

CHAPTER TWO THE POLITICAL DYNAMICS OF REGIONALISM: FRG, AUSTRIA, SWITZERLAND

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It is not the intention of this paper to deal with the process of regionalisation - in general or with regard to individual examples, particularly in Western Europe - and the specific dynamism which normally accompanies such processes. Its focus will be rather on political systems with an established federal structure (like the Federal Republic of Germany, Switzerland and Austria) and on the political dynamics inherent in a federal system. The analysis will try to demonstrate that a federal structure does imply and also generate political dynamics in different respects. The knowledge of such experiences might be useful for countries with regionalisation tendencies and processes, as some of them have obviously been prepared to adopt federal structures to a certain extent. Political actors in the respective countries which are undergoing such developments should be aware of the dynamics implied in established federal systems and/or typical for politics within such systems.

The paper does not claim to represent a thorough and exhaustive analysis, but is seen as a contribution towards a better understanding of the consequences of regionalisation processes which lead to the emergence of some sort of federal structure. Needless to say, the various political manifestations will be evaluated differently: what might be desirable or acceptable for some will be criticised and rejected by others. The following paragraphs give an idea of the main aspects of political dynamics in political systems with a federal structure.

A federal structure means:

that there are state units beside and below the state as a whole;

that these state units (Länder in Austria and the FRG, cantons in Switzerland) have legislative powers of their own to fulfill particular tasks and have financial resources at their disposal;

that each regional state unit forms a political system on its own (it may have its own constitution, its own system of government, with institutions such as a government a parliament, courts of justice; a political infrastructure - with political parties and interest associations - of its own; perhaps a sense of state or regional identity);
that the components of a federal system have developed a pattern of co-operation: sub-national state units amongst each other and with the federation;
that even the structure of political organisations might correspond to the structure of the state: this means the existence of a party or pressure group organisation at regional level.

Let us consider briefly the various aspects of political dynamics in a federal system.

Development of Federalism

The constitution of a country which is a federation normally defines the federal structure in principle: for example, the distribution of powers amongst federal and regional units; the rules and procedures of co-operation. Within this framework, however, there is dynamism and development; the federal structure is never static.

The principal source of that dynamism is the struggle for predominance between the federation and the regional states. In response to the centralisation of political power during the Nazi regime, the three Western allies responsible for the re-emergence of political life in postwar (Western) Germany decided that the new state must have 'a democratic constitution which will establish for the participating states a governmental structure of federal type which is best adopted to the eventual reestablishment of German unity at present disrupted, and which will protect the rights of the participating states, provide adequate central authority, and contain guarantees of individual rights and freedoms'(1).

There were conflicting positions within the constituent assembly concerning the realisation of a federal structure: the Social Democrats were in favour of a relatively powerful central authority (as they hoped to win a majority and use this power according to their political programme), while the majority of Christian Democrats were determined to have strong regional states. The solution laid down in the Basic Law was a compromise, which did not put an end to the controversy and could not prevent political developments from modifying the constitutional solution.

Unitary tendencies did strengthen the central authority in Bonn at the expense of the Länder(2). From the very beginning, the Länder developed a whole pattern of co-operation procedures and frameworks amongst themselves and with the institutions at national level. Amendments to the constitution (in the late 1960s) as well as political practice can be interpreted as an adaptation of the federal structure to new emerging needs and challenges. After more than a decade of the predominance of unitary solutions, politicians sought greater autonomy for units at the sub-national level. This reaction shows very clearly the dynamism inherent in a federal system in general. Recent developments in this direction reflect the emergence of special problems at the regional level, or rather the perception that there are regional problems which require solutions within this framework.

Separation and Balance of Power

Federalism has been understood as a device and strategy to avoid the centralisation of political power and authority since this might lead to dangerous misuse. Montesquieu taught us how necessary it was that 'le pouvoir arrete le pouvoir'. He offered the concept of separating powers and central institutions as a means of securing freedom. A federal structure serves the same goal: a division of authority between the federation, on the one hand, and the regional state units, on the other, not forgetting the balance amongst the regional units themselves. This division can be brought about by several rules and mechanisms laid down in the constitution, as the West German example shows.

