

ABSTRACTS*

Wiefelspütz, Dieter: Deployment of Germany's armed forces in foreign countries and the Bundestag: Is a reform necessary?

Germany's constitution, the Basic Law, obliges the federal government to obtain, in principle, the Bundestag's prior constitutive consent to the deployment of the armed forces. The Parliamentary Participation Act (Parlamentsbeteiligungsgesetz) does not only implement parliamentary oversight – in particular in the form of a comprehensive right to information – but also ensures that the Bundestag is significantly involved in central acts of foreign and security policy. An additional factor is the parliament's role in running the state. Against the backdrop of the progressive and intensifying integration of military structures, the parliament will in future repeatedly need to answer the question of whether the logic of military deployments in alliances should be given greater weight than parliament's right to prior constitutive involvement. However, a rush to restrict the Bundestag's rights of participation out of consideration for alliance structures is not advisable. The requirement for parliament to give its constitutive approval, as practiced by the Bundestag, has served Germany well thus far. Compelling grounds for a 'government-friendly' reform of the Parliamentary Participation Act are not evident at present. [ZParl, vol. 39, no. 2, pp. 203 ff.]

Ryjáček, Jan: The decision-making process on the deployment of German armed forces for protecting the elections in Congo.

The Bundestag and its committees were involved in the decision on the participation of German troops in the European Union Force (EUFOR) military operation in Congo, which took place from July to November 2006. In the course of the informal decision-making process, the Bundestag was able to influence the politics of the government and to act as a veto-player. Therefore, changes in the current parliamentary procedures and structures on out-of-area military missions are not necessary. [ZParl, vol. 39, no. 2, pp. 219 ff.]

Hoven, Elisa: Compensation benefits reform for members of the German Bundestag. Assessment and further development of the reform of January 1, 2008.

The compensation benefits reform for members of the German Bundestag of January 1, 2008 has once again raised the question of legitimacy and appropriateness of these benefits as a central topic of public discussion. However, the provision benefits as well as the departmental interior allowance remain in need of reform in order to fulfill their compensatory function and to meet demands for a transparent regulation. The progressive adjustment of remunerations for MPs' compensation in relation to elected limited-term magistrates (kommunale Wahlbeamter auf Zeit) and (simple) federal judges is – considering the MPs' posi-

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tion in constitutional law – appropriate in terms of article 48 (3) of the Basic Law. Thus, the origin of public criticism lies not in the amount of the remuneration as such, but is mainly concerned with the design of the procedure and a basic mistrust toward a “self-service” attitude among MPs. Therefore, the implementation of compensation indexation according to the general development of income would be sensible. In doing so, the Bundestag could at least partially be released from the “curse of self-decision”. [ZParl, vol. 39, no. 2, pp. 233 ff.]

Krumpal, Ivar and Heiko Raubut: The interrelationship between federal party politics and sub-national state parliament elections in Germany 1996 to 2000.

German state parliament election results are often used as mood barometers for the public opinion on the performance of federal governmental parties. Nonetheless, in addition to the federal dimension, sub-national elections follow unique and specific regional dynamics. A repeated survey design is used to disentangle these two effects. After analyzing individual-level survey data comparing 17 German sub-national election surveys, the results show for the Western part of Germany that sub-national parties have stronger impact on individual voting preferences than federal parties. However, the federal dimension has a comparatively stronger effect in the Eastern part of Germany. The linkage between the federal and the regional party system is thus clearly stronger in Eastern than in Western Germany. [ZParl, vol. 39, no. 2, pp. 249 ff.]

Hoecker, Beate: The election of the Bremen state parliament on May 13, 2007: A new start for red-green and a five- instead of a three-party-system.

