

## ABSTRACTS\*

### ***Niedermayer, Oskar: Still a “second-order national election”? The election of the European Parliament on May 25, 2014.***

The concept of European elections as second-order national elections serves as the basis for developing seven hypotheses about the orientations as well as the turnout and the electoral behaviour at European elections in comparison to national parliamentary elections. After a summary of the situation before the election, these hypotheses are empirically tested by analysing the campaign and results of the European election in Germany. The analysis by and large confirms the hypotheses. In the third part of the article, the analysis is extended to all 28 member states of the European Union in brief. The second-order election concept proves to remain a good starting basis for the analysis of European elections, although not every hypothesis is completely confirmed Europe-wide. [ZParl, vol. 45, no. 3, pp. 523 – 546]

### ***Röllgen, Jasmin: Home affairs as an issue in party manifestos for the elections to the European Parliament in 2014.***

Home Affairs is one of the most controversial policy fields both within nation states and the European Union. Moreover, the NSA affair has led to an increasing awareness of internal security based on information and communication technology (ICT). On the one hand, it sensitizes for questions of European security with regards to foreign surveillance. On the other hand, it underlines the salient conflict between interests of ensuring internal security with means of information technology as well as interests of individual freedom and privacy. Questions arising from these issues are how and in which way European parties considered them in their party manifestos for the elections to the European Parliament in 2014 and to what extent the NSA affair might have changed the parties' stances. Based on these concerns, the differences of party manifestos in Germany and the United Kingdom are analysed in this paper. Referring to examples of U.S. and European surveillance activities, it is revealed in how far the public debate is integrated in the European party manifestos. [ZParl, vol. 45, no. 3, pp. 546 – 566]

### ***Rütters, Peter: Social profile of German MEPs after the election 2014.***

The election to the European Parliament (EP) in Germany was not only influenced by the successful appearance of the Alternative für Deutschland (AfD), a right-wing populist and euro-sceptical party. It was also influenced by the modification of the electoral law, which was induced by Federal Constitutional Court rulings. The Constitutional Court removed the former five-percent and even a three-percent electoral threshold as being unconstitutional. Not six parties as in the previous parliamentary term, but fourteen are now represented in the 8th EP with seven of them being represented by only one delegate. This de-

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velopment raises the question whether and in what way newcomer parties impact the social profile of the German MEPs as a whole. Are there any significant changes in age pattern, educational background, gender proportion, and previous parliamentary or governmental experiences? How were the nominations of new candidates inside the established parties effected? It is not the MEPs of the newcomer parties to the EP that show relevant differences in their social profile compared with all MEPs. The changes are indirect and can be found within the established parties: e.g. the exchange of MEPs stagnated or decreased, the average age of the MEPs increased and within the MEPs of the CDU the rate of female delegates declined. Nevertheless, changes are not to be found in respect to the social profiles of the MEPs, instead they will be reflected in the political sphere, which is impacted by the modified electoral law. [ZParl, vol. 45, no. 3, pp. 566 – 581]

**Kintz, Melanie: The occupational profiles of the members of the 18th German Bundestag.**

The failure of the FDP to re-enter parliament after the 2013 Bundestag elections as well as the influx of over more than 200 new parliamentarians led to a shift in the occupational structure of the German Bundestag. Using *Adalbert Hess'* occupational categories, this article continues the tradition of looking at trends in the occupational structure of German MPs, especially at differences in occupational backgrounds between East and West Germans with a focus on younger parliamentarians. More MPs are drawn from occupational fields close to politics, specifically from employees of parties and parliamentary party groups. The exit of the FDP led to fewer freelance professionals in the current Bundestag. Differences between East and West German MPs persist, as fewer Easterners are to be found in the ranks of higher administration as well as among freelancers and self-employed; more often they are drawn from the employees of parties and parliamentary party groups. [ZParl, vol. 45, no. 3, pp. 582 – 595]

**Brummer, Klaus: The limited “war powers” of the Bundestag.**

The German Bundestag is considered as being among the national parliaments with the most extensive “war powers” worldwide. However, its influence on decisions about the foreign deployment of the German armed forces, the Bundeswehr, is not only limited by the competencies of the German federal government. Rather, three additional factors pose restrictions on the use of both formal and informal instruments at the disposal of the Bundestag to influence governmental decision making. Those are: (a) hesitancy on the part of parliamentarians from the governing coalition to voice their concerns over foreign deployments; (b) a lack of substantive agreement among the parliamentary groups from the opposition which renders it impossible for them to put substantial pressure on the government; and (c) disunity among the foreign and security policy specialists across all parliamentary groups which also prevents the Bundestag from taking an unequivocal stand on deployment decisions. The occurrence of those restrictions is illustrated by the decision on the participation of the Bundeswehr in the UNIFIL mission. [ZParl, vol. 45, no. 3, pp. 596 – 614]

