

The account of the early state parliament elections in Saarland, Schleswig-Holstein and North Rhine-Westphalia

State parliament elections are very carefully observed by the commentators of the German political scene. They also constitute an important trial and a social popularity barometer for the leaders of the German political parties while waiting for the *Bundestag* or European Parliament elections. Their results bear influence on the shape of the political scene of the federal state in which they are taking place, as well as on the level of the whole Federation - the composition of the *Bundesrat*. The winning coalitions delegate the federal state's representatives (mainly members of the local governments and high officials) to the *Bundesrat*. No important elections will be taking place in Germany in 2012 - neither for the *Bundestag*, the European Parliament nor the state parliaments. For the majority of political parties it was supposed to be a time of consolidation before the *Bundestag* election planned for September 2013. In the mean time, the German public opinion focused on the scandal around President Christian Wulff during the first months of 2012. With these events in the background, three federal states - Saarland, Schleswig-Holstein and North Rhine-Westphalia - dissolved their parliaments and scheduled early elections. Could the dissolution of those three federal state coalitions in such a short time be a first symptom of a parliamentary crisis in Germany? This undoubtedly was a precedent in the history of unified Germany and the first months of 2012 turned out to be very heated on the German political scene.

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Saarland is one of the smallest federal states. It has a population of about one million, which means that it delegates only three representatives to the *Bundesrat*. Saarland is considered to be one of the most industrialized regions of Germany, mainly because of the territory of the Saar Basin located in the south. For years black coal mines had been the showcase of the region, but at the beginning of the 21st century it underwent restructuring, which consisted in closing the majority of the mines and diversifying the industry. In the second half of the 1980s and in the 1990s, *SPD* managed to gain advantage in Saarland, which made it possible for social democrats to single-handedly govern in the years 1985-1999. The Prime Minister of this federal state (1985-1998) and the local leader of *SPD*, Oskar Lafontaine, was extremely popular in Saarland. He was sometimes called Napoleon from Saar. In September 1998, after the *SPD*-Green coalition won the election for *Bundestag*, O. Lafontaine resigned from his position as the leader of the state parliament and became the Minister of Finance in the Federal Government. In March 1999, he resigned from all official functions (including his leadership in *SPD*) and became a strict critic of the social policy of the Chancellor Gerhard Schröder's cabinet. Lafontaine's absence had detrimental effects on the results of *SPD* in the election in September 1999. Since then, *CDU* governed single-handedly in Saarland for two terms with Peter Müller as Prime Minister. O. Lafontaine's return was one of the most important events of the 2009 election campaign, when he was the leader of *Die Linke*. Even though *CDU* won the election to the *Landtag* of Saarland on 30 August 2009 (34.5% of votes), its losses made it impossible to form a government on its own or in coalition with *FDP* (9.2% support). These parties had 24 mandates in total in the parliament of 51. Also *SPD* (24.5% of votes) suffered significant losses, while the Greens hardly managed to cross the election threshold. The most successful party was *Die Linke*, which received 21.3% of votes and 11 mandates, but none of the other parties wanted to form a coalition with it. This situation foreshadowed great difficulties in the formation of a government. Even though the creation of the great *CDU/SPD* coalition, based on the Federal Government, ensured the support of the *Landtag* majority, it was not a good solution for either of the sides in the face of the growing tension between Christian and social democrats before the *Bundestag* election on 27 September 2009. Finally, after long negotiations, a coalition government was formed by *CDU*, *FDP* and the Greens - the so called Jamaican coalition (from the colors of the Jamaican flag: black - *CDU*, yellow - *FDP* and green - the Greens). Peter Müller became Prime Minister once more. The creation of a coalition government out of the representatives of three different parties was a temporary solution and quickly led to conflicts within the coalition. The coalition lasted as long as P. Müller was the head of government. In August 2011, after 12 years as the Prime Minister of Saarland, he resigned from his post and became a judge in the Federal Constitutional Court. His successor as the Prime Minister of Saarland, Annegret Kramp-



