance, by the Supreme Leader (Khomeini) when he assigned to the interior ministry and revolutionary council responsibility for determining who could vote and who could run for election.[179]  The Majles later amended this law in 1984 by assigning most responsibility to the Guardian Council which was up and running by that time.  (Because the Guardian Council can reject legislation passed by the Majles, it necessarily played a large role in creating this new election law.)  Under the revised regulations, candidates must demonstrate to the Guardian

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[176] "…the institution of mujtahid [Islamic scholar] has been one of the most democratic and populistic in the comparative history of religion.  Every practicing Shi'i has in effect to choose one particular cleric to pray behind and is free to choose whomever he wishes.  The process is one of consensus and of democracy at the very grassroots of society."  Bill, "Power and Religion…", p. 23-4.

[177] Let me hasten to add that an ayatollah who has attracted a following among the devout enjoys a prestige far, far greater than an ordinary member of the Majles.  In addition, while religious issues play a prominent role in Iranian politics, more secular dimensions of public policies are much more prominent in political competition than they are in the selection and elevation of Islamic clerics.  The analogical similarity that is suggested in the text is thus very limited in scope.  On the other hand, it still provides some rationale for consulting, albeit in a very constrained fashion, public opinion even after the founding of a theocratic state.

[178] Article 62.  Constitution of the Islamic Republic of Iran, p. 51.

[179] For the regulations under which the first Majles was elected, see Bahman Baktiari, Parliamentary Politics in Revolutionary Iran: The Institutionalization of Factional Politics (Gainesville: University Press of Florida, 1996), pp. 63-9.

Council that they possess good character, are loyally devoted to the Islamic Republic, and support the principle of clerical rule (particularly the role and authority of the Supreme Leader). The Guardian Council disqualifies those candidates who do not meet these criteria. Once the election is held, a majority of the Majles must accredit the member's election. Once a member is accredited and begins to serve, he can be expelled from the Majles for violating rules of good conduct. In addition to these rather institutionalized methods of screening candidates and members, there have also been attacks and threats of attacks by armed groups affiliated with the regime, particularly the Hezbollah, that have discouraged some of those who have been elected from attempting to serve in the Majles.[180]

All states refine the will of the people by limiting the right to vote and creating qualifications that restrict who may stand for election. In addition, most legislative bodies can expel members or otherwise regulate their membership. These are all refinements of the collective will of the people in that they define who is recognized as belonging to that collective (i.e., is qualified to vote), what candidates that the will of the people can select (i.e., who can stand for election), and so forth. As refinements of the will of the people they channel politics in particular directions.[181] Both democratic and non-democratic states recognize the will of the people as a fundamental legitimating justification for sovereignty. The major difference between these two kinds of states lies in the degree to which they insist on refining that will after the state has been founded. In Iran, the fundamentalists have made demonstrated loyalty to their theocracy a major condition of the eligibility of candidates who may stand for election. In doing so, the state ensures that the people cannot error when they choose one candidate over another; all candidates have been vetted before the people vote.[182] In the same way, all ayatollahs have been vetted before the faithful may choose to follow them.[183] A liberal democracy creates a

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[180] Schirazi, <u>Constitution of Iran</u>, pp. 86-91. "…on the opening day of the 5th Majles, Hezbollah, in a letter to MPs, threatened to search out any `liberals' among them, drag them into the streets and there bring them before a revolutionary court." P. 91. Also see Baktiari, <u>Parliamentary Politics</u>, pp. 109-11.

[181] There are many other aspects of constitutions that also restrict the range and shape the quality of the will of the people such as protections for individual rights, federal arrangements that divide sovereignty, and appointment (as opposed to election) of important officials who staff state institutions.

[182] Within the Iranian constitution, the problem of reconciling expression of the will of the people with the elimination of error is most acute in the selection of the Supreme Leader. Given the quasi-divine status of the leader as the representative on earth of the Hidden Imam, the assignment of any role to the people in his selection is quite problematic. However the restrictions placed on who may stand for election to the Assembly of Experts that selects the Supreme Leader effectively means that the selection is controlled by the clerical elite. The will of the people is so refined or purified by these arrangements that its expression is well within the bounds of Islamic orthodoxy as understood and interpreted by the fundamentalist clergy. Schirazi, <u>Constitution of Iran</u>, p. 35.

[183] The people are also protected from exposure to error through restrictions on the expression of political and religious opinion. Article 24: "Publications and the press are free to present all matters except those that are detrimental to the fundamental principles of Islam or the rights of the public." <u>Constitution of the Islamic Republic of Iran</u>, p. 37.

"society of citizens." The Islamic Republic recognized a "society of believers." In such a society "the prerogatives of the faith supersede those of the citizen" and "the aim of politics and law" is "to protect the faith and the society of believers, not to empower citizens."[184]

## Blood and Soil: The Founding of the Third Reich

Adolf Hitler was sworn in as Chancellor of the Weimar Republic just before Noon on January 30, 1933. As a precondition for taking office, the Nazi leader had consented to an alliance with a conservative party in which the latter would hold most of the cabinet seats in the new government. While their coalition would not enjoy a majority in the Reichstag, there had been minority governments and cabinets before this one. And the chancellorship Hitler was assuming was not the most powerful office under the Weimar Constitution, that position was held by Field Marshal Paul von Hindenburg who had soundly defeated Hitler in the presidential election the previous year. The Field Marshal, in fact, retained authority to dismiss the Chancellor and his new government at any time. In other respects as well, the ritual surrounding Hitler's oath complied with the all the formalities of the Weimar Constitution and had been performed by previous chancellors as they entered into their new office. In all these ways, the event that brought Hitler and the Nazi Party into power appeared to be nothing more than another round in the play of parliamentary politics. However, that evening tens of thousands of uniformed storm troopers, men of the SS (Hitler's Praetorian guard), and other members of right-wing paramilitary organizations celebrated Hitler's assumption of office by marching through the streets of Berlin.[185] As they saluted the new Chancellor, there was no doubt that they embraced his assumption of power as a new founding for the German state.

Hitler and the Nazi Party came to power under rules and procedures laid down by the Weimar Constitution. Those rules and procedures had been created with the hope that, in time, the German people would come to invest parliamentary democracy with a legitimacy that would make respect for the rules of the political game more important than the identity and policies of those who won and lost elections. Although that game had recently been played in a way that sometimes stretched those rules, there was still a wide societal consensus on the kind of actions that would transgress the bounds set by the constitution. At the time he was sworn in as Chancellor, most people viewed Hitler and the Nazi Party as legitimate players in the political game.

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[184] Gheissari and Nasr, <u>Democracy in Iran</u>, p. 31. Although the authors were referring to politics in the early twentieth century, their characterization still aptly describes contemporary Iran.
[185] Richard J. Evans, <u>The Coming of the Third Reich</u> (New York: Penguin Books, 2005), pp. 307, 310.

Even so, by 1933 most of the delegates elected to the Reichstag, including those belonging to the Nazi Party, had little or no respect for the parliamentary democracy that had been created under the Weimar Constitution. Those members played the political game in order to replace it with something else, although there was little agreement on what that something else might be. In that respect, Hitler and the Nazi Party came into power while abiding by the rules of a political game that they fully intended to destroy. And there, too, they were not alone.

A paradox thus attends the founding of the Third Reich. On the one hand, Hitler and the Nazi Party sought to cloak their assumption of power in legitimacy by abiding by the rules of a political game for which they had obvious and unmitigated contempt. On the other hand, once in power, they almost immediately destroyed that political game, replacing it with a radically different system of governance. Why did they abide by the rules of a political game they despised when obedience to those rules implied the possibility that they might never attain power? That question naturally leads to a second: Why, once they attained power under the rules of that political game, did they destroy it? If those rules brought them power, why not continue to practice politics within that political game? The answers to these questions reside in the construction German society placed on the will of the people.

German society actually contained at least four different and competing conceptions of the will of the people in the years between the creation of the Weimar Constitution and Hitler's assumption of power. One of these, the Leninist conception of the dictatorship of the proletariat, is already familiar to the reader as the driving force behind what became the Russian Revolution. Embodied in the German Communist Party, this construction conceived the popular will as something that would only fully manifest its intent after the impending proletarian revolution brought the party to power. Until then, the German Communist Party, like the Nazis, played the game of parliamentary democracy but, unlike the Nazis, their participation was not motivated by a belief that the game would bring them power; they instead believed that participation was the best way of spreading their doctrinal commitments among the masses while sabotaging parliamentary democracy from within.

A very different conception of the popular will formed the beliefs and practices of those who subscribed to parliamentary democracy, both in theory and as constructed under the Weimar Constitution. Although they had substantive commitments that varied enormously, ranging from political allegiance to the Catholic Church to pursuit of an ostensibly Marxist social democracy, they formed the core elements of most Weimar governments before Hitler became Chancellor. For them, the popular will was manufactured and manifested in democratic elections and uninhibited parliamentary debate.

Yet another conception of the popular will was the property of what was left of an ancien regime that yearned for the reestablishment of the German monarchy and, more practically and realistically, an authoritarian state grounded in the prestige and discipline of the national army.

This conception interpreted the popular will as favoring the interests and needs of the German nation as recognized by the landed aristocracy, high-ranking officers in the military, and those who controlled the largest firms in the industrial economy. In their view, parliamentary democracy at best muddled the expression of the popular will in endless and pointless political debate. At worst, electoral competition between the major parties divided the people into petty interests and fragmented the nation into hostile factions. Although they blamed democracy for these effects, their solution (authoritarian rule by the nation's elite) assumed that the masses should never actively participate in politics regardless of the form the political system might take. In their conception, the popular will manifested an immanent desire for social order, national unity, and a prominent role for the German nation in the world at large. The German people willed these things even though they could not reach them through their own volition. On the one hand, democracy and democratic practices were not necessary for discovering the content of the popular will because that was already known. On the other hand, the popular will was both muddled and frustrated by the petty squabbles that attended parliamentary democracy.[186]

The fourth and final conception of the popular will resided in the ideology and practice of the Nazi Party. Like those who proposed the establishment of an elite-dominated authoritarian state, the Nazis believed that parliamentary democracy fragmented the nation and thus prevented the German people from fully realizing their innate racial and cultural superiority. But, the Nazis pushed this logic further by asserting that the realization of this superiority on the national and world stage was the rightful historical destiny of the German race, people, and nation.[187] Upon coming to power, the Nazi Party proposed to remold the German state in such a way that the power of the German people could materialize this destiny. In this respect, Nazi ideology was not very far from traditional German conservative thought. However, unlike the authoritarian elite, the organization of the Nazi Party was itself merely a vehicle for the true embodiment of the popular will: the Leader.[188] The Leader, in his person and his conscious spirit, both

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[186] See, for example, George L. Mosse, The Crisis of German Ideology: Intellectual Origins of the Third Reich (New York: Grosset & Dunlap, 1964), p. 283.

[187] Nazi ideology distinguished between the German race (those who possessed the requisite genetic material to be considered Aryan), people (those who identified with the Aryan community), and nation (the state that enabled the Aryan community to pursue its rightful historical destiny). While recognizing that race, people, and nation were different things before the party assumed power, the goal was to make them synonymous by expelling from Germany those who did not belong to the Aryan race, by persuading those who were Aryan that their highest allegiance was to the Aryan community, and by encompassing all German-speaking Aryans, including those then residing in other countries, within a unified German nation. There was an unsolved question with respect to the other Nordic peoples who undoubtedly belonged to the Aryan race but had little or no affinity with German culture. Stanley G. Payne, A History of Fascism, 1914-1945 (Madison: University of Wisconsin Press, 1995), p. 157.

[188] See, for example, the formal definition of "Leader" in Research Institute for Military History, ed's., Germany and the Second World War (Oxford: Clarendon Press, 1990), Vol. I: "The Build-up of German Aggression," trans. P.S. Falla, Dean S. McMurry, Ewald Osers, p. xxvi.

embodied the popular will (in the sense that he was inseparably unified with the German people and thus could only will what they willed) and led the people (in the sense that he correctly identified and then acted upon those measures that would realize the historical destiny of the German race, people, and nation--in effect, telling the people what it was that they willed).

As a theoretical device, the notion of the Leader relieved or eliminated several tensions that would have otherwise plagued the Nazi Party. First among them was the tension between Hitler's absolute, personal domination of the party organization and the party's pretensions as a popularly-based movement of the people. The Nazi Party presented Hitler's popularity as incontrovertible evidence that he, as the Leader, personally embodied the will of the German people. As an extension of the Leader's own persona, the Nazi Party thus became merely a vehicle for realizing that will. From that perspective Hitler's complete domination of the party organization perfected the party organization as a means for implementing the popular will. In sum, Hitler's popularity empirically demonstrated that the Nazi Party was the vehicle for enacting the popular will and, at the same time, made Hitler's personal control of the party organization not only reasonable but logically necessary.

This formalization of Hitler's charismatic appeal as one of the central pillars of party ideology also entailed the subordination of the various interests and sectors of the German nation to the Leader's (and thus the popular) will. The Nazi Party certainly proposed policy platforms that contained planks that only appealed to particular, narrowly-circumscribed interests. However, if the party had only relied upon such planks in their campaigns the Nazis would have fared no better than any of the mainstream democratic parties. The notion of the Leader reconciled the practice of democratic politics (e.g., Nazi Party appeals to narrow interests in the electorate) with the party's ultimate goal of abolishing democracy as a necessary step in materializing the historical destiny of the German people. In theory, the Leader ostensibly tolerated appeals to narrow interests as illustrations of how every element in the German nation would prosper when the party came to power. But the emphasis was not on how interests would prosper but on how they would be reconceived once the German people were unified under the authority of the Leader.

As was the case with those who supported parliamentary democracy, the Nazi Party interpreted elections as a manifestation of the will of the people.[189] In that sense, the returns registered how well the Nazis had performed as it attempted to convince voters of their party's right to rule. The party also anticipated that victory in those elections was the way in which it would come to power. But election campaigns were also and sometimes primarily opportunities in which the masses could express their growing adulation for the Leader and this adulation, duly confirmed in greater numbers of votes for the party, was evidence that the people were coming to

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[189] Richard J. Evans, The Third Reich in Power (New York: Penguin Books, 2005), 44-5.

recognize that they and the Leader were one and the same.[190]  Nazi campaigns became grand spectacles in which the Leader presided over ecstatic demonstrations of fealty, subordination, and abandonment of personal identity.  Although the Nazi Party still had to win elections, the elections themselves served as stages upon which the Leader performed a role utterly hostile to the individualism central to the conception of a democratic will.

As long as the party improved its performance in these elections, the campaigns also demonstrated the inevitability of the Leader's assumption of power.  This inevitability was, of course, central to party ideology in that the German people must ultimately and inevitably recognize that their historical destiny could only be realized through their unification with the Leader.  Although the German people may not at first recognize Hitler as the Leader who would unify, declare, and carry out the will of the people, party ideology anticipated this recognition as a historical necessity.  Corroborating election returns, in the form of increasing proportions of the electorate casting votes for the Nazi Party, were thus confirmation of this expectation.

At the founding of the Third Reich, it was neither Hitler nor the Nazi Party that inhabited the German state but the German race, people, and nation.  Hitler merely embodied the will of the people and the party organization was the vehicle through which they would realize their historical destiny.  Once the German state was founded on those principles and beliefs, there was no longer any need for democracy.  This, in outline, is how the popular will came to be instantiated in the German state at the founding of the Third Reich.  In the rest of this section, we will explore these themes in more detail, beginning with the establishment of the Weimar Republic and the kind of political system that it created.  We will then move on to a description of the Weimar party system, juxtaposing the varying interpretations that the party system placed on the will of the people and how it was expressed.  This section will also describe the principles of German conservative thought and how Nazi ideology both grew out of that tradition and came to supplant it.  Finally, we will turn to the founding of the Third Reich both as a moment in which the will of the people was melded into the German state and as an event manufactured by opportunistic exploitation of political possibility.

## The Founding of the Weimar Republic

The Weimar Republic was founded in much the same way that most modern republics have been founded.  Calling itself the Council of People's Delegates, a revolutionary committee

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[190] During the runoff election for president in 1932, for example, Nazi papers raised "Hitler's own person…to even greater heights of pseudoreligious intensity."  One provincial paper approvingly quoted Hitler as saying that "I believe that I am God's instrument to liberate Germany."  A headline in the Volkischer Beobachter, the official organ of the Nazi party, claimed that "The National Socialist movement is the resurrection of the German nation" while filling "its pages once again with pictures of Hitler and the adoring masses."  Dietrich Orlow, The History of the Nazi Party, 1919-1933 (Pittsburgh, Penn.: University of Pittsburgh Press, 1969), p. 252.

emerged after Germany conceded defeat during the First World War. Dominated by the Social Democratic Party, this revolutionary committee organized elections to the Constituent Assembly (also known as the National Assembly) which was then elected on January 19, 1919.[191] Friedrich Ebert, the head of the Provisional Government, welcomed the delegates to Weimar in a manner that easily conformed to the most orthodox requirements of democratic foundings.

> …The National government through me extends its greeting to the Constituent Assembly of the German nation…The Provisional Government owes its mandate to the Revolution. It will place this mandate back into the hands of the National Assembly.
>
> In the Revolution the German people rose against an antiquated and collapsing rule of force…As soon as its right of self-determination has been assured, the German people will return to the way of legality. Only by parliamentary discussion and decision can the unavoidable changes in the economic and social spheres be produced, without which the Reich and its economic life must perish. It is for this reason that the National Government extends its greeting to this National Assembly as the highest and sole Sovereign in Germany. We are done forever with the old kings and princes by the grace of God…With the certainty of a republican majority in this Assembly, the old ideas of a God-given dependence are eliminated…The German people are free, they shall remain free and govern themselves for all time to come…

Ebert then declared that: "The National Assembly is the expression of the will of the German Nation; it alone has from now on the right to decide, it alone has the responsibility for Germany's future."

Just a few days after it convened, the Constituent Assembly returned the favor by adopting a Provisional Constitution that, among other things, legitimated Ebert as the President of the Government of the Republican Reich. Later, when the permanent constitution was approved, the Preamble declared that "The German People, united as a Nation…has given itself this Constitution…"[192] All of these elements conformed to the common practice of democratic

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[191] All citizens, including women, who were at least 20 years of age could vote in this election. Erich Eyck, trans. Harlan P. Hanson and Robert G.L. Waite, A History of the Weimar Republic (Cambridge, Mass.: Harvard University Press, 1962), Vol. 1, p. 61.

[192] Johannes Mattern, Principles of the Constitutional Jurisprudence of the German National Republic (Baltimore: Johns Hopkins Press, 1928), pp. 82-5. At another point in his analysis, Mattern gave an interpretation of the Preamble that dramatically limited the individual consent that otherwise might be read into this founding. In his view, the term "German people" did "not signify the mere total of individual Germans in a numerical sense, but the

foundings: the unlimited and exclusive sovereignty of the constituent assembly as the embodiment of the national will, the reciprocal legitimation of the government authority that calls the constituent assembly into being, and the affirmation of the product of their deliberations as nothing other than the materialization of the national will (after which the constituent assembly dissolves).

The Constituent Assembly began deliberations in Weimar, Germany, on February 6 and about six months later, on July 31, approved what became known as the Weimar Constitution. The Weimar Constitution was adopted by the Constituent Assembly in a vote that was, in hindsight, deceptively lop-sided. The democratic parties of what became the parliamentary center of German politics cast 262 votes for the Constitution. One or more of these parties would participate in every governing coalition until the last year before Hitler assumed power. Opposing adoption were 75 delegates drawn from the conservative right and the Independent Socialists. These two ideological extremes, along with the Nazi Party that emerged afterward, would combine to bring down the democratic order created by the Constitution. In 1919, the conservatives were still recovering from the fall of the Kaiser and the defeat of the German Army. The Independent Socialists formally composed the left wing of the Social Democratic Party but, in practice, were all but autonomous. They would later found the German Communist Party.[193]

The Weimar Constitution resembled its predecessor in many respects. The major difference was the transfer of "constituent power…from the dynastic legitimacy of the German princes to the German people." In place of the Kaiser, the Constitution created a president who would be directly elected under universal suffrage. A majority coalition in the Reichstag would nominate a candidate for chancellor who would be appointed by the president.[194] Of the two

German people, conscious of their membership in the German Nation, and united in the determination to enforce its will upon the individual members of the body politic. The Republican Constitution, created by them as the expression of this will, is not identical with the creation of their union, but rather the manifestation of the political will of the Nation expressed in the form of law." Pp. 149-50. Put another way, Mattern insisted that German people had materialized their unity as a nation in the founding in a way that limited both the scope of individual consent and the protections (e.g., political rights) that might otherwise be offered individuals against the claims of the state. Carl Schmitt held a somewhat similar view, arguing that the "unity of the German Reich does not rest on these 181 articles [in the Weimar Constitution] and their validity, but rather on the political existence of the German people. The will of the German people, therefore something existential, establishes the unity in political and public law terms beyond all systematic contradictions, disconnectedness, and lack of clarity of the individual constitutional laws." Constitutional Theory (Durham, N.C.: Duke University Press, 2008), p. 65.

[193] Eyck, History of the Weimar Republic, Vol. 1, p. 68. On the split within the Social Democratic Party, including discussion of the support for parliamentary democracy by majority wing, see Stefan Berger, Social Democracy and the Working Class in Nineteenth and Twentieth Century Germany (Essex, England: Longman, 2000), pp. 96-101.

[194] Christoph Mollers, "`We are (afraid of) the people': Constituent Power in German Constitutionalism," in The Paradox of Constitutionalism: Constituent Power and Constitutional Form, Martin Loughlin and Neil Walker, eds. (New York: Oxford University Press, 2007), p. 91. On the constitutional history of Germany before World War I, including the relationship between the popularly-elected Reichstag and the Kaiser, see p. 88. Also see, Evans,

offices, the president clearly carried more authority. Not only was the president directly elected
by the people (and could thus pose as their spokesperson without intervening accountability to a
particular political party or coalition of parties) but he could appoint or dismiss the chancellor
and dissolve the Reichstag by calling for new elections. But the most important and fateful
power held by the president resided in what became the notorious Article 48, which read, in part:

> If public safety and order in the German Reich is materially disturbed
> or endangered, the National President may take the necessary measures
> to restore public safety and order, and, if necessary, to intervene by
> force of arms. To this end he may temporarily suspend, in whole or in
> part, the fundamental rights established in Articles 114, 115, 117,
> 118, 123, 124, and 153.

> The National President must immediately inform the Reichstag of all
> measures adopted by authority of Sections 1 or 2 of this article.
> These measures shall be revoked at the demand of the Reichstag.

