

WAR AND PEACE IN THE PORTUGUESE REPRESENTATION PARLIAMENTARY SPEECHES (1914-1939)

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1914 – THE FAILURE OF THE PACIFIST MOVEMENTS

During the three years preceding 1914, there was a visible build-up of conflicts in Europe: the use of arms, the increase in the number of armed troops in France and Germany and the Balkan Wars. It was also in this same period that pacifists gradually developed the “logic of war”. Together with the socialists and the organizers of the French-German parliamentary conference, the pacifists prepared the 3rd Hague Conference, scheduled for 1914.

Meanwhile, the archduke of Austria was assassinated on June 28, 1914 and the reaction to this episode is a tragic reminder of the powerlessness of the pacifist movement. At the time, almost all pacifists committed themselves to national defense. Their attitude has both a structural cause - the division inside the pacifist movement – and a circumstantial cause – the hastiness of the events. There was no awareness of the pressures of time. Once war had been, or was about to be, declared, why did the pacifists not only realize their powerlessness to oppose the war but also ended up collaborating in the national defense? Various countries reacted in a similar fashion, so this attitude was not limited to France or Germany. The popular movements for national defense also emerged at this time. This was the natural consequence of the movement of nationalities, a key fact in the history of the 19th century.

WHAT HAPPENED IN PORTUGAL?

In the mid-1850s, on the road to peace and international solidarity, a great number of Portuguese demo-republicans and proto-socialists advocated

political and social change, as well as the preserving of peace. The conquest of peace through the republic was a constant appeal made by republicans such as Teófilo Braga, Teixeira Bastos and Manuel Emídio Garcia. In Portugal, the action and thought of parliamentarian Sebastião de Magalhães Lima marked the relation of pacifism with republicanism, socialism and free thinking. With a background in Law, he was also a writer and a journalist, the founder of the newspaper *O Século*, a Grand-Master mason, a fervent republican and an advocate of federalism. Together, these roles stimulated his constant attention and his advocacy for the arbitration of conflicts and the creation of an international court. Magalhães Lima played a crucial role in the consolidation of the pacifist movement in Portugal. Other names would play an important part in this goal, such as that of judge and deputy João de Paiva (1849-1914), an internationally renowned expert in International Political Law who represented Portugal in various Interparliamentary Conferences. Another important figure was that of writer, journalist and pedagogue Alice Pestana (1860-1929), who wrote under the pen name Caiel.

Within this framework, mention should also be made of the important role played by the Lisbon Geographical Society with the creation of the Peace and Arbitration Commission (1896), which served mainly as a discussion group with no considerable impact on the public opinion. Moreover, from 1910 onwards, its importance decreased.

Hence, it was necessary to create a driving force for the Portuguese pacifist movement.

The Hague Conference was held on May 18, 1899 and it was within this framework and in that same year that Alice Pestana founded the *Portuguese Peace League*, which presented itself as the “society of peaceful propaganda” for the accomplishment of *Peace through Law*. Future deputies Magalhães Lima and João de Paiva, republicans Teixeira Bastos and Manuel de Arriaga, along many other men and women participated in this association. These women instilled a particular dynamism into the *Portuguese Peace League*, with the creation of its Feminist Section. *A primeira tuguesa da Pazismo ciaga, entre muitos outros e outras mulheres. Foram elas que lhe incutiram particular dinamismo c*, in 1906.

The first decade of the 20th century was especially fruitful in propaganda of the pacifist ideals, even in Portugal. Other organizations with a pacifist nature include the *League of Peace and Arbitration of Oporto* (the core of the *Portuguese Peace League*) and the Portuguese Pacifist League, which joined

the International Peace Office in 1906. Mention should also be made of the radical antimilitaristic group *Pró-Paz*, founded in 1904.