Karrenbauer, was not able to maintain the unity of the government with minimum majority in the Landtag. In such a situation, during Epiphany on 6 January 2012, which was a traditional meeting day of the south-west German liberals, A. Kramp-Karrenbauer announced the dissolution of the coalition and at the same time intensified the negotiations with *SPD* related to the creation of the great coalition government. The leaders of both parties expressed their readiness to create a coalition, but only after new elections were scheduled. Both parties hoped to regain the votes lost in 2009, which was suggested by initial election polls. This is why they were for the dissolution of the *Landtag*, which took place on 26 January 2012. The date of the new election was set to 25 March 2012. As expected, *CDU* received the most votes - 35.2%, but the Christian democrats managed to get only slightly more votes than in 2009 (by 0.7 pp). The social democrats were also quite successful with 30.6% of votes (6.1 pp more), mainly at the expense of *Die Linke*. Despite significant losses (-5.0 pp), *Die Linke* maintained their position as the third force in Saarland and received 16.3% of votes. The Greens suffered only slight losses (-0.9 pp) and gained the support of 5.0%. The liberals suffered a true failure with only 1.2% of votes, so the support for *FDP* dropped by 8.2 pp. These results were a real catastrophe for the liberals and constituted only a part of the series of failures they experienced in state elections in 2011. The most widely commented case in the media was the huge success of the Pirate Party, which got the votes of 7.4% of the votes. The results were surprising because the Pirate Party had just started forming their organizational structures in Saarland, receiving support during the campaign from the Pirates of neighboring federal states, such as Rhineland-Palatinate. The success of the Pirate Party was comprised of several factors. Most importantly, the debate regarding ACTA and the related social protests which took place in Germany in January and February, even though the Federal Government withheld the signing of the document. The subject of this debate was related to the issues of Internet freedom, which were crucial for the Pirates: The Pirate Party is for free exchange of files in the Internet, reduction of online supervision by the Police and reinforcement of personal data protection. This success can partially be explained by the atmosphere of aversion towards other political parties which had been present in Germany for several years. For many Germans the Pirate Party appears as an invigorating force in the fossilized system. During the *Landtag* election in Saarland, the Pirates managed to attract some of the undecided, a large part of the electorate of *FDP* and *Die Linke* as well as a small percentage of the Greens' voters. The diversification of the Pirate Party's electorate is caused by the fact, that the Pirates have not yet defined their political profile. What is important is that this success was preceded by a good result in the September election in Berlin as well as favorable results of election polls. Finally, after the election in Saarland, a government of the great *CDU-SPD* coalition was created, headed by Annegret Kramp-Karrenbauer (*CDU*).



The reason for the early election in Schleswig-Holstein on 6 May 2012 was not the dissolution of the existing governing coalition, but the imprecise electoral law against which a complaint was lodged by the opposition parties. Schleswig-Holstein, situated in the north of the Federal Republic of Germany, has the population of 2.8 million, which enables its government to delegate 4 representatives to the *Bundesrat*. In the years 1988-2005, Schleswig-Holstein was governed by *SPD* - first on its own and since 1996 in coalition with the Greens. *CDU* won the election taking place on 20 February 2005 with a very slight advantage over *SPD*, which forced both parties to create a government of the great coalition (*CDU-SPD*), which was headed by Peter Harry Carstensen (*CDU*). The great coalition in Schleswig-Holstein became a test for the great coalition formed in November 2005 at the federal level. However, the cooperation between *SPD* and *CDU* in Schleswig-Holstein was not shaping up very well, the consequence of which was the dissolution of the great coalition in July 2009 and the scheduling of an early election for 27 September 2009 (taking place at the same time as the *Bundestag* election). The election in Schleswig-Holstein ended in a slight victory of the *CDU-FDP* coalition, not resulting from more social support in comparison to the opposition - *SPD*, the Greens, *Die Linke*, *SSW* (46,4% to 48,1%), but from imprecise electoral law for the distribution of excess mandates, which enabled the *CDU-FDP* coalition to receive 46 mandates, while the opposition got 45. The liberal Christian democratic government created by P.H. Carstensen was based on a majority having the advantage of only one *Landtag* member in Kiel. The opposition parties lodged a complaint concerning the results of the election to the state Constitutional Court of Schleswig-Holstein, which ruled to specify the electoral law until 31 May 2011 and conduct new election until 30 September 2012 on the basis of the amended electoral law. In the election which took place on 6 May 2012, *CDU* received the highest support, gaining 30.8% of the votes (-0.7 pp), but *FDP*, the other member of the coalition, got 8.2% of the votes (-6.7 pp). Despite significant losses, the liberals managed to stay in the state parliament, which was considered a success considering the failures of *FDP* in 2011 and in the Saarland election in March. Still, the *CDU-FDP* coalition lost their majority in the *Landtag* (receiving 28 out of 69 mandates). The support for *SPD* went up by 5.0 pp, but with 30.4% of votes it did not manage to beat *CDU* in a direct duel. The Greens slightly strengthened their position receiving the support of 13.2% (0.8 pp more). The Pirate Party got 8.2% of votes in Schleswig-Holstein, which was a significant success. The composition of the parliament was completed with three members from a Danish minority party *SSW*, which is not affected by the 5% election threshold. Finally, on June 12, a government was formed by the coalition of *SPD-Greens-SSW*, headed by Torsten Albig, with the support of 35 out of 69 members of the Kiel *Landtag*. T. Albig received 37 votes, which means that two members of the opposition supported him (most likely from the Pirate Party).



