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Chancellor Democracy under Gerhard Schröder (July 26, 2002)

According to political scientist Karl-Rudolf Korte, under Gerhard Schröder, the Federal Republic's "chancellor democracy" [*Kanzlerdemokratie*] was becoming increasingly similar to a presidential system. Korte attributed this to the centralization of power in the chancellor's office, the circumvention of parliament by means of consensus rounds, and the increased role of the media in politics.

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### **In the Presentation Democracy**

*Schröder's Style of Government leaves its Mark on the Berlin Republic*

In his first policy statement, Chancellor Gerhard Schröder described political leadership as "modern opportunity management." The course of the legislative period confirms his pronouncement. Schröder governs as though the polls were open every day: he is sensitive to changing public opinion, mindful of swing voters, a pragmatist of the moment.

After four years of red-green [i.e., the coalition between the SPD and the Greens], the so-called Berlin Republic has proven to be more than a chimera of the features pages. "Berlin Republic" denotes a structural new beginning that is changing the political system dramatically. Chancellor Schröder is transforming a representative democracy into a presidential republic. The retrofitting of the political system can be interpreted as an efficient governing strategy in a media-oriented, excitement-fuelled democracy. Additionally, persistent violations of the rules of parliamentary democracy are undermining the foundations of the Bonn Republic. Sometimes the rules are openly and deliberately broken; sometimes they are compromised more subtly, for example through reinterpretation.

Gerhard Schröder ascended in the role of the rebel. His rattling of the fence of the chancellery early on<sup>1</sup> offered a foretaste of the style of a leader who systematically violates political boundaries and rules. In the SPD, Schröder criticized the establishment and the chairmen to the point where there was no one left who wanted to compete with him. When he finally became chairman himself, the party organization initially stood in the way of a further centralization of power within the chancellor's office. It was the introduction of a secretary general – patterned

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<sup>1</sup> In 1982, after a visit to a bar, Gerhard Schröder walked by the chancellery, rattled the fence, and proclaimed, "I want to get in here" ["Ich will da rein"]. Sixteen years later, he succeeded – eds.

after the CDU/CSU – that finally created the prerequisite for Schröder to expand his power. He broke away from the traditional Social Democratic platform and then broke with traditional SPD structures, which was also a subtle way of violating rules and boundaries.

Even more important is his treatment of the Bundestag and Bundesrat [Federal Council]. The usual procedures for formulating opinions and making decisions in these parliamentary organs have been changed or reinterpreted during the current legislative period. That affects the very substance of our constitution. Expanding executive control over parliamentary processes shifts power relations. Schröder's democracy is a negotiation democracy. Interest groups are brought together and committed to a consensus – outside of the Bundestag. Various networks are supposed to prevent decisions from being blocked. Whoever brings about such a consensus exercises power in a gentle way. The chancellor satisfies the desires of the people; and he cultivates and intensifies the corporatist style of his predecessor [Helmut Kohl] with roundtable discussions, alliances for work or ad hoc coalitions, ethics councils, and conversations in the chancellor's office.

### **Violations Become the Rule**

The SPD chancellor has appointed a number of special commissioners (on issues from immigration to compensation for forced laborers to the foot-and-mouth-disease crisis team). The commissioners do not come from the coalition parties, and this is deliberate. An endless succession of consensus rounds presents members of the German Bundestag with *faits accomplis*. Voluntary commitments by professional associations, like in the health care system, do their share. As a result, the majority factions in parliament have less scope for action and their role has been limited to touching up details.

On November 16, 2001, Schröder used his power of initiative to combine the vote on the anti-terror deployment of the Bundeswehr with a vote of confidence. That was a first in the history of the Bundestag. The chancellor thereby transformed the disciplinary measures outlined in the constitution into a model of imperative mandate to maintain the chancellor's majority: the directive to retain power was tied to a particular political vote.

A shift in emphasis between office and mandate is also on the horizon in the Bundesrat. Up to now, cooperation between the Bundestag and the Bundesrat usually operated under the conditions of a party state. Nevertheless, the minister presidents often felt more committed to their federal state than to their own party. Many of the majorities in the Bundesrat would not have been achieved otherwise. Cutting across all party lines, chancellors have forged a wide variety of coalitions with promises of a basically serious, and often financial, nature.

But up to now only Chancellor Schröder has acted outside of institutional mediation procedures. July 14, 2000, the date on which he pushed his taxation package through the Bundesrat, marked a turning point. Schröder's coup was possible because – contrary to the rules – an

essential part of the voting package was not published before the start of debate; instead, it was agreed on over the phone before the bill was even drafted. The ad-hoc majority for the tax reform package in the Bundesrat had only come together the night before the session. The chancellor disregarded the fundamental purpose of mandatory prior publication: the creation of a public forum. A new style [of leadership] also became apparent in the Bundesrat vote on the Immigration Act in March 2002. Consequently, the federal president felt obliged to issue a reprimand for the first time in the history of the republic.<sup>2</sup> Furthermore, Schröder also violates everyday government rules in Berlin through his increasing presidentialization of the political process. As a powerful government headquarters, the chancellor's office compromises the federal government's departmental principle. It was only in the 1990s that Kohl achieved what Schröder has silently accomplished in just three years' time: not even the smallest initiative of any department can be made public without first receiving the blessing of the chancellor's office.