Portugal was officially represented in the *Ligue des femmes pour le désarmement international*, created in France in 1897 and later known as *Alliance Universel des femmes pour la Paix par l'Éducation*. Alice Pestana and Virgínia Quaresma, respectively, served as Vice-President and Secretary of this organization. Mention should be made of their dynamism in the organization of various events and in journalistic propaganda, namely in such magazines as *Alma Feminina*. This magazine featured several articles with a pacifist theme (written, for instance, by Sara Beirão) published during the First World War.

The Portuguese presence in the Universal Peace Conferences is also noteworthy. Portugal's most regular representative was Sebastião de Magalhães Lima. The Congress with the greatest number of Portuguese attendees was the one held in Geneva, in 1912. From 1913 onwards, the Portuguese participation declined. Another four Peace Conferences were held after the First World War, for which there are no surviving attendance lists. Nevertheless, we know that the Portuguese participation during the inter-war years was non-existent or negligible: (1925 – delegate of the Grand Orient of Portugal – François Nicol; 1931 – minister Alberto Oliveira; 1936 – Cardiff – a letter of accession by Alice Lami, representing the *Portuguese Feminine Association for Peace*).

The Portuguese participation in the Universal Peace Conferences was non-sequential and focused mainly in the period between 1890 and 1914.

The outbreak of the war in 1914 explains the forced interruption in the organization of the Universal Conferences. Some Portuguese pacifist leaders, such as Magalhães Lima, supported Portugal's participation in the First World War. However, the end of the war favored the resumption of the activities organized by some Portuguese pacifists. The Peace and Arbitration Commission of the Geographical Society continued operating and propaganda was still disseminated in the press and in conferences, such as in the participation of the Count of Penha Garcia in the League of Nations, representing Portugal.

The crisis of July-August 1914 and the declaration of war thwarted the dreams of many pacifists and their hopes of a better world.

However, the truth was that many pacifists did not want to sacrifice peace in favor of the integrity and independence of their nations.

Despite this undeniable setback of the pacifist movement, many of its ideas will resurge and make their way after the First World War.

In fact, this international instability and the unbearable atmosphere of threats – from fascisms, totalitarianisms and authoritarianisms – will favor the evolution of pacifism. During the 1930s, pacifism became autonomous and detached itself from the rational, organized and quasi-scientific Europeanism of the preceding decade. This pacifism was inspired by the metaphysical feeling of peace that originated and developed from the antifascist movement itself.

It can be stated that the idea of peace through law would not be fully accomplished. Nevertheless, it inspired action and pointed out means and ends.

In conclusion, we can say that the transition from a Europe of ideas to a Europe of action and the development of the issues focusing on the “idea of Europe” and the restoration of Peace had a strong impact during the inter-war years. The First World War was undoubtedly responsible for promoting an intense discussion on the need and ways to build a unifying idea of Europe and on the paths to Peace in Europe. It should be remembered that most projects for the unification of Europe were developed precisely during the 1920s, some of them encouraged by the pacifist ideals.

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DER REPRÄSENTATIONSBEGRIFF IN DER WEIMARER REPUBLIK

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I. DIE AUSGANGSLAGE

Die Frage der Repräsentation rückte in Deutschland insbesondere nach dem Ende des Ersten Weltkrieges in den Vordergrund. Die Abschaffung der Monarchie durch die Novemberrevolution (1918), die Neuerrichtung des Staates und die Erarbeitung einer neuen Verfassung warfen grundlegende Fragen über die Funktionen auf, die zuvor durch die Präsenz und die Befugnisse des Kaisers gedeckt worden waren. Hinzu kam auch die schwierige Lage der deutschen Delegation während der Friedenskonferenz in Versailles (1919), die von den Verhandlungen ausgeschlossen wurde und deren repräsentative Funktion auf der internationalen Ebene somit infrage gestellt wurde.

