

ABSTRACTS*

Loewenberg, Gerhard: The Bundestag in the 21st century: German parliamentarism on a new path.

In the face of its historic, tragic discontinuity, the revival of German parliamentarism in the mid-20th century shows that institutional development is not necessarily path-dependent. Contingent factors shaped the revival. One contributing factor were the Military Governors' policies in Western Germany, who encouraged the reestablishment of Germany's self-government, licensed four political parties and promulgated a Basic Law significantly different from the Weimar Constitution. Another factor was that the new parliament comprised only three effective parliamentary groups, which developed practices that were shaped by a professionalized party leadership. When new parties entered the Bundestag early in the 1980s, it was to their advantage to accept these practices. At the beginning of 21st century practices in the Bundestag are considerably different from those before 1933. [ZParl, vol. 49 (2018), no. 4, pp. 713 – 718]

Buchstein, Hubertus: Preconditions for parliamentarism to be effective. Otto Kirchheimer's thoughts on parliamentarism during his years of exile in Paris and New York (1933–1945).

To this day, the young *Otto Kirchheimer* is regarded as a strong critical voice of the Weimar Republic's parliamentary system. The article discusses *Kirchheimer's* less known writings on parliamentarism during his years of exile in Paris and New York between 1933 and 1945. *Kirchheimer* on the one hand avows himself as an ardent supporter of modern parliamentarism. He sees it as a means of political integration in the same way his former Berlin mentor *Rudolf Smend* did. On the other hand, he emphasises the role precarious social, institutional and cultural preconditions have on parliamentary regimes' effectiveness. *Kirchheimer* opted for strengthening the role of the public sphere, especially when considering that the importance of the executive branches in modern democracies is continuously growing. [ZParl, vol. 49 (2018), no. 4, pp. 718 – 729]

Schultze, Rainer-Olaf: Realignment or the end of normal politics? Elections and a changing historical-political context.

Using the analytical tools of *V.O. Key's* "theory of critical elections" and *Peter Hall's* concept of paradigmatic "third order change", the article places democratic electoral processes in changing socio-historical contextual environments, discusses in a systematic as well as a diachronic perspective the parameters of both change processes in their dialectic relationship. It goes on to identify the various contextual variables that either determine long-term stability in the electorate and party system or that cause upheaval and deeply rooted structural changes in participation forms and in voting behaviour. Empirically, the analysis focusses on the case of the German electoral history, with special emphasis on the critical elections and paradigmatic policy changes in the recent electoral history. [ZParl, vol. 49 (2018), no. 4, pp. 729 – 743]

Zeh, Wolfgang: The size of parliaments – too large, too small, or just the right size?

After the 2017 Bundestag election, the Bundestag consists of 709 members. In the public's opinion this number has been criticized for being too high. The article sets out to determine the criteria for a "correct" number of members of parliaments in a given political system. In order to do so, the sizes of parliaments in German history are compared as are the sizes of other parliaments. Next, the terms of reference for parliaments in a pluralistic society are dealt with and, finally, the relative expenses for a parliament in the national budget are described. The results do not yield any rational criteria by which a specific size of parliaments could be accepted as the right size. [ZParl, vol. 49 (2018), no. 4, pp. 744 – 756]

Sturm, Roland: How institutional reforms fail – the resilience of second chambers.

This is a paradox. Political science literature has often rung the death bell for Second Chambers. They have been declared as no longer being of importance, or even lacking legitimacy. In Ireland, Italy, Canada and the UK the political parties had decided to reform the national Second Chambers, or to

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even dissolve them. The referenda in Ireland and Italy saved the Second Chambers from extinction, in Canada the Supreme Court blocked a substantial reform and in Britain party political conflict only allowed incremental changes. This shows that political science research has so far underestimated the resilience of Second Chambers. Even if Second Chambers are marginalized they can find a comfortable place in politics. [ZParl, vol. 49 (2018), no. 4, pp. 756 – 766]

***Schindler, Danny:* Parliamentary leaders as seen by German MPs: the ascriptive power of party group chairpersons.**

Despite the pivotal position chairpersons of the parliamentary party groups (PPG) in the German Bundestag hold, they are substantively understudied. In particular, there is no scholarly work on the chairpersons' power to steer PPGs. This study investigates the power relations within the Bundestag by drawing on MPs' own assessments of chairpersons' strength. Capturing the MPs' views is extremely valuable since they should be able to provide better insights than outside observers. The influence socially ascribed to chairpersons can also be regarded as a source of power *sui generis* if the reputation of power leads to anticipatory adaptations. Almost all parliamentarians, irrespective of criteria like seniority or leadership affiliation, attribute considerable power to the chairpersons' role. Moreover, this perception corresponds with the chairpersons' self-perception. Given their importance for the functioning of parliamentary democracy, there is much need for more detailed investigations on their steering capacities and leadership behaviour. [ZParl, vol. 49 (2018), no. 4, pp. 767 – 777]