However, all eyes were fixed on North Rhine-Westphalia, where an early state parliament election took place on 12 May 2012. North Rhine-Westphalia, with the population of 18 million people, is the most populous federal state represented by 6 members of the *Bundesrat*. Since 1980s, *SPD* was the strongest party in that area. The situation changed in 2005, when the citizens of North Rhine-Westphalia, disappointed with the savings policy of the *SPD-Greens* Federal Government of G. Schröder, mainly supported the opposition – *CDU* and *FDP*. The failure of *SPD* and the Greens in North Rhine-Westphalia was later reflected at the federal level, because it forced Chancellor G. Schröder to ask the *Bundestag* for a vote of confidence, which finally led to an early election. In 2005-2012, North Rhine-Westphalia was governed by the liberal Christian democratic government of Jürgen Rüttgers (*CDU*). The situation changed after the election on 9 May 2012 (more information in IZ Bulletins no. 35/2010 and 42/2010). This election was practically unresolved, as neither the *CDU-FDP* (80 mandates) nor *SPD-Greens* coalition (90 mandates) managed to achieve majority in the *Landtag* in Düsseldorf. As a result, after long negotiations, a minority *SPD-Greens* government was formed headed by Hannelore Kraft, tolerated by *Die Linke* (11 mandates). The coalition parties entered a special agreement with *Die Linke*, stating the conditions on which this party would be ready to support specific projects of the government. In practice, this meant that the position of H. Kraft's government was very unstable and dependent on the stance of *Die Linke*. This government lasted for a year and a half. A budget proposal, which did not receive support in the state parliament, turned out to be the bone of contention. In this situation, on 14 March 2012, a motion was passed to dissolve the *Landtag* in Düsseldorf. The date of the new election was set to May 13. During the election campaign, *SPD* and the Greens expressed their willingness to create another coalition government, headed by H. Kraft. The new election provided *CDU* with the possibility to regain power in North Rhine-Westphalia and to improve the party's position in the *Bundesrat*. The *CDU*'s candidate for the Prime Minister of North Rhine-Westphalia was the leader of the party in this state, Norbert Röttgen, the Minister of Environment in A. Merkel's Federal Government and one of her closest associates. The leaders of *FDP*, which was at that time fighting for survival, declared their readiness to enter a coalition with *SPD* and the Greens (the so called traffic light coalition – *Ampelkoalition*, named after the colors: *SPD* - red, *FDP* - yellow, Greens - green) after the election. The election was a great success for the social democrats, who received 39.1% of votes (4.6 pp more). The result of *SPD* and the support of 11.3% (-0.8 pp) achieved by the Greens enabled the *SPD-Greens* coalition to gain the majority of mandates in the state parliament (128 out of 237). *CDU* suffered a severe failure receiving 26.3% of votes, 8.3 pp less than in 2012. The leaders of *FDP* could be happy with the results - 8.6% of votes (1.9 pp more than in 2010). The liberals managed to strengthen their position in one of the most important state parliaments after a series of failures in 2011



and 2012, mainly thanks to the support of a part of *CDU*'s former electorate. The Pirate Party was once more very successful and managed to get to the state parliament of North Rhine-Westphalia with 7.9% of votes (6.2 pp more than in 2010). The election was not successful for *Die Linke*, which received only 2.5% of votes (-3.1 pp), which caused them to lose their representation in the parliament of North Rhine-Westphalia. As a result of the election, a coalition agreement was signed on June 12 between *SPD* and the Greens and, on June 20, the *Landtag* in Düsseldorf gave the new government, with H. Kraft as its head, a vote of confidence with 137 votes "for". The political responsibility for *CDU*'s failure in North Rhine-Westphalia was taken by its leader in that state, N. Röttgen, who announced his resignation from the position of the leader of the party in North Rhine-Westphalia. On 16 May, because of internal criticism, he also resigned from his position as Minister of Environment. N. Röttgen's fall and *CDU*'s poor results in North Rhine-Westphalia were very painful blows for Chancellor A. Merkel.