The results of the Bremen state parliament election are remarkable in two respects: First, after twelve years the grand coalition government of SPD and CDU in Bremen came to an end and was replaced by a red-green coalition. Responsible for this change was not primarily the voters' choice, as the SPD remained the strongest party but had to accept higher losses than the CDU. It was rather the clear preference of the new SPD-top candidate *Jens Böhrnsen* for a coalition with the Green Party that initiated the change, which could be carried out due to the Greens' excellent election result. Second, all three small parties were strengthened, so that henceforth, apart from SPD and CDU, also the Greens, the Left Party and the FDP have members in the state parliament. Thus, the previous stable three-party-system has expanded into a five-party-system in Bremen. To what extent the new coalition government will be successful in solving the pressing economic and financial problems of the smallest state of Germany remains to be seen. [ZParl, vol. 39, no. 2, pp. 270 ff.]

Tils, Ralf and Thomas Saretzki: The election of the state parliament of Lower Saxony of January 27, 2008: prime minister *Christian Wulff* regains majority for his coalition of CDU and FDP due to his popularity, the election strategy and the opposition's weakness.

In the campaign for the Lower Saxony state parliament election in January 2008, prime minister *Christian Wulff* enjoyed the role of the clear favorite. This situation cannot only be attributed to his personal popularity. It can also be explained by (1) a strategically designed

government policy of distributing costs and benefits over time with an eye on the election day, (2) a positive economic trend and (3) a striking weakness of the opposing Social Democratic Party (SPD). After a calm election campaign, the voter turnout sank to the lowest level ever measured in state parliament elections in Lower Saxony. In spite of remarkable losses, prime minister *Wulff's* Christian Democratic Party (CDU) remained the strongest party and is able to continue its coalition government with the liberals (FDP). The SPD lost further votes and had to face their lowest results ever in state elections in this Land. While the Green Party kept its share, the new Left Party (Linkspartei) was the only party to collect a substantial amount of new votes and entered the state parliament of Lower Saxony for the first time. With his successful re-election as prime minister and the simultaneous failure of *Roland Koch*, his CDU rival, in Hesse, *Wulff* clearly won the battle for being number two in the internal hierarchy of this party on the federal level. [ZParl, vol. 39, no. 2, pp. 282 ff.]

Kulick, Manuela and Holger Onken: The voters of the Left Party in their strongholds: An empirical analysis of the election of the Lower Saxony state parliament in Oldenburg, Delmenhorst and Wilhelmshaven.

In January 2008 the Left Party (Linkspartei), a fusion of PDS (Party of Democratic Socialism) and WASG (Electoral Alternative for Labor and Social Equality) in 2007, achieved an unexpected success in the election of the Lower Saxony state parliament, with 7.1 per cent of the vote. Whether a new party can establish itself in the party system or not, depends decisively on the question whether the party is able to activate a fair-size and stable voter base. On the basis of a post election survey (2241 respondents) in three strongholds of the Left Party in Lower Saxony, this question has been investigated. The results indicate that a certain voter segment, which supports the Left Party above average, sees itself in the lower social classes. This segment can also be classified by many sociological criteria; hence the Left Party may have the voter basis it needs for enduring electoral success. With regard to their preferred issues and values, there are many similarities among Left Party voters, with social equality playing a central role. In the western states of Germany, at least in many cities, many voters apparently see the Left Party as an electable alternative. [ZParl, vol. 39, no. 2, pp. 299 ff.]

Pukelsheim, Friedrich and Sebastian Maier: Enlargement of parliament size as a problem solving measure for balancing surplus seats, ties, and majority clauses.

The state parliament of North Rhine-Westphalia is considering to amend the state's electoral law (1) by permitting voters to cast two ballots rather than one, (2) by converting votes into seats using the divisor method with standard rounding (*Webster / Sainte-Laguë / Schepers*) rather than the quota method with residual fit by greatest remainders (*Jefferson / Hare / Niemeyer*), and (3) by lowering the voting age from 18 to 16. The paper offers quantitative-operational proposals of how to incorporate the new apportionment method into the law. Emphasis is on enlargement strategies for the parliament's house size in order to adapt the amendment to the issues of balancing surplus seats, of resolving ties, and of securing a majority of seats whenever a party gains a majority of votes. Moreover, it is pointed out that the divisor method with standard rounding secures an excellent agreement

with the constitutional principle of success value equality of the voters' ballots. This is a vital notion for the decision making process of German constitutional courts. [ZParl, vol. 39, no. 2, pp. 312 ff.]

