

HISTORICAL EXHIBITION PRESENTED BY THE GERMAN BUNDESTAG

The German constitutions

Synopsis of selected provisions from the constitutions of 1849, 1871, 1919 and 1949

Subject	Basic Law, 1949	Weimar constitution of 1919	Imperial constitution of 1871	Imperial constitution of 1849
Equality before the law	Article 3(1): All persons shall be equal before the law. Article 3(2): Men and women shall have equal rights.	Article 109(1): All Germans shall be equal before the law. Article 109(2): Men and women shall, in principle, have the same civil rights and responsibilities.	Article 3(1): For the whole of Germany there shall be a common naturalisation, with the effect that persons [...] belonging to each federal state shall be treated as German citizens.	Section 137(1): No distinction between classes shall be made before the law. The aristocratic class shall be abolished. Section 137(3): Germans shall be equal before the law.
Religious freedom	Article 4: Freedom of faith and of conscience and freedom to profess a religious or philosophical creed shall be inviolable.	Article 135: All residents of the <i>Reich</i> shall enjoy full freedom of faith and conscience.	-	Section 144(1): Every German shall have full freedom of faith and conscience.
Freedom of assembly	Article 8(1): All Germans shall have the right to assemble peacefully and unarmed without prior notification or permission.	Article 123(1): All Germans shall have the right to assemble peacefully and unarmed without prior notification or special permission.	-	Section 161(1): All Germans shall have the right to assemble peacefully and unarmed; special permission shall not be required for such assembly.
Parliament, its Members and elections	Article 38: Members of the Bundestag shall be elected in general, direct, free, equal and secret elections. They shall be representatives of	Article 20: The Reichstag shall comprise the Members of Parliament elected by the German people. Article 21: The Members of the Reichstag shall be	Article 20(1): The Reichstag shall be elected in general and direct elections by secret ballot. [...]. Article 29: The Members of the Reichstag shall be	Section 93: The House of the People shall comprise the Members of Parliament elected by the German people. Section 94(2): The election shall take

	the whole people [...].	representatives of the whole people. Article 22(1): Members of the Reichstag shall be elected in general, equal, direct and secret elections [...].	representatives of the whole people. [...].	place in accordance with the provisions of the Imperial Electoral Act.
The Bundesrat	Article 50: The <i>Länder</i> shall participate through the Bundesrat in the legislation and administration of the Federation.	Article 60: A Reichsrat shall be formed to represent the German <i>Länder</i> in the legislation and administration of the <i>Reich</i> .	Article 5(1): Imperial legislative powers shall be exercised by the <i>Bundesrath</i> and the Reichstag.	Section 85: The Reichstag shall comprise two Houses: the House of States and the House of the People.
Head of State	Article 54: The Federal President shall be elected by the Federal Convention without debate.	Article 41(1): The President of the <i>Reich</i> shall be elected by the whole German people.	Article 11(1): The presidency of the Confederation shall be vested in the King of Prussia, who shall hold the title 'German Emperor'. [...].	Section 68: The position of Imperial Head of State shall be conferred upon one of the ruling German princes.
Federal Government	Article 62: The Federal Government shall consist of the Federal Chancellor and the Federal Ministers.	Article 52: The <i>Reich</i> Government shall consist of the Chancellor and Ministers of the <i>Reich</i> .	Article 15(1): The chairmanship of the <i>Bundesrath</i> and responsibility for conducting the affairs of government shall be vested in the Imperial Chancellor, who shall be appointed by the Emperor.	Section 73: The Emperor shall exercise the authority conferred on him through responsible Ministers appointed by him.

Bibliographical references:

Grundgesetz. Kommentar [commentary on the Basic Law], edited by Michael Sachs. Third edition, Munich, 2003.

Jutta Limbach, Roman Herzog and Dieter Grimm (eds), *Die deutschen Verfassungen. Reproduktion der Verfassungsoriginale von 1849, 1871, 1919 sowie des Grundgesetzes von 1949* [reproductions of the original German constitutions and of the Basic Law], Munich, 1999.

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