Conclusions:

1. The situation in Saarland and North Rhine-Westphalia shows how difficult it is to create a stable coalition government out of three parties. It also shows the weakness of minority governments counting on favorable neutrality of one of the opposition parties.

2. The events in Schleswig-Holstein took an unusual course, but showed the imperfection of the electoral law used there. The unprecedented ruling of the local Constitutional Court can have consequences also for other states of the Federation, which still use imprecise electoral laws. This provides another argument to "More democracy" type movements, which want reforms of state electoral laws in the direction of more personalized elections (e.g. Hamburg and Bremen), so that voters could vote mainly for particular candidates and not cast an additional vote (the so called second vote) on a party list.

3. The election account for the main parties:

- *CDU* - rather negative. The Christian democrats maintained their position in Saarland, where they even managed to slightly strengthen their position and once again enter the government as the stronger coalition partner (this time with *SPD*). In Schleswig-Holstein, the loss of support was minimal, but it meant loss of power. However, the most painful losses *CDU* suffered in North Rhine-Westphalia.

- *FDP* - on the one hand, the liberals suffered a crushing defeat in Saarland, on the other, they managed to strengthen their position in the most populous state of the Federation, North Rhine-Westphalia, which was a significant success. The loss of power in



Schleswig-Holstein turned out to be painful, but *FDP* managed to stay in the *Landtag* of Kiel. What is important, the liberals managed to stop the series of failures from 2011 in the election in May 2012.

- *SPD* - the party was very successful in the spring election of 2012, because it improved its position in all the three state parliaments. Moreover, the social democrats also entered the government coalition in Saarland (as the weaker partner in this case), Schleswig-Holstein and North Rhine-Westphalia. It is becoming clear that the crisis of *SPD* from 2008/2009 is already in the past.

- The Greens - maintained their position. This time in Saarland there was no place for them in the government coalition, but in Schleswig-Holstein they managed to enter it and in North Rhine-Westphalia - maintain their position in it. In 2012, the position of the Greens stabilized at the level of 10-12%. However, this position is much worse than in 2010/2011, when their support exceeded 20%.

- *Die Linke* - the party suffered severe losses. Even though in Saarland they still are an important force, in Schleswig-Holstein and North Rhine-Westphalia they are outside the parliament. The main reasons for the decreasing popularity of *Die Linke* are the improving situation of *SPD*, which managed to regain the majority of the electorate lost in 2008 and 2009, and the growing competition on the part of the Pirate Party.

- The Pirate Party - the Pirates were very successful in the spring election for state parliaments. In all the three states their support increased and they managed to enter the state parliaments. For now, the "old parties" are distrustful towards the Pirates and do not invite them to form coalitions. Time will show if the Pirates' success was short-term or if it will stay longer on the German political scene.

4. In the introduction there was a question posed: could the dissolution of three federal state coalitions in such a short time be a first symptom of a parliamentary crisis in Germany? Undoubtedly, the German party system - both on the state and federal level - is evolving. In the recent years, the changes are going in the direction of decentralization, contrary to the 1960s and 1970s, when the FRG's party system was in its concentration phase. After 2005, when the Left Party (*Die Linke* since 2008) significantly exceeded the support of 5% in the *Bundestag* election, the system of five parties consolidated in Germany. Both great *Volksparteien* (*CDU/CSU* and *SPD*) lost some of their electorate to the smaller parties. The appearance of the Pirate Party complicated the situation even further. One of the consequences of a more decentralized party system is more difficulties in creating a stable government majority at the level of the states. This is why the dissolution of the three state governments should be considered as a phase in the evolution of the German party system.



5. The perspectives of the parties concerning the *Bundestag* election 2013. With regard to the state parliament elections of 2011 and 2012, it is difficult to predict the results of the *Bundestag* election. It can be assumed that *CDU/CSU* and *SPD* will once more be the strongest parties and *SPD* will receive more support than in 2009. The Greens should be on the third place, while the fight for crossing the election threshold will take place between *FDP*, *Die Linke* and the Pirate Party. If six parties make it to the *Bundestag*, it will be very difficult to form a majority coalition - apart from the great coalition of *CDU/CSU-SPD*. Taking into consideration the failure of the three-party coalition in Saarland, it seems unlikely that such risk is taken at the federal level. There is, however, a chance of creating a coalition by *SPD* and the Greens (an a smaller chance of the *CDU/CSU-FDP* coalition staying in power), but in order for it to gain majority, only five parties would have to enter the *Bundestag*.

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