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# FIFTY YEARS OF GERMAN DEMOCRACY: an appraisal

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The ninth of November was an important date in contemporary German history. In 1918, after the abdication of the Kaiser, the Social Democrat Scheidemann proclaimed on this day the first German Republic. It is commonly called the Weimar Republic because its constitution was drafted in the theatre of Weimar, Berlin being in those days too dangerous a place.

Weimar was the first German democracy, but it lasted only 14 years and paved the way for the Nazi-regime, which in not much more than twelve years ruined the country and changed the world by an aggressive war, the most far-reaching and important historical event of the 20th century. On the 9th of November 1938, Hitler's regime launched an attack against the German Jewish population, burning synagogues and Jewish shops and persecuting its owners and other Jews for the sole reason of belonging to what was considered to be a different and dangerous race. The so-called Reichskristallnacht, on that other 9th of November, was the forerunner of a criminal and murderous policy that ended with the Holocaust, the heaviest and most horrible burden of German history since.

On the ninth of November 1989, exactly eleven years ago, the Berlin wall which divided the two German states that had arisen as a consequence of Germany's defeat in the second world war, came down as an unexpected surprise and ushered in a new era in world politics which for Germany had the benign result of reunification. The 3rd of October 1990, on which the formal act of reunification took place after the four allied powers had agreed to give back to a united Germany her full sovereignty, became Germany's new national holiday and will remain so, but that date was purely accidental. It was fixed in a resolution of the first freely elected Volkskammer of the GDR, which wanted to bring about reunification as soon as possible. This is why some politicians and political writers still plead for the 9th of November as the only suitable date for the national holiday which, as they think, would have real historical significance and carry more weight for the formation of German national identity. The search for this identity constitutes one of the never ending problems of Germany's political consciousness since 1945 which has not become easier after reunification because of the enormously divergent histories of the Germans in East and West.

It is likewise purely accidental that my speech in honour of John Mackintosh was

arranged for another ninth of November, but I take it as a good date for my attempt to depict the course and quality of Germany's second democracy to a British, or better: Scottish audience. I cannot, alas, offer you the liveliness and precision of John Mackintosh's way of speaking and writing but I thank the Memorial Committee for the challenge to speak here and pay my respect to his achievements as a political scientist and as a politician. I met him several times at the Konigswinter Conference which brings together British and German politicians and others dealing with politics every year here and there and had friendly contacts after his deplorably early death, with his wife Una and his friend and colleague Bernard Crick. It was Professor Crick who kindled my interest in British politics, which unfortunately never got serious enough to do good scholarly work in this field. My main academic and political interest was Germany and her development as a democracy, after having done research on the antidemocratic ideas and movements which devastated the Weimar Republic and paved intellectually the way for the fatal triumph of Hitler's National Socialism.

German democracy, the second one, after the allied victory in the Second World War, grew up under allied supervision. It could not be otherwise. The Western Allies had in 1948 decided in London to allow the West Germans to set up a democratic regime of their own with limited sovereignty. It came into existence in 1949 on the basis of a new democratic constitution called the Basic Law (*Grundgesetz*) which tried successfully to overcome the weaknesses of the Weimar constitution that had been unable to function well and to withstand the antidemocratic forces on the Right and the extreme Left. The Weimar experience is still associated with the fatal failure of a democracy so that it became a commonplace of political rhetoric in West Germany to be proud of the statement "Bonn ist nicht Weimar" and to recall the bitter fate of Germany's first democracy whenever political instability or extremist tendencies seemed to threaten the new democracy. The main difference between Weimar's and Bonn's Republic is that the former was in many ways a continuation of the authoritarian regime of the Kaiser, whereas Bonn had the good fortune to start its experiment with democracy under totally different and more propitious external and internal conditions.

