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Never as in this moment has reflecting on Germany also meant reflecting on Europe. There is not one aspect of the current European public debate that is not also present in the German political agenda. Anti-European populism, migration's management, sustainable economic growth, relations between Member States and European Union, change of leadership in established political parties, fragmentation of the electorate, difficulty in the achievement of stable and lasting government majorities: all these elements are on the agenda in Berlin as in Rome, Paris, Madrid, Brussels. This is the reason why studying the "German case" is also useful to fully understand the nature of the phenomena described above in a national, comparative and supranational dimension.

The papers published in this volume are the results of the contributions made to the Conference "*Which Germany after the Vote? Post-electoral Reflections on the Largest European Democracy*" held in Rome on February 9, 2018 in the *Faculty of Economics of Sapienza University of Rome*, edited by Professors Beniamino Caravita, Andrea De Petris and Roberto Miccù and organized by the *Department of Economics and Law* and the *PhD in Public, Comparative and International Law* of Sapienza University of Rome.

A weakened, fragile German Federal Republic had emerged from the *Bundestag* elections in September 2017, almost in an identity crisis. The political spectrum appeared fragmented, antisystem parties contrasting the founding constitutional principles had won a considerable share of seats in Parliament, the so-called *Volksparteien* faced the worst crisis of consensus in their history. All while a substantial number of Member States simultaneously attacked the European Union and the central role that Germany has usually exercised within it. European policies were depicted as tools for a surreptitious imposition of the Berlin's hegemony on the process of European integration, apparently conditioned to

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a rigidity in the management of national public budgets meant to be imposed by Germany to the EU through the “technocratic arm” of the EU Commission and the European Central Bank.

A Germany in crisis in a Europe in crisis, then. A crisis that was even made worse at first, when the attempt to set up an unprecedented coalition between CDU/CSU, Liberals and Greens failed due to the will of Christian Lindner, leader of the FDP, convinced that in the short term remaining in the opposition would have paid more than joining a new government. In the first days of November 2017, when the so-called “Jamaica Coalition” did not take place, someone in Berlin proposed the option of returning to the polls as a last attempt to get out of the impasse. Someone, but not the country's institutional leaders, who knew not only the political history of the Bundesrepublik, but also what had been in the German past. So, before yielding to “Weimar” solutions, Federal President Steinmeier resorted to an instrument that had never been seen in the German constitutional dynamics before: the use of consultations with the leaders of the major parties, in order to know their positions with respect to the current crisis, as well as to call each one to assume their share of responsibility with respect to the paralysis that the political system was facing.

The initiative of the German Head of State, which has so much reminded the practice regularly followed by his Italian counterpart in the formation of the Government, received some critical reactions, but at the same time brought the debate back to the traditional context of inter-party relations, confirming that even in times of exacerbated tensions, Germany persists in all respects to be a *Parteiendemokratie*, where the democratic attitude of the system and the crucial role of political parties remain absolutely unavoidable. Thus, the “extraordinary” dynamics initiated by Steinmeier went back in the ordinariness of the negotiations between and within the parties, with their respective members called to seal with their own vote the legitimacy of the choices made by their leaders.

At the end, after nineteen weeks of negotiations and a final tirade of almost thirty hours, Germany has its government, supported by the same majority that guided the country in eight of the last twelve years. The third *Grosse Koalition* led by Angela Merkel will be officially realized only once that Martin Schulz will overcome the last hurdle: the approval of the coalition agreement by the SPD members, who have the last word on the whole attempt. This is a way to involve the members in the fundamental decisions of the party but also an opportunity for Schulz to get certified by the majority of his members his political U-turn, demanded by the President of the Republic Steinmaier, after his initial categorical refusal to take part to any negotiations for a new government with Merkel.