The emergency powers thus made available to the president permitted the suspension of
individual political and civil rights, the use of the military and police in restoring and
maintaining public order, and the ability to issue ordinances by decree that superseded and went
beyond the statutory law enacted by the Reichstag. The ability of the Reichstag to revoke these
measures was fatefully hamstrung by the president's authority to dissolve the chamber and call
for new elections. If the Reichstag was not in session, the president could rule the nation with all
the authority of an extraordinarily powerful dictator. In one of the painful ironies attending
Hitler's rise to power, it was Friedrich Ebert, the Social Democrat most responsible for creation
of a parliamentary democracy under the Weimar Constitution, who first made extensive use of
these emergency powers.[195]

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Coming of the Third Reich, p. 80. On the transition between the pre-war and Weimar Constitutions, see Mattern,
Principles of the Constitutional Jurisprudence, pp. 71-82.

[195] Mattern, Principles of the Constitutional Jurisprudence, pp. 485-8, 499; Evans, Coming of the Third Reich, p. 80.
By invoking Article 48, Ebert intended to enable the survival of democracy in the face of serious political and
economic challenges. He nonetheless set precedents that were later used to bring down the democratic system that
he tried so hard to create and protect. Karl Dietrich Bracher, The German Dictatorship: The Origins, Structure, and
Effects of National Socialism, trans. Jean Steinberg (New York: Praeger, 1970), p. 170. Also see Thomas Childers,
The Nazi Voter: The Social Foundations of Fascism in Germany, 1919-1933 (Chapel Hill: University of North
Carolina Press, 1983), pp. 52-3. On the ability of the president to suspend freedom of speech and freedom of the
press under Article 48, see Modris Eksteins, The Limits of Reason: The German Democratic Press and the Collapse
of Weimar Democracy (London: Oxford University Press, 1975), p. 70.

While Article 48 should be attributed to a lack of faith in the capacity of a democratically elected parliament to rule effectively, the other major flaw in the Weimar Constitution can be traced back to a principle that the people should rule in all the fullness of the particularity of their beliefs. The system of proportional representation system set down in the Weimar Constitution and then implemented in the Franchise Law of April 27, 1920, virtually guaranteed parliamentary representation to any political party that drew as little as one percent of the total vote. Under this system, minor parties of all kinds flourished, some of them dedicated to the interests of narrow economic sectors and occupational classes, others to regional identities.[196] The major parties offered differing conceptions of the proper relationship between the German state and people, some of them condemning Weimar democracy while presenting full slates of candidates to the electorate. Under the low threshold for parliamentary representation, none of these parties had much reason to the compromise their principles as they competed for votes. In fact, intense competition in the electoral arena almost compelled them to differentiate their platforms from one another while promising a staunch commitment to those principles.

Proportional representation thus splintered the party system in a way that discouraged the emergence of effective political leaders who might have otherwise been prominent figures in the public arena and could have bridged, through the art of compromise, policy differences in what was always a cobbled-together parliamentary coalition. The resulting instability of parliamentary coalitions often made effective governance almost impossible.[197] And the absence of major party leaders made contestation for the presidency a matter of personalities in which ostensibly non-political figures had a strong advantage over those enmeshed in what appeared to be petty squabbles between parliamentary factions.[198] The immediate beneficiary was Field Marshal Paul von Hindenburg, a military hero of the First World War, who was elected president

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[196] Proportional elections rewarded electoral strategies that cultivated strong loyalties by economic sectors, social classes, and religion. Such parties and loyalties thrived in Weimar politics. Nazi electoral strategy (a) tactically responded to these groups by claiming that their parties were not serving them well (and the Nazis could do better) and (b) strategically reformulated group identities so as to stress their common membership in and contributions to the Volk. By stressing a common German identity and the Nazi party as the vehicle for realizing a common German destiny, the party both weakened the sectarian exclusivity of group identities and cloaked the inconsistencies in the Nazi political program (which, in many instances, offered material benefits to some groups that would have imposed material costs on other groups to whom the party was also appealing). One of the most serious of these inconsistencies involved the clash of interests between white-collar unions (employed, for example, by department stores) and small business (who also had conflicting interests over wages and work rules).

[197] "Between 13 February 1919 and 30 January 1933 there were no fewer than twenty different cabinets, each lasting on average 239 days, or somewhat less than eight months." Evans, Coming of the Third Reich, p. 83.

[198] Eyck, History of the Weimar Republic, Vol. 1, pp. 69-71; Childers, Nazi Voter, pp. 42-3; Rudolf Heberle, From Democracy to Nazism: A Regional Case Study on Political Parties in Germany (Baton Rouge: Louisiana State University Press, 1945), p. 4. For a slightly less critical evaluation of proportional representation in Weimar Germany, see Evans, Coming of the Third Reich, pp. 83-4.

after Friedrich Ebert's death. His election has been called "a disaster for the democratic prospects of the Weimar Republic."[199]

Compared to other foundings, the creation of the Weimar Republic was extraordinarily weak. Although there was significant support in Germany for a parliamentary democracy (particularly within the Social Democratic and centrist bourgeois parties), conservative and far left ideologies were much more potent as mobilizing passions. Because the Allies insisted that the Kaiser be deposed and the monarchy be abolished, conservatives viewed these steps as alien impositions from the very beginning. In addition, because the democratic parties that wrote the Weimar Constitution were also the parties that made the peace, their loyalty to the interests of the German nation could also be challenged. These things were made far worse by the fact that the Versailles Treaty that made that peace imposed extremely harsh and ultimately unworkable terms on Germany. Governing the nation meant enforcing and complying with this treaty and governing the nation was also a precondition for the survival of the democracy. In combination, these two responsibilities crucified the democratic center as the far right and the far left sought to effect their own, radically undemocratic foundings. Divisions within the democratic center only made matters worse as the Weimar Constitution came to stand for procedural formality in politics with little commitment to substantive values such as freedom, equality, or national identity. Thus emptied of content the Weimar Constitution was not viewed by most Germans as a melding of the popular will with the sovereignty of a national state.[200]

The Weimar Party System

Of all the political parties that competed for votes during the life of the Weimar Republic, the German Democratic Party (DDP) was the strongest proponent of democracy as an end unto itself.[201] Strongly committed to civil liberties, women's rights, and parliamentary debate, the party drew support from the German intelligentsia, pacifists, moderate industrialists, and the Jewish community (see Chart Four).[202] The party also enjoyed the support of export-oriented

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[199] Hindenburg's candidacy was the product of his national prominence and deep divisions between the conservative parties that prevented agreement on anyone else. While Hindenburg might be viewed as non-political in the sense that he was not directly affiliated with any of the organized political parties, he was openly hostile to democracy and increasingly sought ways of evading the inconvenience of parliamentary rule. Ultimately, of course, Hindenburg was the person who appointed Adolf Hitler to the chancellorship. Evans, Coming of the Third Reich, pp. 81-3.

[200] Evans, Coming of the Third Reich, pp. 59, 88. On the impact of the Versailles Treaty on German politics, see pp. 60-8, 75.

[201] The initials stand for Deutsche Demokratische Partei.

[202] William Brustein, The Logic of Evil: The Social Origins of the Nazi Party, 1925-1933 (New Haven, Conn.: Yale University Press, 1996), p. 111. Richard Hamilton estimated that more than half of German Jews voted for the DDP before it began to collapse. Richard F. Hamilton, Who Voted for Hitler? (Princeton, N.J.: Princeton University

industrialists because of its strong and consistent opposition to tariff protection.[203] While the party leadership was composed of notables, many of them from circles outside of politics, most of its electoral support was drawn from the middle class, particularly white-collar workers, civil servants, and the proprietors of small businesses.[204] Aside from its promotion of democracy, the party stressed the need to resolve class differences and thus positioned itself as a likely coalition partner with the much larger Social Democratic Party with which it often cooperated in parliamentary deliberations and governing coalitions.[205] However, the rise of the Nazi Party after 1928 eroded German Democratic Party support within the middle class and the party gradually moved to the right in a vain effort to stem its losses.[206] In 1930, the party merged with the right-leaning Young German Order and adopted a new name: Deutsche Staatspartei (DSP). However, even after this attempt to refashion its image, the party campaigned in the 1932 Reichstag election under a banner demanding "the preservation of the republic and democracy" and urged its supporters to "fight hard for the republic."[207] The primary narrative behind the DDP is one of an almost unremitting decline that almost exactly paralleled that of the Weimar Republic. As one writer put it, the German Democratic Party, "the favorite of liberal intellectuals then and now, had the most auspicious beginning of the republic's new parties and the most abject end."[208]


[Chart Four about here]


If the DDP was the first pillar of Weimar democracy, the Catholic Center Party (the Zentrum) was the second. Although Catholicism might have generated its own party organization in any case, the Zentrum owed much of its cohesion and vitality to Bismarck's

Press, 1982), p. 248. However, Jewish support fell off sharply after 1930 when the party increasingly moved to the right. Brustein, The Logic of Evil, p. 39.

[203] Brustein, The Logic of Evil, p. 37-8.

[204] Wolfram Wette, "Ideology, Propaganda, and Internal Politics as Preconditions of the War Policy of the Third Reich," in Research Institute for Military History, ed's., Germany and the Second World War (Oxford: Clarendon Press, 1990), Vol. I: "The Build-up of German Aggression," trans. P.S. Falla, Dean S. McMurry, Ewald Osers, p. 58. Although he was not active in party affairs, Max Weber supported the DDP until his death in 1920). Hamilton, Who Voted for Hitler?, p. 247. He even indicated a willingness to stand for election to the Constituent Assembly in 1919 but was passed over by party leaders because they were more familiar with other men. Eyck, History of the Weimar Republic, Vol. 1, pp. 61-2.

[205] Childers, Nazi Voter, pp. 38, 62-4.

[206] Childers, Nazi Voter, p. 190.

[207] Childers, Nazi Voter, pp. 135-6, 204.

[208] Hamilton, Who Voted for Hitler?, p. 245. Also see Evans, Coming of the Third Reich, pp. 89-90.

Kulturkampf in the 1870s during which the German state blocked clerical appointments, banned the Jesuits, and arrested or deported hundreds of priests. In 1877, the Catholic Church was even declared an "enemy of the Reich." Although Bismarck later reversed many of these policies, Catholics overwhelmingly supported the Zentrum as their main line of defense against discrimination and interference by the German state. For its part, the hierarchy of the Catholic Church more or less sponsored the party as its vehicle in German politics.[209] Because religion was the primary foundation for the party and because Catholics were distributed along the full breadth of the German class spectrum, the Zentrum encompassed farmers, industrial workers, middle class shopkeepers, white collar employees, those who could claim noble lineage, and the leaders of large corporations. It even had a regional wing, the Bavarian People's Party, that was independent of the main organization. With respect to the main cleavage in German politics, the Zentrum presented itself as an alternative somewhere between capitalism and socialism in much the same way as did the Nazis. In fact, the Zentrum has been described as the "Catholic Volkspartei" because of its emphasis on the superseding salience of German Catholicism over all other forms of identity and interest.[210]

Unlike the DDP, however, democracy was more a means than an end for the Zentrum and its commitment to parliamentary governance was contingent on whether or not it promised to protect the Church. In a stable democracy, an alliance with the democratic parties of the center would have guaranteed religious tolerance and a tolerable détente with German nationalism. In fact, its flexible policy commitments (outside those involving the Church) made the Zentrum a natural coalition partner in the Weimar period and the party participated in every government up until 1930 (see Chart Five).[211] However, the Zentrum found the Nazis abhorrent. In 1924, for example, the Zentrum accused the Nazi Party of harboring "a fanatical hatred of Christians and Jews" arising from its preference for the "old Wotan cult" of German antiquity over "Christian faith and Christian virtue."[212]

[Chart Five about here]

The Zentrum's secure confessional base meant, on the one hand, that it would never become the dominant force in German politics (there were far too many Protestants for that to

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[209] Childers, Nazi Voter, pp. 24-5.

[210] Hamilton, Who Voted for Hitler?, pp. 146, 252; Brustein, The Logic of Evil, p. 40; Childers, Nazi Voter, pp. 41-2, 114.

[211] Childers, Nazi Voter, p. 190; Heberle, From Democracy to Nazism, p. 2.

[212] Childers, Nazi Voter, pp. 114, 258. On Nazi attempts "to reassure Catholics, and indeed all Christians, that the volkisch movement was a friend of religion," see page 114.

happen) and, on the other hand, that its electoral support was fairly immune from the increasing popularity of the Nazi Party.[213]  But this insularity did not mean that the Zentrum remained fully committed to parliamentary democracy.  As Richard Evans notes, the Catholic Church "saw a turn to a more authoritarian form of politics as the safest way to preserve the Church's interests from the looming threat of the godless left" and where the Church would go, the Zentrum would have to follow.[214]

The third and largest pillar of Weimar democracy was the Social Democratic Party (Sozialdemokratische Partei Deutschlands or SPD).  As they had been since the 1870s, the Social Democrats were still formally committed to Marxist ideology but in practice the party leadership was no longer either socialist or revolutionary.  Their electoral base resided in the organized working class, particularly the large industrial unions and their policy commitments generally favored industrial workers.[215]  However, those policy commitments were often relegated to second place behind the party's support for parliamentary democracy.  That support made them a natural coalition partner for the Zentrum and the German Democratic Party but also meant that the Social Democrats had to fend off the German Communist Party which openly competed for the loyalty of radical workers.[216]  The Social Democrats certainly recognized the threat that the Nazi Party posed to both their constituency and democratic government.  In 1930, for example, party members serving in the Reichstag issued a remarkably prescient description of Nazi intentions:

> A Hitler government would aim to follow the Italian example by
> destroying all workers' organizations and creating a long-term state of
> siege.  It would abolish freedom of the press and of assembly and other
> political rights, bringing about a permanent danger of civil war at
> home and a foreign war of revenge.  This would mean the economic
> collapse of Germany and the end of an independent German nation, with
> all the frightful consequences that would ensue for the working
> people.[217]

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[213] Childers, Nazi Voter, p. 266.

[214] Evans, Coming of the Third Reich, pp. 90-1, 94, 250, 255, 258, 262.  On the Zentrum's turn to the right in the years just before the Nazi takeover, see Childers, Nazi Voter, pp. 260-1.

[215] By allying with the Centre Party during the life of the Weimar Republic, "the SPD managed to build one of the most advanced welfare states of the world."  Berger, Social Democracy, p. 140.

[216] Hamilton, Who Voted for Hitler?, pp. 285-6; Childers, Nazi Voter, p. 191.

[217] Wette, "Ideology, Propaganda, and Internal Politics", p. 67.

However, their commitment to the legalistic forms and procedural formalities of democracy prevented them from resorting to force. As the Weimar Republic rapidly drifted into increasingly authoritarian governments, the SPD even supported those governments in an attempt to block even more frightening alternatives, particularly the assumption of power by the Nazis.[218] By that point, the party had all but abandoned the social policy interests of the working class as it tried to use the last shreds of the Weimar Republic as a shield against the radical right.[219]

The Social Democratic Party has sometimes been held responsible--if any party can be held responsible--for the assumption of power by the Nazi Party. A brief recounting of the party's possible failings and mistakes can, in fact, double as a description of the nature of Weimar politics in general. For one thing, the party has been accused of "not taking seriously enough the threat posed by anti-Semitism" and even, on rare occasions, permitting "anti-Semitic stereotypes to creep into…their entertainment magazines." Anti-Semitism had been endemic to German society since at least the late nineteenth century but it only became politically pathological when combined with German nationalism, particularly the rightist fixation on the German race, people, and nation after World War I. So this charge should be widened to encompass volkisch nationalism generally. The problem for the Social Democrats is that their involvement in the making of the peace at Versailles fatally compromised their nationalist standing. They could make plausible and, with hindsight, utterly convincing arguments why nationalist policies, ambitions, and ideologies were problematic but they could not offer an alternative conception of identity to a nation prostrated and humiliated by foreign military power. Thus the pragmatism with which they approached the Allies undercut their nationalist credentials from the very beginning of the Weimar Republic. Against this backdrop, the SDP's failure to directly confront anti-Semitism was clearly secondary to the party's inability to reconcile democracy and nationalism during the Weimar Republic…and the Allies, not the SDP, were directly and primarily responsible for that inability.

The party's formal commitment to Marxist principles might also be considered a mistake.[220] The SPD's strong support for parliamentary democracy raised many questions involving ideological consistency and made formal participation in a bourgeois government

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[218] Berger, Social Democracy, pp. 131-2. "If any one party deserved to be called the bulwark of democracy in the Weimar Republic, it was the Social Democrats." Evans, Coming of the Third Reich, p. 89.

[219] In attempting to explain its support for the Bruning cabinet to party members, the SPD said: "We fight for this state…because we know that the moment the black-red-gold flag [of the republic] sinks, the red flag of socialism will fall along with it. It must be clear…that the republic and the working class are bound together for life and death." Childers, Nazi Voter, p. 251. Backing Bruning meant that the SPD had to tolerate rule by presidential decree under Article 48 of the Weimar Constitution. P. 192. Also see Berger, Social Democracy, p. 130.

[220] Berger, Social Democracy, pp. 102, 118; Brustein, The Logic of Evil, pp. 112-3.

running a capitalist economy at least awkward.  However, the Social Democrats probably had no clear alternative.  If they abandoned Marxism and became a left-liberal party, their electoral base in the industrial working class would have been easy prey for the German Communist Party.  If they instead pursued a more radical strategy and condemned capitalist democracy, the party would not have been able to support democratic alternatives to the radical right and may even have invited military repression.  From that perspective, the SPD's formal commitment to Marxism and practical support for democracy squared a circle that made the Weimar Republic viable.  This, too, was not a failing that brought the Republic to ruin.

As a governing party, the SPD was directly responsible for creating several precedents that, while well-intentioned, were later cited by the Nazi Party once Hitler took power.  One of them, use of Article 48 of the Constitution, has already been mentioned.  The other was the creation in 1922 of a special court, appointed by the president, for the prosecution and punishment of right-wing violence.  This legislation had a number of nasty features that reappeared after 1933, including a provision that gave retroactive legitimacy to summary executions.  Furthermore, the special court turned out to be ineffective in achieving its central purpose (which was to remove trials of right-wing defendants from a German judicial system that was unwilling to aggressively prosecute them).  While use of Article 48 and the creation of this court might be considered mistakes, they did recognize two facts of German politics that made life difficult for the democratic left and, thus, for the Weimar Republic.  One was the problem of reconciling the demands of the Allies under the Versailles Treaty with German public opinion in a deeply divided multi-party system.  The other was the consistently hostile attitude of the German military and judiciary to the Republic itself.  That attitude favored severe repression of leftist violence while more or less tolerating rightist brutality.[221]  In fact, much of the violence committed by the right simply went unpunished.  Finally, there should be at least some doubt that the Nazis crucially relied on these precedents when they transformed the Weimar Republic into the Third Reich.

The Social Democrats have also been accused of losing "touch with political reality" when the party strongly supported Hindenburg over Adolf Hitler in the 1932 presidential election.  While it is certainly the case that the SDP thus backed a candidate who was both generally hostile to the Republic and particularly antithetic to their party and the working class generally, by that point there was simply no alternative candidate who could have blocked a Nazi

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[221] Evans, Coming of the Third Reich, pp. 134-135; Bracher, German Dictatorship, pp. 110-1.  The increasing aristocratic composition of the officer corps during the Weimar Republic made the army even more hostile to parliamentary democracy over time.  Warren B. Morris, Jr., The Weimar Republic and Nazi Germany (Chicago: Nelson-Hall, 1982), p. 79.

assumption of power.[222]  If the Social Democrats had abstained, Hitler would have probably won handily.[223]  Such criticism naturally raises the question of whether and when the Social Democrats should have resorted to extra-parliamentary measures such as a general strike or armed resistance.  If there was a point at which these tactics might have forestalled or prevented a Nazi takeover, that point was long gone by the 1930s.  The Iron Front, the paramilitary units led by the SDP, were simply no match for Nazi brownshirts or the right-wing Steel Helmets.[224]  And the German Army, even under Versailles restrictions on size, would also have come in on the side of the right.  Civil war was thus a losing proposition for the Social Democrats who, in any case, had little stomach for blood-letting.[225]

If a party can be held responsible for the Nazi assumption of power, it was not the Social Democratic party.  The Zentrum and the German Democratic Party cannot be held responsible either.  The German Communist Party, however, is certainly a contender for this dubious honor.  Founded in December 1918 by Rosa Luxemburg and Karl Liebknecht, the Communist Party (Kommunistische Partei Deutschlands or KPD) advocated a "dictatorship of the proletariat" modeled upon Bolshevik Soviets that would abolish capitalism.  For Communists, parliamentary democracy was neither a means nor an end; it was a bourgeois deception.  Election campaigns

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[222] In endorsing Hindenburg, Vorwarts, the official SPD newspaper, urged the party faithful to vote for the lesser of two evils, "And if you don't do it out of love, do it out of hate [for the] Fascists."  Anna von der Goltz, Hindenburg: Power, Myth, and the Rise of the Nazis (New York: Oxford University Press, 2009), p. 162.

[223] As Erich Eyck put it: "…even the most dubious of men had to admit that Hindenburg's candidacy had been the only thing that kept Hitler from being elected President of Germany in 1932."  History of the Weimar Republic, Vol. 2, p. 360.

[224] Created in 1924 by the Zentrum, DDP, and Social Democrats, the Reichsbanner became the largest paramilitary organization in Weimar Germany.  However, even after its transformation into the Iron Front, it was no match for its right-wing counterparts.  Wette, "Ideology, Propaganda, and Internal Politics", pp. 62-3.  One of the largest of the right-wing paramilitary organizations was the Stahlhelm (Steel Helmet) which had enrolled over a million men by 1927.  The Reichsbanner had more members but the Stahlhelm, the largest of Germany's veterans' organizations, was both better trained as a fighting organization and enjoyed much stronger ties to the German military.  Morris, Weimar Republic, pp. 79-80.