High ministerial turnover isn't the only distinctive feature of presidential cabinets. (And Gerhard Schröder holds the record with eight ministers.) The government chief's deliberate distancing of himself from cabinet members and his efforts to inflate his image as a statesman at the cost of his coalition partner are further signs of a presidential style of government in a parliamentary-representative system. Schröder's parliamentary strength is linked to his clear-cut majority in the Bundestag. In contrast to Kohl, he doesn't have to be all that considerate of his coalition partner. He's a player who accepts coalition partners – whether in Hanover or Berlin – merely as an accessory to his prerogative to set strong policy guidelines. His chancellorship has been characterized – at least since the departure of [Oskar] Lafontaine, the architect of the red-green coalition – as having a purely instrumental relationship to its Green partner. This has to do with Schröder's understanding of government action. The chancellor is first and foremost the head of the government; only secondarily is he the leader of his party. Kohl's power was based in his party. As a populist, on the other hand, Schröder has made a virtue out of the deficiency of his insufficient closeness to the SPD base. Whenever necessary, he uses his telegenic pep to stimulate party bodies from the outside. His secretary general then translates the plans of the chancellor-president for the rest of the party.

“Sofa government,” informal personal consultations between the chancellor and hand-picked spin doctors give the non-elected members of his staff more influence than the members of the parliamentary faction, the cabinet, or the coalition roundtables. This trend toward presidentialization was dramatically intensified by the terrorist acts of September 11 [2001].

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<sup>2</sup> On March 22, 2002, the Bundesrat narrowly passed the Immigration Act by a margin of 35-34. The decisive votes were cast by the Brandenburg state delegation, which consisted of two representatives, one from the SPD and one from the CDU. The SDP delegate voted in favor of the law; the CDU delegate voted against it. Since the constitution requires that federal states vote unanimously, Brandenburg's minister president, Manfred Stolpe (SPD), was called in. He declared that his state was voting in favor of the law. The CDU protested the passage of the law; the party voiced its complaints to Federal President Johannes Rau and urged him not to sign the law. The Schröder-led government, on the other hand, pressured him to sign it. Rau reprimanded both parties for their behavior and expressed his disapproval of the manner in which the law had been passed – eds.

The presidentialization and delegitimation of constitutional organs goes hand in hand with a plebiscitary transformation of the Berlin Republic. Schröder acts like a multi-option pragmatist and “chancellor of the day.” First he figures out how much leeway he has in terms of content. If government proposals meet with public resistance, new options are sought. Problem-solving, usually in short-term alliances, also aims primarily at appealing to the public. One minute Schröder appeases the traditional SPD battalion with the new Works Council Constitution Act [*Betriebsverfassungsgesetz*]; another minute he woos businessmen with the green-card initiative. All of this stems from a pragmatism of the moment that serves to maintain power and resolve conflicts but seems totally void of tradition in the sense of the Social Democratic milieu.

### **Management of Public Forums**

Schröder also actively uses the media. He tries to use the public mood to influence decision-making. Going public: up to now that has been one of the most important instruments of American presidents, who, due to the system, must continually forge new Congressional majorities. “Telepolitics,” however, involves more than presenting politics in a way that generates media attention, above all by personalizing it. What has made telepolitics a defining characteristic of the “chancellor of the day” is his never-ending campaign-trail style of governance. Daily opinion polls and an extreme fixation on their findings ensure that he is constantly referring to fluctuating voter sentiments. Governing at one-minute intervals, so to speak, is the answer to the expanded role of the public arena and the erosion of the party and of coalition democracy, which Schröder sees as only one of several sources of power.

His actions are geared toward the prerequisites for success in the media-saturated public sphere: attracting attention is a goal in and of itself, extreme personalization serves its purpose, and a public appearance that generates media interest is more important than discreet negotiations. Moods precede majorities. And so the chancellor majority in the Berlin Republic seems to be only one of many power resources.

The list can be expanded. It becomes very obvious that the political decision-making process is split into two segments. On the one hand, the representative, parliamentary democracy continues to function along its conventional pathways. In addition, now there is also a new regulation model, in which everything representative is relegated to the background. The new style of governance transforms established rules of the game and institutions into a projection screen for the presentation-plebiscitary government, in which rules are openly broken or tacitly circumvented. Modern governance makes use of the set pieces of parliamentary democracy in a playful and situational manner. In this political model, governance does not provide as much direction as it did previously; it is more like a moderator with strong leadership skills, reacting to free-floating attitudes in the excitement-fuelled democracy. Market-oriented choreography and the management of public forums are a strategic response by politics to choosy voters whose

decisions are increasingly short-winded, shortsighted, and dependent on the situation and the intended maximization of self-interest.

When majorities change along with current political events, politics answers flexibly. In such a public opinion-driven democracy, the controlling factor is no longer the opposition but rather public sentiment, which in turn measures and sizes up the political elite with increasingly sophisticated sensors. That can be an effective formula over time. But the success prerequisites for the presidential republic include one important building block, which is threatening to break off: a parliamentary opposition that does not work in concert and that does not allow rules to be broken because individual actors – especially minister presidents – profit from it.

Source: Karl-Rudolf Korte, "In der Präsentationsdemokratie. Schröders Regierungsstil prägt die Berliner Republik" ["In the Presentation Democracy. Schröder's Style of Government leaves its Mark on the Berlin Republic"], *Frankfurter Allgemeine Zeitung*, July 26, 2002.

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