Mit der Gründung des neuen Staates waren neue Verhältnisse geschaffen worden, die aber gewisse Spannungen zwischen den Gewalten hervorriefen. Grundsätzlich war das Volk das Subjekt der Souveränität, als es im Art. 1 lautete: »Das Deutsche Reich ist eine Republik. Die Staatsgewalt geht vom Volke aus«. ¹ Dennoch war es den Rechtswissenschaftlern, Staatsrechtlern und anderen Experten unzweifelhaft klar, dass ein nationaler Großstaat nur durch Repräsentanten vertreten zu werden vermochte, auch wenn die neue Verfassung mehrere Mittel der direkten Demokratie (insbesondere das Referendum und die direkte Wahl des Staatspräsidenten) als Ausgleich vorsah. Ihrerseits räumte die Weimarer Verfassung nicht alle Zweifel aus, was die Repräsentation und die Kompetenzverteilung anging. Eindeutig war ausschließlich die Auffassung eines auf Zentralgewalt basierenden

¹ Die Zitate aus der Weimarer Verfassung stammen aus: www.jura.uni-wuerzburg.de/fileadmin/02160100/Elektronische_Texte/Verfassungstexte/Die_Weimarer_Reichsverfassung.pdf. Letzter Zugriff: 27.07.2016.

Nationalstaates, der nach dem Art. 13 Abs. 1 über die Länder Vorrang hatte: »Reichsrecht bricht Landesrecht«. Andererseits aber bot die von der Verfassung vorgesehene Organisation ein Spannungsverhältnis zwischen dem Parlament (Art. 20: »Der Reichstag besteht aus den Abgeordneten des deutschen Volkes«), das als Ausdruck einer repräsentativen Demokratie konzipiert war, und dem Staatspräsidenten, der als Repräsentant des ganzen Volks durch allgemeine Volkswahlen gewählt wurde (Art. 41: »Der Reichspräsidenten wird vom ganzen deutschen Volk gewählt«) und die Souveränität des Staates nach außen vertrat (Art. 45: »Der Reichspräsident vertritt das Reich völkerrechtlich«), dessen Funktion somit nach Max Webers Definition eher dem Modell einer plebiszitären Demokratie entsprach. Und dennoch: Während das Parlament (der Reichstag) das Recht erhielt, über alle internationalen Bündnisse und Verträge abzustimmen und über die Konflikte durch Reichsgesetz zu entscheiden, besaß der Staatspräsident im Gegenzug das Recht, mit gewissen Einschränkungen den Ausnahmezustand auszurufen und als entscheidende beschlussfähige Instanz zu gelten (obgleich beide durch Volksentscheid abberufen werden konnten). Dies erweiterte die Debatte über die Repräsentation und sorgte allmählich für ein Verständnis ihrer Funktion, das über das repräsentative System hinausreichte und sich einer neuen Begrifflichkeit bediente.

II. MAX WEBER UND DIE ZENTRALITÄT DER FREIEN REPRÄSENTATION

Der Begriff der Repräsentation wird von Max Weber der politischen Sphäre zugeordnet und als eine der Herrschaft dazugehörige Kategorie behandelt. Die Bedeutung, die Weber der Repräsentation beimisst, lässt sich unter anderem auf seine Bevorzugung des repräsentativ-parlamentarischen Systems zurückführen, wodurch das englische politische Modell in den Vordergrund rückt. Die Repräsentation wird somit eine Schlüsselkategorie der politischen Soziologie, die in seinem unvollendeten und 1922 posthum veröffentlichten Hauptwerk *Ökonomie und Gesellschaft* analysiert wird. Da einige Spezifikationen des Begriffs und Beispiele auf die Räterepublik Bezug nehmen, kann Webers Analyse über den Begriff der Repräsentation auf die Jahre 1918-1919 zurückgeführt werden. Die Repräsentation wird von Weber nicht der Vertretung gegenübergestellt, sondern als eine spezifische Form der Vertretung verstanden, die zusätzliche kennzeichnende Merkmale aufweist. Weber definiert die Repräsentation folgendermaßen: