What role do political parties play in elections and government in Germany?
An outline of the most important features and their causes.

There can be no doubt that political parties play a central role in German politics. All top politicians are formal or informal party leaders, and most people regularly engaged in politics are party politicians. 1.4 million persons, out of a population of 82 millions, were members of political parties in 2008, with the biggest parties (CDU, SPD) having 529,000 and 521,000 members, respectively, and the smallest party (the Greens) having 45,000 members. Although these are small figures if compared with the overall population, and even with the adult part of the population, the German polity is upheld by political parties in the first place, and the functioning of most German political institutions can only be understood if they are seen as arenas of party politics.

There is nothing wrong with this fact itself, because party politics is the legitimate child of parliamentarianism and democracy. But problems arise because of three reasons. First, most Germans dislike party politics as such, and they do so in spite of the fact that German parties have performed quite well since the re-establishment of German democracy after 1945. Second, much – and seemingly ever more – politics turn out to be hardly more than party politics. Third, the very basis of the successful performance of German parties has begun to erode during the last two decades. In this paper, the reasons for the central position of political parties in the German polity will be explained; the most important problems of the German party state will be briefly discussed; and some future challenges will be outlined.

I. The central role of parties in German politics

Parties play a central role in German politics for two basic and two secondary reasons. The basic causes for their strong role are the parliamentary system of government and the electoral system; the secondary causes include the German system of party financing and the “partization” of the German civil service and media system.
1. Basic causes

The essential feature of the parliamentary system of government is that the cabinet needs support by a parliamentary majority. This dependence of the cabinet on a parliamentary majority can be generated by different mechanisms. In Germany, the most important mechanism is that (1) the head of government needs to be elected by a majority of votes, cast in secret ballot, of parliamentarians, and that (2) the head of government can be kicked out of office only if a successor is elected by the same procedure. Both rules apply on federal level on prevail on state level. Although some Länder have slightly different rules for making cabinet dependent on a parliamentary majority, sometimes even including the election or confirmation of all cabinet members by parliament, all these institutional mechanisms work into the same direction: members of parliament must organize themselves, and continue to work, in disciplined parliamentary party groups; the behavior of these party groups, cohesive or undisciplined, is in the focus of media coverage and public evaluation of domestic politics; and on election day, Germans vote for – or against – (parliamentary) party leaders or parties as such, but not on individuals “who happen to do politics”.

As Burke observed it more than two centuries ago, and as Duverger put it more than half a century ago, parties originate as parliamentary parties from the struggle for policy-making in an increasingly powerful parliament; and the parliamentary system of governments imposes afterwards even the “discipline of power” on parliamentary party groups. This has been true for post-war Germany as well. Germany has now, with local government being the exception, on Länder and federal level only parliamentary systems of government, and thus there are ample, effectively interacting incentives for building up strong and cohesive parties in 16 Länder and in Germany as a whole. The result can hardly be anything else than strong parties. Their top leaders will act as heads of government or ministers, if they happen to have won the elections or being part of a winning coalition; as legitimate heads of public administration, party leaders exert patronage power along party lines; this, in anticipation, gives a certain flavor of partisanship not only to the top ranks of the civil service; and being a top political figure is equated with being a top party politicians even intuitively by most Germans.

Here comes in the second basic reasons for the central role of parties in the German system of government: the electoral system. The usual formula is that Germany has a mixed member proportional system, giving – in the Bundestag – half of the seats to “list members”, elected on party lists, and the other half of seats to “direct members”, elected in single-member voting districts, with the overall share of seats allocated to a party in proportion to the votes for its
party list. This is certainly a correct way to describe the German electoral system, as it is
applied at federal elections and – with some minor modifications – in most Länder.
Nevertheless, this is much too formalist a way of looking at the German electoral system. In
reality, it works as a pure proportional system – although more or less distorted by election
thresholds and by surplus seats – in which parties and their top leaders, but not individual
candidates, are the central addressees of voting decisions. The institutional mechanisms
working towards this end can be summed up as follows.

Whoever wants to run successfully for a direct seat, needs to run for one of Germany’s major
parties. These are CDU (conservatives) and SPD (social democrats) throughout the country,
the CSU (conservatives) in the state of Bavaria, and the Left (socialists, formerly PDS) in East
Germany. Whoever wants to run for such a party as a candidate for a direct seat, needs to be
nominated by the party organization in the voting district, usually in an election by secret
ballot in a special convention of all party members of the voting district. Under such
conditions, only well-established local or regional party leaders have a chance to be
nominated, in particular, if the incumbent – usually a well-established party politician –
desires to run for the mandate once more. As a result, even directly elected members of
parliament are nothing else but party politicians. This is true the more since “direct seats” pass
as more desirable and, if obtainable, more prestigious than “list seats”, although there is
absolutely no difference of both types of seats in legal terms. As a result, every party leader
who has the chance to be nominated as a candidate for a direct seat, will try to achieve such a
nomination and to get a direct seat.

The reason for this, paradoxically at first sight, is the central role of parties. Here, the
following institutional mechanism is at work. Because only every second member of
parliament can have a direct seat, the “rest” of candidates has to be elected on party lists. This
is true for nearly all candidates of the minor parties. These are the FDP (liberals) and the
Greens throughout Germany, and is in West Germany the Left. Party lists are passed on state-
wide party conventions in secret ballot, usually after delicate backstage negotiations about the
rank order of the candidates on the party list. Since it is known from previous elections which
rank on the party list will usually be the last “promising” rank for really being elected,
intensive struggle occurs on gender, regional origin, and general political position of those
who will be accorded “safe ranks” on the party list. This makes package deals necessary.
Although party leaders try to come up with a well-balanced list proposal, the final decision
often is put to the vote on each individual rank on the list. Under such circumstance it is clear
that only such candidates will achieve a “safe rank” on the party list who are well supported by a majority of party members, i.e., who usually are well-established party politicians.

As a result, future MPs of minor parties cannot avoid to be socialized as party politicians; and once elected, they have to remain party politicians if they want have a chance to be nominated a second time. In the case of (future) parliamentarians of major parties, the same reasoning applies when they have to run in contested voting districts. If so, they need a “safe rank” on the party list as a kind of “political life insurance”. But such a “safe rank” will usually be given only to candidates known as active “party workers”, i.e. to those who can believed to continue behaving like a “direct member” even if defeated on election day. The result is that no role differentiation develops between a “list member” and a “direct member”: devotion to party work and at least regional party leadership position are required anyway. In the best position are candidates for a direct seat in voting districts that are “safe” for their party. For them, there exists no “existential need” for a “safe rank” on the party list, and this is why some among them even do not strive for a place on the party list. This makes them “invulnerable” at those state party conventions where the party lists are passed. But they are in no way “less” party politicians than their fellows: Their “independence from the state party convention” is based solely on the fact that they are in control of their regional party organization that will nominate them as a direct candidate for their voting district. So the electoral system with its institutional mechanisms, and in particular the nomination procedures entailed by it, makes parties and partisanship a central feature of the core of German democracy, i.e. of the whole electoral process.

2. Secondary causes

Flag follows trade, and power follows money. German parties could certainly not make as much out of their potential power if they were no well entertained “party machines” as well. Starting in the late 1960ies and the early 1970ies, all German political parties existing at that time built up significant staff not only in their national headquarters, but also in their Länder headquarters, and tried to have at least one professional party staffer in each party district. This costs money. But money is reliably available for all German parties as long as they have at least some electoral success. The reason lies in the German system of party financing.

The most important source of revenue of all German parties, ranging between 22% (CSU) and 37% (Left, Greens) of all their revenue, is state money. The sums obtained in 2008 range between 43,5 million € and 9,4 million €. Parties get 0,70 € for each vote obtained at an
election on state, federal or European level (and even 0,85 € for the first 4 millions of votes);¹ and parties receive 0,38 € for each Euro that they have collected as a donation.² Only second in importance are membership fees, ranging between 39% of all revenue (Left) and 19% (CSU). Third in place are donations, followed by obligatory contributions from MPs and other office holders. In the next place comes revenue from commercial activities that parties undertake. On balance, CDU and CSU had no less than 198 million € at their disposition in 2008, the SPD nearly 168 million €, the FDP 32 million €, the Greens 27 million €, and the Left 25 million €. In addition, all German parties maintain “foundations” based on state money. These are mainly devoted to political education and training. Although party activities and foundation activities must be – and are – separated, and although no “foundation money” may be spent for “party activities”, political education and training usually include courses and conferences for persons active in or for the party and, therefore, contribute directly to strengthening the active political role of parties. The same is true for those significant amounts of money that German parliamentary party groups in the Bundestag and in the state parliaments obtain for doing parliamentary work. Again it is not allowed to finance, out of this revenue, party activities proper. But if a parliamentary party group can hire promising young party members and give them political “training on the job” during their work for the parliamentary party group, this has direct impact on this party’s organizational and intellectual resources.

“Partization” of the civil service, part of the other “secondary course”, is a normal feature in many democracies. In Germany, it has certainly not the dimension of Chicago “machine politics”. But the longer a political party is in power, the more civil servants – and not only from the higher ranks – will not only adhere to this party, but will also be among its members. Based on partisan patronage or on the adaption of career-seekers to the political framework positions, this creates “reliable” policy networks, “early warning systems”, and opportunities for implementing client-oriented policies that strengthen the position of the party in power further.

Of no less importance for a political party’s position is the coverage it can get in the media and the way journalists present it. In this way, media contribute significantly to the role parties play in German politics. By the same token, they are a relevant addressee of party influence as well. With respect to that, public-owned and private-owned media need to be

¹ But only if they have received at least 0,5% of the votes at the last European or federal election or 1% at the last state election.
² But they can get this additional money only up to a donation of 3300 € donation per person. )
distinguished. In public-owned media, that comprise many of the great TV and radio chains, parties are even formally in control of their executive boards, and sometimes even of their politically important journalistic departments. In the realm of private-owned media, partisan influence structures are usually much more informal, but even more effective, in particular when it comes wide-spread journals: Disguised as “professional reporting”, many journalist not only seek, but really exert partisan political influence. And because citizens’ perceptions of reality, on which they base their convictions and voting decisions, are widely shaped by the media, parties’ formal and informal control of at least some media is the keystone for their central political role.

II. Problems of the German party state

Although Germany is a pluralist party state with admirable policy results, most Germans resent party politics. Put in crude terms, they long for “statesmen” in contrast to party politicians, and they hunger for “matter-of-fact- politics” in contrast to party politics. Party politicians, that is, German politicians as they are, use to be perceived as non-objective, unreliable, untrustworthy, and more interested in personal benefits or career than in practicing responsiveness or solving the country’s problems. Party politics itself, i.e. the normal and quite regular way of doing pluralist politics in a democracy, is supposed to be empty of content, self-centered, and inadequate. When asked about their trust in different political institutions, Germans always exhibit distrust in their parties and in all institutions affected by them (like parliament and government), and they declare trust in institutions that (seem to) have nothing to do with party politics, like the Federal Constitutional Court or the police. When Germans were requested, a few years ago, to evaluate the “institutional character” of the Bundestag, their national parliament, and the Federal Constitutional Court, a similar picture emerged: Whatever reminds of parties and partisan activities, passes as bad – whereas an institution “free of party politics” appears as just an ideal institution for a democracy. It is therefore no surprise that most Germans also dislike that parliamentarians are party leaders, and that they, by the same token, feel that there “exists a tension” between the – highly appreciated – “free mandate” granted to parliamentarians by the constitution, and the strong position parties play in real political life. So we face the paradoxical situation that Germans enjoy a well-functioning pluralist party state, but dislike precisely its “efficient secret”, that is, strong parties that tie civil society to the central decision-making system and practice both responsiveness and leadership. What are the reasons for this surprising phenomenon?
The most obvious cause is shortcomings of German parties themselves. The more they developed into “machine-and-apparatus-parties” in the 1970ies, i.e. into parties with professional staff and well-paid jobs for “professional party activists”, the more it became necessary for future candidates, and even for incumbents aspiring reelection, to orient themselves rather towards intra-party policy-making than towards the policy views of the electorate. Fueled was approach by the then existing party system: There were two big political party camps (CDU/CSU vs. SPD), with the liberal FDP sometimes allied to the conservatives or to the social democrats. These parties usually obtained more than 90% of the votes at federal or regional elections, with the losses of one camp being the gains of the other camp.