The makers of the constitution were eager to restore a *Rechtsstaat*; they put the Bill of Rights at the head of the document. Its first article, which declares untouchable the dignity of man, is generally referred to when the basic values of the new state are invoked. They wanted, as far as one can do this by constitutional provisions, to avoid political disaster. They distrusted the people and created a purely representative form of government like in Britain; they obliged the political parties to respect the constitutional principles, otherwise they could be forbidden; they created a constitutional court as guardian of good and legal democratic behaviour which played an important and mainly constructive role in the Federal

Republic's political evolution and they set up a federal system which, despite some inconveniences, proved to be a balancing factor in the power structure of the new state. The allied western powers remained in control via an Occupation Statute, which was given up in 1955 when the development of the new state looked so positive that it could not be refused diplomatic equality with the former victors over Germany. By then economic reconstruction, the formation of a more classless society and the first steps of integration into the initial institutions of a European Union and, last but not least, the firm political leadership of the first Bundeskanzler, Konrad Adenauer, had been favourable signs of a new democratic Germany on her way to becoming a reliable and weighty partner of the political and military alliances of the West. This process, going on in the heat of the Cold War, could of course do nothing for the promotion of Western Germany's alleged paramount political aim: the restoration of German unity. The German Democratic Republic in the east, which was founded one week after the western state, had been transformed into a satellite of the Soviet Union, moving from fascist totalitarianism to communist totalitarianism with the inhuman iron curtain running right through Germany from the north to the south. The Basic Law had imposed upon West German politics the obligation to bring about German unification, but it was clear that West German integration into the West was counterproductive for the restoration of a united Germany under the conditions of the Cold War. Nevertheless, German domestic politics had to pay lipservice to the idea of reunification and even today, ten years after the miracle of the fall of the Berlin Wall and the realisation of German unity on the 3rd of October 1990 the two main political parties still quarrel ignominiously about the question, which of the two, the CDU under Helmut Kohl or the SPD under Willy Brandt and his successors, has a better record for bringing about German unity. I leave this complex question unanswered or I could, as many do, point to the fact that, without the people in the GDR and their courage to tear down the wall when it was no longer protected by Soviet military force, the so-called peaceful revolution of the Germans could not have happened. Important events and results of historical developments like German reunification are in general the consequence of complex historical processes. The CDU, to sum it up, was more consistent in its lipservice while the SPD was more realistic in its endeavour to cope with the realities of a divided Germany. but none of them brought down the Iron Curtain.

I mention this superfluous and vain quarrel because I want to stress that German political parties are no better than parties in competitive democracies like Britain. What made German party democracy function relatively well in the Bonn republic was the evolution of a stable party system, made up of two main parties: the more conservative CDU and the more leftist SPD, which were both alternatively in a position to form coalition governments with smaller parties and to bring about power changes in the composition of the democratic government. At present the German party system has five parties represented in Parliament: The SPD and the Greens

form the government; the CDU/CSU is in the opposition along with the Liberals and the PDS, an offspring of the East German communists. None of the two main Parties is ever strong enough to command alone a parliamentary majority; so coalition government is unavoidable. It means a government of compromise, which is considered to be wholesome, because it forces the main party to be considerate with its smaller partner. The German experience has shown that coalition governments with two unequal partners can work satisfactorily; they are a kind of milder version of one-party government like in Britain. In contrast to the Weimar Republic, which was attacked by antidemocratic parties, the FRG had, on the whole, only parties within the constitutional boundaries. Extremist parties of the Right or the Left never got into the national Parliament: right wing extremist parties like the NPD or the Republicans were to be found only in regional or local political representation and had little political effect except for the exaggerated resonance which their temporary rise regularly produced in the foreign press. The present discussion about a possible prohibition of the NPD which will have to be decided by the Constitutional Court at Karlsruhe, is a concession to public opinion abroad and at home; it is to demonstrate that the government does everything in its legal power to fight against antidemocratic tendencies and groups, particularly those who threaten and attack foreigners or damage Jewish monuments.

From the beginning, Germany's new democracy has had to face the fear and suspicion that it may once more fall back into the political methods and criminal ideologies that had characterised the infamous Hitler-regime. This is why the recent surge of political youth gangs and their use of violence against foreigners has been and will be a matter of great concern for the political establishment. In this respect we shall never attain the normality we are looking for, even if similar things may happen in other countries. Germany, with its criminal totalitarian past, cannot expect to be judged like other nations and has not deserved it. Do these young people who have no knowledge about what Nazism was like, not use Nazi symbols and provoke the authorities by attacking Jewish institutions, synagogues and cemeteries?

This ghastly situation, revolting as it is, has in reality not much to do with German democracy; it is not the beginning of a new Nazi movement of any political importance, but it shows that this terrible past, culminating in the holocaust, is still alive. Will it ever disappear completely? Let me turn back to German democracy and find out why it has lasted fifty years and seems to be prepared for some more years.