[225] At the last SPD conference on June 19, 1933, one of the party leaders who had argued against civil war painfully admitted that he now regretted his decision: "It is gruesome, when I think of it today, what blood I thought had to be avoided in July 1932…I could not justify what, in my opinion, would have been needlessly spent blood of our followers.  Now I have to tell you, nothing was avoided thereby.  Now it will be an ocean of blood and tears.  From this enemy no mercy is to be expected.  I cannot do much more.  But you have to do what your conscience dictates.  It is worth the effort."  This was three days before Hitler banned the Social Democratic Party.  On the heavy odds that the SPD would have faced if it had chosen to revolt, see, for example, Hamilton, Who Voted for Hitler?, pp. 280-1.  Evans refers to each of the Social Democratic failings or mistakes discussed in the text but often qualifies them in one way or another.  Evans, Coming of the Third Reich, pp. 29-30, 88-9, 137, 255, 276, 279, 286-7, 319, 320-1, 361.  Evans also observes that the SDP only reluctantly adopted emotionally arousing electoral tactics that the Nazis had perfected long before them.  "If the Social Democrats were to have stood any chance of beating the Nazis at their own game [involving the use of symbols, formulaic greetings, party salutes, and impassioned political slogans], they should have started earlier."  P. 291 (also see p. 289-90 and Jost Dulffer, Nazi Germany, 1933-1945: Faith and Annihilation (London: Arnold, 1996), p. 21; Berger, Social Democracy, pp. 132-3).

were merely opportunities for proselytization in which success was measured in ideological conversions instead of votes.[226]

The primary focus of party activity was on preparations for the working class revolution that Communist doctrine considered imminent. The first revolutionary attempt to found a Soviet-style state began in Berlin on January 6, 1919, just days before the Constituent Assembly was scheduled to convene. That uprising was put down by workers aligned with the SPD and the Freikorps, a right-wing paramilitary organization. The second attempt was initially led by "bohemian intellectuals" who proclaimed a Bavarian Soviet Republic in Munich in April. The Communists rather belatedly joined this revolt but it, too, was put down by the Freikorps. The third attempt occurred when the Communists organized a "Red Army" in the Ruhr as a response to a right-wing putsch. The German Army suppressed the Communists in this uprising. The Communists rose up a fourth time in March, 1921, only to be put down again by the army with help from the police. The last attempt to create a Soviet-style state occurred in Hamburg in 1923 and became "the fifth revolutionary disaster since the founding of the party."[227] After 1923, the Communists continued to organize but they did not directly challenge the German state.

Given this revolutionary activity and the uncompromising urgency of party doctrine, no one underestimated Communist hostility to the Weimar Republic. As a result, the KPD became an ominous specter that haunted both the democratic center and the far right.[228] Although each uprising clearly demonstrated the impotence of the Communist movement, both in terms of the small number of followers fully committed to a revolutionary experiment and an inability to strategically exploit political opportunity, middle class imagination increasingly viewed the Marxist left as the major threat to political stability and thus focused on those parties that promised the most effective response to that threat. In the competition to attract those middle class voters frightened by the Communist spectacle, the democratic center was fatally hamstrung by its devotion to civil liberty and legal formalism.

Thus one of the most important effects of Communist doctrine was to encourage a kind of revolutionary adventurism that almost inevitably strengthened the far right in electoral politics. The primary beneficiary, eventually, was the Nazi Party. This adventurism was, of course, further encouraged by the revolutionary success of the Soviet Union which provided a model for the German Communist Party. But the Soviet Union became more than a model as the KPD increasingly fell under the spell and, thus, the control of the Comintern. Once that

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[226] Berger, Social Democracy, p. 97; Evans, Coming of the Third Reich, p. 57. For an overview of the class composition of KPD membership, see Conan Fischer, The German Communists and the Rise of Nazism (New York: St. Martin's, 1991), pp. 129-32.

[227] Hamilton, Who Voted for Hitler?, pp. 288-97. On the Freikorps, see Payne, History of Fascism, p. 161.

[228] Hamilton, Who Voted for Hitler?, p. 299.

occurred, the KPD became a creature of Moscow and was no longer an autonomous political party. Under the Comintern's direction, the KPD systematically downplayed the gravity of the Nazi threat. Viewing the Nazi Party as "simply a manifestation of the final crisis of monopoly capitalism," the KPD focused its attention on its primary competitor for worker allegiance, the Social Democratic Party.[229]

In 1929, the KPD initiated a new doctrinal concept, "social fascism," which interpreted the mechanization and organizational consolidation of industry as a strategy for the maximization of monopoly profits. The collateral effects of this strategy included widespread unemployment and a major crisis for the capitalist system. But the KPD alleged that the most politically important consequence was the creation of a privileged labor aristocracy that aligned itself with the capitalist order against the proletariat. This aristocracy was represented in the workplace by labor unions affiliated with the Social Democratic Party which also defended their interests (and therefore the interests of the capitalist class) in politics. The SPD thus became "the vanguard of fascism" and the most important enemy of the proletariat. In the 1930 election, the KPD warned workers that they had to choose between a "Fascist Dictatorship or proletarian dictatorship…Fascism or bolshevism." Contending that "the Nazis…cannot govern without the help of the SPD," the Communists claimed these two fascist parties were tacitly cooperating in an effort to "hold back the masses" through promulgation of "an anti-capitalist demagogy." The SPD was thus conflated with the Nazi Party in a way that made cooperation between the two working-class parties utterly impossible.[230]

The German Communist Party was probably not in a position to choose whether or not to cooperate with the Social Democrats. Both Marxist doctrine and the captivating success of the Bolshevik revolution tied the party to the Soviet Union in a way that made autonomous action in German domestic politics almost inconceivable.[231] But the Soviet Union and, in particular, Stalin could have chosen to target the Nazi Party, instead of the SPD, as the primary threat. Whether that would have prevented Hitler's assumption of power is questionable but at least a united working class front would have increased the probability. As things stood, it is difficult to

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[229] However, Stalin had read a Russian translation of <u>Mein Kampf</u> and was well aware of the gravity of the Nazi threat to the Soviet Union in the short run. Wette, "Ideology, Propaganda, and Internal Politics", p. 22. Because he expected the Nazi regime to fail, Stalin sought to buy time by continuing cooperation between the German and Soviet armies and tolerating without protest the destruction of the German Communist Party. Bracher, <u>German Dictatorship</u>, p. 198. Also see Wette, "Ideology, Propaganda, and Internal Politics", pp. 72, 75-7; Evans, <u>Coming of the Third Reich</u>, pp. 242-3, 314, 326-7.

[230] Childers, <u>Nazi Voter</u>, pp. 181-3; Fischer, <u>German Communists</u>, 102-11, 164; Berger, <u>Social Democracy</u>, pp. 105, 111. One of the reasons tarring the Social Democrats with "social fascism" was an attractive strategy was the fact that, as Berger notes, some four out of every five KPD members was unemployed. P. 109.

[231] Evans, <u>Coming of the Third Reich</u>, pp. 93-94. Comintern domination of the KPD also weakened the party's appeal among German workers. Brustein, <u>The Logic of Evil</u>, pp. 136-7.

conceive of a plausible Communist strategy that would have strengthened Nazi prospects more than the one the KPD actually adopted.

Sharing responsibility for the Nazi takeover were the conservative parties on the right wing of the political spectrum. One of these, the German People's Party, was too small to have much of an impact. Just after the end of World War I, the German People's Party (Deutsche Volkspartei or DVP) and the German Democratic Party had considered a merger. As the two most bourgeois, liberal parties, they shared a middle class constituency and a combination seemed natural. However, they went their separate ways with the more conservative DVP publicly favoring a constitutional monarchy and otherwise more closely aligning itself with the interests of big business. Drawing around ten percent of the vote in the early years of the Weimar Republic, the DVP was led by Gustav Stresemann who almost single-handedly kept the party within the democratic center. When he died in 1929, the German People's Party moved to the right, became openly hostile to Weimar Republic, and declined into irrelevance as the Nazi Party absorbed most of its constituency.[232] By that time, whatever strategy the party might have chosen would not have made any difference.

While the German People's Party might be exonerated because its mistakes were made when it had become irrelevant, the same is not true of the much larger German Nationalist People's Party (Deutschnationale Volkspartei or DNVP). Created in November 1918 through an amalgamation of conservative parties, the DNVP inherited the core principles and interests of the traditional Prussian aristocracy. These included the landed elite's contempt for democracy, bourgeois modernism, social equality, and pacifism, on the one hand, and a deep, reflexive respect for noble birth, military bearing, national identity, and the reserved manners of old wealth, on the other. The DNVP drew support from the same groups that had previously backed the Kaiser: the Prussian landed elite, the military, high civil servants, and those who controlled heavy industrial corporations. In elections, these elements were complemented by large sections of the Lutheran Church and its congregants and agrarian proprietors generally. Regionally, the Nationalists were particularly strong in East Prussia where their elite base primarily resided.

The Nationalists did consent, on occasion, to participate in parliamentary coalitions with the bourgeois parties. But the Marxist commitments of the SPD and their working class constituency made even the most tentative political cooperation impossible. Although President Hindenburg was not formally identified with any party, there was never any doubt that his Prussian estate, noble birth, and high military rank made the Nationalists his natural home. While the Nationalists occasionally toyed with the idea of abandoning the Weimar Republic by turning Germany into a constitutional monarchy, the most feasible alternative was an

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[232] Childers, Nazi Voter, pp. 38, 137; Hamilton, Who Voted for Hitler?, pp. 31, 240-2; Wette, "Ideology, Propaganda, and Internal Politics", p. 54; Brustein, The Logic of Evil, pp. 34-5; Evans, Coming of the Third Reich, pp. 95-96.

authoritarian regime backed by the German military.  Towards the end of the Weimar Republic, this option was constantly on the table as Hindenburg tried to find a solution to increasing political instability.[233]

The Nationalists paved the way for the Nazi rise to power on two levels.  One was on the plane of party ideology which will be briefly discussed here.  The other occurred during the actual moment of Hitler's ascension to the chancellorship and will be discussed later.  In terms of party ideology, there were five primary points at which Nazi and Nationalist understandings of politics met: the construction of nationalism and national interest; the unifying role of volkisch cultural identity; anti-Semitism as an organizing principle of state and society; the identification of "Bolshevism" as the primary enemy of the German people and nation; and the necessity of strong, authoritarian leadership.  On these things there was enough general agreement between the two parties that most voters had trouble distinguishing between them.  Although the Nationalists nonetheless attempted to draw advantageous distinctions between their positions and those of the Nazi Party, that effort failed for several reasons.  For one thing, the Nazis possessed a much more effective propaganda machine and, in Hitler, an unmatched spell-binding orator.  Both the machine and the orator presented a moving target that was extremely difficult to pin down when the Nationalists attempted to start a serious debate over policy issues.  Far more ominously, the Nationalists vastly underestimated the gravity of the Nazi threat.  The elite leadership of the DNVP thought they could control the plebian (although largely middle class) masses arrayed behind the Nazi Party by overawing or out-maneuvering Hitler who, they believed, was merely an popular politician of little sophistication and pliable principles.[234]

With respect to the construction of nationalism and national interest, the Nationalists and the Nazi Party agreed on three essential principles: overthrow of the conditions imposed on Germany by the Versailles peace settlement; recovery of German lands lost in that settlement and a general unification of all German communities within the German nation (e.g., the absorption of Austria); and the military conquest of "living space" in Eastern Europe for the expansion of the German people.  While neither party specifically identified which nations

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[233] Childers, Nazi Voter, pp. 40-1, 74; Hamilton, Who Voted for Hitler?, pp. 20-1, 31, 233; Evans, Coming of the Third Reich, pp. 20, 94-95.

[234] However, Michael Kater notes that many "academics and well-educated professionals" joined the NSDAP when it was first formed because Nazi pageantry, symbolism, and rhetoric had "a certain esthetic appeal for the intellectual, an appeal that was as much grounded in his hatred of what were considered the vulgarities of Bolshevism as in his contempt for late nineteenth-century bourgeois liberalism, which he looked upon as degenerate. Many…delighted in the unsophisticated behavior of Adolf Hitler and his cronies and thought it fashionable to identify themselves with such earthy ways."  After 1924, however, most intellectuals "found it difficult to associate with a party that so openly despised them and insulted their sensibilities."  The Nazi Party: A Social Profile of Members and Leaders, 1919-1945 (Cambridge, Mass.: Harvard University Press, 1983), pp. 29, 47-8.

would be compelled to make room for German settlers, Poland was an obvious target.[235]  The only real difference between the two parties was the aggressiveness with which they intended to pursue these goals and even there the difference was, to all appearances and representations, slight.

Underlying the strong nationalist orientation of both parties was an organic conception of the German people as a race and nation.[236]  This conception emerged out of volkisch culture and its premise that authentic German values and identities must be cultivated by resisting the cosmopolitan influence of the nation's largest cities where foreign ideas and peoples had diverted the volk from their own cultural traditions.[237]  Originating in nineteenth century, volkisch beliefs and orientations had deeply penetrated popular culture by the 1920s.  Trench warfare during World War I further popularized volkisch beliefs through the "myth of the war experience," a mystification of combat and self-sacrifice that claimed that a "sacred union" had been forged between those who had fought for the German nation.  Violence, military discipline, obedience to command, and nationalism were thus bound up with German nationalism in a way that made authoritarian leadership a natural implication.[238]  In politics, these beliefs and orientations fit neatly with the rural, agrarian base and strong military traditions of the Nationalist Party.  In all these things, there was little difference between the Nationalists and the Nazis.

The Nationalists, however, stressed the importance of Christian values, particularly those associated with the Protestant churches.[239]  The Nazis, on the other hand, were much more concerned with aligning religious worship with an authentic German spirit and sometimes

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[235] The Stahlhelm, for example, so blatantly displayed its intentions toward Poland that the French and the Poles lodged diplomatic protests with the German government.  Wette, "Ideology, Propaganda, and Internal Politics", p. 27.

[236] Following Stanley Payne, "organic" refers "to concepts of society in which its various sectors are held to bear a structured relationship to each other that serves to define and delimit their roles and rights, taking precedence over the identities and rights of individuals."  History of Fascism, p. 13n.

[237] The German term Volk neatly conflated the different elements that composed the object of nationalist feeling: "People, race, nation, ethnic stock."  From that perspective, volkisch was an adjective "Pertaining to the Volk (with racialist, mystical, and sentimental-traditionalist overtones); patriotic, nationalist."  Research Institute for Military History, ed's., Germany and the Second World War, p. xxvii.  Also see, Orlow, History of the Nazi Party, p. 19n.  Most German workers were not attracted to Volkisch beliefs, both because Marxist doctrine regarded those beliefs as rank superstition and because Volkisch tenets tended to reinforce the class hierarchy.  Mosse, Crisis of German Ideology, pp. 262-3.  On the reaction of the bourgeois middle class to radical cultural movements in art, literature, music, and sexual permissiveness, see Evans, Coming of the Third Reich, pp. 120-9.

[238] Payne, History of Fascism, pp. 161-3.  Also see Wette, "Ideology, Propaganda, and Internal Politics", pp. 15, 25-6.  On the importance of wartime experience in the trenches to Nazi party members, see Orlow, History of the Nazi Party, pp. 47-9, 88.

[239] Wette, "Ideology, Propaganda, and Internal Politics", pp. 41-2.

suggested a return to the ancient German gods.  For these Nazis, Judeo-Christian beliefs and moral philosophy were an alien intrusion into the natural spirituality of the German people.  The Nationalists condemned these suggestions as a "call for a return to the pagan cults of the old Germans.  They [the Nazis] reject the Bible as `un-volkisch' and speak of the heathen gods Wotan and Teut as the true symbols of volkisch cultural thought."[240]

Reinforcing volkisch understandings of the destiny of the German people was a broad and, at times, intense anti-Semitism that identified the German Jewish community as everything that the German people were not.[241]  In its political manifestations, anti-Semitism rested on three primary and apparently contradictory beliefs: that Jews composed the international network that directed the increasingly exploitative operations of advanced capitalism, both in the form of colossal industrial corporations and international financial institutions; that Jews were the theoreticians who had developed and refined Marxist doctrine both as a theoretical edifice and as an aggressive political movement; and that both of these projects (not too strong a word) threatened the identity and very survival of the German nation and, in more biological versions, the integrity of the Aryan race.[242]  The implications of this rejection of Jews and Judaism were made more urgent by charges that organized Jewry secretly or not so secretly dominated national and international politics.

In 1920, for example, the Nationalists urged a return to "Christian values and German family life" while insisting that the "ominous Jewish predominance in the government and public life…has increased steadily" since the creation of the Weimar Republic.  Four years later, the Nationalists attempted to bridge the class chasm in rural Germany by condemning the policy and cultural orientation of the democratic center:  "Whether estate owner or small peasant, both are threatened by the antiagrarian policies of the black-red-yellow parties…If you don't give your vote to the Nationalists, then you can't be surprised if the Jewish, consumer viewpoint wins the upper hand and leads to the ruin of agriculture."  In 1931, the DNVP similarly promised that the party would "resist the subversive, un-German spirit in all forms, whether it stems from Jewish or other circles.  We are emphatically opposed to the prevalence of Jewdom in the government and in public life, a prevalence that has emerged ever more continuously since the revolution."[243]

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[240] Childers, Nazi Voter, p. 115.  On the ancient and mystical elements in Volkisch and Nazi conceptions of the German racial community, see Mosse, Crisis of German Ideology, p. 90, 116-20.

[241] For an analysis of the increasing conflation of anti-Semitism, Social Darwinism, belief in the moral and biological superiority of the German race, and state-centered nationalism from the middle of the nineteenth to the early twentieth centuries, see Bracher, German Dictatorship, pp. 13-45.

[242] Bracher, German Dictatorship, p. 39.  Despite the apparent contradiction, Childers described "the linkage of Jews with both Marxism and capitalism [as] the ideological foundations of Nazi electoral strategy in 1924."  Nazi Voter, p. 106.

[243] Childers, Nazi Voter, pp. 41, 76. White-collar workers formally enrolled in unions aligned with the Nationalist Party were particularly receptive to Nazi appeals.  Pp. 89-90.  Also see Evans, Coming of the Third Reich, p. 95.

Even so, there was daylight between the racial beliefs held by the Nationalists and their ostensibly apolitical Stahlhelm allies, on the one hand, and the Nazis, on the other.[244]

Both parties connected Jews to the Communist menace, although the Nazis tended to depict this connection in more sinister terms and contended that Jewish direction of the Communist conspiracy was unequivocally hostile to the racial destiny of the German people. The two parties also diverged with respect to those workers who were attracted to the Communist Party. The Nationalists viewed German politics in class terms and more or less wrote off industrial workers as a lost cause. While the party tried to win working class votes by appealing to nationalist, religious, and traditional social values, especially deference to titled elites, Nationalists did not directly compete with the Communists on the latter's terms. While hostility between the KPD and the NSDAP was very real and doctrinally rooted among their respective party elites, the Nazis viewed German workers as full-fledged members of the German race, people, and nation and thus sought to change the way in which they viewed class relations.[245] Although the party vacillated in how these class relations were depicted, the Nazis were much more willing than the Nationalists to view corporate capitalism, especially the financial sector, as hostile to the general interests of the German people. This interpretation meant that Nazi rhetoric often resembled Communist slogans when describing the expression of

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[244] In 1924, the Stahlhelm leadership declared: "The Stahlhelm fights for the German Volk and therefore for the renewal of the Germanic race; it fights to strengthen German self-consciousness so that foreign racial influences will be eliminated from the nation." The Stahlhelm also distinguished between Aryans and Jews, regarding the latter as ineligible for German citizenship. In these things, the organization's ideology was virtually indistinguishable from Nazi doctrine. However, the Stahlhelm also believed that some Jews who had lived in Germany for several generations were acceptable as permanent residents and that a distinction should be drawn between "racism of blood and racism of spirit," rejecting the former and endorsing the latter. These more "moderate" attitudes led the Stahlhelm to regard the Nazis as dangerous racial fanatics. The organization's predilection for aristocratic rule cemented these differences. Mosse, Crisis of German Ideology, pp. 255-6. Sixty members of the Reichstag belonged to the Stahlhelm in 1928. Fifty-one of the sixty belonged to the DNVP. Wette, "Ideology, Propaganda, and Internal Politics", p. 24. Also see Payne, History of Fascism, p. 161. The German Youth Movement spurned the Nazis on very similar grounds, rejecting Hitler for "his vulgar tastes, his fanaticism, and his `proletarianization' of the party." P. 275. Also see, Kater, Nazi Party, p. 142.

[245] Although the Nazis never abandoned hope that they might be able to attract the support of the working class, their program held little appeal for most workers. For example, National Socialist hostility to the concept of an inevitable conflict of interest between capitalists and workers seemed out of step with the reality that industrial workers confronted in their daily lives. A corollary to their hostility to class conflict, opposition the formation of labor unions, was similarly off-putting. Then, too, Nazis were indifferent to labor strikes, the major tactical weapon in the working class arsenal. What the Nazis offered the worker in place of these things was an anti-Semitism that pitted the Aryan German worker against the "internationalist Jew." However, the "worker simply did not understand the Nazis' association of Semitism with high-volume capitalism and undue profit gains. He did not find himself in danger of seduction by international Jewry, whose representatives he did not even recognize, except, perhaps, for those at the helm of the unions, and the union leaders were generally trusted. The worker rarely read Jewish-controlled newspapers, and if he did, it was beyond his capabilities to determine in what sense they were `Jewish' and why, by virtue of that fact, they were `bad.' He could not visualize `Judas, the World's Enemy'…, who had supposedly been preying on the workers of Europe since the outbreak of the Great War." Kater, Nazi Party, pp. 20-2.

elite interests in German politics.[246]  Because both parties attempted to appeal to the working class and shared a common interest in the destruction of the Weimar Republic, there was a surprising amount of tactical cooperation between them.  And at the mass level there was both a great deal of fluidity in membership, some real collaboration in political action and strike activity, and even fraternization.  When the Nazis finally came to power, many ostensibly Communist workers even moved en masse into the National Socialist Party.[247]  All of these things were simply inconceivable as possibilities to the Nationalists.

When Alfred Hugenberg became party leader in 1928, the Nationalists became a much more authoritarian organization with both an ideational and practical affinity for the "leadership principle."[248]  The model for both Nationalists and President Hindenburg was Otto von Bismarck who, along with the Kaiser, ruled Germany for almost three decades in the late nineteenth century.  During that period, Bismarck unified the German states and then consolidated the new nation.  That achievement effectively attached nationalist sentiment to the concepts of strong personal leadership and martial spirit that became second nature to the Nationalist Party.[249]  While this favorable attitude toward strong-man rule was shared by the Nazis, the ideological basis was very different.  Where the Nationalists placed a strong leader within a consensus constructed and grounded within traditional elite beliefs and relations, the "Leader" contemplated in Nazi ideology was beholden to no one except the German race, people, and nation and, since he was the embodiment of those things, the "Leader" was effectively free of those things as well.

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[246] Fischer, German Communists, p. 194.

