

German president clears way for early elections

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On the evening of July 21, German President Horst Köhler announced in a national television address his highly-awaited decision to dissolve the German Bundestag (federal parliament). He explained that he had granted the motion of German Chancellor Gerhard Schröder and taken the decision to hold federal elections on September 18.

After Schröder's government lost a vote of confidence in the Bundestag on July 1, Köhler had 21 days to decide whether to call new elections. He exhausted the entire period before issuing his statement.

The discussions and deliberations which transpired over this period have been treated as a state secret. Even the news that Köhler would make a televised address was kept under wraps until a few hours before he went on air.

Behind these mysterious goings-on is the fact that the German president was under massive pressure from several sides. Although all the major political parties were publicly in favour of new elections, others—above all, constitutional lawyers—raised huge objections. They challenged the method Schröder chose to bring forward the elections—which in Germany are held strictly every four years—by calling a vote of confidence in his government which he intended to lose. They claimed this contravened German constitutional law, which does not authorize parliament to dissolve itself.

They argued that according to Paragraph 68 of the German Constitution, a dissolution of parliament on the basis of a vote of no confidence is allowed only when the chancellor no longer commands a majority in parliament, not when a government majority abstains or votes against the chancellor as a tactical means of dissolving parliament.

“If you no longer take constitutional law seriously on procedural issues, then you won't do so on questions of content,” warned Heribert Prantl in the *Süddeutsche Zeitung* newspaper. “It may be that Germany needs different policies... There is, however, no correct policy at the price of abusing the constitution.”

In the end, Köhler made a decision based on political, and not legal, considerations. He adopted the argument used by Schröder on July 1 to justify the vote of no confidence: that

the chancellor, in spite of a clear majority for his Social Democratic Party (SPD) and Green Party coalition in parliament, no longer had a “stable and reliable basis” for his policies.

“I have reviewed the detailed assessment provided by the chancellor,” said Köhler. “I see no other evaluation of the situation that is in any way preferable to that of the chancellor's.”

Although Köhler's decision was in accordance with the expectations of most political observers, it was striking for the openness and vehemence with which he politically argued. Before he started to explain the legal reasons for his decision, he delivered a short but highly dramatic portrayal of the political situation that can only be interpreted as a plea for a strong government able to force through unpopular measures.

“Our future and that of our children are at stake,” he said. “Millions of people are unemployed, many for years. The financial position of the federation and the states is in an unprecedented critical state. The existing federal order is out of date. We don't have enough children, and we are getting continuously older. And we have to engage ourselves in worldwide, intense competition. In this serious situation, our country needs a government that can pursue its goals with steadfastness and rigor.”

When one considers that Schröder called for new elections immediately after the electorate in the state of North Rhine Westphalia rebuffed the SPD in huge numbers in protest against the austerity measures in its Agenda 2010 program, the authoritarian line of Köhler's argumentation becomes very clear. The election is intended to bring forward a government that is immune from pressure from below.

According to Köhler, the chancellor “is being threatened with dissenting voices and defections.”

These words are noteworthy, above all, for the ease with which Köhler flouts democratic principles. According to the constitution, members of parliament are responsible only to their own consciences. Köhler nevertheless justifies the dissolution of parliament on grounds of the potential impact

of “dissenting voices!”

Schröder’s decision on May 22 to call new elections from the very beginning enjoyed overriding support within the ruling elite. The chancellor, in effect, threw down a political ultimatum to the electorate: either you accept Agenda 2010, Hartz IV and every other social cut demanded by the SPD-Green government, or the conservative Union parties (Christian Democratic Union and Christian Social Union) and Free Democratic Party (FDP) will assume political power and enforce the same policies, but in an even sharper form. A handover of government power in September to the Christian Democratic Union (CDU), Christian Social Union (CSU) and FDP looked then to be a foregone conclusion.

However, two developments have occurred in the meantime that have placed doubt on the wisdom of bringing forward the elections by one year. These are certain to have contributed to the fact that Köhler took so long to arrive at a decision.

First, it has become apparent that the Union opposition parties are poorly prepared to take over the government. Just as there are tensions within the SPD, significant differences exist within the Union parties about tax reform, social policies and other important issues. These differences would be likely to emerge in the open should the CDU and CSU come to power. Above all, their proposal to increase the Value-Added Tax by two percentage points is a matter of internal controversy. Business circles have reacted strongly and negatively to this proposal, which has, according to opinion polls, caused a significant drop in popular support for the CDU and CSU.

Second, the rapid rise of the new “Left Party” has confounded the calculations of the political elite. One of the purposes of bringing forward the elections was to prevent the emergence of a party to the left of the SPD. However, this is exactly what has happened.

The Left Party has steadily increased its standing in the opinion polls. It is currently at around twelve percent nationally, far ahead of the FDP and the Greens. In the states of the former East Germany, it is even ahead of the CDU and the SPD.

The problem for the ruling elite is not the Left Party itself, an amalgamation of the Party of Democratic Socialism (PDS) and Election Alternative which would be more than prepared to support a SPD-led government and help implement anti-social policies—as does the PDS on a daily basis in numerous eastern German municipalities and in the state governments of Berlin and Mecklenburg-Vorpommern. The problem is the widespread popular opposition to official politics that is expressed in growing support for the Left Party in opinion polls.

Should this trend continue and the Left Party enter the

Bundestag with a two-digit election result, it could result in neither the CDU-CSU-FDP coalition nor the SPD-Greens alliance having a majority. A discussion has consequently opened up in the media about the pros and cons of a grand coalition between the Union parties and the SPD. Some commentators hail the prospect of such a coalition, arguing that it would be based on a broad parliamentary majority and would therefore be in a position to prosecute a radical program of social cuts. Others fear it on the grounds that it would lead to political paralysis.

As the newspaper *Die Zeit* warned: “A grand coalition would not advance the reforms already begun. Forced together only by the election, this involuntary alliance would concentrate mainly on managing and moderating its own inner contradictions. It would be a continuation of the exasperating experience where the red-green federal government was always forced to mediate with the Union-controlled states [represented in the federal upper house]. The results were always the same: permanent negotiations, cumbersome compromises, unclear responsibilities, and reforms that either went too far or not far enough.”

Other commentators recommend halting the elections altogether. As it is, only the German Constitutional Court is in a position to reverse Köhler’s decision. This week, two parliamentarians, Werner Schulz from the Greens and Jelena Hoffmann from the SPD, will appeal Köhler’s decision. The court is expected to announce its verdict towards the end of August.

The Partei für Soziale Gleichheit (Socialist Equality Party) is participating in the elections in order to introduce its international socialist program to the working population. It is intervening in the elections not only against the Union parties, the FDP, the SPD and the Greens, but also against the Left Party, which seeks to prevent the opposition to social cuts from developing into an independent movement against the capitalist system and the political establishment as a whole.



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