The Adenauer Era, as the period between 1949 and 1963 is called, set the foundations for a German democracy which were solid enough to carry the new state through half a century and with good prospects for its future in the beginning of the third millennium. "It was firmly and institutionally anchored in the West. It had a market economy with a distinctive and increasingly exemplary social component"

(Peter Pulzer) and it became, after the Treaty of Rome, in 1957, the leading yet never dominant member of the European Common Market, gradually developing into the European Union. The allegiance to the idea of the European community served as a useful surrogate for the lacking national identity, which was damaged by the terrible past and the dismemberment into two politically different Germanys.

There is no doubt that, compared with Britain, the astounding progress in economic reconstruction - the West German economy already overtook the British in 1958 - was an important basis for reconciling the Germans with the ideas and practices of liberal and social democracy. The rebellious generation of sixty-eight, severely criticising the restorative character of the state under the leadership of Adenauer's Christian Democrats, accused their elders of not having done enough to overcome the criminal past. Adenauer himself had a clean slate but there were high officials and some ministers near him who had served the Nazis. The government's commitment to democracy and its values and its firm disavowal of the ideology and politics of the Third Reich were beyond any doubt, but the mass of people who had followed their Fuhrer Adolf Hitler till the bitter end had to be won for the new democracy. This was not primarily achieved by re-education, but by concentrating on the work of reconstruction, on the integration of millions of refugees, and by simply leaving the bad past behind them and willingly adjusting to the new democratic institutions. This necessity was facilitated by the experience of total defeat in the war and by the ongoing economic recovery under democratic conditions. Thus most of the Germans turned somehow into democrats, shed off their nationalist and militarist attitudes and voted for democratic parties. There had, however, always been and would remain remnants of National Socialism and traditional nationalism, but their political parties and active groups remained small and had no chance of exerting any real influence on German politics. They were sometimes supported by strident voices from abroad like the British historian David Irving, who tried to deny the extent of the holocaust and questioned Hitler's order to annihilate the Jewish race. These groups and bands of Neonazis are absolutely marginal but there has been, mostly in the former GDR, a disturbing new phenomenon. Youth gangs hunt and hurt foreigners, set fire in the homes of asylum-seekers, damage Jewish institutions and the like with the effect that some foreigners and also the few Jews who settled again in Germany do not feel secure and at home in Germany. The use of violence against foreigners, and the reluctance of many Germans to come to terms with immigration, is an acute problem for German democracy which of course fights these tendencies but does not dispose of effective means to stop this. Despite these widely publicised events, they do not undermine German democracy, and we do not have anything like the party of Mr. Haider in Austria. Democracy in Germany may not be cherished and admired, but it is very much alive at any rate.

It may be difficult to define the good democrat and the good democracy, but in comparison with other democratic countries of the West, let me venture to say that West German democracy does not cut a poor figure. What, to mention a few items, speaks for the relative quality of this democracy?

First: its longevity. One year ago, in 1999, the Federal Republic celebrated 50 years of its existence. This is a longer lifespan than any of the former regimes since 1871, when the Kaiserreich, a constitutional monarchy was proclaimed in Versailles. It played an important part in the outbreak of the First World War and was, quite rightly, eliminated by a weak revolution, when it had lost that war. Democracy then came finally to Germany, but it came too late and was confronted with enormous difficulties to which it succumbed after 14 unhappy years. Then we moved on to the 12 years of Hitler's totalitarian dictatorship, the most extreme political configuration in "an Age of Extremes", an everlasting shame for Germany. With regard to this history the successful existence of half a century of democracy with respect for Human Rights and a commitment to peace and understanding between nations is not a bad record. When this second experiment with democratic institutions started in 1949, nobody would have imagined that it would be so longliving and successful.

The second item in favour of German democracy is the stability of the political system. The Constitution, the *Grundgesetz*, although it was amended many times, has been a good and functional basis for political life. There is no myth of the constitution, but it was considered by eminent political scientists to be integrative, attractive and reliable enough to serve as a new focus for German patriotism (*Verfassungspatriotismus*) in the absence of an undisputed idea of the German nation. Many constitution makers in other parts of the world used it as a source of inspiration for their work. Most German governments since 1949 remained in Office the full term of the legislature. Even more important was the fact that the party system allowed - despite proportional representation - for changes to the power structure oscillating between governments led by the CDU/CSU, our Conservatives, or by the Social Democrats as is again the case now under Chancellor Schroeder, whose electoral victory in 1998 ended 16 long years of rule by the Christian Democrat Helmut Kohl. This kind of stability, unknown in the Weimar Republic, which went through 24 different governments within 14 years, does not preclude dynamic political development. The most important caesura in German politics, if we leave aside reunification, was the shift of power in 1969 to the SPD dominated government of Willy Brandt, after almost two decades of conservative leadership. It ushered in a period of reform, a new orientation towards the Communists in the East, including the other Germany, and serious attempts for democratisation in society and politics. Some observers of recent German history view the late sixties and seventies as the completion or a kind of fulfilment of democracy in Germany, but when looking at the