Under such circumstances it was rational to seek support by the most devoted party activists first and to practice responsiveness towards the citizens only afterwards, because these had, as it seemed, no other choices than to vote either (a) for the major party of to their favorite political camp, or (b) for the FDP as a “centrist counterweight” for both of them, or (c) to simply abstain from voting. This, however, passed as a “do not” until the 1990ies. Such incentives let emerge many party positions that contradicted voters’ preferences, most notably with respect to immigration by asylum seekers between the 1980ies and early 1990ies. The SPD was affected much more by these institutional mechanisms, because this party has understood itself as a “program party” throughout its history, basing its positions on scientific insights and modern ideas. Therefore, the neo-marxist revival of the late 1960ies and early 1970ies, coinciding with the big growth rates of German party membership, faced much less resistance in the SPD than in any other party. This made this party even more attractive for intellectuals and academics than it had been before, but started a process of alienation from its traditional supporters in the working class.

Two highly consequential developments originated under these conditions. First, new parties emerged. Rather short-living as such, or at least in real importance, were protest parties on the right side of the political spectrum. The reason is that the CDU/CSU proved to be willing, and capable, of integrating their main grievances – usually immigration and cultural integration – into their own positions and to absorb their voters. Different was the situation at the left side of the political spectrum. As a reaction to the tensions within a SPD in power since 1969 and torn between “pragmatic cabinet policy” and “visions of a sustainably modern Germany”, in the 1970ies the Green party developed as a – mostly leftist – alternative to established nuclear power and security policies. In their beginning years, the Green party was fought by the SPD as an “unserious political competitor”; but a few years later it was welcomed as a “natural
ally”. This emergence of a combined left red-green camp gave – second important consequence – latitude for the conservatives: They managed to bring down the SPD-led Federal Government in 1982 and to remain in power until 1998. This is a key element for understanding the development of the German party system during the last three decades.

Along the attempts of the SPD to come back to power, a considerable polarization of the German party system took place. This process was intensified after re-unification: GDR’s former communist party SED, deeply reformed, and hitherto under the name of PDS (since 2007: “The Left”), entered the political stage. It even developed into a well-established party in East Germany, attracting usually more than 20% of the votes in East German Länder elections. Under such circumstances, policy consensus across Germany’s political camps was fading away even more rapidly than before re-unification. On the one hand, there were immense problems in both domestic and foreign policy after the fall of the wall, for most of which no obvious and therefore uncontested solution was in sight. On the other hand, policy mistakes that occurred under such circumstances could be used quite easily to come closer to the so far unachievable goal of bringing down the seemingly “everlasting” government of chancellor Kohl. On the other hand, the line between “real” mistakes and only “alleged” mistakes became blurred due to both thorny problems and increasing political polarization, and so did also the line between “real shortcomings” of the Kohl government and “intentionally created shortcomings”, that is that were due to oppositional interference.

The most important instrument of the SPD, the Greens and the PDS, with whom the SPD had started to co-operate on Länder level in 1994, to interfere in this way and to impede the policies of the Kohl government, was the Bundesrat, the Federal Council. As a “second chamber” in the German process of legislation it is a possibly powerful veto-player in the process of government. The majority among the 69 votes that the 16 German states have in the Federal Council, roughly proportional to their population size, is determined by the results of Länder elections. For decades, Germans have used Länder elections to express, in varying degree, support (seldom) or discontent (quite often) with the politics of the Federal Government. As a result, the Bundesrat usually gets an “opposition majority” some years after a new Federal Government has come into office.³ By the same token, changes of party majority in the Bundesrat use to precede changes of party majority in the Bundestag. This well-known dynamics invite making use of the Bundesrat as an instrument of the Bundestag opposition.

³ Only in the exceptional case of the Kohl government this took no less than eight years.
From the perspective of democratic principles, there is nothing wrong with that: The same parties act on Federal and Länder levels, and it is the voter who uses to strengthen deliberately the Bundestag opposition by giving it a majority in the Bundesrat. If, however, the well-functioning of the whole institutional system is the main concern, then it becomes a major problem, if the Bundesrat is used to block the most important policies of the Federal Government and of its supporting Bundestag majority. In such cases, the system ends in a gridlock, problems remain unsolved, and political responsibility disappears. For these reasons, not too much strategic use had been made of the Bundesrat’s “oppositional veto potential” during the first decades of the Federal Republic.

