

ABSTRACTS*

Rüters, Peter: Ready for Parliament? – AfD-Members in German state parliaments.

Since they first entered a regional Parliament on state level (Bundesländer) in 2014, the far right “Alternative for Germany” (AfD) went on to being represented in nine further state parliaments. Given that the AfD was founded only two years before, in 2012, the question arises whether its parliament members are “ready for parliament”. Or put differently, are they equipped with sufficient intellectual capabilities and do they have enough institutional experiences to be able to meet the requirements necessary to handle the challenging parliamentary procedures required for constructive policy making. On the one hand the social profile of the AfD MPs, especially their school education, postsecondary education and professional qualifications do not differ much from representatives of other (established) parties. On the other hand most AfD MPs lack political experience, which is indispensable for engaging in constructive parliamentary activities. Only few AfD representatives have been active in political parties other than the AfD, have been elected to a municipal council, and have been a member of parliament or a member of a government on state level. It is disputable whether these extraordinary lack of political engagement and political experience can be compensated by a kind of training on the job as member of the state parliament, provided that the AfD parliamentary groups intend to contribute to constructive policy making in parliament at all. [ZParl, vol. 48 (2017), no. 1, pp. 3 – 24]

Koschkar, Martin and Christian Nestler: The election of the Mecklenburg Western Pomeranian state parliament on September 4, 2016: Parting from the regional party system and continuation of the Grand Coalition.

The election of the Mecklenburg Western Pomeranian state parliament on September 4, 2016 can be described as parting from the regional party system. Even though the Grand Coalition formed by SPD and CDU under prime minister *Erwin Sellering* was continued, the AfD as a new player won 20.8 percent of the vote and entered the state parliament as the largest opposition party. Volatility and a strong voter migration at least temporarily have changed the base structure of a constituency that since 1990 has remained largely the same. Neither the Greens, nor the FDP or the right-wing extremist NPD were able to secure seats in parliament. The CDU lost especially in their traditional stronghold Western Pomerania, whereas the Social Democrats managed to conserve their support from 2011 through a personalized campaign against the vote maximizing strategy of the AfD. [ZParl, vol. 48 (2017), no. 1, pp. 25 – 39]

Niedermayer, Oskar: The election of the Berlin state parliament on September 18, 2016: Fragmentation of the party system and partial change of power.

Since mid-2015, the governing parties SPD and CDU were faced with ongoing conflicts that for the most part were connected to how the city handled the inflow of refugees. The consequences were considerable losses at the election and both parties experienced their worst results in the post-war period. The Left Party narrowly got ahead of the Greens, the

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FDP re-entered the state parliament, the Pirates failed to overcome the five percent hurdle and the AfD won 14 percent of the vote. All in all, the election led to the highest fragmentation of Berlin's party system since 1946. However, the electoral behaviour of the social groups did not change considerably. *Michael Müller* (SPD), the governing mayor, left behind his competitor *Frank Henkel* (CDU) compared to all kinds of relevant voter orientation. Concerning attributed policy competences, the relatively low and – compared to 2011 – the declined values of the governing parties contributes to explaining their losses. The Greens, too, had to accept a decline in their policy competences, whereas the Left Party's competence values increased. The FDP scored with their politics on transport policies, the AfD with their stand against refugees' policies. After the election, the first SPD-led red-red-green coalition in Germany was formed. On December 8, *Michael Müller* was re-elected governing major by the new state parliament. Next to *Müller*, the new government is made up of ten more members. [ZParl, vol. 48 (2017), no. 1, pp. 40 – 56]

Bergmann, Knut, Matthias Diermeier and Judith Niehues: The AfD – A party of anxious middle class earners?

When the party was founded in 2013, AfD supporters earned above-average incomes but over time there has been a shift towards an average income. Despite this downward shift, AfD supporters are not overly worried about their own economic situation; they are, however, very pessimistic about the future. Their concerns are not only connected to immigration questions but also to the future of Germany's economic and social institutions. The expressed anxieties and concerns are fed by a feeling of general helplessness. In this article we try to find an explanation for the conflicting poles between a sound financial situation on the one hand and the perceived threats on the other by conducting a regional regression analysis of federal state elections in Germany. Although AfD supporters do not live in precarious conditions, the AfD turns out to be especially successful in economically weak regions with high unemployment rates and in regions with a high proportion of foreigners in West Germany, which seem to lead AfD voters to infer threat scenarios. In West German university cities, however, this is different since the AfD is less successful there. This holds particularly true when the proportion of foreigners is high. For East Germany we find few specific regional determinants across districts for the comparably high AfD vote shares. There the AfD seems to have arrived in the middle of society. [ZParl, vol. 48 (2017), no. 1, pp. 57 – 75]

Schärdel, Julian: From a Euro-sceptic challenger to an extreme right-wing danger? An analysis of the regional press coverage of the German party AfD in nine German regional election campaigns.