Together with the legal journal *Federalismi.it* we have closely followed the events concerning German elections at both federal and regional level, "contextualizing" them within the political and institutional framework of the European Union. In fact, as for the elections in France, the German elections represented a fundamental test to understand what the European Union's prospects are "after Brexit". Moreover, the Federal Republic of Germany is the country model that we in Italy consider sometimes with respect and wish to emulate, sometimes with envy and disguised anxiety of revenge against the best student in the class. In any case, the political and constitutional balance that Germany will be able to find and maintain in the coming years will be crucial in a "Europe divided and even torn by different visions, with regard to migration policies, economic and monetary union and even about the fundamental nucleus of respect for specific values of the European constitutionalism.

The re-edition of a *Grosse Koalition* regarding the perspectives for Europe could be in some ways certainly positive, perhaps negative for others.

On the positive side, it would be that Germany would confirm itself as a country characterized by a great political stability and, indeed, with an unparalleled continuity.

In other respects, in relation to the future of Europe, the new majority could - theoretically - present positive elements, since the SPD on some issues - such as the EU budget and a European finance minister - it has already ruled in favor of a serious policy of greater economic integration, as repeatedly expressed by French President Emmanuel Macron - confirmed in his speech at the *Sorbonne University* - and by the President of the European Commission Jean-Claude Juncker.

It is also difficult to understand the extent to which the new, possible German governmental and parliamentary set-up will affect the direction in which the secure Franco-German foundational axis will push European integration.

On profiles concerning European integration, from the point of view of Germany, Brexit can be interpreted as a "crisis", but it can also constitute "a formidable opportunity to deepen the integration process, transferring skills and loyalty to the supranational level (see S. Fabbrini, *Doubling, a new perspective for Europe*, 2017, 139 et seq.).

It is well known that the Franco-German axis appears to all effects more inclined to push towards the Union the management of the main national competences in the dynamics of European integration, unlike the Great Britain and the Eastern European countries which instead aspire to a Europe understood as a real economic alliance between sovereign states and wish for the reduction and not the increase of the exclusive competences of the EU in national affairs.

With the exit of Great Britain from the Union, it is clear that the French-German compact front will have to face some countries, in particular those of Eastern Europe which, without the push of Great

Britain, will certainly continue to hinder the French and German requests and the solidity of the Alliance between Berlin and Paris will certainly be put to the test. So, if the Brexit were to be understood only as the first step towards a gradual removal of all European countries from the centralization of the Union, then it will be necessary to understand exactly what the position of Germany will be in relation to this movement towards a more united in a federal sense on some subjects, but with a clearer division of competences in favor of the Member States in the others.

Alongside this, a process of differentiation, also intended as constitutional differentiation, will certainly become more and more overbearing, and if we reasoned in this way, the exit of Great Britain from Europe would become more normal because it was inserted in a trend aimed at differentiating between the countries of the old continent.

One wonders, to conclude, if Germany is able to accept a "natural" process of differentiation that can reduce the sovereignty of each State and therefore its own. The results of the negotiations between the CDU / CSU and the SPD, giving Berlin a new Government, provide some valuable, but not yet decisive, indications to provide reliable answers to this question.

Of course, the return to normality of *Parteiendemokratie* in Germany did not solve all the problems that emerged with the parliamentary vote: populist pressures are still present, the large number of immigrants still provokes tensions with certain fringe of the electorate, especially in some regional contexts, the internal conflicts within the major parties are far from over. Nevertheless, from early March 2018 Germany seems to have reconstructed at least some of its fractures, especially through the composition of a parliamentary majority around a new government, still under the leadership of Chancellor Angela Merkel. Some analysts considered it a compromise solution, which does not provide definitive answers to the many questions still open on the political, economic and social level. Above all, it was underlined that the re-edition of the *Grosse Koalition*, the third in the last four Legislatures and all under Merkel's leadership, seems to damage the parties that are part of it, especially the SPD.

Beyond political speculation, in any case, since March 2018 Germany has a government supported by a majority that allows it to fully represent the will of the nation inside and outside the country, especially at European level. The further tensions that took place in late summer, on the occasion of the electoral campaigns for the renewal of the Landtags in Bavaria and Hessen, especially regarding the management of migrants who entered Germany in the last 3 years, mainly concerned the relations between CDU and CSU, highlighting strategic differences between the conservative and the most central fringe within the Union Parties.