At first sight the position of the Länder seems to be rather weak. Compared to the federation they have only a few reserved powers, particularly in cultural affairs including education, in law and order and in local government. The federation, on the other hand, is much better equipped: according to the Basic Law it has the exclusive right to act in certain fields and in the majority of cases where legislation has to be exercised 'concurrently' by the federation or the Länder, federal legislation takes precedence over that of the Länder.

A first substantial counterweight lies in the administrative competence of the Länder; according to Article 83 of the Basic Law (The Länder shall execute federal laws as matters of their own concern in so far as this Basic Law does not otherwise provide or permit') they are given the right and task of implementation. As a consequence, the civil service of the federation is relatively small compared to the huge personnel capacities the Länder have at their disposal.

A second counterweight lies in the existence of a second chamber (Bundesrat) formed by the Länder governments. This institution, which is located at federal level, is a vehicle for the Länder to introduce their concerns into federal legislation. Via the Bundesrat the Länder are represented at federal level, and can exploit their administrative strength to get their interests considered. It is in those fields which affect concerns of the Länder directly - particularly legislation with financial implications for the Länder - that the majority consent of the Bundesrat is obligatory. But even in other cases - where the specific assent of the Bundesrat is not required - it has a considerable influence: it can raise objections which can be overcome only by a similar majority in the Bundestag. And the procedure aiming at reconciliation and compromise for which a special joint committee of the two houses has been established (Vermittlungsausschuss) offers additional possibilities for the Länder to promote their particular interests.

One can easily imagine the political dynamics which stem from this construction, especially if one thinks of the party political compositions of the Länder governments, the federal government, the Bundestag and the Bundesrat. As these compositions never follow the same pattern, politics in the federal framework is characterised by competition, sometimes by controversy and confrontation, and eventually by bargaining. Neither element can force its will upon the other, rather the component units are forced into a scheme of co-operation.

The Swiss confederation shows a similar pattern. The cantons not only have reserved powers in certain fields but also substantial powers of taxation so that they can set their own priorities in policy making. Via the Ständerat, the second chamber in the Swiss system of government, they participate in federal legislation. The explicit assent of the Ständerat is mandatory for all legislation; it happens very often that the Ständerat and the Nationalrat (the first chamber) have to deal with certain issues again and again before they reach agreement. Furthermore, the cantons play an important role in the preparatory stage of legislation: they have a considerable say in the so-called 'Vernehmlassungsverfahren', a special form of comprehensive 'hearing' where opinions are collected before a bill is formally introduced in the chambers. Even more than in the West German case, the Swiss construction should be seen less as a source of confrontation but rather as a framework for co-operative behaviour. Much of the political dynamic in the confederation of Switzerland is determined by its federal structure.

Political Participation of Citizens

In a country with a unitary constitution all sovereignty rests with the central government which takes nearly all decisions affecting the living conditions of the people. The central institutions are located in the capital and this is the focus for politics and decision-making. In the perception of the citizens, politics under such circumstances is regarded as a matter which takes place far away from them. The distance between the capital and the periphery is great, with a tendency to grow - at least in the citizens' perception. The feeling of being excluded from the political arena can emerge and grow and political apathy can be a consequence. In some cases regionalisation tendencies have to be understood as a reaction or even a protest against this domination from the capital, especially if those affected by political decisions taken there have (subjective) reasons to complain that their (legitimate) concerns are being neglected. Such a deficiency in the democratic quality of a political system may have very negative effects in so far as the legitimacy of decision-making is being questioned.

A federal system, on the other hand, offers an additional level of decision-making. As described above, the West German Länder (and the same would be true for the Länder in Austria) and the cantons in Switzerland form - at the sub-national level - political systems of their own. The German Länder, for example, 'have the full panoply of governments in miniature. They are headed by a minister-president, they have their own constitutions and constitutional courts, administrative systems and civil service, and they all follow the pattern of parliamentary government responsible to an elected assembly'(3). We may add that the political system at the sub-national level is completed by a political infrastructure formed especially by parties and pressure groups organised at Land or canton level.

The political arena of a Land or a canton is much nearer to the individual citizen than the remote capital with its central institutions and political organisations. It offers the citizen additional possibilities for political participation. Constituencies are smaller, and there is a better chance to get in touch with politicians active at the regional level. The issues on the agenda of Land or canton politics affect the citizen more directly, he may well understand better what is at stake, and have easier access to information. Party or pressure group organisations offer him platforms for activity.

Such provisions do not automatically lead to intense political engagement on the part of citizens; they are not a guarantee, but they give a better chance of active participation. If citizens

exploit these possibilities the democratic quality of the whole political system will improve, or rather the system will gradually gain this quality.

One can argue that political engagement at the sub-national (including the local) level has very often adopted the form and character of protest which endangers political stability, and that therefore a federal structure brings with it disadvantages and may create severe problems which otherwise could have been avoided. This argument overlooks the fact that the source of dissatisfaction and unrest is not the existence of a political system at the sub-national level but rather the deficiencies of central decisions, or the fact of 'non-decisions'.

Effects on Parties and the Party System

We have already mentioned that the federal structure in the organisation of the state units is often accompanied by corresponding structures for parties (and pressure groups): there is an organisational level between the basic party units at the local level and the central party institutions at national level which strictly follows the frontiers between state units at the sub-national level.

The establishment of party organisations within individual Länder or cantons has to be seen against the background of their parliamentary system. The regional party organisation will follow the general political guidelines for the party as a whole, but in order to be successful in the particular Land or canton it might tend to achieve a special political profile with regard to regional traditions, the specific political culture and the economic and social situation in the region. Within a regional party organisation political positions and tendencies might gain prominence which represent only a small minority within the national organisation. Party wings can have strongholds in different regions. This can be seen in the case of the West German Social Democratic Party: some regional party units were labelled as explicitly left-wing in comparison with the party's main stream which was characterised by a reformist strategy.

Minorities in a political party have better opportunities to articulate their position within such an organisational structure. Elective offices and positions in the central institutions are distributed according to the relative strengths of the regional party units. The variety within a party, even in its regional dimension, is reflected in the composition of the central bodies. This contributes to intra-party democracy. A regional party organisation can be regarded as a factor balancing other regional party units. Under such circumstances even the individual party member (comparable

to the citizen) has better opportunities for active and efficient engagement in his organisation and this also contributes to intra-party democracy.

Much political dynamism can stem from the parties' abilities to vary slightly in political performance and behaviour from one Land to another. If the party system is characterised by competition and the need to form coalitions, the party leadership at the national level might decide to test a new coalition first at the regional level. There, party organisation would modify its position and offer a compromise in an area which is given high priority by the prospective new partner. Reactions in opinion polls or - much more reliable - in elections for the regional parliament will show the participating parties whether they can afford to continue their move and whether a new coalition pattern at the regional level might be regarded as the model for activities and developments at the national level. The risks attached to such reorientation are much smaller when restricted to one regional state than if the parties initiate it at the national level.

Party behaviour in the FRG can serve as an illustration for such strategies. In the mid-1950s the Liberals in Nordrhein-Westfalen abandoned the coalition with the Christian Democrats and supported the Social Democrats who were then able to take over government responsibility; the Liberals intended this dramatic step as a signal to Bonn but it failed, as the majority of the electorate supported Adenauer in 1957. In 1969 the Liberals voted in favour of the Social Democratic candidate for the Federal Presidency, which was intended as a move indicating the possibility of a new coalition to replace the Grand Coalition after the federal elections in the autumn of 1969. Similarly, the decision of the SPD in Hessen in 1984 to accept the parliamentary support of the Greens has been interpreted as a first approach towards a totally new political coalition pattern: a red-green alliance. There is, and will be, much discussion and controversy about these moves; developments at the Land level generate a political dynamic throughout the whole Republic.

The federal structure may well have an impact on the development of the party system in yet another respect. A smaller party which presents itself as a new political actor may start its activities within the framework of one regional state. As a newcomer such a party lacks organisational and financial strength, so that it may be more promising to start in a limited context and, if successful, extend its activities from this basis. A break-through in national elections would mean 'ratification' of previous successes at the regional level. This was the case with the National Democratic Party, a right-wing political force, which was able to

enter a small minority of West German Länder parliaments in the late 1960s. The attempt to have this success 'ratified' in the federal elections in 1969 failed; the NPD won only 4.3 per cent of the vote, and suffered an abrupt decline: thereafter it disappeared from Länder parliaments and now has less than one per cent of the national vote.

The development of the Greens, on the other hand, was much more successful. They also started at the Land level and managed to replace the Liberals here and there as the 'third force' in the party spectrum; finally, in 1983, they entered the Bundestag and seem to have established themselves as a permanent political factor. In both cases, the activity of new political forces under the special conditions of a federal system produced a great deal of political dynamism.

The existence of a party which restricts its organisation to one region - like the CSU in Bavaria - is a special case of a party system made possible under a federal regime. With its stronghold in Bavaria, the CSU influences politics at the national level very efficiently. Political observers agree that the party of Franz Josef Strauss contributes a great deal to the party political dynamics of the FRG.

Elections to Parliamentary Assemblies at the Sub-national Level

In countries with parliamentary government elections are important events: the political parties engage themselves intensely in order to mobilise and attract the electorate; the voters pay more attention than usual to political affairs; the election result may cause modifications of governmental policies or lead to a change of government from one party (or coalition) to another. In federal systems elections take place rather frequently if the sub-national state units possess parliamentary assemblies and follow the pattern of parliamentary government, as is the case in the FRG and in Austria. It is particularly from the example of the FRG that we can learn how elections at the level of a single Land can have consequences far beyond this regional unit. With the exception of the Grand Coalition, Christian Democrats and Social Democrats have always been in competition at the federal level. As the Bundesrat plays an important role in federal legislation, both parties are eager to control the second chamber. As Gordon Smith has said, 'Since control over a Land government is immediately reflected in the distribution of seats in the Bundesrat, a straight line connects an election in even the smallest of the Länder with the balance of power at federal level'(4). The SPD as the opposition party at the federal level in the 1950s hoped to curb

Adenauer's course (for example, over the rearmament issue) by winning Länder elections and controlling the respective governments, including their voting behaviour in the Bundesrat. The Christian Democrat opposition against the SPD/FDP coalition was a minority in the Bundestag but dominated the Bundesrat, and today Brandt's party, in the three elections held in the spring of 1985, replaced its Christian Democrat opponent in Saarbrücken (though not in Berlin) and kept power in Düsseldorf. Under such circumstances each Land election is not only a test for the federal government and the Bonn opposition as well, but also a challenge and a chance to bring about some shift in the majority pattern of the Bundesrat.

As regards the character of Land elections as political testing-grounds, their results send direct messages to the political actors in Bonn. Observers speak of an 'electoral cycle': the federal government parties normally lose in such mid-term elections, whereas the federal opposition can win. As the turn-out is lower in Land elections (ranging from 72 per cent to 90 per cent in the 1980s) than in federal elections (about 90 per cent), losses in the mid-term elections do not necessarily signify a decisive defeat of the government parties in the Bundestag elections. Land elections are, however, some sort of an early-warning system and it is because of this that political parties and the public pay remarkable attention to them. Structural changes in the electorate's political orientation and preference are announced and reflected in these elections.

In Switzerland elections in the cantons are less important in this respect for two reasons: there is no system of alternative parliamentary government, and the frequent use of referenda overshadows elections to parliamentary assemblies as far as their general importance is concerned.

Pressure-group Structure and Activities

As was pointed out in the case of political parties, the federal structure of the state is repeated in the organisational structure of pressure groups. They have organisational units at the regional level, as can be seen in our three examples, and this enables them to interact in a highly differentiated way with the state bureaucracy at the regional level. They can therefore avoid integrating or even forcing the interests of their members into a comprehensive and consistent strategy, irrespective of regional differences which do in fact exist in several sectors.

Pressure groups with two tracks at their disposal can thus improve their efficiency. The national leadership can deal at the

relevant level with more general questions, whereas the regional organisation is the bargaining partner which takes into account special concerns at the regional level. Only in the case of manifest conflicts between regional organisations representing the same pressure group and sector will their efficiency be affected negatively or even reduced. Intra-organisational democracy can only gain from the greater variety and more complex structure.

Elite Recruitment and Circulation

In a federal system regional states constitute an additional framework for political careers besides that at local and at national level. We can identify a number of careers which end up with a position in the regional state following a preparatory stage as office-holder or functionary at the local level. The regional state offers career opportunities for the emergence of a regional elite whose members help to create a sense of regional identity.

Experience shows that individual members of the regional elite holding elective or party office move on to the national level. Federal Chancellors in the FRG have held high-ranking positions at Land level: when Kiesinger was elected in 1966 he left the office of Prime Minister in Baden-Württemberg; Brandt had been Lord Mayor in Berlin and Kohl Prime Minister in Rheinland-Pfalz. There have been, and still are, prime ministers in individual Länder who are said to have ambitions for a top position in Bonn. Their performance is, therefore, observed very carefully within their party and by the public, as it may serve as the qualification for higher functions.

It is not only top-ranking politicians who change from the Länder to Bonn. Among the staff in the federal ministries there are many civil servants who started their career in the administration of a Land government.

The exchange does not take place only in one direction. There are outstanding examples of politicians who leave the federal level in order to take over office in a Land (for example, four former Social Democratic federal ministers: Vogel and Apel in Berlin, Dohnanyi in Hamburg, Ravens in Lower-Saxony).

The following reasons can explain the different forms of elite exchange:

a prime minister in a West German Land might have the image of being a very capable and at the same time popular politician; both qualities will help him to attract voters when the office of Federal Chancellor is at stake. Compared to other candidates who belong to

the Bonn elite for a long time, he is not exhausted or worn out from the political 'atmosphere' in the capital and this may constitute a further asset, a former federal minister might have the image of a political strong man who will be able to tame and dominate his party if it is in a disastrous state, and at the same time attract the electorate.

The Power of the Bureaucracy and the Decline of Parliamentary Influence

A federal system may under certain conditions increase the power of the executive and of state bureaucracies in particular. This will be the case when the interdependence of the different levels - federal and regional - grows in intensity and its management becomes more and more complicated. Bureaucrats with their experience and skills are much better equipped to perform this function successfully than politicians.

An increase in public demand means an increase in the responsibilities of the executive. Comprehensive planning and attempts to co-ordinate measures and policies in different sectors and at different levels of the state organisation strengthen the administrations. This development is accompanied by a decline in parliamentary influence.

The federal system in the FRG has adopted a structure which has been labelled as 'co-operative' or 'executive' federalism. These terms refer to the fact that it is the executive which increasingly manages the whole of relations between the federation and the Länder and amongst the Länder themselves. Observers agree that this development has been at the expense of the parliamentary component in the decision-making system.

Bargaining about common planning and policy decisions is increasingly being carried out by bureaucracies which often adopt an independence from the politically responsible governmental leadership. The discretion of parliamentary assemblies (Bundestag and Länder parliaments) has been reduced to near zero; they only ratify what the bureaucrats have prepared and what is often a package deal bringing together different interests. Parliamentary majorities cannot be expected to vote against what their governments have prepared and present for formal ratification. But one should be aware of the significance of all this for the legitimacy of decision-making.

Nor should one be surprised to find severe criticism of the system of parliamentary representation. The representatives are accused of ignoring the 'real' interests of those they claim to

represent, of using power which is too remote from those affected by their decisions and therefore of lacking legitimacy. As the criticism is directed against unitary solutions in so far as the system of representation is seen as leading to a high degree of centralisation, it is linked with demands for decentralisation, for greater powers for the basic units, for 'real' democracy which cannot be representative in character but should be direct.