Within less than four years, the Alternative für Deutschland (AfD) made it into ten of sixteen German regional parliaments, even though the party has always had an exceedingly strained relationship with the established media. By means of qualitative content analysis, this article seeks to examine the image of the AfD as portrayed by the regional press during nine German regional election campaigns from 2013 until spring 2016 and aims to highlight commonalities and differences within the press coverage in the different federal states. Unlike the coverage in the national press, the evaluation of the party was quite balanced in the beginning, but significantly deteriorated in the course of the party's shift to the right since its split in 2015 and the upcoming debate on immigration. Furthermore, they indi-

cate that the coverage is mostly in line with the development of the party from a single-issue Euro-sceptic to a right-wing populist party. No evidence could be found of a different depiction of the party in former East Germany, where the regional party associations are said to be more right-wing oriented. [ZParl, vol. 48 (2017), no. 1, pp. 76 – 101]

Linhart, Eric: AfD positions at the Länder level: A data analysis based on voting aid applications.

The Alternative für Deutschland (Alternative for Germany, AfD) is a new German political party, which has been successful from the European Parliament elections in 2014 to various elections held on state level thereafter. To locate the AfD in the German party system congruencies and differences between the AfD and other parties are analyzed according to the answers they offer at the German voting aid application Wahl-O-Mat for recent state elections. Generally, the AfD is estimated right from the Christian Democrats (CDU). However, profound variations can be found between various AfD regional associations as well as with regard to different policy fields. [ZParl, vol. 48 (2017), no. 1, pp. 102 – 123]

Rosenfelder, Joel: The political program of the AfD: To what extent has the party changed from an Euro-sceptic to a right-wing populist party?

The political party Alternative für Deutschland (AfD) is not only a Euro-sceptic party but also a right-wing populist party. This classification is widely agreed upon in the journalistic debate whereas the academic literature comments cautiously on the positions of the new party. This article focuses on the AfD's platform in respect to issues relating to Euro-scepticism and right-wing populism. A qualitative content analysis based on the first complete party program passed in May 2016 will show two important changes. First, when comparing the 2016 manifesto to that of 2014 it becomes evident that the AfD's Euro-sceptic attitude has grown significantly, therefore leading to the conclusion that it can be classified as a hard Euro-sceptic party. Second, when analysing the new manifesto a number of right-wing populist elements become apparent, i.e. criticising the political elites, their recourse to the people and an anti-pluralistic attitude. However, the AfD does not belong to the populist radical right European party family since its manifesto lacks the criteria of authoritarianism. [ZParl, vol. 48 (2017), no. 1, pp. 123 – 140]

Däubler, Thomas: The single-vote mixed-member system in state-level elections in Baden-Württemberg: How the lack of party lists contributes to unequal descriptive representation of urban and rural areas within party groups.

State-level elections in Baden-Württemberg are run under an unusual mixed-member electoral system, which gives citizens just one vote, but does not use party lists – allocating seats in the second tier to the “best losers” from the plurality tier instead. Several aspects of this system have already been criticized. This article presents a novel systematic analysis of how the lack of party lists affects the descriptive representation of urban and rural constituencies. For this purpose the distribution of votes and seats within parties is compared, since bias caused by the electoral system is likely to appear at this level, where it also particularly matters due to the key political role of parliamentary party groups. There is a considerable seats-votes-disproportionality along the urban-rural dimension within all parties. A counterfactual analysis of the results of the state-level election in North Rhine-Westphalia from 2005 corroborates the argument that the electoral system drives this pattern. The reform of

the Baden-Württemberg electoral system announced in the 2016 coalition agreement is therefore overdue also from the perspective of adequate representation of urban and rural areas. [ZParl, vol. 48 (2017), no. 1, pp. 141 – 156]

Edinger, Florian: On the right of a parliamentary party to request a hearing. The State Constitutional Court of Saxony's decision of October 27, 2016.