It was the decision of the SPD, led by the future leader of the Left party Lafontaine, to test the effectiveness – and collateral damages – of this institutional mechanism after it had achieved an “oppositional” Bundesrat majority in 1990. In particular after 1995, after being beaten by chancellor Kohl for the fourth time, the SPD started to blocked most important policies envisaged by the Kohl government in the Bundesrat, some expressly, some others via “deterring anticipation” of an otherwise unavoidable impasse in the Bundesrat on part of the government. The goal was to demonstrate the “inability of the conservative government to govern properly”. In 1998, Germans were convinced by these demonstrations and granted an overwhelming victory to the SPD and its Green ally. So the government changed; but the institutional mechanism impeding its effectiveness remained: As soon as the conservatives had regained their Bundesrat majority in 2002, the same game was played with reversed roles. Because there is no playground for this game during a grand coalition, there was no Bundesrat with veto powers between 2005 and 2009. But after the conservatives had come to power in a coalition with the liberals in 2009, it only took several months for the Bundesrat to get again an “oppositional majority”. It immediately started to act like in the Lafontaine era.

This brief narrative of recent German party history does not only demonstrate how German parties play their central role in German elections and government. It also explains a main source of Germans’ uneasiness with political parties: tactical considerations more and more prevail over serious attempts at problem solving. Among the most recent examples is the failing of the conference committee, which uses to mediate between the Bundestag majority and an opposing Bundesrat majority in contested processes of legislation, to come to a consensus after weeks of negotiations on some important social welfare issues. It was so evident that pure partisan motives had lead to this failure, that the minister presidents of some Länder, in order to avoid serious political damage for all parties, took initiative and forged a compromise within a couple of days. Germans simply dislike such self-centered maneuvering
of their political parties. The overt expression of that is the much-researched “political malaise” that Germans have felt, discussed, and expressed (mostly by increasing non-voting and by decreasing party membership) since the middle of the 1980ies. After reunification, it even became fashionable to utter disdain for parties, contempt for politicians, and dissatisfaction with the whole political system. New generations of party members and parliamentarians, starting their careers in their parties’ youth organizations and trying to become professional politicians immediately after their studies, i.e. without any other skills than doing politics, are a further source of wide-spread discomfort in Germany with parties and their exponents.

But leaving it at that, the picture would be incomplete: Dislike for parties is really no recent element of German political culture, but goes back to Imperial Germany. One reason is that German constitutional thought, and the basic pattern of “German Constitutionalism”, had been developed before really modern parties – first of all: the SPD – had entered the political stage. As a consequence, parties seemed to be “alien” to an already well-established system of government, and they passed as “extra-constitutional elements of political life” even decades later in the Weimar Republic. Still today uneasiness with parties coming from this source can be observed whenever alleged “tensions” between the “free mandate” of parliamentarians and their – democratically unavoidable – role as party politicians are discussed. The other reason is that German parties were cut from political responsibility in Imperial Germany, because cabinets were chosen and installed by the monarchs, not by parliaments. This allowed German parties to cultivate ideological positions beyond political realism, to escape the “discipline of power”, and to accept political leaders without much pragmatic outlook and sufficient skills for compromising. In Imperial Germany, this created much more trust in the “state”, lead by “true statesmen” and “devoted civil servants”, than in persons that were “only politicians”; and during the Weimar Republic, this legacy of Imperial political culture contributed very much to the system breakdown. Those who had afterwards been a member of the Nazi party, had learned an additional lesson: It was apparently much wiser to refrain from politics than to engage in a party. For all these reasons not the German dissatisfaction with parties needs explanation in the first place, but the fact that – quite unexpectedly – German parties managed indeed to build up a viable and exemplary democracy after 1945. The establishment of parliamentary systems of government, the electoral system, and the factual ban of any extremist or only radical party from the political stage were the most important political factors, strongly interacting with the experience of the “economic miracle”.
III. Future challenges