The outcomes of the two regional elections in October 2018, however, confirmed what had already emerged in the result of the 2017 Bundestag vote: no matters how relevant the share of the electorate inclined to support populist and anti-European positions can be, in the end the moderate and pro EU positions continue to prevail. *Alternative für Deutschland*, which in Germany embodies that populist spirit very well present in other national contexts, does not break through, but rather stems not only from the preferences for traditional parties, but also from those parties who, like the Greens, expressly re-launch a pro-European approach, wider openness to migrants, higher protection of the environment, and a reconsideration of economic and social policies.

Thus, over a year after the renewal of the Bundestag, Germany shows a unique degree of stability and continuity in the government action, if compared with the current European standards.

In this context there is no doubt that Frau Merkel remains the main factor of stability in the middle of the Continent, even after 12 years of constant government. The Chancellor proved clear skills in leading the country, and a great experience gained in managing the different crises occurred at European and international level. Her abilities probably met the appreciation of the voters, in a period of great uncertainty due to Brexit and Trump's new US presidency. On the other hand, with a partially surprise move, the Social Democrats decided to candidate the President of the European Parliament Martin Schulz as Chancellor - thanks to the wise resignation of Vice Chancellor Sigmar Gabriel - , as an alternative to Merkel and in response to a strong need for renewal.

In fact, Schulz's candidacy had - at first - a positive effect, increasing the SPD members and bringing the SPD very close to the CDU in the polls. However, the SPD, although achieving one of the worst post-war results in the elections will be able to reach a better position than that obtained in the last legislature. It seems so, according to the assignment of the departments in the new government.

On the other hand, already the election of the former Foreign Minister Frank-Walter Steinmeier as new President of the Republic could already be seen as a sign of institutional continuity between the old and the new coalition.

The parliamentary vote of September 2017 was seen as a moment of transition, a break between an old and a new historical era. According to some experts, a unique Germany had come out of the polls, with different political, institutional and perhaps even cultural balances.

It is undeniable that the result of the Bundestag elections contains elements of absolute novelty, both from a quantitative and a qualitative point of view, and it is equally clear that since the day after the vote the German political leaders had to face a completely different context from the one they knew before the elections.



Even the announced end of the so-called “Merkel Era” and the replace at the head of the CDU, propaedeutic to a likely change to the leadership of the Federal Executive in the next future, took place in compliance with the strictest formal rules laid down in the Statute of the party. Angela Merkel left her position as President of the *Christlich-Demokratische Union*, putting the mandate back in the hands of the party delegates' assembly, from which she had received it 16 years ago. On 7 December 2018, the same assembly indicated her successor: Annegret Kramp-Karrenbauer, former Secretary General of the CDU and President of the Government of the Saar from 2011 to 2018. Once again, the German system proves to be able to manage transitions with stability and reasonableness: Karrenbauer was, among the three candidates at the helm of the CDU, not only the only woman, but also the one in greater continuity with the political strategies of Merkel, in favour of a rationally managed immigration, rigid towards internal radicalisms, inclined to increase the process of European integration.

The *Bundesrepublik* thus confirms its ability to combine continuity and renewal without giving in to traumas, tensions, or irreconcilable fractures. Above all, the German system stands as a whole, in spite of the many problems that elsewhere in Europe produced demagogic, illiberal and more or less openly antisystem solutions. All contributions published this issue of *Federalismi.it*, realised by scholars very well aware of the peculiar aspects of the German politics, agree with this general conclusion. Faced with the complexities that await us in the near future, it certainly appears to be positive news.

Once again, the shift of electoral, political and institutional balances in Germany is particularly interesting for its effects on European policies, in particular on the possible change of austerity policies. All these matters clearly confirm the relevance of the development of German politics on the future of the whole European Union and all of us today.