Arbitration brings cosmetic changes to “Stuttgart 21” rail project

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After two months of negotiations, the arbitrator announced his verdict regarding the disputed project for the building of a new railway station in Stuttgart. The 80-year-old Heiner Geissler, a conservative politician, spoke out clearly for the continued construction of the controversial “Stuttgart 21” project, but called for some adjustments to the plans in order to appease opponents of the project as well as to divide them.

Geissler rejected the holding of a referendum on “Stuttgart 21”. At most, he is prepared to accept some form of non-binding poll regarding the increased costs. In order to make real estate speculation more difficult, he has suggested that the ownership of the land freed up by the building of the new station underground be converted into a trust. According to Geissler, both opponents and proponents agreed on this. Before delivering his arbitration verdict, he spoke at length in private with both sides. However, it remains unclear who will control the trust.

Geissler also calls for planning changes to building the station underground and advises rail company Deutsche Bahn to prove the efficiency of their project. Trees that would fall victim to the new build should not be cut down but be replanted elsewhere, he said.

The arbitration procedures—which have not previously existed in this form in Germany—as well as Geissler’s verdict are aimed at defusing a social conflict that has spiralled out of control in recent months and caused serious problems for the Christian Democratic Union (CDU) regionally and nationally.

The protests against this construction project, which has been in preparation for 15 years, suddenly attracted broad sections of the population, mainly from the middle class. Week after week, thousands, sometimes tens of thousands, took to the streets.

The protests against the felling of trees and other environmental issues, which are regular features of large construction projects, were joined by concern for the immense cost of the project in times of social cuts, and anger about the arrogance of the powerful circles ruthlessly pushing through the “Stuttgart 21” project. Along with Stefan Mappus (CDU), the premier of Baden-Württemberg, and Deutsche Bahn, the Social Democratic Party (SPD) had also campaigned in favour of the project.

At first, Mappus tried to sit out the protests, hoping they would subside by themselves. When this did not happen, he and his interior minister decided to use brute force. On September 30, several hundred police officers from all over Germany were assembled in Stuttgart, and used water cannon, tear gas and batons against peaceful demonstrators. Protesters suffered lacerations, broken ribs, concussions; hundreds were injured and a pensioner was almost blinded.

But the provocation backfired. Rather than intimidating the protesters, the violent police action drove even more demonstrators onto the streets. Nine days later, there was the largest ever demonstration in Stuttgart, the state capital, with more than 100,000 participants. Mappus desperately needed to win time for an orderly retreat. It was now not only his own fate that was at stake, but also that of Chancellor Angela Merkel. She had given her support to “Stuttgart 21” and declared that the 2011 Baden-Württemberg state election would also be a poll on the controversial project, thus tying it to her own position as CDU chair.

The Green Party then rushed to the aid of the hard-pressed Mappus and Merkel. The Greens had previously spoken out against “Stuttgart 21”, and the wave of protests had pushed up their poll ratings, awakening their dream of putting up the next premier in a state that has been continuously in CDU hands since 1953.

The Greens did not, however, want to be brought into government on a wave of protests. The protest movement has placed the state’s authority in question and has exposed the economic and political interests—known by the term “Spätzle Connection”—far beyond the state borders. The Greens are firmly enmeshed in this incestuous web. They therefore not only enthusiastically supported the call for arbitration, but proposed CDU member Geissler as arbitrator.

This was no accident. The 80-year-old CDU member is one of the most experienced German politicians. From 1977 until 1989, he served as CDU secretary general, was twice a minister under Helmut Kohl, was minister for social affairs in the state of Rhineland-Palatinate, and sat in the Bundestag (federal parliament) for over 22 years.

Geissler is considered one of the leading representatives of Catholic social teaching, who sees social compromise as an effective means of suppressing the class struggle. During his

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time as a federal minister, education allowances and parental leave were introduced. In 2007, Geissler joined ATTAC, the anti-globalisation network, and spoke in favour of an "international social-ecological market economy", which earned him the sympathy of the Greens.