[247] In May, 1927, "Goebbels, in a phrase that the Communist leader, Ernst Thalmann, could not have bettered, described the Berlin police as `the pimp…of capitalism.'"  Orlow, History of the Nazi Party, p. 87.  On the similarity of Nazi and Communist rhetoric, see Fischer, German Communists, p. 106.  Childers reported that "Communist rhetoric" was so "stridently nationalist in tone and content…Vorwarts [the leading SPD newspaper] branded the KPD `more National Socialist than Hitler.'"  Childers, Nazi Voter, pp. 181-3.  On competition for working class support between the two parties, see Fischer, German Communists, pp. 129-30, 132, 146-7.  On the frequency with which individual workers switched membership between the two parties, see Fischer, German Communists, pp. 131, 137; Kater, Nazi Party, pp. 53-4.  Kater also noted that turnover in the Nazi Party membership was very high generally (p. 34).  On turnover among Nazi storm troopers, see Richard Bessel, Political Violence and the Rise of Nazism: The Storm Troopers in Eastern Germany, 1925-1934 (New Haven, Conn.: Yale University Press, 1984), p. 47.  On strike cooperation between the National Socialists and Communists, see Eyck, History of the Weimar Republic, Vol. 2, pp. 186, 433; Morris, Weimar Republic, p. 175.  On tactical political collaboration, see Fischer, German Communists, pp. 148, 189.  On the movement of Communist workers into Nazi ranks after Hitler assumed power, see Fischer, German Communists, p. 191.  On violence between Communist and Nazi paramilitary organizations, see Fischer, German Communists, pp. 148-153; Payne, History of Fascism, p. 170; Brustein, The Logic of Evil, p. 170; Bessel, Political Violence and the Rise of Nazism, pp. 76-7.

[248] Payne, History of Fascism, p. 163; Evans, Coming of the Third Reich, p. 95.

[249] Evans, Coming of the Third Reich, p. 13.

There were three primary differences between traditional conservatism and Nazi principles in that the former (a) emphasized Christianity as the foundation of the German state, (b) held that the state should respect the rule of law, and (c) viewed military or civil service to the state as "a noble duty inherent in citizenship." However, conservatives also "tended to endow the state with the character of a super-individual personality, the nature of which could not be explained in terms of a mere covenant of the citizens." For their part, the Nazis elevated the "community of the people" so that it became an "ultimate ethical value" contradicting and largely supplanting Christian belief. In addition, the identification of the Leader with the German people made the rule of law unnecessary and largely irrelevant since the popular will flawlessly operated through the Leader's commands.[250] Finally, the primacy of the Nazi Party as an extension of the Leader's personality reduced state service to a secondary role.[251] These were important differences but they were mostly matters of degree, not open contradictions, before Hitler took power and transformed them into practice.

The Nationalist Party adopted ever more extreme positions as it competed with a surging Nazi Party in the electoral arena after 1928.[252] Even as it moved to the right, however, the DNVP still regarded the Nazis as a young and vigorous upstart, certainly not yet ready to rule the nation but nonetheless a mobilizing force in German politics that could reach constituencies that were immune to the rather staid appeals of aloof Nationalist elites. While their campaign rhetoric converged, the Nationalists distinguished between what must be said in political combat from what must be done as state policy. And they assumed that Hitler and the Nazi Party were guided by the same principle. Little did they imagine that it was the stump rhetoric that the Nazis were carefully moderating because their intentions with respect to state policy were too extreme for public discussion. So Nationalist campaign positions were probably more extreme than what they would have done had they ruled the state and Nazi rhetoric was more moderate than their real intentions. As a result, they ended up in about the same place from the perspective

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[250] The most important theorist of this relationship between the Leader and the will of the German race, people, and nation was Carl Schmitt who, as paraphrased by George Mosse, proposed that "the leader, the corporations, and, indeed, the whole Volk participated in a mystical racial unity that engendered identical attitudes and values. The common denominator [of this unity was] the Aryan race." Crisis of German Ideology, p. 285.

[251] Heberle, From Democracy to Nazism, pp. 15-20. For conservative nationalists, "the concept of the unity of will of the State, i.e., the concept of the legal personality of the State," was nothing more than an enabling juristic "fiction which we must accept for the better understanding of our legal order." In one of the more unfortunate projections of Germany's future development, they believed that this concept was not "likely to serve as a basis for the glorification of the State" because it was nothing more than "an auxiliary construction" intentionally designed by jurists and thus "our own creature." Mattern, Principles of the Constitutional Jurisprudence, p. 102. Parts of the cited passages were taken by Mattern from Julius Hatschek, Deutsches und preussisches Staatsrecht… (Berlin, G. Stilke, 1922-1923), Vol. I, pp. 3-4.

[252] Childers, Nazi Voter, p. 190.

of individual voter.[253]  This perceived similarity was strongly reinforced by open Nationalist hostility to the Weimar Republic that often led the DNVP to propose authoritarian alternatives to parliamentary democracy.[254]

[Table One about here]

The electoral history of the Weimar Republic was dominated by two related trends.  On the one hand, there was the remarkable rise of the Nazi Party that almost literally exploded in size after the onset of the Great Depression (see Table One).  On the other hand, there was the concomitant decline of the bourgeois parties of the right and center (the DNVP, DVP, DDP, and most of the splinter groups).  Although close analysis of the election returns suggests that the Nazis drew votes from all class fractions in German society, the major element driving party expansion was the consolidation of elite and bourgeois sectors under Nazi leadership.[255]  The Zentrum, with its similar construction of politics as a communal expression of the Catholic faithful, was relatively untouched by the National Socialist expansion.  So were the working class parties of the left, although there the Social Democrats were slowly losing ground to the implacably radical Communist Party.[256]  As a result of this growing polarization between the bourgeois middle class and radicalized workers, the Nazi and Communist Parties drew more than half of all votes cast in the Reichstag election in July, 1932, and together held a majority of the seats in the Reichstag.  Since both parties were firmly committed to the destruction of the Weimar Republic (and, for that matter, each other), it was not possible to cobble together a parliamentary majority that might have abided by democratic practice and norms.  By that point,

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[253] Hamilton, Who Voted for Hitler?, pp. 26, 150-1.

[254] Wette, "Ideology, Propaganda, and Internal Politics", pp. 23, 28.  The quasi-authoritarian governments that ruled Germany prior to Hitler's assumption of power did not view the Nazis as a benign competitor.  In December, 1931, for example, Chancellor Heinrich Bruning warned the nation that: "Although the leader of the National Socialists has emphasized the legal methods and goals of his political intentions, nevertheless one cannot ignore the sharp contrast to these assurances provided by the violent assertions of no less responsible leaders of this same party who continue to incite Germans to senseless civil war and to diplomatic follies.  When one declares that one intends to break down legal barriers once one has come to power in legal ways, then one is no longer observing legality, particularly if clandestine plans are simultaneously being made for revenge."  Eyck, History of the Weimar Republic, Vol. 2, p. 341.

[255] Childers, Nazi Voter, p. 178.  On the decline of the DNVP after 1928, see p. 133.  On the cross-class appeal of the Nazi Party, see Evans, Coming of the Third Reich, p. 9; Dulffer, Nazi Germany, p. 10.

[256] On the relative indifference of Catholic and working class voters to the Nazi Party, see Dulffer, Nazi Germany, p. 11; Evans, Coming of the Third Reich, pp. 262-3.

there was little or no hope of resurrecting a stable foundation for Weimar democracy even if President Hindenburg and his advisers had wanted to make that a project.[257]

Tactics, Strategy, and Ideology of the Nazi Party

Electoral competition in the Weimar Republic was primarily based on occupation and the particular economic interests associated with occupation. All parts of the political spectrum, including the Nazis and the Communists, thus crafted narrowly-framed positions that were intended to appeal to specific occupations and economic sectors in German society. While there were other narrowly-framed appeals to religious affiliation, women, and youth, a party's strength usually rested on the material concerns of the occupational and class characteristics of its clientele.[258] Within this highly fragmented party system, there were, however, broad class categories that shaped much of the perception of both parties and voter. Most Germans, for example, belonged to what has been described as the "lower class" composed of workers, peasants, and others possessing little wealth and income (see Chart Six). In addition to the 55 percent of the population in this class, another 43 percent resided in the various strata of the "middle class," including white-collar workers, small proprietors, land-owning farmers, and those who lived modestly off their investments or property holdings. The very small remainder composed the nation's elite: titled nobility, the owners and directors of large corporations, the professoriate in major universities, and the highest rungs of the state bureaucracy.[259] The National Socialist Party performed least well among industrial workers in Germany's largest cities. However, skilled workers were significantly more likely to vote for the National Socialists and become active party members than were unskilled laborers.[260]

[Chart Six about here]

Within the vast and varied German middle class, Nazi support was particularly strong among the proprietors of small businesses, small farmers, shopkeepers who had difficulty

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[257] "After 20 July 1932 the only realistic alternatives were [1] a Nazi dictatorship or [2] a conservative, authoritarian regime backed by the army." Evans, Coming of the Third Reich, p. 287. Also see Childers, Nazi Voter, p. 208. On the erosion of electoral support for the parties that had created the Weimar Republic, see Morris, Weimar Republic, p. 81. On the growth of anti-democratic parties, see Evans, Coming of the Third Reich, pp. 93-4, 96.

[258] Childers, Nazi Voter, p. 10.

[259] These figures are the result of a very careful explication of the class structure in Germany between the wars by Kater, Nazi Party, p. 12. On the construction and interpretation of class categories, see pp. 2-3, 6-12.

[260] Kater, Nazi Party, pp. 22-3, 35-6; Childers, Nazi Voter, p. 257. On elements of the Nazi program that appealed to workers, see page 246.

competing with large department stores, craftsmen, the lower ranks of white-collar workers, pensioners, and those of modest means who primarily lived on income generated by their financial assets and real estate holdings.[261]  As Karl Bracher noted, this middle class orientation extended to the composition of the 107 Nazis elected to the Reichstage in 1930, "sixteen [of whom] had a commercial, handicraft, or industrial background; twenty-five were employees; thirteen were teachers; twelve, civil servants; fifteen, party functionaries; eight, ex-officers; twelve, farmers; one, a clergyman, and one, a pharmacist."  By 1932, 230 National Socialist delegates now included "fifty-five employees or workers, fifty farmers, forty-three from business, handicraft, and industry, twenty-nine party functionaries, twenty civil servants, twelve teachers, and nine ex-officers."[262]

However, Nazi strength within the German middle class varied in two obliquely-related ways: the party was much stronger in rural communities than it was in large cities and the Nazis polled much better among Protestants than Catholics.  Within Germany's largest cities, moreover, the Nazi vote was significantly correlated with class: elite neighborhoods gave the party its best showing, followed by middle class areas with working-class quarters bringing up the rear.[263]  Within the German elite, university professors and upper-class students were particularly drawn to the Nazi Party.  In fact, so many students joined the National Socialists that German universities became one of the primary bastions of Nazi strength and influence.  While one of the attractions for students was sponsorship of athletic and martial organizations, Nazi anti-Semitism also "blended smoothly with the tradition of Jew-baiting" in "university seminars and student fraternities."[264]

Despite their often virulent anti-Semitism, civil servants occupying the higher rungs of the government bureaucracy were not particularly attracted to the Nazi Party.  They were much more comfortable with the more traditional and aristocratic DNVP and only moved toward the Nazis fairly late in the life of the Weimar Republic.  Just prior to the Nazi takeover, about ten percent of "all German civil servants" had joined the party.[265]  While many upper-class and elite

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[261] Kater, Nazi Party, pp. 26-7, 39, 42-4, 229; Childers, Nazi Voter, pp. 159, 166, 264-6, 277; Bracher, German Dictatorship, p. 152; Evans, Coming of the Third Reich, p. 264.  For critical reviews of the literature identifying those portions of German society that voted for the National Socialists, see Hamilton, Who Voted for Hitler?, pp. 9-36; Brustein, The Logic of Evil, pp. 2-9.  Also see Childers, Nazi Voter, p. 4.

[262] German Dictatorship, pp. 152, 183.

[263] Hamilton, Who Voted for Hitler?, pp. 37-8, 40-1, 50, 90-1, 121, 421; Dulffer, Nazi Germany, p. 11.

[264] Kater, Nazi Party, pp. 27-30, 69.  Kater suggested that "[h]alf of the entire German student body may have joined the Nazis by 1930."  P. 44.  Also see Wette, "Ideology, Propaganda, and Internal Politics", pp. 37-8, 40.

[265] Kater, Nazi Party, pp. 29-30, 48-9, 59, 69-70; Childers, Nazi Voter, pp. 172, 229.  Even as late as 1932, the Nazis did not make many explicit appeals to civil servants as potential voting bloc (pp. 238-9).

sympathizers supported the Nazis without formally joining the party, open affiliation increased significantly in the period just before the Nazi takeover.[266]

The Nazi Party came to power by combining opportunistic electoral tactics, strategic combinations with established traditional elites, and the construction of an encompassing ideology that bound increasing numbers of Germans to the charismatic leadership of Adolf Hitler. As an electoral organization, the National Socialist Party was very decentralized and most campaign material reflected the local context of political competition and differences in the composition of the electorate. There was a quite a bit of trial and error as the party adjusted its message "in the light of reports received from the field."[267] In the 1924 election, for example, the National Socialist Party offered the worker "surprisingly specific…social and economic" reforms such as "the restoration of the eight-hour day…giving labor a voice in the formulation and conduct of company policy as well as a profit-sharing scheme carrying the weight of law. The party also favored action to prohibit the hiring of women and juveniles in large plants."[268]

As an appeal to farmers in 1930, Hitler crafted an "official party proclamation" that placed specific policy proposals within the broader context of what had become the Nazi vision for rejuvenating the German nation.[269] Within that vision, agriculture was described as playing a (if not the) central role because increasing agricultural production would enable the German people to feed "ourselves from our own land and soil." Agricultural self-sufficiency would create a more prosperous rural economy that, in turn, would provide a home market for German industry, reduce dependence on exports, and enhance the German peasantry's natural role as the "mainstay of the people's health," as well as "the nation's fount of youth and the backbone of its

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[266] On upper-class and elite membership in the Nationalist Socialist Party, see Kater, Nazi Party, pp. 28, 62-3. On differences between the characteristics of Nazi party membership and electoral support by voters, particularly the underrepresentation of civil servants as enrolled members compared to the votes they gave the party, see Childers, Nazi Voter, p. 12. On the growth of Nazi Party membership, see Dulffer, Nazi Germany, pp. 9-10.

[267] Hamilton, Who Voted for Hitler?, p. 421.

[268] Childers, Nazi Voter, pp. 110-1 and, more generally, p. 175. For a broad discussion of Nazi programmatic appeals that emphasizes their opportunistic qualities, see Bracher, German Dictatorship, pp. 144-6.

[269] Many scholars have cited the ambiguities, inconsistencies, and generalities of Nazi electoral appeals as evidence that the party did not have a clearly defined program or, in a stronger formulation, did not know what policies a Nazi state would adopt if it came to power. The question is not whether the Nazis had an over-arching socio-economic program or whether the particularities of that program appealed to some groups (because of their material interests) more than others but whether the overarching program was designed solely or even primarily for the purpose of appealing to such interests. For example, the Nazi proposal to resettle the German peasantry on farms in the East (e.g., Poland) certainly appealed to the narrow material interests of landless or otherwise impoverished farmers but the proposal itself was a primary element in the larger project of realizing the proper destiny of the German race (lebensraum) along with the slightly less broad goal of lessening German dependence on the importation of food (autarky) and thus freeing the German nation from economic constraints as it pursued that destiny.

military strength" in the coming struggle for living space.[270]  The party's policy positions thus mixed specific commitments that promised narrow benefits to particular sectors of the German electorate with broad ideological goals that subordinated those sectors to what the party (and many ordinary Germans) believed to be the historical destiny of the German race, people, and nation.[271]  Richard Hamilton, for example, maintained that the primary election themes driving the expansion of the National Socialist Party were "debt relief in the countryside and anti-Marxism in the cities."  While "there was a persistent focus on the Jews with their supposedly deleterious effect on German culture and institutions," anti-Semitism was distinctly secondary to the central focus on economic survival of small farmers and class conflict in large cities.[272]

Before the Great Depression, the Nazis were just one of many splinter parties attempting to exploit popular hostility to the Weimar Republic, an almost irrelevant afterthought among the many extremist parties arrayed to the right of the DNVP.  Because the party was weak and because Nazis often expressed an ambivalent attitude toward corporate capitalism (in the vernacular, "big business"), industrial leaders did not embrace the National Socialist Party until a few months before Hitler assumed power.[273]  The tension between the particular positions assumed by the Nazi Party and its ideological commitments presented a similar problem for industrialists, devout Christians, and landed nobility.  As can be seen in this summary of their content, the party program adopted in 1920 was quite uncompromising.

> The Nazi programme, dated 24th February, 1920, contained twenty-five
> points, of which the main were: the ideal of Greater Germany and of
> free self-determination for the German people, entailing the abolition
> of the treaties of Versailles and Saint-Germain, full equality of
> Germany with other nations, and the return of the former German
> colonies; a racially regenerated Germany free from Jewish influence; a

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[270] Hans-Erich Volkmann, "The National Socialist Economy in Preparation for War," in Research Institute for Military History, ed's., Germany and the Second World War (Oxford: Clarendon Press, 1990), Vol. I: "The Build-up of German Aggression," trans. P.S. Falla, Dean S. McMurry, Ewald Osers, p. 191.  On the central place of rural peasantry in Nazi ideation, see p. 190.  Also see Evans, Coming of the Third Reich, p. 435.  For examples of the practicality and material specificity of Nazi appeals to farmers and farm laborers, see Kater, Nazi Party, pp. 41, 70-1.  Those appeals, however, were not always easily reconciled with Nazi ideology.  Childers, Nazi Voter, p. 179.

[271] Payne, History of Fascism, p. 167.  Also see Brustein, The Logic of Evil, pp. 22-3, 51, 101, 147-55.  Brustein's "central thesis is that the mass of Nazi followers were motivated chiefly by commonplace and rational factors--namely, their material interests--rather than by Hitler's irrational appeal or charisma"  Pp. xii.  However, he adopts a very broad, expansive interpretation of "material interests."  See, for example, pp. 141, 143, 145, 155-6.

[272] Who Voted for Hitler?, p. 422.

[273] Kater, Nazi Party, pp. 45, 63-4.  On growing support among the German elite generally, see pages 70-1.  Also see Evans, Coming of the Third Reich, pp. 172-3; Volkmann, "The National Socialist Economy…", pp. 188-9; Orlow, History of the Nazi Party, p. 110.

strengthened executive and a single parliament; a new German common law
free from Roman taint; abolition of the professional army and formation
of a national army; cultivation of national fitness by means of
physical education and compulsory games and gymnastics; work for all in
the interest of the common good which takes precedence over individual
good; abolition of unearned income; nationalization of large concerns;
communalization of large shops to the benefit of the small
tradespeople; suppression of newspapers transgressing against the
common weal; respect for the rights of the two great religious
confessions in so far as they constitute no menace to the morale or
ethical sense of the Germanic race or to the existence of the state.[274]

But the Nazis trimmed their sails by reassuring the great industrialists that the party would not abolish the capitalist system, comforting Christians that the party was neither heathen nor atheist, and denying any intention of breaking up landed estates.[275]  These opportunistic (and insincere) concessions aside, one of the most remarkable traits of the National Socialist Party was just how consistently it held to the principles of the program adopted in the early years of its existence. Many of these early commitments were still guiding party (and German state) policy up until the fall of the Third Reich.

One of those commitments was the party's promise to bring down the Weimar Republic. But there was significant tension in how the National Socialists viewed, on the one hand, their ideological commitment to dismantle the Republic once they took control of the German state and, on the other, the role of the Weimar Republic as a means for attaining power.  As a means for attaining power, the Nazis played by the parliamentary and electoral rules and by so doing hoped to demonstrate that Hitler and the National Socialist Party visibly represented the popular will of the German race, people, and nation.  This demonstration was pragmatically necessary because the Nazis knew, after the failure of the Munich putsch in 1923, that they would never come to power by way of an armed revolution.[276]  But it was also ideologically necessary in that

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[274] Rohan d'Olier Butler, The Roots of National Socialism, 1783-1933 (New York: Howard Gertig, 1968), pp. 222-3.

[275] Morris, Weimar Republic, p. 157; Orlow, History of the Nazi Party, p. 137.  This trimming even extended to some of the most central elements of Nazi ideology.  Once the National Socialists became a major party, for example, Nazis became "increasingly careful not to frighten ordinary people by preaching dire tactics against Jews. Similarly, the goal of war to achieve [living space for the German people] while destroying the Soviet Union was normally not mentioned."  Payne, History of Fascism, p. 167.  Also see Brustein, The Logic of Evil, p. 57-8.

[276] For a succinct description of the conspiracy to overthrow the Weimar Republic that led up to the Munich putsch in November, 1923, see Orlow, History of the Nazi Party, pp. 42-5.  Also see Evans, Coming of the Third Reich, pp. 189-94.

the Leader must be publically recognized by the German people as the embodiment of the popular will.  Elections, as long as the Nazi Party continued to expand their share of the votes, thus materially demonstrated a growing recognition of Hitler as the Leader while providing a legal platform upon which the party could spread its ideology.  Nazi political campaigns were in that way a logically incompatible but nonetheless effective mixture of narrow appeals to the interests of specific social and economic groups, public speeches and demonstrations intended to mobilize potentially sympathetic voters, and strident condemnations of the very democratic practices and norms that made these things relevant.[277]

All of this was on public display for anyone who cared to look.  Just before the 1928 Reichstag election, for example, Joseph Goebbels published an article in which he contemptuously ridiculed the alacrity with which the Weimar Republic provided the means for its own destruction.

> We go into the Reichstag in order to acquire the weapons of democracy
> from its arsenal.  We become Reichstag deputies in order to paralyze
> the Weimar democracy with its own assistance.  If democracy is stupid
> enough to give us free travel privileges and per diem allowances for
> this service, that is its affair…We'll take any legal means to
> revolutionize the existing situation.  If we succeed in putting sixty
> to seventy agitators of our party into the various parliaments in these
> elections, then in [the] future the state itself will supply and finance our
> fighting machinery…Mussolini also went into parliament, yet soon
> thereafter he marched into Rome with his Black Shirts…One should not
> believe that parliamentarism is our Damascus…We come as enemies!  Like
> the wolf tearing into the flock of sheep, that is how we come.  Now you
> are no longer among yourselves!

After his election to the Reichstag, Goebbels assured the party faithful that he had not been brought within the ambit of democratic practice.