***Siefken, Sven T.:* Plenary in miniature or the place for negotiating? Towards understanding committees in the German Bundestag.**

The committees of the Bundestag are often understood as the place where the real work of parliament takes place. Surprisingly, they have not been studied very thoroughly in empirical political science. This is, in part, due to their work not being public. Here the relevance of committees along the policy cycle are discussed and numerous approaches for deeper investigation are introduced. Better data access and new analysis methods will facilitate this. The committees have a great relevance throughout the policy process, but they are neither mere actors nor arenas. Instead they are institutions that structure the separation of labour in policy making. [ZParl, vol. 49 (2018), no. 4, pp. 777 – 792]

***Schmidt-Jortzig, Edzard H.:* Parliamentarism in the age of new media – or: digital parliamentarism.**

The comprehensive digitization of communication does not exclude parliamentarism. It encroaches on its working methods as well as on its operation mode. Authenticity, directness and originality of parliamentary debates are declining. Integrity and self-confidence of the representatives is suffering. Even the democratic parliamentary process is damaged as the informing function of parliament becomes vulnerable, the manner of discourse may vulgarize and parliamentary problem-solving is subjected to simplification. Taken together all these factors will lead to changes of the playing field, the framework and sounding board of parliamentarism. [ZParl, vol. 49 (2018), no. 4, pp. 793 – 798]

***Krause, Joachim:* Everyone talks about it but nobody knows what it is? Perspectives for analysing and designing parliamentary control.**

It is a widely held belief that the parliament's ability to control the cabinet is a critical element for the functioning of a democracy. This article questions this hypothesis. The study of core theses of realistic democracy theory led to the conclusion that in notion of control where parliament as a whole stands opposite of the government is incongruous with the system of parliamentary government. Established control concepts reflect the rules of the game of political competition between parties, but are – in a narrow sense – no control. Based on these findings it is inevitable that a new understanding of the role of parliamentary control must be developed. In doing so it must be taken into consideration how the state apparatus can be controlled, how individual and political freedom can be protected and how parliamentary control over political debates can be reassured. [ZParl, vol. 49 (2018), no. 4, pp. 799 – 814]

***Lbotta, Roland:* Parliamentary sovereignty and constitutional change in the United Kingdom. On zombies, judges and constitutional lead concepts.**

Britain's constitution has radically changed. Long standing and firmly established principles of the

former “political constitution” – like parliamentary sovereignty – are being questioned and go so far for them being labelled as “zombies”. The article traces some of the main developments up to the Brexit decision of the UK Supreme Court and shows that the shift towards a “legal constitution” has significantly re-arranged the separation of powers under the British constitution. The legal regimes of European integration and European Human Rights as well as a series of rather incoherent constitutional reforms have produced a constitutional dystopia where the British (senior) judiciary steps in by invoking new constitutional principles or by re-inventing them through a judicially designed “Common Law Constitutionalism”. By asserting its new role in the separation-of-powers-game the judiciary is becoming a more and more powerful actor under Britain’s constitution in flux. [ZParl, vol. 49 (2018), no. 4, pp. 814 – 826]

Kolkmann, Michael: Checks and balances under pressure? A first evaluation of the *Trump* administration.

Since *Donald Trump* was elected president, the U. S. political system of “checks and balances” has been facing previously unknown challenges. With no prior political experience, *Trump* over the last two years has tried to roll back the legislative successes of his predecessor *Barack Obama* and to implement his own political agenda. This essay focuses on the abilities and restrictions of the office of the U.S. president. During his first two years in office *Trump* could rely on a “unified government”, i.e. on Republican majorities, in the next two years he faces a “divided government”, since the Republicans kept control of the U.S. Senate, while losing their majority in the U.S. House of Representatives. Additionally, U.S. politics are being dominated by an unprecedented political polarization. [ZParl, vol. 49 (2018), no. 4, pp. 827 – 837]

Kühne, Jörg-Detlef: Foreign policy as a field in which parliament has less influence – exemplified by chancellor *Adenauer’s* wait-and-see attitude towards “Ostpolitik” in the 1950s.