The Greens have tried to dominate and monopolise the movement against "Stuttgart 21". In the arbitration proceedings, they comprised three of eight negotiators on the opponents' side, including Boris Palmer, mayor of Tübingen, and Winfried Kretschmann, chair of the Greens in the state parliament and most likely to be the party's lead candidate in the 2011 elections.

Other opponents of "Stuttgart 21" are also not political novices. For example, Gangolf Stockler, one of the initiators of the Coalition for Action (against Stuttgart 21), was a member of the SPD from 1969 to 1974, then from 1975 to 1990 a member of the DKP (German Communist Party, the West German satellite of the East German Stalinists), and from 2000 to 2006 headed the state organisation of the Party for Democratic Socialism (PDS, the successor to the East German Stalinist party of state). Today, he sits on the city council for the "Ecological Social Stuttgart" Alliance, which lies programmatically between the Greens and the Left Party.

From the outset, the arbitration process was designed to remove the protest from the streets and to curb the movement. It was not envisaged that the results of arbitration would be an open question. Geissler said that in a "modern media democracy" the objective of policy, once decided, was to justify and explain this to people and the arbitration process should "contribute" to this.

State Premier Mappus used the arbitration proceedings to improve on his disastrous poll ratings by showing his willingness to compromise. Days before Geissler announced his verdict, Mappus had already signalled his readiness to compromise. "I am willing to talk about all the proposals that fall short of halting building or terminating the project," he told financial daily *Handelsblatt*, "even if it costs more money". A few days earlier, Geissler had already raised the possibility of accepting additional costs in the construction project as a possible solution to the dispute. Whether this was agreed between Mappus and Geissler is unknown.

The arbitration procedure itself almost exclusively involved purely technical questions—e.g., the pros and cons of an overground railway terminal vs. an underground transit station. Often, both sides became entangled in details about the performance of timetables, potential passenger numbers and the economics of both concepts.

Geissler stopped all attempts to uncover the intrigues between big business and politics in advance of the construction work. He interrupted representatives of the opponents whenever they sought to raise the incestuous relations between the construction industry, the banks and the political establishment. Geissler emphasized that what was involved was purely "technical and objective conciliation". He warned that neither critics nor supporters should refer to what was said in the past by the opposite side. "If we permit this", he said, "then mediation is doomed to failure."

The CDU, like the Greens, worked hard to build trust in official politics and government. Boris Palmer, speaking on behalf of the opponents, said on the second day he did not want to "imply Deutsche Bahn was telling untruths", but that their presentation of the project did not make sense. Geissler responded to him directly: "It is good that you have distanced yourself from the constant repetition they were telling a 'pack of lies'"—a chant that has been heard repeatedly at demonstrations.

Several times, Geissler called on both sides to moderate their criticisms. It was absolutely unacceptable for Premier Mappus to be defamed on demonstrations, he said. "Calls of 'Mappus out!' are out of touch with the current climate", according to Geissler.

Even before the arbitration verdict was announced, the environment minister of Baden-Württemberg, Tanja Gönner (CDU), and Green Party politician Winfried Kretschmann praised the negotiations. On the ZDF television morning show, Kretschmann called the negotiations "a huge success". He agreed with his CDU colleague that the return to objectivity was a success for the arbitration process.

The Green Party mayor of Tübingen, Boris Palmer, described the settlement as a total success and stressed that it had pacified the conflict. The state government should now "not just go on as if nothing had happened", he said.

The Greens are still clinging fast to a referendum and are linking this demand to a change of government after the state elections in March 2011. Their behaviour during and after the mediation process, however, shows that they want to bury the conflict with unctuous words, in order to climb to power—if need be in a coalition with the CDU.

Before announcing his arbitration verdict, Geissler had already signalled a rapprochement with the Greens. He sharply criticized Chancellor Merkel because she had made the next state election a vote on the "Stuttgart 21" project. By so doing, Geissler said, she had restricted the ability of the CDU to form a coalition with the Greens. Criticizing his own party, he commented: "We only form coalitions with the FDP—even when it hardly exists anymore."

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