> I am not a member of the Reichstag.  I am a holder of immunity, a
> holder of travel privileges…We were elected against the Reichstag, and
> we will carry out our mandate in the sense of those who furnished that
> mandate…A holder of immunity has free admission into the Reichstag
> without having to pay amusement tax.  He can, when Mr. Stresemann tells

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[277] Hitler, for example, used an airplane to campaign throughout the length and breadth of Germany in what was, for that time, an extraordinary personal engagement with the mass public.  Evans, <u>Coming of the Third Reich</u>, p. 288.

about Geneva [negotiations with foreign powers], pose irrelevant
questions, as for example whether it is a fact that Stresemann is a
Freemason and married to a Jewess.  He reviles the `system' and in
return received the gratitude of the Republic in the form of seven
hundred and fifty marks monthly salary--for faithful service.[278]

After the 1930 Reichstag elections in which the Nazis became, for the first time, one of the major political parties, "107 deputies clad in identical brown shirts marched into the chamber [and] answered with [a] resounding `Here!  Heil Hitler!' to the roll call of members."  They faced off against 77 "disciplined and well-organized Communists" who responded to their own names with a "Red Front Heil!."  Together they made the Reichstag "virtually unmanageable" as they raised "incessant points of order, chanting, shouting, interrupting and demonstrating their total contempt for the legislature at every juncture."[279]

National Socialist Ideology

Nazi ideology has been dismissed as a "conglomerate of ideas and precepts, of concepts, hopes, and emotions" that both lacked internal consistency and misappropriated the ideas of other thinkers, most prominent among them Friedrich Nietzsche.[280]  With the important exception of Hitler's autobiographical Mein Kampf, the Nazi movement did not have an authoritative text from which to deduce proper political orientation, the specification of long-term goals, and the rank ordering of possibly competing values.[281]  But it did not need one.

The central premise that organized political action and mobilized power was the concept of the Leader as an infallible "agent of history" who would realize the destiny of the German race, people, and nation.  The reciprocal relation that underpinned this concept required the full, absolute, and unwavering dedication of the Leader in realizing that destiny in return for which the German people gave their full, absolute, and unwavering obedience to the Leader.  This way

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[278] Bracher, German Dictatorship, pp. 141-2.  Also Wette, "Ideology, Propaganda, and Internal Politics", p. 83; Evans, Coming of the Third Reich, p. 451.

[279] Orlow, History of the Nazi Party, p. 190; Evans, Coming of the Third Reich, p. 275.  Before the 1930 election, the Nazis had only 12 seats in the Reichstag.

[280] Bracher, German Dictatorship, pp. 22, 28-9.  Also see Evans, Coming of the Third Reich, pp. 258-9.  On the misappropriation of Nietzsche, see pp. 39-40.

[281] The only other study that merits mention was Alfred Rosenberg's The Myth of the Twentieth Century that appeared in 1930 and provided the primary basis for his status as "one of the chief theorists of national socialism." Morris, Weimar Republic, p. 117; Bracher, German Dictatorship, p. 90.  For succinct interpretations of the contents of Mein Kampf and Hitler's thought generally, see Payne, History of Fascism, pp. 157-8; Wette, "Ideology, Propaganda, and Internal Politics", pp. 18-23; Dulffer, Nazi Germany, pp. 15-7.

of depicting the relation, however, overstates the distinction between the Leader and the people because this was not a social contract in which reciprocal obligations were formally exchanged by conscious, self-aware individuals. Instead, the Leader and the people were merely different aspects of the same organic whole. Within this organic whole, it was just as impossible to conceive of a Leader who might betray the historical destiny of the people as it was that the people might somehow fail to recognize and obey the instructions of the Leader. Put another way, the Leader was not commanding the people and the people were not obeying commands. The Leader was simply a super-human figure, verging on what would normally be considered the divine, who possessed a miraculous and unerring ability (beyond rational explanation or dispute) to instinctively identify those measures and policies that would realize the historical destiny of the German people.[282] This combination of oracular omnipotence on the part of the Leader and complete organic alignment of the people with what the Leader revealed meant that Nazi ideology could be and was quite spare: whatever the Leader desired was correct and true, including what might appear to the uninitiated to be contradictions or logical impossibilities.[283]

Several consequences followed from this notion, some of them rather mechanically facilitating and others more profoundly theoretical. Among the former was the absolute concentration of organizational authority over the party in the person of the Leader. The Leader stood at the center of an inspired circle that extended outward, in the first instance, with his most trusted lieutenants, then the more numerous ranks of local party leaders, ordinary members of the party, those who sympathized with, supported, and voted for the party, and, finally, the German people at large in all their fullness (including those residing under foreign governments). But the practical consequence of the concept of the Leader, at least until and then long after the Nazis took power, was the complete subjugation of the party apparatus to Hitler's control. There was dissent from time to time but dissent always presented a simple choice for the would-be rebel: either a full recantation of faulty belief and a return to the party fold or exile.[284]

A second consequence was the Leader's ability, within this understanding, to delegate authority without accepting responsibility. One of the most remarkable characteristics of the National Socialist Party was its simultaneous pursuit of many diverse and often potentially

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[282] On October 1925, a somewhat excitable Joseph Goebbels wrote in his diary: "I read Hitler's book [Mein Kampf] from cover to cover, with rapacious excitement! Who is this man? Half plebeian, half god! Really the Christ, or only John the Baptist?" Dulffer, Nazi Germany, pp. 14-5.

[283] Orlow, History of the Nazi Party, pp. 4-5, 300-1; Dulffer, Nazi Germany, p. 29; Bracher, German Dictatorship, pp. 47, 100, 147-9. Bracher concludes that "leader worship" as articulated in Nazi doctrine and belief "proved to be the most effective part of a propaganda which promised not only victory and greatness but also salvation and security. Long before 1933, a wealth of grotesque practices and religious fervor testified to the quasi-religious impact of the Leader propaganda, as, for example, obituaries in which the name of Hitler was invoked in place of the name of the Lord." P. 148.

[284] Orlow, History of the Nazi Party, p. 10.

contradictory projects.  The Nazis, for example, organized the people by economic sector, by gender, by age, and by class.  They held meetings and distributed propaganda directed at each and all segments of German society and monitored the responses they received.  This apparent decentralization within a very authoritarian party organization permitted experimentation with themes and ideas without calling into question the infallibility of the Leader.  Those themes and ideas that failed to produce results were simply the mistakes of well-meaning subordinates who, once they had received further guidance from the Leader, corrected their beliefs.

In many ways, this was the perfect design for an authoritarian party bent on revolution that was nonetheless compelled to compete in democratic elections and abide by parliamentary protocol.  On the one hand, the party organization was a supple, opportunistic electoral machine whose major purpose was the generation of votes.  In this respect, the party molded itself to the forms and interests of German society as they then existed.  On the other hand, the party organization was nothing more than the vehicle through which the Leader would manifest his embodiment of the popular will and historical destiny of the German people.[285]  In an address to the Dusseldorf Industrial Club almost exactly a year before he assumed the chancellorship, Hitler painted a picture of Weimar democracy that in some ways applied to his own party: "Either we shall succeed in hewing a nation hard as iron out of this hotchpotch of parties, federations, associations, world views, caste feelings and class madness, or the lack of this internal unity will ultimately destroy Germany."[286]  First the party, then the nation.

A third consequence was the relatively egalitarian, at least compared to other parties on the right, ethos in the Nazi Party.  The concept of the German race, people, and nation did not discriminate against lower-class origins, the poorly-educated, youthful inexperience, or the less intelligent.  The only necessary qualifications for a successful party career were "unerring devotion to the party and unquestionable loyalty to the leader."[287]  The abandonment of individual identity that accompanied absolute submission to the Leader stripped members of those social characteristics, such as elite status or intellectual achievements, that might otherwise have prevented full submersion in the collective German people.  Here, too, the concept of the Leader both facilitated party operations (by perfecting internal party unity and discipline) and visibly confirmed doctrinal theory (as it made the party organization into a microcosm of what Germany was to become in the future).

The concept of Leader, of course, was intimately entwined with idea of the German people or Volk.  Neatly summed up in the phrase "blood and soil," Volikisch thought had long posited an organic unity arising out of the cultivation of the traditional lands of the German

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[285] Orlow, History of the Nazi Party, pp. 200-1, 301; Bessel, Political Violence and the Rise of Nazism, p. 61.

[286] Dulffer, Nazi Germany, p. 13.

[287] Heberle, From Democracy to Nazism, p. 9.

people, a shared language and culture that had been collectively constructed and preserved, and an ethnic past characterized by rightful self-assertion, valor, and honor.  In the competition for supremacy between nations, these things demonstrated not only that the German people <u>will</u> prevail in that competition but that they <u>should</u> prevail as a matter of rightful destiny.  While <u>Volkisch</u> themes had been around for some time, they took on political significance during and after the unification of Germany in the last third of the nineteenth century.

Urging the incorporation of all German-speaking peoples in Europe within one nation, a Pan-German movement both developed the ideological justification for this project and articulated the political measures that would be necessary for achieving that goal.[288]  One of the latter was an aggressive foreign policy in order to recover "lost" German territory and then further expand the boundaries of the German nation so that they would encompass the entirety of the German people.  Another was the emergence of a national leader who, like Otto von Bismarck, would have the strength and vision to lead the German people in pursuit of this expansionary project.  While this involved a much softer notion of centralized authority than the Nazi conceptualization of the Leader, the parallel was nonetheless clear.  In both these ways <u>Volkisch</u> thought underpinned Nazi political ideology.

<u>Volkisch</u> thought was also quite antagonistic to anything that tended to divide the <u>Volk</u> into internally hostile groups.  In German politics, those divisions came in three primary forms: class, occupation, and religion.  With respect to class, the Nazis constantly attacked Marxist ideology as a lethal threat to German unity.[289]  By stressing the natural solidarity of the <u>Volk</u> as both a shared destiny of the people and an invalidation of individual self-interest, Nazi ideology sought to span the otherwise massive class chasm that divided German politics into a right and a left.[290]  The National Socialists succeeded so completely that they could rightfully claim "the coveted mantle of <u>Volkspartei</u>" by 1932.[291]  Although most workers and Catholics still stood

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[288] Mosse, <u>Crisis of German Ideology</u>, p. 301; Evans, <u>Coming of the Third Reich</u>, pp. 3, 177, 450; Heberle, <u>From Democracy to Nazism</u>, pp. 7-8n.  On the difficulty traditional parties had when placing the Nazis on the conventional left-right political spectrum, see Childers, <u>Nazi Voter</u>, p. 111.

[289] Nazis, however, seldom attacked the economic elite.  In one of those rare attacks, they charged that the Nationalists had "robbed the poorest people in the <u>volk</u> of their property and savings, but they protected the princes."  Childers, <u>Nazi Voter</u>, pp. 227.

[290] As Goebbels put it, "the class parties of the right and left must be overcome and a new way opened for the creation of a genuine people's party" that would replace "the false patriotism of the bourgeoisie" with a "steely nationalistic toughness" and "the false socialism of the Marxists with a true and unsentimental socialist justice." Marxism was particularly condemned by the Nazis on two counts.  First, its democratic character "destroys all creative powers in the <u>Volk</u>" through "the immoral terror of the majority."  In addition, its international pretensions "obliterates <u>Volk</u> and nation and [thus] severs the roots of our organic existence." Childers, <u>Nazi Voter</u>, pp. 103, 179-80.  For Social Democratic and Communist responses to Nazi appeals for working-class support, see p. 107.

[291] Childers, <u>Nazi Voter</u>, p. 266.

outside the party fold, the Nazis had at least made major inroads into every class, religious group, and occupation in the German electorate.

Religion posed special difficulties for the Nazis. The difficulty was that Christianity was neither authentically German in origin nor promoted a proper ethical system. While Martin Luther could be embraced as a kind of "Germanic hero" and the "prophet of a Nordic religion," St. Paul was viewed as having fatally introduced Judaic elements into Christian theology that were not only foreign to German culture but threatening to racial purity. The Old Testament could not be salvaged, for example, and the New Testament was only tolerable if Christ were "redefined as an Aryan." The party experimented with the construction of a new "Christian" church which would be more compatible with its interpretation of Volkisch principles but, in the end, did not seriously attempt to reconceive the religious commitments of the German people. In return, many pastors and priests either accommodated themselves to the rise of the Nazi party or even found virtues in National Socialism that could be endorsed from the pulpit. There were more Protestants than Catholics in that latter category.[292]

The Nazis were more uncompromising in their anti-Semitism which had more racial than religious overtones. Jews made up about one percent of the population and had, with the exception of religion, assimilated into German society. Even the religious divide was quite porous with frequent instances of intermarriage between Jews and Christians and conversions of Jews to Christianity. Preferring to participate in mainstream parties, particularly those on the left and center of the political spectrum, Jews had never formed their own sectarian party. However, anti-Semitism was also a staple of German culture and had been for at least half a century.[293] The major contribution of Nazi ideology to anti-Semitism was an insistence on a biological basis to a distinction between Jewish and German identities that implacably and forever condemned Jews to racial inferiority while interpreting their presence in Germany as a visible and continuing threat to the racial purity of the German people.[294] Because religion and indeed any known system of conventional ethics balked at the clear, if unspoken, implications of this biologically-grounded anti-Semitism, the Nazis cited the rather large literature on the implications of social Darwinist theories as support for a national eugenics program in order to strengthen and purify

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[292] Morris, Weimar Republic, p. 117; Kater, Nazi Party, p. 66; Mosse, Crisis of German Ideology, pp. 307-8. The German people had to choose, William Carr quotes Hitler as saying, between "the Jewish Christ creed with its effeminate pity-ethics or a strong heroic belief in God in nature, in God in our own people, in God in our destiny, in our blood." For that reason, he was attracted to the pagan beliefs that preceded Charlemagne's conversion of Germany to Christianity. William Carr, A History of Germany, 1815-1945 (New York: St. Martin's Press, 1969), p. 376.

[293] Evans, Coming of the Third Reich, pp. 3, 21-44, 151-2, 164-171, 188, 257.

[294] On the Nazi "dichotomy of Jew and German," see Orlow, History of the Nazi Party, p. 6.

the German race.[295]  In this way, anti-Semitism was given a "scientific" basis that further objectified and thus dehumanized Jews while denying them any possibility of continued existence, let alone membership, in the German community.  By designating a very small minority as a potentially fatal threat to national survival, the National Socialist Party insisted on the relegation of other internal divisions (such as class or religion) to a lower order of politics while raising, in the name of the Volk, the necessity of German racial unity to the highest conception of statecraft.[296]

As a corollary to anti-Semitism, this emphasis on eugenics and German racial purity posed very different roles for men and women.  Men were warriors and women raised children. The service women could perform as part of the Volk was neatly summed up in the Nazi slogan Kinder, Kuche, und Kirche (children, kitchen, and church).  When the Nazis created a national women's organization in the summer of 1931, it was similarly dedicated to the cultivation of "a German women's spirit which is rooted in God, nature, family, nation, and homeland."  The unavoidable and intended implication was that the involvement of women in society and the economy should be restricted to activities that would support husbands and nurture children. Alienated by the radicalism of Nazi ideology, most women were slow to warm to the National Socialists.  However, by 1930 the party was drawing as many (and perhaps more) votes from women as it was from men.[297]

While the Nazis spanned the gender divide by widening it, party ideology generally emphasized the common destiny of the Volk to downplay and even dismiss as dangerously fantastical the major divisions in German society arising from class, occupation, and religion. And there is, in fact, evidence that the Nazis were even able to penetrate the working class base of the Communist party by using the collective identity of the Volk as a solvent on class identity.[298]  Volkisch ideology also buttressed Nazi attempts to construct a middle path between

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[295] Childers noted that the Nazis, in fact, turned the relationship between anti-Semitism and religious ethics on its head by asserting in a Volkisch leaflet that "the real test of a [political] party's Christianity is its stance on the Jewish question."  Nazi Voter, p. 116.

[296] Mosse, Crisis of German Ideology, pp. 292, 294, 302; Evans, Coming of the Third Reich, pp. 38, 173-4; Childers, Nazi Voter, pp. 79, 105-6, 267.  For the origin of "scientific" racism and other aspects of Nazi ideology, see Payne, History of Fascism, pp. 202-3; Andrew D. Evans, Anthropolgy at War: World War I and the Science of Race in Germany (Chicago: University of Chicago Press, 2010).  Bracher has emphasized an elitist dimension of the Nazi interpretation of Volkisch ideology in that the "coming revolution was not meant for this popular mass but for a new elite of racially superior leaders.  Their rule and victory over Jews and other `inferiors'--the true volkisch-racist revolution--remained the only genuine kernel of Hitler's ideology, regardless of the proclamations of National Socialist doctrine and propaganda; almost everything else was utilitarian, Machiavellian power politics."  German Dictatorship, p. 181.  This, of course, was not how the National Socialists publicly presented their program.

[297] Childers, Nazi Voter, pp. 239, 259-60, 267, 117-8; Brustein, The Logic of Evil, pp. 55-6; Kater, Nazi Party, pp. 148-9, 151; Dulffer, Nazi Germany, p. 10; Evans, Coming of the Third Reich, pp. 129, 213, 262.

[298] Fischer, German Communists, p. 130.

capitalism and socialism by condemning both as products of Jewish conspiratorial design and influence.[299]  The purification of the German race would thus also enable the emergence of a Volkisch economy in which true Germans would finally be free to realize their own aspirations within the encompassing collective destiny of the Volk.  What this would mean exactly for those who led giant corporations, held vast landed estates, or relied on labor unions to shore up their interests on the industrial shop floor was unclear.  But the demonization of the Jews as responsible for class conflict and economic difficulties generally did, in practice, enable strikingly different sectors of German society to coexist within the National Socialist Party (Chart Six).[300]

This, then, was the conception of transcendent social purpose to which the Third Reich was dedicated at its founding: the realization of the historical destiny of the German race, people, and nation as revealed in the self-evident superiority of the Volk and to be carried into fulfillment by the guidance of the Leader.  Several practical elements need to be mentioned in conjunction with this theoretical construction.  The first is the storm troopers, paramilitary units that publicly demonstrated the discipline, vigor, and martial valor of the Nazi movement.[301]  Neatly attired in brown-shirted uniforms, Storm troopers were almost always present in lecture halls and meeting rooms when a Nazi official addressed a crowd.  During elections, they would distribute campaign literature and march in serried discipline through the public streets.  But their most influential role during the Weimar Republic was probably their willingness to do battle with their left-wing counterparts, particularly the Communist Red Front.  While much of this violence did not rise above ordinary thuggery, there was still a ritualized form that harmonized with the general ethos of party philosophy.[302]  For example, the class commitments of the Communist party dictated--above and beyond the Red Front's relative weakness as

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[299] On the Nazi attempt to create "`a third path' between Marxist centralized state planning and laissez-faire capitalism" based, in part, on "Keynesian economics," see Brustein, The Logic of Evil, pp. 52-4, 61, 91, 120.  For a detailed description of Nazi economic ideas and policy proposals before Hitler came to power, see Volkmann, "The National Socialist Economy…", pp. 173-82.  Contending that "the central ideological postulate for an extension of German living-space [Lebensraum] provides the key to their economic-policy thinking," Volkmann generally stresses the logical coherence, expansive vision, and detailed specificity of the Nazi economic program.

[300] Kater, Nazi Party, p. 29; Childers, Nazi Voter, pp. 66-8, 119-20, 152-3, 218-9, 245, 247, 262; Payne, History of Fascism, p. 155.

[301] On the storm troopers and other paramilitary organizations, see Hamilton, Who Voted for Hitler?, pp. 319, 328, 444-5; Bessel, Political Violence and the Rise of Nazism, pp. 44-5, 75-6; Evans, Coming of the Third Reich, pp. 73, 275, 285; Fischer, German Communists, pp. 153-7.

[302] Street violence was ritualized in another way as well.  "On the whole, considering the political philosophies and the size of the organisations involved, the number of dead and seriously injured during the political battles of the early 1930s seems evidence less of an uncontrolled civil war fought on Germany's streets than of a series of incidents in which the rules of the game generally were understood and respected."  Bessel, Political Violence and the Rise of Nazism, p. 96.  For a detailed account of storm trooper violence in the eastern Prussian provinces in the years before the Nazis came to power, see pp. 75-92, 95.

paramilitary force--a defensive strategy in which their paramilitary units mounted a defense of working-class neighborhoods against the "fascist" threat. The Communists would have considered the notion of an active defense of the neighborhoods of their bourgeois and elite class enemies quite absurd. The Nazis, on the other hand, considered the entire "nation" to be their appropriate and legitimate stalking grounds and viewed storm trooper intrusions into working-class neighborhoods as simple expressions of their claim to represent the entire Volk. As a result, much of the violence between Nazi and Communist paramilitary units took place in working-class areas of industrial cities.[303]

The paramilitary units deployed in Weimar politics were generally most violent and effective in direct correlation with the integrity and radical quality of the new "founding" they wanted to give to the German state. Thus the Communists and National Socialists were able to field what were in effect small armies dedicated respectively to the workers' revolution and the realization of the racial destiny of the German people. The Nationalists fielded a somewhat less effective force in the form of the Stahlhelm because their commitment to monarchy or authoritarian rule was less complete. While well-armed and disciplined, the Stahlhelm did not have a positive political project to promote. The Social Democrats organized the Reichsbanner but their commitment to parliamentary democracy severely compromised their ostensible support for a Marxist revolution. The Reichsbanner thus ended up defending the Weimar Republic, a project that was clearly inconsistent with street violence and would not have whetted the bloodlust of Social Democrats even if it were.[304] And the bourgeois parties of the center either fielded only token organizations or none at all.

All of the major political parties had symbols and rituals that set them apart from the others. But none were as richly endowed in such things as the Nazis. The most important and ubiquitous symbol was the hooked cross or swastika which could be utilized alone or displayed within a white circle signifying nationalism upon a red background that stood for socialism. Although the historical origins are unknown, by the time the National Socialist Party adopted the swastika it had come to symbolize the superiority of the German race with strong nationalist and anti-Semitic overtones. The swastika was often attached to a standard and carried en masse as uniformed party members marched through the streets. There was also the rigidly-extended, upward-sloping Nazi salute, often accompanied by "Heil, Hitler!", through which Nazis publicly demonstrated their fealty to party and Leader. These symbols and ritual forms were often adopted from those previously used by Volkisch groups, Christian churches, and the Italian

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[303] Fischer, German Communists, pp. 148-9, 153-4. On casualties resulting from street violence between paramilitary units sponsored by the various political parties, see Evans, Coming of the Third Reich, pp. 269-70.

[304] Bessel, Political Violence and the Rise of Nazism, p. 79.

fascist movement under Mussolini.[305]  But their combination and the intensity of feeling that they evoked were unique.  As Wolfram Wette notes, their impact "helped to dethrone the intellect and liberate emotions," particularly within the highly ritualized setting in which the party would present its speakers.