**Becker, Manuel: Patterns of historical arguments in parliament debates: the topic of Turkey's accession to the European Union.**

Turkey's accession to the European Union is a contentious issue and led to explicitly controversial debates in the German Bundestag during the period of the red-green coalition between 1998 und 2005. The historical and moral responsibility as well as the historical and cultural roots of Europe were the two major fields of argument. Formal argumentation strategies applied in the debate are historical superevaluation, historical comparison and arguing by scientific and intellectual authority. A main problem in arguing with history in political debates is the lack of profound rationality. Most historical arguments used in politics do not meet scientific standards. Interestingly enough, all three possibilities in answering the question whether Turkey should be a member of the European Union (positive, negative, neutral) were underlined by historical arguments. In that respect it seems justified, to do more scientific research concerning historical arguments in parliamentary debates in the future. [ZParl, vol. 45, no. 3, pp. 615 – 631]

**Jochem, Sven: Habermas on ice – deliberative constitutional reform attempts, democratic nepotism and party competition in Iceland.**

Iceland experienced a hard financial crisis, but could employ a rather successful crisis management. The country, however, generated international admiration because of the deliberative constitutional reform attempt, which finally shipwrecked because of the dynamics of party competition. This paper argues that nepotistic tendencies of the Icelandic democracy are not captured by empirical measurements of the quality of democracies. These nepotistic defects partially urged the severeness of the financial crisis in Iceland. The Icelandic form of democracy complicated the deliberative process of a constitutional revision. In the end, the constitutional revision was blocked by party competition in a divided society lacking consensual institutions of democracy. [ZParl, vol. 45, no. 3, pp. 632 – 646]

**Kalagi, Sarah: The role of law firms in the ministerial law-drafting process. Causes and challenges exemplified by the bills issued to stabilise the financial market.**

In the fall of 2009 a hardly known form of policy advice received public attention: For years, a number of federal ministries contracted law firms with the drafting of bills. Although concerns have been raised about democratic legitimacy and the covert influence of special interests there is a lack of empirical case studies to shed light on the causes and challenges of this issue. Focusing on the bills enacted to stabilise the financial market the qualitative analysis of several documents and guided interviews indicate that there are various causes for contracting law firms: The ministries involved in financial market policies needed staff and expert knowledge to cope with a complex legal regulation under time pressure. Apart from that, ministries used external advice to strengthen power within inter-ministerial coordination. With respect to the challenges the findings corroborate the view that the democratic legitimacy of contracting law firms was to be deficient mainly due to the lack of transparency or rather parliamentary control. Moreover, there is evidence to suggest that the steering capability of the ministerial bureaucracy in the law-drafting process was insufficient. This appears problematic as law firms were deeply involved in the process of policy-

making and implementation while at the same time working for profiteers of the legal regulations. [ZParl, vol. 45, no. 3, pp. 647 – 668]

***van Schendelen, Rinus: Political parties and interest groups at the national and the European level: reversed democratic settings?***

Two central questions arise with the first being how national parties and interest groups, which have in common the ambition to influence their national state on behalf of their citizens, operate and change at the EU level. The second question is concerned with the consequences these changes have with regard to their influence capacity at both the European and the national level. Within the frames of ‘democracy’ and ‘influence’ and based on new empirical evidence, it is described how national parties and interest groups function at the EU level and how they change due to their Europeanisation. Following those frames, new evaluations of how they function on both political levels are presented. Evidence found strongly suggests that the national parties are the current losers and the national interest groups are the current winners of Europeanisation. Finally, recommendations are offered, how the parties could best start to diminish their influence-lag at the EU level. [ZParl, vol. 45, no. 3, pp. 669 – 692]

***Reiners, Markus: Participatory modernization trends. Review of referenda and solutions to the crisis of representative democracy – example of Stuttgart 21.***

The dispute about the use of referenda has intensified and meanwhile takes centre stage with the increasing problems of policy intermediation and implementation. It is about the alleged democratic deficit of the German representative political system and the question whether the implementation of direct democratic forms of participation can contribute to solve the problems or whether such forms should rather be classified as inhibiting innovation. The debate shows its “explosive effect” in the controversy of Stuttgart 21 and continues in the parliaments. The article confronts the arguments of representative and direct democratic forms of participation and discusses whether a modernization gap needs to be closed. Overall, it is clear that a reversal to other system variants does not appear reasonable. The question remains nevertheless, how such large-scale projects can be resolved better in the future. Science offers the answers for this. [ZParl, vol. 45, no. 3, pp. 693 – 707]