In hindsight, the years between the late 1950ies and the mid-80ies look like the “Golden Age” of the German party state. There was no extremist party on the left or on right side of the political spectrum that played an important role for a longer period; the established parties attracted by far most of the votes; party identification was high; non-voting was no problem; and coalition formation was no problem either. But today, the “old” German party system seems to re-emerge with a well-established party at the left end of the political spectrum, in which even top leaders dream in public of “ways towards communism”, and with an overtly pro-dictatorial and xenophobic extremist party at the right end. The present 5-party-system is based on high voting volatility and on low party identification. Non-voting has started to be a problem that is taken really serious. And uncertain about really promising political principles, parties reshape their positions in a trial-and-error fashion and in short intervals, always prepared for a rapidly passed “course correction”. This leaves voters without much trust in long-range party positions and in the credibility of party leaders. This is fueled by the fact that some coalitions pass as “possible” in certain years, while “out of question” in other years, depending on no more than short term tactical considerations. And minority governments have occurred on Länderevel level during the last two decades, usually entailing even more disappointment on part of citizens with respect to performance in politics and accomplishments in policy.

It is true that German parties still play a central role in German elections and government. But they perform not as well – or put bluntly: they perform worse – than in earlier decades. Germans notice that; they dislike what they see; and they withdraw from the established patterns of democratic participation. And all of this is accompanied by endless lamentations in talk shows, journals, and scientific papers, complaining the decline of German democracy. But what does the situation really look like?

In the normal up and down of enthusiasm for politics, we are in a valley – or better: we are back to reality from the illusion of comprehensive political creation power. Parties are no longer attractive for many citizens, and in particular for those who want to engage in civil society; and this gives leeway both to careerists and to such people, who want and can make a difference. Coalition formation has become more difficult, since usually more than two parties are required for forging a minimal winning coalition in many cases; this prevents, however, parties from entrenching in their own camps. And political problem-solving is more difficult than in the past, when budget problems were not as serious as they are today. As a
result, German political parties are under pressure to change. But they are not at risk to lose their central position in the German polity; and the German party state is certainly not about to fail. Reforms, however, would be helpful.

But what reforms can be advocated for? First, Germany should have more – and different – plebiscitary instruments than the country has so far. It is true that legislation can be initiated by the citizens of all Länder; but initiating and voting quorums are deterrently high. So the quorums should be lowered, and the instrument itself should be available on federal level as well. But more advisable is the introduction of the “optional referendum” on laws, as available in Switzerland. “Optional referendum” means that a certain percentage of citizens can claim that a law already adopted by parliament be additionally submitted to a referendum, in which it might be abolished. If low quorums go along with such an “optional referendum”, its effect on the functioning of the German party state would be far-reaching. First, the role of the Federal Constitutional Court, as the so far only post-parliamentary instance for controlling laws, would be altered: the opposition could bring laws to the citizens rather than to the Federal Constitutional Court; citizens even would expect that they – and not a few judges – could express their opinion on a law that, obviously enough, is attacked by the opposition only for political reasons and not for fear that the governing majority might try to violate the constitution; as a result, political debates on laws could be overtly led along political arguments that no longer were disguised as legal arguments; and the addressee of party tactics would no longer be the Federal Constitutional Court, as is now the case, but the people itself – as it ought to be in a democracy. Second, the role of the Bundesrat would be altered in a similar way: Those compromises between both chambers that nowadays are results of mere party tactics, and that sometimes are even unsound in substance, could be brought before the citizens; and in anticipation of having an unconvincing law abolished by the people, much exaggerated party tactics would cease and more pressure would be exerted towards fact-oriented consensus-building. Third, this would make communication between parties and citizens more substantial than it is now, because real decisions had to be taken even between elections. This, in turn, might be the beginning of less self-centered communicative behavior within the party system.

The second advisable reform is the introduction of open primaries for all candidates for parliamentary mandates. This would orient candidates and incumbents more towards the citizens than towards their party fellows than is now the case; might increase the chances of

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4 One could even imagine constitutional provisions that allow citizens to claim that not only an already adopted law, but also a policy program elaborated by the government should be submitted to an “optional referendum”. 
respected people without an early career already in the youth organizations of a political party to enter political life on Land and Federal level; and should prevent the further emergence of a political class that has learned nothing but politics. Because nobody expects such reforms to be introduced soon, if at all, German must try to live with their parties and party politicians as they are. The good news is that German parties and their politicians perform much better than Germans believe. The bad news is, that all attempts to convince Germans of the necessity of parties and of the value of party politics have failed so far. Here, much work remains to be done by political education, its actors, and its institutions.