> At the beginning of a mass meeting the [storm troopers] would perform a martial entry with banners, military music, and the roll of drums, and form up with their swastika flags and standards into a `speaker's guard of honour.'  Then battle-songs were sung to get the audience into the right mood before the speaker appeared.  When he did so, often after several hours of waiting, the tension was released in tumultuous cries of `Sieg Heil.'[306]

If the effect had been less dramatic, all of this might be dismissed as mere propaganda, a kind of political spectacle on a par with nineteenth century torchlight parades in the United States.  But the impact was far more powerful and so disembedded party converts that "they no longer lived in [conventional German] society, but saw themselves only as simultaneous destroyers of the old and builder of the new."[307]

As a vehicle for the dissemination of Nazi belief, nothing was superior to a mass meeting in which the Volk were symbolically and virtually represented by the sheer number of people in attendance.  Once gathered in the presence of party symbols and personnel, the key element in the speaker's address was an appeal to the lowest common denominator shared by those in the audience.  Such appeals further evoked the common feeling and destiny that bound together the Volk and, for many Germans, a Nazi speech thus entailed the discovery of a new and overarching identity that implicitly trivialized their own self-interested goals.  As a propaganda technique, most Nazi speeches were necessarily simple in that the same anti-Semitic, nationalist,

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[305] On the swastika and other Nazi symbols, see Morris, Weimar Republic, 114-5; Evans, Coming of the Third Reich, pp. 40, 43, 159, 171, 174, 184-5, 212-213, 290; Bracher, German Dictatorship, pp. 87-8; Wette, "Ideology, Propaganda, and Internal Politics", pp. 85-6.  Much of the structural design of the party was similarly adapted from the cellular form of Communist organizations.  Childers, Nazi Voter, pp. 120-1.

[306] Wette, "Ideology, Propaganda, and Internal Politics", p. 86.

[307] Orlow, History of the Nazi Party, p. 277.  Also see pp. 2-4.  Orlow goes on to say that this process "progressively disengaged a politically articulate German from the pluralist values of the Weimar Republic and reengaged him in the values of the [Nazi] myth."  P. 300.  As Orlow notes, those who joined the party after 1930 when the Nazis became a major force in German politics often did not go through this transformative process; their allegiance to the party was much more contingent and self-interested compared to early converts.  P. 187.  The allegiance of these new supporters was further weakened by the fact that many of them had not participated in elections before they voted for the Nazis.  Evans, Coming of the Third Reich, p. 261.  For examples of Hitler's charismatic "spell" over party members, see Evans, Coming of the Third Reich, pp. 224, 227; Payne, History of Fascism, pp. 159-60.

anti-Bolshevik tropes were repeated over and over again. This repetition not only drove home the party's primary themes but also avoided raising issues that might divide the audience along conventional political lines.[308] Hitler himself framed his speeches as an appeal to individuals who felt socially isolated and lonely, offering them

> the picture of a great community, which has a strengthening and
> encouraging effect on most people…If, on leaving the shop or mammoth
> factory, in which he feels very small indeed, he enters a vast assembly
> for the first time and sees around him thousands and thousands of men
> who hold the same opinions; if, while still seeking his way, he is
> gripped by the force of mass suggestion which comes from the excitement
> and enthusiasm of three or four thousand other men in whose midst he
> finds himself; if the manifest success and the consensus of thousands
> confirm the truth and justice of the new teaching and for the first
> time raise doubts in his mind as to the truth of the opinions held by
> himself up to now--then he submits himself to the mystic fascination of
> what we call mass suggestion.[309]

While these propaganda techniques might appear to provide little sustenance for a revolutionary founding, the mass ideology upon which states are founded is never very complex. In practice, the Nazi invocation of the historical destiny of the Volk and the derivative conception of the Leader were more than enough for the founding of the Third Reich.[310]

The Founding of the Third Reich

The last three years of the Weimar Republic combined democratic elections to the Reichstag with the appointment of chancellors and cabinets which did not enjoy parliamentary

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[308] This same fear lay behind Nazi reluctance to create labor unions that might otherwise have improved their appeal to workers. Any emphasis on "bread-and-butter" issues would segment the party membership and thus weaken its symbolic alignment with the Volk. For similar reasons, Hitler steadfastly refused to enter into any parliamentary coalition in which the National Socialists would not be the dominant partner. Orlow, History of the Nazi Party, pp. 103, 308. The rapid growth of the Nazi party after 1931 encouraged the proliferation of special interest factions, so much so that the National Socialists "consistently" prohibited the formation of those representing "mere" economic interests. Orlow, History of the Nazi Party, p. 199.

[309] Wette, "Ideology, Propaganda, and Internal Politics", pp. 83-86. The quote is originally taken from Mein Kampf. Also see Bracher, German Dictatorship, pp. 97-8; Evans, Coming of the Third Reich, p. 168.

[310] For the origin and meaning of the term "Third Reich," which came to designate the impending founding of the new German state, see Morris, Weimar Republic, pp. 151-2.

majorities (and thus largely ruled, with the cooperation of Hindenburg, through presidential decree). The last cabinet supported by a parliamentary majority resigned on March 27, 1930.[311] Since there was no way to construct a majority government with the materials at hand, President Hindenburg appointed Heinrich Bruning, one of leaders of the Zentrum Party, as Chancellor.[312] On July 16, 1930, Bruning's government was condemned by a large majority of the Reichstag (256 to 193). Bruning then declared an emergency, invoking Article 48 of the Weimar Constitution and ruling by presidential decree. Frustration with a fractious Reichstag also led Bruning to call for new parliamentary elections. The National Socialists stunned Germany by drawing over eighteen percent of the vote, thus becoming the second largest party (after the Social Democrats).[313] From this point on, Reichstag elections were seen as "rolling the dice" in which the Nazis might, in fact, come to power without entering into a parliamentary coalition. The Social Democrats, in particular but not alone, were especially wary of this possibility and pragmatically acquiesced in quasi-authoritarian rule by the nationalist right in order to prevent the Nazis from coming to power.

[Chart Seven about here]

During the presidential elections in 1932, the Social Democratic Party supported Hindenburg in both the first contest and the subsequent run off. Hitler lost but drew 37 percent of the vote against Hindenburg in the second election.[314] The Nazis again draw 37 percent of the vote in the Reichstag elections in July. Because the Nazis are now the largest party in the Reichstag, Hermann Goring becomes the presiding officer.[315] In the meantime, Bruning has resigned and Franz von Papen, a Catholic titled aristocrat with a landed estate, has been

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[311] Evans calls the fall of Herman Muller's government, "the beginning of the end of Weimar democracy." Coming of the Third Reich, p. 247. Also see Hamilton, Who Voted for Hitler?, p. 254.

[312] On Bruning's service as Chancellor, see Morris, Weimar Republic, pp. 160, 164-5; Evans, Coming of the Third Reich, pp. 250-1, 255; Childers, Nazi Voter, pp. 131, 192.

[313] For a description of the organization and strategy of the Nazi campaign in the September 1930 Reichstag election, see Childers, Nazi Voter, pp. 137-40. On the political impact of the election, see Evans, Coming of the Third Reich, pp. 259-60.

[314] On the politics surrounding the 1932 presidential election, see Evans, Coming of the Third Reich, pp. 277, 281; Goltz, Hindenburg, pp. 144-6. After reviewing the election returns, Goltz concludes that those who had supported Hindenburg in the 1925 presidential election "made up the core of [Hitler's] following" in 1932. On the other hand, most of the votes that Hindenburg won in 1932 were cast by members of parties, the Social Democrats first among them, that had opposed him in 1925. Goltz calls this transformation between the two presidential elections a "reversal of voter coalitions." On the artifice through which Hitler became a German citizen (and thus qualified to run for president), see Morris, Weimar Republic, pp. 166-7.

[315] On the political impact of the July, 1932, Reichstag election, see Evans, Coming of the Third Reich, pp. 293-4; Morris, Weimar Republic, p. 175; Orlow, History of the Nazi Party, p. 279.

appointed Chancellor.[316]  A member of the Zentrum with pronounced authoritarian leanings, Papen is forced to resign from his party when he takes office.  By now, the Reichstag is almost entirely irrelevant to the government, a fact amply demonstrated when, on September 12, over ninety percent of the members vote in favor of a "no confidence" motion.  Papen, with Hindenburg's consent, dissolves the Reichstag and schedules new elections.  When these are held in November, 1932, National Socialist support falls but the Nazis remain the largest party.

Because it is now clear that Papen has not found a solution to the governance problem, Hindenburg replaces him with General Kurt von Schleicher who had previously become responsible for the army's relations with the civilian government.  The next two months are consumed in the development and presentation of competing plans for resolving the political problem, now a continuing political crisis.[317]  As Chancellor, Schleicher tries to put together a rather innovative, quasi-socialist design that might appeal to both the left and the traditional right.[318]  Because his attempt alienates the wealthy elite and is spurned by the left, Schleicher finds himself without a political base other than the army.  As Hindenburg's personal friend, Papen still enjoys access to the aging president and proposes that he appoint Hitler as Chancellor but surround him with traditional conservatives in the cabinet.[319]  Papen himself becomes Vice-Chancellor.  However, the National Socialists are awarded the Ministry of the Interior and the new Minister of Defense, sponsored by the army, subsequently proves to be very sympathetic to the Nazis.  With these ministries, the National Socialists gain control of the major security forces of the now dying Weimar Republic.  In the first instance, this control means that Nazi paramilitary units can move against their partisan enemies with impunity and soon the uniformed

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[316] Evans calls Papen's appointment as Chancellor "the end of parliamentary democracy in Germany."  For accounts of Papen's service as Chancellor, Evans, Coming of the Third Reich, pp. 283-6, 296-8; Berger, Social Democracy, p. 131; Dulffer, Nazi Germany, pp. 22-3; Morris, Weimar Republic, pp. 174-5; R.T. Clark, The Fall of the German Republic: A Political Study (New York: Russell & Russell, 1964), 409-10; Hamilton, Who Voted for Hitler?, p. 256; Orlow, History of the Nazi Party, p. 280.

[317] On the complex negotiations and political maneuvers as Schleicher and Papen vied for Hindenburg's favor in the months before Hitler came to power, see Morris, Weimar Republic, p. 179; Dulffer, Nazi Germany, pp. 25-6; Evans, Coming of the Third Reich, p. 306.

[318] On Schleicher's service as Chancellor, see Evans, Coming of the Third Reich, pp. 301-2; Morris, Weimar Republic, pp. 176-7.

[319] In retrospect, it is very difficult to imagine how the conservatives could have been so confident that they could dominate this Nazi government but confident they were…at least some of them.  Papen, for example, is reported to have said, "Within two months we will have pushed Hitler so far into a corner that he'll squeak."  Evans, Coming of the Third Reich, p. 308; Dulffer, Nazi Germany, p. 26.  Hugenbery, however, appears to have had immediate regrets.  The day after entering Hitler's new governing coalition, he reportedly said, "yesterday I committed the biggest blunder of my life.  I allied myself with the biggest demagogue in the history of the world."  Hamilton, Who Voted for Hitler?, p. 240.  On the contingencies that may very well have prevented the Nazis from coming to power, see Evans, Coming of the Third Reich, pp., 161, 325-7, 442-3.  Evans concludes that "a military regime of some description was the only viable alternative to a Nazi dictatorship" by July, 1932.  Also see Dulffer, Nazi Germany, p. 26; Payne, History of Fascism, pp. 178-9; Bracher, German Dictatorship, p. 202.

agencies of the German state join them.  These ministries, in addition to the chancellorship, thus turn out to be more than sufficient to found the Third Reich.

But that founding did not take place on the morning of January 30, 1933, when Hitler was sworn in as Chancellor.  In fact, the proceedings unfolded much as they had when previous governments had taken office.[320]  The Nationalists, now a much diminished force, formally joined the Nazi parliamentary coalition and took over many of the ministry posts with their leader, Alfred Hugenberg, occupying those pertaining to economic policy and agriculture.[321]  Their participation gave the Nazi-led coalition a thin democratic veneer, although the two parties together only controlled a little over forty percent of the seats in the Reichstag.  So, although the original transfer of power to the Nazis was certainly the decisive event in bringing about the founding of the Third Reich, it itself did not constitute a founding.  In fact, from the Nazi perspective, the immediate response to Hitler's assumption of the chancellorship might well have been a sigh of relief.[322]

The new National Socialist regime immediately began to consolidate its hold on power (see Chart Eight).  On February 4, President Hindenburg is persuaded to issue a "Decree for the Protection of the German Nation" empowering Hitler and his new ministers to prohibit public assemblies and censor publications.  Then, on February 27, the Nazis receive an unexpected boon when an apparently deranged anarchist carrying Communist leaflets sets fire to the Reichstag, burning it to the ground.  The Nazi regime instantaneously springs into action and begins to arrest Communists throughout Germany.  Hindenburg supports suppression of the KPD and, ultimately, other political parties by signing a decree suspending most civil liberties otherwise protected by the Weimar Constitution and permitting the central government to take over local governments.[323]  On March 5 a new election of delegates to the Reichstag is held.  In order to allow Communist candidates to stand for election and thus split the left vote with the Social Democrats, the Nazis delay an official ban on the Communist Party until the votes have

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[320] This event did not constitute the founding despite the fact that it was subsequently called the "Machtergreifung," defined as the "`Seizure of power.'"  Although Hitler's assumption of the Chancellor's office conformed to legal proprieties, "the Nazis deliberately stressed its revolutionary aspect."  From the "Glossary of German Terms," Research Institute for Military History, ed's., Germany and the Second World War, p. xxvi.

[321] Evans, Coming of the Third Reich, pp. 307-8, 316.

[322] Dulffer, Nazi Germany, p. 27.  For an interpretation that views Hitler's appointment as Chancellor "as one of history's most tragic ironies" in that "the party's electoral support had begun to falter," see Childers, Nazi Voter, pp. 269.  Orlow similarly concluded that, by "the end of 1932, [the Nazi Party] was well on its way to the rubbish pile of history.  Its demise was delayed, but that was principally the work of Papen and the German conservatives."  Orlow, History of the Nazi Party, p. 308.  Also see Bessel, Political Violence and the Rise of Nazism, p. 26.  On the fragility of National Socialist electoral support and Nazi fears that the party might have peaked in the July, 1932, Reichstag elections, see Evans, Coming of the Third Reich, pp. 295, 299-301; Orlow, History of the Nazi Party, p. 280.

[323] Evans, Coming of the Third Reich, pp. 328-33.  On Hindenburg's presidential decrees of February 4 and 28, see Wette, "Ideology, Propaganda, and Internal Politics", pp. 89-90.

been cast.  On March 6, the Communist Party is declared illegal.[324]  Two weeks later, what turns out to be the first of many concentration camps is opened at Dachau to house political prisoners, most but not all of them Communists.

[Chart Eight about here]

The March 5 Reichstag election was held as part of the agreement that brought the Nazis into power because Hitler wanted to confirm the party's right to rule through a public demonstration of the popular will.  While previous Reichstag elections had involved violence, they had still met the minimal procedural and contextual conditions required for a democratic choice.  But the election held on March 5, 1933, did not.  The Communist and Social Democratic Parties, for example, were all but completely prevented from conducting public campaigns, including ordinary activities such as the distribution of leaflets.  Many Communist party members and candidates, in fact, had already been detained by the government.  Nazi storm troopers, on the other hand, were enrolled as auxiliary police officers and authorized to carry firearms as they marched through the streets and harassed political opponents.  Despite Nazi intimidation and violence, the Communists still polled a little over twelve percent of the vote and the Social Democrats almost held their own with eighteen.  The Nazis came in with just under 44 percent and increased their representation in the Reichstag from 196 to 288 seats.  As their allies, the Nationalists polled about eight percent, winning one more delegate to go with the 51 they already had.  But that was just enough to give Nazi-led coalition a majority of both the popular vote and seats in the Reichstag.  Given the advantages enjoyed by the National Socialist Party, this was not superb performance but it still, albeit superficially, qualified as a victory and, more importantly, a popular endorsement of the new regime.[325]

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[324] Evans, Coming of the Third Reich, pp. 11-2.

[325] The consensus among scholars seems to be that the election results were clearly but not entirely tainted by Nazi violence and political intimidation.  Richard Hamilton, for example, questioned their "validity and significance" and did not view the voting patterns as worthy of further analysis.  Hamilton, Who Voted for Hitler?, p. 4.  Also see Evans, Coming of the Third Reich, pp. 339-40; Eksteins, Limits of Reason, p. 266.  Warren Morris called the election "semifree."  Weimar Republic, p. 183.  Stanley Payne echoed that judgment.  History of Fascism, p. 174. The stakes behind the question of how much violence and intimidation added to the Nazi vote total are, at least rhetorically, fairly significant.  In a highly proportional electoral system, 44 percent is a remarkably good showing and, since the Nazis ran in partnership with the Nationalists, the governing coalition did manage to draw a majority of the votes and, thus, earned the right to rule.  On the other hand, that majority was almost certainly "manufactured" at the margin by undemocratic practices carried on by both the German state and, what was rapidly becoming the same thing, the Nazi Party.  Without those practices, the Nazis and the Nationalists would not have gained a majority of the vote.  But this does not mean that there was a "democratic majority" that was somehow suppressed in this election because the Communists, who drew one out of every eight votes, were just as committed to destroying the Weimar Republic as were the Nazis.  From that perspective, there was no democratic majority to be had, no matter how the election had been conducted.  In March, 1933, we might therefore conclude that there was no popular, majority basis for either continuing the existence of the Weimar Republic or for founding an alternative

The March 5 election set the stage for the founding of the Third Reich because the returns created a parliamentary majority that was committed both to destroying the Weimar Republic and to concentrating central state authority in Hitler's office. The vehicle for both purposes was to be an amendment to the Weimar Constitution that would grant all legislative authority to the chancellor, thus eviscerating the Reichstag of political influence. Loosely modeled on similar measures that had temporarily and for limited purposes granted legislative authority to previous chancellors, this amendment was entitled the "Law to Relieve the Distress of the People and Reich" or, more commonly, the Enabling Act.[326] The amendment granted Hitler the power to rule Germany by decree for the next four years but passage required the presence of two-thirds of the members of the Reichstag to meet the quorum requirement and, in addition, the support of two-thirds of the members who voted. The Nazi-led parliamentary coalition only held a bare majority of the seats.

The first step was taken when Hermann Goring, the presiding officer, ruled that those Communists who had been elected to the Reichstag on March 5 were no longer legitimate members. Because their party was now illegal, these delegates had not shown up to claim their seats. But, even if absent, they still constituted part of the Reichstag's official membership and thus composed part of the quorum requirement. Goring's extraordinary and almost certainly illegal ruling reduced the quorum requirement by 54 members and also enhanced the proportion of seats occupied by the Nazi-led parliamentary coalition. But their majority was still not large enough. One problem was the Social Democratic Party which still fielded 94 delegates, every one of whom was implacably opposed to passage of the Enabling Act.[327] In order to reach the necessary two-thirds majority, Hitler opened negotiations with the Zentrum. At that time, the Zentrum was led by a priest, Ludwig Kaas, and these discussions revolved around assurances for the autonomy of the Catholic Church, particularly in Bavaria where the Church had long been a major political force. In return, the Zentrum would provide the additional Reichstag support for passing the Enabling Act.[328]

With the Zentrum now on board, the Communists outlawed, and members of the smaller parties intimidated into submission, the Nazis could now confront the Social Democrats. In a scene reminiscent of the convocation of the Constituent Assembly in St. Petersburg fifteen years

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state. If the popular will in such a situation should be interpreted as a plurality expression of the citizenry, then the Nazis clearly had the best claim on power, with or without violence.

[326] Payne, History of Fascism, p. 175. For descriptions of previous enabling acts and their political context, see Mattern, Principles of the Constitutional Jurisprudence, see 486, 492-5, 501.

[327] The SDP had elected 120 delegates but "some were in prison, some were ill, and some stayed away because they feared for their lives." Evans, Coming of the Third Reich, pp. 351.

[328] Evans, Coming of the Third Reich, pp. 351-2.

earlier, the Nazis lined the sides and rear of the Kroll Opera House with uniformed, armed storm troopers and SS men.  The auditorium itself was festooned with swastikas and other Nazi emblems.  As one Social Democrat later reported,

> Wild chants greeted us: "We want the Enabling Law!"  Young lads with
> the swastika on their chests looked us cheekily up and down, virtually barring the way for us.
> They quite made us run the gauntlet, and shouted insults at us like "Centrist pig," "Marxist sow."

As he presented the Enabling Act to the Reichstag, Hitler first promised to respect the autonomy of the established churches and claimed credit for suppressing the Communist scourge.  The absence of every KPD delegate must have weighed heavily on the minds of the other delegates as Hitler now warned those who might oppose passage of the Enabling Act.  In a scene already drenched in menace, adrenalin, and auguries of the terror yet to come, Hitler announced that the "government of the nationalist uprising" was "determined and ready to deal with the announcement that the Act has been rejected and with it that resistance has been declared.  May you, gentlemen, now take the decision yourselves as to whether it is to be peace or war."

The most memorable speech, however, belonged to Otto Wels, the leader of the Social Democratic delegation.  Surrounded by his party colleagues who were, in turn, surrounded by storm troopers, Wels began with the observation that "Freedom and life can be taken from us, but not honour."  He then continued with what in many ways appeared to be a valedictory address in which the closing passage was both wistful and, perhaps unreasonably considering the circumstances, hopeful.

> In this historic hour, we German Social Democrats solemnly profess our
> allegiance to the basic principles of humanity and justice, freedom and
> socialism.  No Enabling Law gives you the right to annihilate ideas
> that are eternal and indestructible.  The Anti-Socialist Law [of the
> late nineteenth century] did not annihilate the Social Democrats.
> Social Democracy can also draw new strength from fresh persecutions.
> We greet the persecuted and the hard-pressed.  Their steadfastness and
> loyalty deserve admiration.  The courage of their convictions, their
> unbroken confidence, vouch for a brighter future.

As Wels ended, the auditorium broke out in pandemonium as the disciplined and mannered applause of the vastly outnumbered Social Democrats was swallowed up in a Nazi din of contemptuous taunts, bullying ridicule, and shrill laughter.