Imparity of parliamentary influence, common to both the acceptance of the Versailles Treaty by the Weimar National Assembly and the current struggle in the British House of Commons over the Brexit deal, was also a grave problem for the German Bundestag addressing the government’s Ostpolitik in the 1950s. The problem revolved around keeping at least some parts of the territory east of the Oder and Neißة that indisputably belonged to the German Reich up until 1945, and thus made up a core element of the state as such. The secret German-Polish negotiations show that in this case the German parliament was by far not as well informed as the government. This was at least one of the reasons why the Bundestag did not and perhaps could not realize how detrimental to German interests this wait-and-see attitude was, especially since seen through international eyes the German position was continually being eroded. [ZParl, vol. 49 (2018), no. 4, pp. 838 – 854]

Oberreuter, Heinrich: German emergency laws of 1968: parliament’s competence and the embarrassment of its opponents.

The 1968 legislation succeeded in transforming the state of emergency in Germany: it no longer entails the executive’s overwhelming prerogative. Hence, Parliament’s rights and structures as well as the constitutional state and its functioning will not be curtailed in a state of emergency. In defending these principles, the Bundestag invoked and used legislative competencies and its autonomy vis-à-vis the government, while at the same time trying to engage public opinion to a hitherto unprecedented degree. Those opposing the project proved to be scarcely or badly informed regarding the parliamentary debate, on the one hand, while on the other hand, radical protagonists manipulatively formed an alternative public sphere. These latter actors intended to overcome the given political system. Passing the law did, contrary to all predictions, not result in democracy’s demise, but rather led to an end of the challenges posed by its opponents. This specific legislative process pertaining to the regulation of the state of emergency in Germany allows insight into the parliamentary forming of political consensus and the way this is intricately linked to public opinion. [ZParl, vol. 49 (2018), no. 4, pp. 855 – 870]

Dobner, Petra and Torben Fischer: Failure, fiasco, catastrophe! Steps towards a research concept on political mistakes.

Although the term “mistake” is used regularly when political actions are judged, so far (German) political science has not developed a substantial concept of policy mistakes. Nevertheless, a holistic and policy-oriented concept of state error can be reconstructed and related to the current research state

through a multi-level inventory. Our results show that hitherto an analytical term for political mistakes has, at best, been developed rudimentarily. The main reasons for these shortcomings are the difficulties to demarcate mistakes from “political criticism” and to systematically define criteria that identify political mistakes. Despite the epistemological and conceptual challenges, the added value of de-dramatizing and sharpening the political analysis of mistakes in political processes and decisions makes this a worthwhile endeavour. Reflections on the difficulties and the benefits of an analytical concept of policy mistakes are followed by the development of an agenda for further research connected to four research topics. [ZParl, vol. 49 (2018), no. 4, pp. 870 – 884]

Patzelt, Werner J.: Lack of responsiveness or malfunctioning communication? The “gap of representation” and the AfD in Germany.

Based on survey data from April 2018, this article demonstrates that the “Alternative für Deutschland” (AfD) has emerged from a “gap of representation” as perceived by a relevant percentage of German voters. In addition, the dimensions are shown in which the communication between German citizens and their representatives continue to be deeply disturbed. Based on those observations, conclusions are drawn on how to counter the further rise of political populism. [ZParl, vol. 49 (2018), no. 4, pp. 885 – 895]

Niedermayer, Oskar: The AfD in German state parliaments, the Bundestag and the European Parliament. Ideological bipolarity and different strategic orientations.

The “Alternative für Deutschland” (AfD) is now represented in all 16 German state parliaments, the Bundestag and the European Parliament. In the European Parliament, the ideological and personal conflicts of the federal AfD have led to the split-off of the biggest part of the AfD-group and eventually to the total marginalization of the party's influence. In many of the state parliaments conflicts between representatives of the national-conservative and the folkish-nationalistic wing exist, which lead to withdrawals, exclusions, changeovers or the break-up of the parliamentary party. The ideological bipolarity has also led to different strategic orientations and is either parliamentary-oriented or movement-oriented. This complicates the reactions of the other parliamentary parties, which include ignorance, exclusion, political contention and even temporal cooperation. These developments can also be found in the federal parliament and there are first indications that the two different strategic orientations and the other parliamentary parties are beginning to change their reactions from initial exclusion strategies and moral indignation to political contention. [ZParl, vol. 49 (2018), no. 4, pp. 896 – 908]

Gabriel, Oscar W.: Does criticising politicians undermine confidence in democratic institutions?

A healthy balance between trust and criticism is seen as an ingredient of democratic government. Starting from this normative assumption, the article analyses whether and to what extent the public's enduring negative view on politicians might weaken trust in political institutions. In examining this relationship, a distinction is made between spill overs on trust in institutions induced by the attitudes towards the politicians as a group on the one hand and two specific German political leaders, *Angela Merkel* and *Sigmar Gabriel*, on the other. As the data show, attributing trustworthiness to politicians as a group of leaders and to chancellor *Merkel* turn out to be the prime antecedents of peoples' trust in parliament and government. [ZParl, vol. 49 (2018), no. 4, pp. 909 – 918]

Höhne, Benjamin: Sometimes participation prevents disenchantment with politics and sometimes it does not: active party members' trust in democracy and parliamentary satisfaction.