The Rules of Procedure of the German Parliaments grant parliamentary parties the right to request a parliamentary hearing. Is it unconstitutional to violate this right? The State Constitutional Court of Saxony decided that it is indeed unconstitutional. It ruled that the constitution grants the legislators the right of equal treatment, and their parliamentary parties as well. The majority violates this right if it denies a parliamentary party a hearing without a substantial reason that is based on the constitution itself. The court's decision protects the rights of minorities in Parliament and secures that parliamentary hearings contribute to legislation being as good and objective as possible. [ZParl, vol. 48 (2017), no. 1, pp. 157 – 162]

Neumeier, Christian and Christian Waldhoff: The legal basis to reclaim financial subsidies provided to parliamentary parties of the German Bundestag.

Under current law, there is no legal basis to reclaim financial subsidies provided to parliamentary parties of the German Bundestag if they have been used improperly and contrary to their statutory purpose. The article analyses the statutory regime for the financing of parliamentary parties and finds that it provides no specific legal claim to that effect. It argues that general administrative legal mechanisms to reclaim such funds are inapplicable since a legal claim against parliamentary parties for repayment of misused public funds is subject to an explicit provision by parliament. While this requirement follows from the principle of parliamentary autonomy (the right of parliament to regulate its own affairs), it also reflects the normative characteristics of controlling public financing of politics. The introduction of a new cause of action to reclaim misused public funds is normatively desirable and complements existing parliamentary control mechanisms well. [ZParl, vol. 48 (2017), no. 1, pp. 163 – 185]

Schmahl, Stefanie: Is the accounting of retirement pensions on the remuneration of members of the Bundestag (Article 29 of the Deputy Act) in conformity with the Basic Law?

Article 29 of the Deputy Act contains various provisions for the accounting of several remunerations from public funds, both with regard to the compensation of active members of the Bundestag and with regard to the pension entitlements of former members of the Bundestag. Of these two categories of deduction, retirement pensions by statutory pension insurance are also covered. Pursuant to Article 29(2), sentence 2 of the Deputy Act, 50 percent of the retirement pensions from the statutory pension insurance are credited against the deputies' compensation of an active member of the Bundestag, i.e. this percentage of the retirement pensions is reduced. Similarly, Article 29 (4), sentences 1 and 3 of the Deputy Act provides that retirement pensions from the statutory pension insurance scheme are credited against the pension entitlements of former members of the Bundestag by 50 percent of the amount by which they and the pensions pursuant to Article 19 of the Deputy Act exceed the deputy's compensation according to Article 11(1) of the Deputy Act. The

abovementioned reductions are made, although the contributions to the statutory pension insurance come from the member's own employment relationship. The present contribution shows that the crediting provided for by Article 29(2), sentence 2 of the Deputy Act is constitutionally questionable in so far as it disproportionately limits the property rights of the insured person under Article 14(1) of the Basic Law. There is also a breach of the general principle of equal treatment under Article 3(1) of the Basic Law. The provision of Article 29(4), sentences 1 and 3 of the Deputy Act does not infringe basic rights, but violates the formalized equality principle for deputies enshrined in Article 38(1), sentence 2, in conjunction with Article 48(3), sentence 1 of the Basic Law. Against this background, the contribution pleads for a reform of Article 29 of the Deputy Act. [ZParl, vol. 48 (2017), no. 1, pp. 186 – 210]

Niclauf, Karlheinz: The discreet charm of a minority government.

The result of the forthcoming federal elections in Germany might be a Bundestag consisting of six parliamentary parties. In this case creating a majority government will pose a challenge because the prolongation of the governing grand coalition is little appreciated by political parties and by the media. A government including at least two of the minor parties would be marked by diverging views on vital policy issues. A conceivable way out could be the formation of a minority government, which so far has been a taboo in Germany, at least at the federal level. Minority governments, however, are normal in Scandinavian democracies for instance. But would a minority government be in accordance with the German Basic Law? And would it be able to work durably as well as effectively? [ZParl, vol. 48 (2017), no. 1, pp. 211 – 215]

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