Political Innovation and Policy Decisions

The impact of federal systems on policy decisions reveals an ambiguous picture. One might attribute to political systems with a federal structure specific capabilities to induce innovation, and instead one finds the argument that they are characterised by an immobilisme which prevents any promising and convincing reform policies.

As regards the first argument, it is based on the assumption that smaller regional units Länder or cantons - are flexible enough to start initiatives in different policy fields. They probably will try to do so, if they are given the power of legislation in these areas. And they may take initiatives aimed at federal legislation either formally or via informal channels. In the first case, their ability to produce innovations is dependent on their financial situation: most reform bills need financing. Therefore in all federal systems the participating units are in a permanent process of bargaining to improve their financial basis and enlarge their financial share.

To take the FRG as an example, policy decisions within the framework of one Land might sometimes claim to be a model which could or should be followed by other Länder. If, however, crucial issues are at stake, solutions within only one individual Land might cause intense political controversy, mostly along party lines. An example would be decisions taken by one Land government concerning the treatment of migrant workers or on environmental questions.

As regards the second argument - federal systems being rather static and hesitant to take decisions in different policy fields - we can, first, refer to the frequency of elections mentioned above. Experience shows that politicians refrain from taking decisions before elections if they fear that these might be unpopular and bring disadvantage to the party. As a result of such attitudes, issues which need solutions are adjourned, and problems remain unsolved.

The main argument in this respect, however, is that a federal structure needs co-operation between all the participant units, as was explained above. But not only co-operation: there is also

pressure to find consensus. The mutual dependence of regional units and the federation has caused mixed institutions and patterns of co-operative behaviour to emerge, with the result that only compromise decisions can be taken when the participants can find a common denominator.

One should be cautious, however, about condemning too quickly such a pattern of behaviour and decision-making. What is immobilisme for one person is steadiness for another; the latter warns about the risks to stability, he wants policy decisions to be prepared very carefully and to avoid undue haste. The evaluation of this pattern of policy-making is highly dependent on one's political outlook and position.

Political Culture: Concordance System

Throughout this paper one characteristic feature of modern federal systems has been mentioned again and again: the close interdependence of the participating units, combined with the eventual need for co-operation and compromise in spite of the determined political competition in a multi-party system. A federal structure, therefore, contributes significantly to the emergence of a particular political culture: that of a concordance system. Bargaining and compromise are the dominant patterns of political behaviour in this system, since the different levels and actors are linked with each other in various respects and are interdependent.

Switzerland can be regarded as the classic example of a concordance system. It is not only the federal structure that gives the Swiss political system this character, but it contributes greatly to maintaining concordance as the guiding principle for decision-making and political behaviour. Austria, without a multi-ethnic society and without language and religious cleavages, is another example. Its way of solving problems follows the pattern of the concordance system. Again, Austria's federal structure helps to support and maintain the system. As regards the FRG, the federal structure has to be seen as the main factor bringing about a political culture which follows the concordance pattern.

In all three cases, concordance is an overall principle which gives the respective political systems their particular quality and identity. As such, concordance can be found not only in the framework of the federal structure but also in other dimensions of the political system, especially in the behaviour of political organisations. There are close mutual links between these dimensions.

As far as the three examples treated in this paper are concerned, it seems as if most participants in the respective political arenas - and most observers as well - are not only

accustomed to the norms of a concordance system, but also appreciate it because they find it difficult to see a viable alternative. A concordance system may have its weaknesses and deficiencies, but if we look at its results one may well doubt that an alternative would be superior (and its democratic quality is also very substantial, as was explained above).

Notes

- (1) Document of Frankfurt of 1 July 1948, on the convention of a constituent assembly to establish a West German state.
- (2) The title of Konrad Hesse's book (Der unitarische Bundesstaat, Karlsruhe, 1962) is typical of the interpretation of such trends.
- (3) Gordon Smith, Democracy in Western Germany. Parties and Politics in the Federal Republic, Heinemann Educational Books, London, 1979, p. 50.
- (4) *Ibid.*, p.157.