Hitler had seen an advance copy of this address and had prepared his response.  "You think," he noted, "that your star could rise again!  Gentlemen, Germany's star will rise and yours will sink…Germany shall be free, but not through you!"  After a few more short speeches, 444 votes were cast in favor of the Enabling Act and only 94 delegates, all of them Social Democrats, dared to oppose passage.[329]  With all legislative and executive power now consolidated in the hands of their Leader, the Nazis had succeeded in founding the Third Reich and the Weimar Constitution was now a dead letter, so much so that the Nazis never found it necessary to write a new document to replace it.[330]

The most remarkable characteristic of the founding of the Third Reich was Nazi insistence on observing the proper forms of a democratic process for which they had the utmost and unmitigated contempt.  The party ran candidates in Reichstag elections and campaigned for votes with techniques and appeals that matched the democratic parties of the center in style and orientation.  Hitler was appointed Chancellor in a formally orthodox procedure that recognized him as the leader of the largest party in the Reichstag.  Hitler, in turn, called for a new election so that his minority coalition might immediately be put to the test.  The returns gave the coalition a majority in the Reichstag and thus legitimated Nazi rule as the will of the people.  At that point, Nazi ideology did not see the need for more elections because the Leader had now come to power, the people and Leader were now one, and the task at hand was to now realize the historic destiny of German people, race, and nation.  Democracy, with all its splintering and divisive appeals to narrow interests and individual identities, was not only unnecessarily distracting but positively harmful.  But the Nazis did hold plebiscites in which the people were given an opportunity to approve major state decisions and policies.[331]  For example, on November 12, 1933, a national plebiscite approved Germany's withdrawal from the League of Nations.  On August 19, 1934, another plebiscite approved Hitler's self-appointment as president following Hindenburg's death.  This was a particularly important step because it formally combined the presidency and the chancellorship and thus eliminated all need to distinguish between them.

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[329] Evans, Coming of the Third Reich, pp. 352-4.  As Evans notes, the majority was so large that even the participation of the missing Communist and Social Democratic delegates could not have prevented passage.

[330] "The Enabling Law…has rightly been described as the constitution of National Socialist Germany."  Berger, Social Democracy, p. 136n.  Just after passage, Carl Schmitt, one of the leading constitutional theorists in Germany and "an influential supporter" of the new Nazi regime, declared that the Enabling Act had brought into being a "completely different kind of government" that marked the end of party competition.  The content and design of the new political order would be, according to Schmitt, determined by the Leader.  Evans, Coming of the Third Reich, p. 371.  On the importance of the Enabling Act as the decisive event in the Nazi takeover, Evans, Coming of the Third Reich, p. 349; Dulffer, Nazi Germany, pp. 33-4; Clark, Fall of the German Republic, pp. 486-8;, pp. 194, 210.  Bracher went on to say that the importance of the Enabling Act also lay in the fact that its formal legality made "willing collaborators [of] the civil Service and the courts," both of which were essential elements in routinizing the exercise of terror and intimidation through which the Nazis purged German society of opposition elements.  P. 197.

[331] Evans, Coming of the Third Reich, p. 121.

Almost nine in every ten votes were cast in favor.  On March 29, 1936, a plebiscite approved German reoccupation of the Rhineland.  This one would have passed even if the Nazis had not been in power.  In April, 1938, a similar plebiscite approved union with Austria and the Nazi regime generally.  None of these were, of course, binding.  And all of them were conducted in a way that made opposition extraordinarily dangerous.  As exercises in the demonstration of power, the plebiscites evidenced the almost complete dominance of the National Socialist Party in German political life.  However, from the perspective of Nazi ideology, these plebiscites evidenced the organic unity of the people and the Leader in a display that did not logically exclude the use of intimidation when applied to those who, for whatever reason, were not of the Volk.  Although democratic in form, these were not occasions in which the will of the people was consulted but, instead, they demonstrated the unstoppable force created by the organic union of the people with the Leader.  They were thus spectacles in which undemocratic practices such as violence and intimidation were as proper and expected as the casting of a ballot.

Since there could only be one organic unity of Leader and people, the other political parties with their charlatan pretenders were not only useless but fundamentally treasonous.  They were not, however, eliminated all at once.  Instead, they were eradicated serially in a pattern similar to the consolidation of power in both the Soviet Union and the Iranian Islamic Republic.  The process in those cases had begun with the party most hostile to the designs and intentions of the new state.  For the Nazis, this was the KPD and the Communists, of course, had already been banned when the Enabling Act was passed.  Then came the Social Democratic Party whose assets and property were seized on May 10.  The party itself was proscribed on June 22.  The Bavarian People's Party, allied with the Zentrum and sharing its Catholic commitments, was rendered politically impotent by arrests on June 26.  Three days later the Nationalists, the ostensible partner in the Nazi Reichstag coalition, voluntarily dissolved.  Finally, after the Nazis and the Vatican sign the Concordat, the Zentrum also disbanded on July 5 and, as a display of goodwill, encouraged its political officials to join the Nazi Party.  On July 14, Hitler decreed that the National Socialist Party was now the only legal political party in Germany and that all political activity by other party organizations was illegal.  Finally, on December 1, the Ministry of the Interior declared that the Nazi Party was now unified with the German state, symbolically substantiating the consolidation of Leader, people, race, and nation.[332]

From a legalistic and procedural perspective, all of these things were at least tainted by illegal actions, some of them collateral to the consolidation of power in Nazi hands (e.g., street violence and assassinations) and others that were open violations of existing law.  But prior

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[332] On the destruction of the Weimar party system, see Evans, Coming of the Third Reich, pp. 344, 358-9, 364-6; Dulffer, Nazi Germany, pp. 34-6; Morris, Weimar Republic, p. 192; Hamilton, Who Voted for Hitler?, p. 260.  For a description of the negotiations between the Catholic Church and the new Nazi regime that led to the Concordat, see Evans, Coming of the Third Reich, pp. 363-6.

governments had set at least weak precedents for most of the process through which the Nazis seized power. There were, for example, pre-Hitlerian precedents for suppression of a free press, the dissolution of freely-elected governments in the states, the exercise of authoritarian powers under Article 48, the prohibition of members of selected political parties from employment in the civil service, and the banning of paramilitary units associated with the major political parties.[333] On the other hand, the Nazis were extraordinarily aggressive in their use of these precedents and their combination under one regime constituted an entirely new and different political order.[334]

There is no doubt that the Nazis opportunistically used the forms and processes of Weimar democracy in order to build their movement and advance their claims on power. And while we might view their exploitation of these forms and processes as a cynical (and thus insincere) strategy, the fact is that they found a way to integrate formal democracy in their ideological expectations as a form of revelatory discovery and subsequent presentation of the Leader to his people. And that is where the crux of the problem lies. The emergence and public acclamation of the Leader was more or less consistent with formal democratic practice in that the display of popular recognition in the form of rallies, marches, demonstrations, and symbolic acts (e.g., the Nazi salute) was compatible with, even affirmed by, the casting of ballots (as long as the party more or less steadily increased its proportion of the votes). However, as the party came ever closer to assuming power, the ideological need (such as it was) for conforming to democratic practice radically declined. On the one hand, the party had already irrevocably "recognized" the Leader and, as the proximity to power increased, the problem was not how to persuade the last necessary increment of the German public to support the National Socialist Party but, instead, how to maneuver so that others would grant the party an opportunity to rule. In this respect, the proportional system of representation was absolutely essential in that it made parliamentary coalition-building the uniform method of creating and sustaining governments. The Nazis, for that reason, did not have to have a majority of the votes in a democratic election in order to (conventionally) legitimate their assumption of power. What they needed was enough votes to make them the largest political party and, then, a willing coalition partner to put them over the top. In some ways, these requirements were no different than those confronting the democratic political parties of the center. The difference was that, once power was gained, the

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[333] Eksteins, <u>Limits of Reason</u>, p. 248; Dulffer, <u>Nazi Germany</u>, p. 21; Kater, <u>Nazi Party</u>, pp. 42-3; Also see Hamilton, <u>Who Voted for Hitler?</u>, pp. 279-80; Morris, <u>Weimar Republic</u>, pp. 188-9; Evans, <u>Coming of the Third Reich</u>, pp. 344.

[334] For detailed recitations of the illegal acts through which the first Nazis assumed power and then consolidated their hold on the German state, see Bracher, <u>German Dictatorship</u>, p. 211; Evans, <u>Coming of the Third Reich</u>, pp. 452-4.

Nazis always intended to abolish democratic practice and forms. And any informed observer could not have failed to see that that was their intention.[335]

As the founding of the Third Reich, passage of the Enabling Act melded the Volk and the German state within the organic unity symbolized, materialized, and actualized by the Leader.[336] The notion of "consent," so vital to social contract theory, vanished at the founding since the will of the Volk and the Leader could never diverge; they were one and the same. The will of the people was registered at the founding as a now self-evident fact but it, too, vanished at the founding as a separate element in state theory. The will of the people folded neatly and completely into the absolute authority of the Leader who was, again, at one with the German people, race, and nation.[337] The founding thus obliterated the major principles of democratic theory in the same moment they framed and evidenced the new foundation of the German state.

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[335] Scholars have discussed at length the question of whether or not the events leading up to the Nazi assumption of power constituted a "revolution." There is no consensus. For a sampling of views, see Evans, Coming of the Third Reich, pp. 456-60; Evans, Third Reich in Power, pp. 16, 120-1; Dulffer, Nazi Germany, pp. 36-7; Payne, History of Fascism, p. 204; Bracher, German Dictatorship, p. 7.

[336] Consistent with this notion of organic unity between the people and the Leader, much of the process through which the Nazis consolidated power took the form of "coordination" (Gleichschaltung), "a metaphor drawn from the world of electricity, meaning that all the switches were being put onto the same circuit, as it were, so that they could all be activated by throwing a single master switch at the centre. Almost every aspect of political, social and associational life was affected, at every level from the nation to the village." Evans, Coming of the Third Reich, p. 381; Dulffer, Nazi Germany, pp. 39-40. The Nazis attributed residual political resistance within the German people to foreign and alien (often Jewish) influence. One of the most pressing tasks confronting the new government was thus, as Goebbels put it, to mold the people so they would begin "to think as one, to react as one, and to place itself in the service of the government with all its heart (p. 397)." Along with other elements of Nazi ideology, this project led almost naturally into, first, the separation of Jews and other alien elements from the rest of the German people, then the denial of their civil and political rights, their incarceration in camps, and, finally, their routinized extermination. The Holocaust was thus intimately connected with the purification and organic unification of the Volk.

[337] After the Nazis had consolidated power, the role of the Leader was formally developed in a way that, on the one hand, fully explained where the Leader stood within party cosmology while, on the other hand, specified no limits (and thus no details) on how the Leader might or should exercise power. In 1939, for example, Ernst Rudolf Huber wrote in his Constitutional Law of the Greater German Reich that the Leader represented "the united will of the people" and, for that reason, the "authority of the Leader is total and all-embracing: within it all resources available to the body politic merge; it covers every facet of the life of the people; it embraces all members of the German community pledged to loyalty and obedience to the Leader. The Leader's authority is subject to no checks or controls; it is circumscribed by no private preserves of jealously guarded individual rights; it is free and independent, overriding and unfettered." Evans, Third Reich in Power, p. 44.

Conclusion

The Soviet state, the Islamic Republic of Iran, and the Third Reich all arose from non-democratic foundings.  But each of them nonetheless involved representations of the will of the people as legitimations for their creation.  Here we compare and contrast aspects of these three foundings, demonstrating how each one can be traced back to particular conceptions of the will of the people: what it is that they should, must, and did will.

We begin with the leader of the revolutionary elite because an examination of that role implicates much of the relationship between the elite and the transcendent social purpose instantiated at the founding (see Chart Nine).  The most relevant dimensions upon which the three leaders can be compared are their relative fallibility and their relation to the revolutionary elite as a whole.  Lenin, for example, was certainly regarded as the preeminent leader of the Bolshevik Party but he was not considered an infallible guide in either the making of tactical decisions or doctrinal interpretation.  In part but not entirely, his relation to the party was his own doing in that he insisted that the vanguard (Bolshevik) party was the collective repository of "correct understanding" of Marxist doctrine.  Individuals (including Lenin himself) could error but the party, as a collective, could not.  Once the party had made a decision, individuals must conform or leave the party.  At the founding, it was thus the Bolshevik (soon the Communist) Party that was melded into the Soviet state.  Lenin, as first among equals, was simply a member of that party.

[Chart Nine about here]

The Ayatollah Khomeini, on the other hand, was infallible because he was chosen by the Hidden Imam as the latter's emissary on earth.  However, Khomeini's infallibility was theoretically limited to those policies that directly affected the spiritual health and purity of the religious community.  Other matters, such as the placement of sewer lines or management of the financial system, were considered technical questions that could, however competently decided, involve error and, in any case, were beneath the dignity of the Ayatollah.  On spiritual questions, however, Khomeini was infallible.  The Ayatollah's relations to the revolutionary elite were complex.  On the one hand, the clerics who supported the Iranian Revolution were themselves "experts" on spiritual matters (as they were labeled in the constitutional assembly).  When they wrote the constitution for the Islamic Republic, they, in fact, cited that expertise when they assigned themselves primary responsibility for selecting the next Supreme Leader (a selection conditioned by the possibility that God and Hidden Imam had, in fact, identified one among them for that role).  On the other hand, once a Supreme Leader had been identified, there could be no justification for opposing him on spiritual matters because he willed only that which God

willed. The Ayatollah's relations with the revolutionary elite were further complicated by the fact that many clerics joined the revolution without fully subscribing to the entirety of Khomeini's doctrinal interpretation of his role in the new Islamic Republic. Some of these dissidents were purged from the clergy and the others were silenced. But the absence of either a consensus among the clergy on doctrinal questions or a commitment to conform with Khomeini's interpretation (once it became known) meant that there was much more ideological variation among clerics than among Bolsheviks. From that perspective, the founding of the Islamic Republic instantiated the Ayatollah Khomeini personally, as opposed to a loosely defined revolutionary elite, as the interpreter of the will of the people (or, what amounted to the same thing, the will of God). Those clerics who were loyal to Khomeini were incorporated largely in the form of an abnormally large personal retinue.[338]

In rather sharp contrast to both Lenin and Khomeini, Adolf Hitler was regarded as an infallible authority on all aspects of German social, economic, and political life. Because he embodied the historical destiny of the German people, race, and nation (and thus the popular will of the German people), Hitler could only will what the German people should, must, and did will. However, as Leader, Hitler could see more clearly how the historical destiny of the German people could be realized than the people themselves. This unerring capacity underpinned both the organic unification of Leader and his people and the Leader's relationship to the revolutionary elite. That elite, embedded in the National Socialist Party, simply became the extension of the Leader, facilitating, in the first instance, his rise to power and, subsequently, his management of state operations (which also became an extension of the Leader). This organic unification of Leader, party, people, and state was so complete that, unlike the Islamic Republic, the Third Reich never contemplated how Hitler's charismatic authority might either be transferred to another person upon his death or transformed into rational, systematic bureaucratic processes. At the founding, the Leader, party, and people were, as an organic whole, simultaneously imbricated into the state (which, itself, became part of that organic unification under the direction of the Leader).

In all three instances, there was a core revolutionary cadre that was drawn to the movement by its founding principles: class (Russian), religion (Iran), and race (Germany). The mass public was integrated into the founding first and foremost by this cadre and its leaders. However, for many, if not most of the mass public, other interests and other beliefs were just as important as those proffered by the cadre and its leaders. Their adherence to the revolutionary party was thus far more conditional than that of the cadre and, in the end, while the mass public brought the regime into power and thus enabled the founding of a new state, this outcome was

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[338] In this respect the constitution of the Islamic Republic anticipated the routinization of what necessarily began as Khomeini's charismatic rule, almost as if the clerics had read Max Weber's discussion of the transformation of charismatic leadership into rational bureaucratic forms. Economy and Society, Guenther Roth and Claus Wittich, eds. (Berkeley: University of California Press, 1978).

not exactly what the "democratic will" (as far as the mass public was concerned) had in mind. At the founding, it was the beliefs most concretely and fervently held by the cadre and leaders of the revolutionary party that became the transcendent social purpose to which the new state was dedicated. The revolutionary tasks were to, on the one hand, attract a mass following by any means possible (including misrepresentation of the intended political program and the construction of proposals that appealed only to narrow segments of the public) and, on the other hand, to interpret that mass following as an expression of a popular will that endorsed, indeed compelled, adoption and instantiation of its principles in the founding of a new state. The inevitable tension between these two tasks meant that each founding was thus always slightly off-center and had to be "purified" once the revolutionary party had taken power.

In each case, the transcendent social purpose to which the new state was to be and was, in fact, dedicated involved the realization of a specific historical destiny. In what became the Soviet Union, this destiny was the historically inevitable communist revolution, ultimately global in scope, in which proletarians would capture the state, abolish bourgeois/capitalist social relations, and then dissolve as a class in what would, in the end, become an ungoverned (in the sense of formal political processes) society. The agent for realizing this destiny was the Bolshevik Party which both embodied, as a vanguard, the historical impulse to revolution and strengthened that impulse by promoting a proper understanding of Marxist doctrine.[339] Since this understanding was necessarily incomplete when the revolutionary opportunity arose, the party acted in advance, as it were, of the will of the people. In terms of evidence of the existence of that will, all that was needed was popular demonstrations of the revolutionary impulse in a form that recognized the leadership of the vanguard party. Because they were a bourgeois device that could only fragment and distort that impulse, democratic elections were a sham. In practice, the sufficiency of the popular will (in terms of the strength and integrity of the revolutionary impulse) was the primary and exclusive concern of the vanguard party: the test was in the pudding (i.e., whether the revolution succeeded). Once the new state was founded, the people would be taught what it was they should, must, and did will when they revolted against the old order.

In the Iranian Revolution, the historical destiny of the Shi'ite religious community was a devout embrace of the impending return of the Hidden Imam. The transcendent social purpose of the new state was the purification of the religious community in preparation for that return. While this purification was the duty and responsibility of all devout Shi'ites (and was thus what the religious community should, must, and did will as a people), only the clergy and, above all others, the Ayatollah Khomeini knew precisely how this purification was to be effected. Here,

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[339] "Impulse" here refers to the almost instinctual rejection of the capitalist order and the erection of a socialist society in its stead. As such, it involves little more than a complete repudiation of the existing social and economic order along with enthusiastic acceptance of the leadership of the vanguard party.

too, the people knew instinctually (e.g., in their feelings of revulsion when confronted with "modern" social mores) what had to be done. However, unlike the Bolsheviks, the clergy could not wait for the revolutionary impulse to mature because God's will was already manifest. While the focus was on the religious community's recognition of the Ayatollah Khomeini as the emissary of the Hidden Imam, this recognition was not something that could be evidenced through democratic elections (in part because such elections allowed the irreligious and infidel to participate and in part because, as a political process, they diverted and fragmented the attention of the religious community with "modernist" issues and forms). In the place of elections, massive street demonstrations both established Ayatollah Khomeini's preeminent spiritual authority by acclamation and thus underpinned the founding of the Islamic Republic. By the time the Assembly of Experts was elected, popular acceptance and recognition of this spiritual authority was already radically shaping the terms of what might have been democratic political competition. Once the Islamic Republic was founded, purification of the religious community commenced, including religious instruction, the suppression of impure elements, and reformulation of relations between the devout and the clergy.[340]

The founding of the Third Reich was more complicated in that revelation of the will of the people required a longer and more intense engagement with democratic elections. From the Nazi perspective, political campaigns and elections both demonstrated growing acceptance of Adolf Hitler as Leader (as evidenced in increasing proportions of the votes garnered by the National Socialist party) and, separately, occasioned the huge displays of emotional feeling that manifested the voluntary subordination of individual identity to the collective destiny of the German people, race, and nation. While elections placed growing numbers of uniformed Nazis in legislative halls throughout Germany, including the Reichstag, Nazis did not play the parliamentary game of compromise and coalition-building that weaves the fabric of democratic governance. Their presence in legislative chambers was, instead, used to demonstrate the contempt of the German people for democracy as a process that weakened, diverted, and otherwise frustrated the collective unity of the German people, race, and nation. Elections were a tool for evidencing the will of the people. They were also a route to the assumption of power by the Leader. But they were emphatically not an instrumental means of achieving substantive goals before the Leader assumed power. After the founding, the Leader presided over a purification of the German people that, while emphasizing race in the place of religion, is otherwise remarkably similar to the Iranian Revolution in its rejection of "modernist" social mores and beliefs.

All three foundings thus rested on a profound conception of the will of the people as an instinctual force driven by historical destiny, and yet imperfect in both its expression and

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[340] To some extent, these things actually preceded the founding of the Islamic Republic because clerics viewed purification as a religious duty regardless of whether or not it was carried out under state auspices.

understanding of what it is that should, must, and will be done. In each founding, the revolutionary elite had a perfect understanding of that historical destiny and proceeded to meld that understanding into the forms and content of the new state. In each instance, the people (i.e., proletarians, Germans, or Shi'ites) had to be purified of impure elements (e.g., the bourgeoisie, Jews, or non-believers) as a step toward enhancing the expression of the popular will.[341] Doctrinal education was also a step in that direction in that, once properly trained, the people were expected to recognize and willingly subscribe to the historical destiny as prescribed in Marxist thought, Khomeini's scholarly writings, or Volkisch theory (as refined in Hitler's Mein Kampf). However, the understanding of the people of their own historical destiny could never be brought up to the level of the revolutionary elite until the historical destiny has been realized (i.e., worldwide proletarian revolution, the return of the Hidden Imam, or the global triumph of the German race). It is this subordination of the people to the revolutionary elite that makes each of these a non-democratic founding.

In all three foundings, the new states and the states they replace were more or less necessary incidentals of history because the "people" both spanned national boundaries and because there were those who reside within those national boundaries who were not of the people. The historical destiny attending each founding recognized this incidental nature by prescribing a transcendent social purpose in which the state-as-nation-state was clearly an imperfect instrument: the world revolution of the proletariat, the absorption of all Shi'ites (and Muslims) in one religious community, and Pan-German unification and expansion. In each case, national boundaries were at least arbitrary, plastic conventions, if not irrelevancies imposed by a hostile world order.[342]

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[341] In each case, the unity of the revolutionary coalition (to which the founding revolutionary elite belonged) originally rested on unmitigated rejection of the existing regime (i.e., the Tsar, the Shah, or the Weimar Republic). After the founding (in a process that was already under way), the revolutionary elite progressively eliminated the other parties in the coalition (starting with those on the right in Russia and on the left in Iran and Germany). In all three instances, the revolutionary party eliminated competing parties one-by-one, beginning with those parties furthest from the revolutionary elite and then encompassing those that had earlier been allies. In one sense, this was a profoundly instrumental strategy of "divide and conquer" that necessarily began with those party organizations whose goals most diverged from those of the revolutionary elite (because those organizations would otherwise have most readily have seen on handwriting on the wall with respect to their own fate if the process of elimination had started had started elsewhere). In another sense, however, this strategy was also profoundly ideological in that purification of the people should necessarily begin with a purging of the most impure elements and influences among them. As Martin Niemoller, a pastor who was himself imprisoned by the Nazis, painfully reminisced, "First they took the Communists, but I was not a Communist, so I said nothing. Then they took the Social Democrats, but I was not a Social Democrat, so I did nothing. Then it was the trade unionists' turn, but I was not a trade unionist. And then they took the Jews, but I was not a Jew, so I did little. Then when they came and took me, there was no one left who could have stood up for me." Richard J. Evans, The Third Reich in Power (New York: Penguin Books, 2005), pp. 232-3.