In attitude and participation research it is argued that political participation can counteract political disaffection. However, the relationships between action and attitude level are complicated, in particular due to inconsistent causal relationships and how they work as well as their multiple interactions. Based on a survey of active members of all seven Bundestag parties in the run-up to the 2017 federal election, the interrelations of political participation on the one hand and political support on the attitude dimension on the other hand are multivariately analysed here. One result is that conventional participation on the left and right of the political spectrum is accompanied by system-critical attitudes, which thus find a system-appropriate, outlet for their articulation [ZParl, vol. 49 (2018), no. 4, pp. 919 – 932]

Lammert, Norbert: “Party politics isn’t nice, but pursuit of it is a duty” – ten remarks on party democracy.

The present picture, which can be drawn from the German party democracy, is a hazy one: On the one hand, for some time now the turnout and the number of party members has been rising again. On the other hand, it is difficult to argue that the parties are at the peak of their public reputation. Not for the first time, the question of how relevant political parties are is arising. Ten remarks are made here on the almost encyclopedic theme of party democracy and party reputation, objections to and expectations of as well as perspectives on parties. The success story of the second German democracy, despite all the criticisms and problems, is not least also owed to political parties. They are still the main transmission belt of social change in to political action. Parties must therefore understand themselves as living membranes that convey change – in both directions. Therefore, they deserve more recognition for their achievements than is usually the case in the public’s perception. [ZParl, vol. 49 (2018), no. 4, pp. 933 – 939]

Jun, Uwe: Parliamentary democracy, intraparty democracy and direct democracy: the example of the membership party SPD.

Parliamentary democracies can be characterized as party democracies, since in many respects parties are key actors in political decision-making, the recruitment of officials and elected representatives, and the exercise of power. Intra-party democracy contributes to the stability and legitimacy of democratic processes as a whole. In the recent past, many parties have increasingly been supporting efforts to introduce basic democratic elements. Using the example of the SPD, the article discusses the opportunities and limits of direct democracy within political parties and shows that despite the media-oriented member decisions on the party’s coalition policy, the SPD still has to be considered a committee-based membership party of the electoral model, which only occasionally and erratically uses grassroots democratic procedures. [ZParl, vol. 49 (2018), no. 4, pp. 940 – 950]

Petrik, Andreas: “Maybe there is a little less democracy in the German parliament than in our class”. Ninth-graders reflect on experiences gathered during their simulation of a debate in the Bundestag as part of a “founding-a-village” project.

One central question of civic education is how we can relieve political apathy as sort of de-parliamentarisation from the bottom up”. How can we use the increased motivation to participate to foster an appreciative approach to parliamentarism? One answer is the founding-a-village project, where teenagers discover their own political values and those of others by learning how to justify and negotiate them. For a founding-a-village project with ninth-graders we changed the usual final talk show simulation into a simulation of a debate in the Bundestag so that we could concentrate on the polity-level of decision-making. By comparing the decision processes in their village and the German state, the students were motivated to discuss the central democratic concepts of pluralism, legitimacy and efficacy in a controversial way. At the same time, some of the students were put off by the strict rules of parliamentary debates. What didactical conclusions can we draw from this? [ZParl, vol. 49 (2018), no. 4, pp. 951 – 961]

Carstensen, Franziska, Alexander Kübne and Marcus Wittig: Interdisciplinary and practically orientated. Zeitschrift für Parlamentsfragen’s topics since 1969.

This article is dedicated to capturing the wide array of topics ZParl has been covering since its inception in 1969. ZParl’s mission has always been to serve as a “mirror” for parliamentary research. Four focal points came to the fore of our analysis: (1) Articles on why forms of parliamentary practice immerge (context factors) are followed by contributions on parliamentary functions and structures as well as on members of parliament. (2) Both current and long-running issues such as the analyses of political parties, of state parliament elections as well as of parliament-related court judgments and rulings are covered. (3) Concerning geographical priorities and parliamentary levels, there is a focus on the Bundestag and on German state parliaments. (4) The journal is interdisciplinary and the parliamentary research published here is often linked to studies on elections, political parties, federalism and legal issues. All in all our analysis shows that ZParl has contributed to spreading relevant findings on parliamentary research in all important areas and it also points to areas where further studies are necessary. [ZParl, vol. 49 (2018), no. 4, pp. 961 – 979]