Pappi, Franz Urban, Ralf Schmitt and Eric Linhart: Portfolio distributions in German state governments since World War II.

Coalition parties differ in their interests in particular portfolios. A minister in a parliamentary system is an important agenda setter in the policy domain for which she is responsible. Furthermore, a party's ideology, clientele or history induces domain specific interest profiles. A classification of ministerial jurisdictions according to their representation in the same ministries for all German state governments since World War II shows which parties controlled which domains above or below average in which coalitions. In those cases, in which the CDU was a coalition partner, the education ministry was held by an overwhelming degree by the CDU. In those cases in which the SPD was a coalition partner, they were typically responsible for labor and social policy, as one would assume, but also for interior ministries. The latter fact is less evident when one takes into account that at least since 1990 the CDU highlights this policy domain in its party manifestos more than other parties. Coalition theories have underemphasized so far these domain specific interest profiles of parties. They should incorporate this qualitative aspect of portfolio distributions in the future. [ZParl, vol. 39, no. 2, pp. 323 ff.]

Klose, Sabine and Ursula Hoffmann-Lange: Recruitment patterns of top-level civil servants (beamtete Staatssekretäre) in the eastern German states.

The process of democratization in the eastern German states differed substantially from other central-eastern European countries. The states of the former GDR had the historically unique opportunity to join a well-established and economically affluent democracy and therefore did not have to develop a new institutional order. At the same time, a substantial elite transfer from West Germany characterized the process of German unification. Based on data on state secretaries, i.e. top-level public administrators, in the East German states for the period from 1990 to 2007, the extent of elite transfer as well as the professional backgrounds and later careers of this crucial elite group are studied: More than four fifths of the state secretaries had a West German background. However, many of them had already moved to the East German states before reaching their top position. Moreover, this percentage increased substantially over time. At the same time, many of them remained in East Germany upon leaving their position. A comparison with the present state secretaries in West German state ministries reveals only minor differences regarding age, background of university studies, professional experience and party membership. [ZParl, vol. 39, no. 2, pp. 342 ff.]

Eder, Christina and Raphael Magin: Direct democracy in the German states: A proposal for an empirical measurement of citizens' rights in a sub-national comparative perspective.

Since 1990, a marked increase in direct democratic practices, as well as the opening up of the institutions for such practices at state level can be observed. In their "Volksentscheid-Rankings," the association "Mehr Demokratie" has evaluated the instruments of direct democracy with regard to their usability for the citizenry. Starting with a fundamental critique of these rankings, an alternative index that indicates the openness of direct citizen rights in the German Länder is presented. By using this index, it can be examined if the rigidity of the structures influences the frequency of the use of citizen legislation. Hence, low institutional hurdles actually lead to a strengthened use of direct democratic instruments, albeit on a limited scale. The results rather indicate that the institutional form cannot solely explain the patterns of usage. [ZParl, vol. 39, no. 2, pp. 358 ff.]

Kailitz, Steffen: Two sides of the same coin? On the theoretical and empirical connection between government form and the design of bicameralism.

The analysis proves that bicameralism and presidentialism are "children" of the separation of power tradition. There is no empirical connection between the occurrence of a bicameral system and the form of government, but strong connections are found between the design of the bicameral system and the form of government. The second chambers in presidential democracies, called senates, are usually stronger than the ones in parliamentary democracies. Besides, their democratic legitimization is often much stronger and they are characterized by independent functions, to be specific in representing certain regions on the national level. The differences become especially evident when the Westminster-model as a prototype of (majoritarian) parliamentarism is confronted with presidentialism. [ZParl, vol. 39, no. 2, pp. 387 ff.]