[342] There were, of course, differences in the way that each founding regarded these boundaries as potentially encompassing a people. For the Bolsheviks, every nation would ultimately (if it did not now) contain a proletariat that would revolt and overthrow the capitalist order. National boundaries would thus disappear when the communist historical destiny had been realized. For Shi'ites, the religious community was spatially concentrated in but a few

In democratic foundings, the state becomes the content of the social contract between the people (as individuals) and the political community they create. In non-democratic foundings, there has been no social contract because the people (as individuals) are completely folded into the political community as a historically-destined collective (see Chart Ten). The founding of the state is merely the formal recognition of that collective and the revolutionary elite that bears, perfects, and will realize the historical destiny of the people. Non-democratic foundings thus do not mark the transition from a state of nature (a pre-political society of individuals) into a political community organized and governed by a state. The political community has always existed as an historically authorized and destined collective. The erection of a state at the founding is merely an incidental step in realizing that historical destiny.

[Chart Ten about here]

As an incidental step, all the elements that would otherwise pose an opening dilemma at a democratic founding are already well-settled facts: (a) the identity of the people and who is authorized to represent their will; (b) the identity of the leader who is authorized to recognize proposals and place them before the founding assembly; and (c) the rules through which the leader is selected and the members of the assembly are recognized as representatives of the people. In fact, the legislative assembly that enacts the founding is almost a ritual formality because all these elements have already been prescribed in the historical destiny of the people (as interpreted and presented by the revolutionary elite). There is thus no "slight of hand" through which the opening dilemma is resolved because the opening dilemma never existed in the first place.

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nations. The community could expand through religious conversion and jihad but, although expansion by these means was a religious duty of the faithful, political boundaries demarcating the limits of the religious community were not necessarily destined to disappear until the return of the Hidden Imam (when they would become utterly irrelevant). For Nazis, the German people, race, and nation were biologically grounded in the blood. Conversion (say from a Pole to a German) was thus rule out as impossible. While this ineradicable racial identity, along with the spatial concentration of Germans in Central Europe, would appear to make national boundaries both relevant and useful, Nazi ideology posited a German racial superiority so supremely dominant that recognition of national boundaries would have been the idle parlor game of weaker races and their nations. The German people, for their part, would have taken whatever lands and resources that they needed regardless of where they were located. Put another way, national boundaries require a mutual recognition of those residing on both sides of the perimeter. The Nazis would never have participated in that mutual recognition because they were emphatically opposed to a world order in which national boundaries set limits on the destiny of the German people.

<u>Chart One</u>
<u>Leading Party Organizations during the Russian Revolution: Their</u>
<u>Social Base and Attitude toward the Founding of a New State</u>

| Party Organization | Social Base | Locus of Power | Attitude toward Founding |
|---|---|---|---|
| Constitutional Democrats (Kadets) | Gentry and bourgeoisie | Provisional Government | Parliamentary democracy |
| Mensheviks | Urban intelligentsia, government bureaucracy, workers | Provisional Government/ Soviets | Parliamentary democracy |
| Socialist Revolutionaries | Rural peasants, soldiers | Soviets/ Provisional Government | Parliamentary democracy |
| Left Socialist Revolutionaries | Rural peasants, soldiers | Soviets | Proletarian dictatorship |
| Bolsheviks | Workers | Soviets | Proletarian dictatorship |

Notes and Sources: William G. Rosenberg, <u>Liberals in the Russian Revolution: The Constitutional Democratic Party, 1917-1921</u> (Princeton, N.J.: Princeton University Press, 1974), pp. 5-6, 123.  Edward Hallett Carr, <u>The Bolshevik Revolution, 1917-1923</u>, volume 1 (New York: Macmillan, 1951), pp. 70, 109.  William Henry Chamberlin, <u>The Russian Revolution, 1917-1921</u>, vol. 1 (New York: Grosset & Dunlap, 1965), pp. 40, 102, 250, 327, 353-4.  James Mavor, <u>The Russian Revolution</u> (London: George Allen & Unwin, 1928), p. 195.

<u>Chart Two</u>
<u>Party Strength in the All-Russian Congress of Soviets and Constituent Assembly</u>

| June 1917<br>Congress of Soviets | November 1917<br>Congress of Soviets | January 1918<br>Constituent Assembly |
|---|---|---|
| Socialist Revolutionaries (285) | Socialist Revolutionaries (55) | Socialist Revolutionaries (410) |
| Mensheviks (248) | Mensheviks (56) | Mensheviks (16) |
| Bolsheviks (105) | Bolsheviks (323) | Bolsheviks (175) |
| Other parties (139) | Left Socialist Revolutionaries (70) | "national groups" (86) |
| Unaffiliated (45) | Unaffiliated and minor parties (58) | Kadets (17) |

<u>Notes and Sources</u>: Ukrainian nationalists comprised most of the "national groups" elected to the Constituent Assembly. Edward Hallett Carr, <u>The Bolshevik Revolution, 1917-1923</u>, volume 1 (New York: Macmillan, 1951), pp. 89, 110. James Mavor, <u>The Russian Revolution</u> (London: George Allen & Unwin, 1928), p. 169, n. 17.

Chart Three
Legislative Assemblies Attending the Founding of the Soviet State

| Legislative Assembly | Claim on Legitimacy | Role in the Founding of the State |
|---|---|---|
| Second All-Russian Congress of Soviets (November 8, 1917) | Election by workers and soldiers | Proclamation of a Provisional Workers' and Peasants' Government, naming the People's Commissars (Lenin as Chairman, etc. |
| Central Executive Committee (January 16, 1918) | Election by Soviets of Workers', Soldiers' and Peasants' Deputies | "Russia is declared a republic of Soviets of workers', soldiers' and peasants' deputies. All power in the centre and locally belongs to these Soviets." Part of the Declaration of Rights of the Toiling and Exploited People. |
| Third All-Russian Congress of Soviets (January 23, 1918) | Election by workers, peasants, and soldiers | Approved dissolution of the Constituent Assembly and Declaration of Rights of the Toiling and Exploited People. Also adopted a resolution "On the Federal Institutions of the Russian Republic" which stated that "The Russian Socialist Soviet Republic is created on the basis of a voluntary union of the peoples of Russia in the form of a federation of the Soviet republics of these peoples." |
| Fifth All-Russian Congress of Soviets (July 10, 1918) | Election by workers, peasants, and soldiers | Adoption of the Soviet Constitution, including the Declaration of Rights of the Toiling and Exploited People as a preamble. |

Notes and Sources: George Vernadsky, The Russian Revolution, 1917-1931 (New York: Henry Holt, 1932), p. 162. Edward Hallett Carr, The Bolshevik Revolution, 1917-1923, volume 1 (New York: Macmillan, 1951), pp. 108, 110, 117, 121, 123, 150.

Table One
Percentage of the Vote Cast for the Major Political Parties in Reichstag Elections: 1924-1933

| Election | (Nazi) NSDAP | (Nationalist) DNVP | (German People's) DVP | (Catholic) Zentrum | (Democrats) DDP | (Social Democrats) SPD | (Communists) KPD | Other/ Splinter |
|---|---|---|---|---|---|---|---|---|
| May 4, 1924 | 6.5 | 19.5 | 9.5 | 16.6 | 5.7 | 21.6 | 12.6 | 8.3 |
| Dec. 7, 1924 | 3.0 | 20.5 | 10.1 | 17.3 | 6.3 | 26.0 | 9.0 | 7.8 |
| May 2, 1928 | 2.6 | 14.2 | 8.7 | 15.2 | 4.8 | 29.8 | 10.6 | 13.7 |
| Sept. 14, 1930 | 18.3 | 7.0 | 4.9 | 14.8 | 3.5 | 24.5 | 13.1 | 14.4 |
| July 31, 1932 | 37.3 | 5.9 | 1.2 | 15.7 | 1.0 | 21.6 | 14.3 | 3.2 |
| Nov. 6, 1932 | 33.1 | 8.5 | 1.8 | 15.0 | 1.0 | 20.4 | 16.9 | 4.7 |

Note and source: Commonly used party names are in parentheses; the initials are for the formal German names.  For the purposes of this table, these designations ignore party schisms, defections, mergers, and other (usually minor) changes in party organization and titles.  The percentages are taken from Thomas Childers, The Nazi Voter: The Social Foundations of Fascism in Germany, 1919-1933 (Chapel Hill: University of North Carolina Press, 1983), pp. 58, 61, 125, 141, 209, 211.  Almost identical percentages can be found in Richard F. Hamilton, Who Voted for Hitler? (Princeton, N.J.: Princeton University Press, 1982), p. 476.  The major difference is that the latter breaks out the Bavarian People's Party from the Zentrum total and includes their votes in the "Other" category.

**Chart Four: Characteristics of the Major Political Parties in the Weimar Republic**

| Party | Core Social Base | Orientation toward Democracy and the Weimar Republic | Preferred Basis for the Sovereignty of the German State |
|---|---|---|---|
| Communist (KPD) | Working class; after the onset of the Great Depression, the unemployed | Hostile | Soviet organization of the state and economy using the Soviet Union as a model |
| Social Democrat (SPD) | Working class | Favorable | Supported the Weimar Republic, procedurally correct and legalistic |
| Democrat (DDP) | Middle-class; intelligentsia; export-oriented sectors of the economy | Favorable | Supported the Weimar Republic, emphasis on democratic principles and political rights |
| Catholic (Zentrum) | Catholics; hierarchy of the Catholic Church; particularly strong in Bavaria | Favorable | Supported the Weimar Republic, although weakly after 1930, often emphasized separation of church and state, federalism |
| German People's (DVP) | Bourgeoisie; industrial elite | Indifferent | Supported the Weimar Republic until 1929, an authoritarian regime thereafter |
| Nationalist (DNVP) | Large land-owners; Lutherans; Lutheran Church; veterans; particularly strong in eastern Germany, Prussia | Hostile | Restoration of the German Empire, constitutional monarchy, and elitist respect for the traditional social order |
| Nazi (NSDAP) | Small farmers; shop keepers; independent artisans; students; particularly strong in rural areas of northern Germany | Hostile | Organization of politics and state authority under an all-powerful "Leader" who would embody and enable the rightful historical destiny of the German race, people, and nation; "blood and soil" nationalism |

**Chart Five: Composition of Governments and Cabinets under the Weimar Republic (1924-1933)**

Parties in the Governing Coalition

| Chancellor (Party) | Dates in Office | NSDAP | DNVP | DVP | Zentrum | DDP | SPD | KPD |
|---|---|---|---|---|---|---|---|---|
| Wilhelm Marx (Zentrum) | November 30, 1923 -January 15, 1925 | | | X | X | X | | |
| Hans Luther (non-partisan) | January 15, 1925 -January 20, 1926 | | X | X | X | X | | |
| Hans Luther (non-partisan) | January 20, 1926 -May 17, 1926 | | | X | X | X | | |
| Wilhelm Marx (Zentrum) | May 17, 1926 -January 29, 1927 | | | X | X | X | | |
| Wilhelm Marx (Zentrum) | January 29, 1927 -June 29, 1928 | | X | X | X | | | |
| Hermann Muller (SPD) | June 29, 1928 -March 30, 1930 | | | X | X | X | X | |
| Heinrich Bruning (Zentrum) | March 30, 1930 -May 30, 1932 | ----------------------------------------------- | | | | | | |
| Franz von Papen (no party) | May 30, 1932 -December 3, 1932 | ----------------------------------------------- | | | | | | |
| Kurt von Schleicher (army general) | December 3, 1932 -January 30, 1933 | ----------------------------------------------- | | | | | | |
| Adolf Hitler (NSDAP) | January 30, 1933 | ----------------------------------------------- | | | | | | |

Note and Source: Popular names for the political parties: NSDAP (Nazi); DNVP (Nationalists); DVP (German People's); Zentrum (Catholic); DDP (Democrats); SPD (Social Democrats); KPD (Communists).  The last four chancellors (Bruning, von Papen, von Schleicher, and Hitler) were appointed by President Hindenburg even though they enjoyed only minority support in the Reichstag.  Papen resigned from the Zentrum when he became chancellor.  Most of the information in the table was taken from Erich Eyck, trans. Harlan P. Hanson and Robert G.L. Waite, A History of the Weimar Republic (Cambridge, Mass.: Harvard University Press, 1962-3), Vol. 1 (p. 342) and Vol. 2 (p. 489).

Chart Six: Socio-economic Class and Support for the Nazi Party

| Socio-economic class | Percent of All Gainfully-employed Adults Students* | Percent of Those Who Joined the Nazi Party in 1933* | Reasons for Supporting or Opposing the Nazi Party |
|---|---|---|---|
| Lower-class: Skilled and unskilled workers, including those employed in traditional and artisanal crafts | 54.6 | 30.7 | Most workers accepted some variant of a Marxist class struggle as their understanding of politics and therefore found Nazi principles hostile to their material interests; in addition, the anti-Semitic elements in the Nazi program were not relevant to daily life. |
| Lower-middle-class: Self-employed artisans and craftsmen; professionals without academic degrees; lower-rung white-collar workers and civil servants; owners and operators of small businesses and shops; and self-employed farmers and fishermen. | 42.6 | 57.1 | Many in this class were attracted to nationalist stands; in addition, economic uncertainty, status anxiety, and perceived class competition led many to become virulently anti-Semitic as both an explanation for their plight and outlet for their frustration; farmers were also attracted to material aspects of the Nazi program. |
| Elite: High-ranking managers in large firms; high-ranking civil servants holding academic degrees; senior students in prep schools or universities; entrepreneurs; titled aristocrats; the very wealthy; and those wielding political authority. | 2.8 | 12.2 | Many students were WWI veterans who blamed Jews for German defeat; high-ranking civil servants and other elements in the economic elite supported the Nazis as a bulwark against Bolshevism although they were reluctant to formally join the party; opposition to the Weimar Republic and parliamentary democracy in general was common. |

* The percent of each class as a proportion of all gainfully employed adults and students was calculated from the 1933 national census.  The percent of each class as a proportion of all those who joined the Nazi party in 1933 was calculated from a sample of membership lists.  Both taken from Michael H. Kater, The Nazi Party: A Social Profile of Members and Leaders, 1919-1945 (Cambridge, Mass.: Harvard University Press, 1983), pp. 241, 252.  Other information in this table abstracted from the same source, pp. 2-3, 5-12, 20-23, 26-9.

## Chart Seven

### Major Events Preceding Hitler's Appointment as Chancellor of the Weimar Republic

1930: March 27. The "Grand Coalition" cabinet resigns. President Hindenburg appoints Heinrich Bruning Chancellor. This is the first of three governments that does not enjoy a majority in the Reichstag.

1930: September 14. Nazis win 107 seats in the Reichstag election and thus become the second largest political party.

1931: February-October. Reichstag is adjourned because the proceedings had become so chaotic no legislative business could be conducted.

1931: March. Bruning announces restrictions on freedom of the press.

1932: April 13. Hindenburg issues a presidential decree outlawing Nazi storm troopers. Franz von Papen later lifts the ban.

1932: March 13-April 10. First and second (runoff) presidential elections, both of them primarily contests between Hindenburg and Hitler. Hitler polls 30 percent in the first and 37 percent in the runoff. Social Democrats support Hindenburg as the lesser of two evils.

1932: May 30. Bruning resigns as Chancellor. Hindenburg appoints Franz von Papen in his place.

1932: July 29. Papen bans public political meetings.

1932: July 31. Reichstag election. Nazis win 230 seats, thus becoming the nation's largest political party.

1932: August 9. Papen decrees that the killing of a political opponent "out of rage or hatred" is punishable by death.

1932: September 12. The Reichstag votes "no confidence" in the Papen government, 512-42 with 5 abstentions.

1932: November 6. Reichstag election. Nazi support declines but it still remains the largest party.

1932: December 3. Papen resigns. Hindenburg appoints General Kurt von Schleicher as Chancellor.

1933: January 30. Hitler sworn in as Reich Chancellor.

Notes and sources: Most entries were taken from Richard J. Evans, The Coming of the Third Reich (New York: Penguin Books, 2005), pp. 247, 250-1, 269-70, 275, 283, 285-7, 299-302, 318, 336, 341, 343-4, 351, 358-9, 364-5, 367-8, 372.

<u>Chart Eight</u>

<u>Major Events in the Consolidation of Power after the Nazi Takeover</u>

1933: February 4. Hindenburg issues a "Decree for the Protection of the German Nation" that gives the new Nazi government the authority to prohibit public assemblies and to censor publications.

1933: February 27. Marinus van der Lubbe, a Dutch anarchist, burns down the Reichstag.

1933: February 28. Hindenburg signs a decree drafted by Hitler suspending provisions in the Weimar Constitution that protected freedom of speech, freedom of the press, the right of assembly, personal liberty and privacy, and property rights, as well as permitting the central government to take over local governments.

1933: February 28. The state government in Bavaria bans Communist meetings and shuts down the Communist press.

1933: March 1: Publication of Social Democratic newspapers is temporarily banned for two weeks.  This ban is renewed every two weeks until it becomes permanent.

1933: March 5. Reichstag election.

1933: March 6. Communist Party officially banned.

1933: March. Interior Minister Frick orders that Nazis be appointed in place of elected government ministers in federated states.

1933: March 20. What turns out to be the first concentration camp in Germany opens at Dachau.

1933: March 23. The Reichstag passes the Enabling Act that confers unilateral law-making authority upon Hitler (as Reich Chancellor).  The Act renders the Reichstag and the President Hindenburg more or less powerless.

1933: May 10. The German government seizes the Social Democratic Party's assets and property.

1933: June 22. Social Democratic Party officially banned.

1933: June 26. Reichstag deputies and other political officials belonging to the Bavarian People's Party (allied with the Catholic Centre Party) are arrested.

1933: June 28. After the government prevents its Reichstag deputies from serving, the leaders of the State Party formally dissolve the party.

1933: June 29. The German-Nationalist Front (formerly the Nationalist Party) formally dissolves itself.

1933: July 1. Nazis sign an agreement (the Concordat) with the Vatican under which priests are prohibited from engaging in political activity and the Zentrum is to be disbanded.

1933: July 5.  The Centre Party formally dissolves and encourages its political officials to join the Nazi Party.

1933: July 4.  The leader of the People's Party announces the dissolution of the party.

1933: July 14. Hitler decrees that the National Socialists Workers' party is the only legal party in Germany and that the founding or maintaining of other political party organizations is illegal.

**1933: December 1:** The Ministry of the Interior declares that the Nazi Party is now unified with the German state.

**1934: August 1.** Law passed combining the offices of Reich President and Reich Chancellor under Adolf Hitler.

**1934: August 2.** President Paul von Hindenburg dies.

**1934: August 19.** Plebiscite approving Hitler's self-appointment as Head of State following Hindenburg's death.  Almost ninety percent (89.9) of the votes supported Hitler.

Notes and sources: Most entries were taken from Richard J. Evans, The Coming of the Third Reich (New York: Penguin Books, 2005), pp. 42-3, 328-333, 335-6, 339-342, 344-5, 351, 358-9, 364-5, 367-8, 372.

Chart Nine
Characteristics of the Foundings of the Soviet Union, the Islamic Republic of Iran, and the Third Reich

| Founding | Leading Figure | Role in the Revolution | Transcendent Social Purpose of the New State | Manner in which the popular will is evidenced | Enemies of the Founding |
|---|---|---|---|---|---|
| Soviet Union | Vladimir Lenin | Leader of the vanguard party of the proletarian revolution | Carry out the transition from capitalism to communism | Support in the streets and the barracks for the vanguard party | Bourgeoisie and the capitalist class generally, Russian nobility and Tsar |
| Islamic Republic of Iran | Ayatollah Khomeini | Shi'ite cleric closest to the Hidden Imam | Prepare the religious community for the return of the Hidden Imam | Support in the streets for Khomeini and an Islamic Republic | Atheists, heretics, those who advocate modernization of Iranian society (e.g., intelligentsia) |
| Third Reich | Adolf Hitler | Leader of the Volk | Unify and mobilize the German people, race, and nation in pursuit of their historical destiny | Support in rallies and elections for the National Socialist Party and Hitler, in particular | Jews, Communists (and Marxists generally), those who wish to create a liberal democracy |

Notes: This chart depicts the characteristics of each founding from the perspective of the founders (e.g., from the perspective of the National Socialist Party in the founding of the Third Reich).

Chart Ten
The Constituting Event in the Founding of the Soviet Union, the Islamic Republic, and the Third Reich


| Constituting Event | Significance of the Event | Content of the Founding |
|---|---|---|
| Soviet Union: The endorsement by the Second All-Russian Congress of Soviets of the Bolshevik overthrow of the Provisional Government | Confirmed the validity of the revolution led by the vanguard party | Melded the popular will (as embodied in the Congress of Soviets, the vanguard party of the proletariat (the Bolsheviks), and the transcendent social purpose (realizing the historical destiny of the proletariat by carrying out the communist revolution) in the new Soviet state |
| Islamic Republic: Ratification of the new constitution by national referendum. | Created the Islamic state | Melded the popular will (as embodied in Iranian electorate), Shi'ite clerics (followers of Ayatollah Khomeini), and the transcendent social purpose (purification of the religious community in preparation for the return of the Hidden Imam) in the new Islamic Republic |
| Third Reich: Passage in the Reichstag of the Enabling Act. | Conferred all legislative authority on the Leader | Melded the popular will (as embodied in the Reichstag election), the Leader (Adolf Hitler), and the transcendent social purpose (realizing the historical destiny of the German people, race, and nation) in the new Third Reich |

Notes: In each case, there were several other events that could be considered as "constituting" the founding (see the descriptions in the main body of this chapter). The ones chosen for inclusion in this chart marked the turning points after which the respective revolutionary elites no longer believed that eliciting further demonstrations of the will of the people was necessary in order to consolidate the new state. Since they considered the new state to have been properly founded, the will of the people was henceforth organically represented in the new state, making further consultation of the popular will (as something distinct from the state) superfluous.