outburst of radicalism and terrorism of these years it may be more correct, to speak with Professor Peter Pulzer, of this period as "the second foundation of the Federal Republic."

The third factor to be mentioned is the relatively balanced structure of pluralist society, which came to be integrated in the political scene. The dynamics of industrial society and its successes on the world markets allowed for the relative consideration of social welfare and let Germany become one of the most advanced "Sozialstaaten" in Europe. Unfortunately it is getting more and more difficult nowadays to keep up such social standards, but the social component was and will be a pillar of democratic stability.

Let me stop this laudatio here, for I am of course well aware that Germany is no democratic wonderland, no model to be followed by others, no *Primus inter pares* among Western democracies. It has however merited acceptance as a pretty normal democracy with its positive and more negative sides, depending upon our political judgement, as a partner and ally within Europe which is not to be feared but accepted as a fair player in an international orchestra. In the last half century Germany has shown that she has, even if not completely, overcome the ignominious past, that she has become a Civil Society for which the preservation and further development of liberal and social democracy is the *raison d'être* of its existence.

It is noteworthy that identification with democracy and the natural acceptance of Western political and cultural ideas in the West German state and society became much easier when the Federal Republic was ready to recognise the East German state under Soviet control as another German state and gave up its former claim to be the only legitimate representative of the whole Germany. The idea of a German nation state had lost its appeal, although the constitutional postulate to aim for reunification remained there, on paper. Willy Brandt's *Ostpolitik* strengthened the political identity of the Federal Republic and her political standing in the Western world and weakened internally, despite the formal recognition of the GDR, the communist government of East Berlin, which had been so proud of its revalorized international status since 1972. This is the reason why the Federal Republic, being content with its good situation in the era of *detente*, did not believe any more in the possible future of the German nation state. The idea of freedom ranked higher than the nation. The fall of the Berlin wall on the ninth of November 1989 came unexpected, like a miracle. In the public dispute which was reopened around the tenth birthday of the united Germany this October about the question who contributed more or less to this great end, the laurel was handed to the German people in the East. This is only part of a complex story, but still preferable to the squabbles between the two main parties about their merits in bringing about reunification.

But all of a sudden there was now a German nation state again. The four victor

powers had to give up their occupation rights to settle the German problem and restored the full sovereignty of the new Germany. Britain, under Margaret Thatcher, did it with some reluctance, so did France, but after Gorbatschow's surprising willingness to let the Germans do as they wished and considering the fact that Germany would be a member of NATO and enforced her commitment to further European integration, there was no more obstacle to the "Two-plus Four agreement" on German unity. It was nevertheless clear that the unified Germany was a new factor in international politics, if one judged it along the lines of power politics and with regard to German history. It had the biggest population among the more important European states, over 80 million, not to forget its economic power, which was expected, wrongly, to grow enormously by the inclusion of the new Lander in the east. Would the extension of the greater Germany to the heartland of former Prussia and the incorporation of a population used to totalitarian rule not reinforce political tendencies and ambitions associated with German history between the Kaiser-Reich and Hitler's Third Reich?

One can understand that awful visions of a coming Fourth Reich, with Berlin in Prussia as its capital, and no longer peaceful and provincial Bonn on the Rhine, were invented and presented in those exciting days and months which ended the Cold War and opened the gate for a new era in international politics. Even in Germany there were warning comments about the restoration of the German nation-state, like that of writer Gunter Grass who said that Auschwitz, as symbol for the German trauma, would forbid us to recreate a German unitary state. Yet in less than one year after the opening of the Iron curtain German unity was accomplished. The last article of the Basic Law had considered that a national assembly would work out a new constitution for a unified Germany but another article allowed the immediate entrance of other German Lander into the constitutional framework of the Bundesrepublik. Thus the constitutional and legal structure of West Germany was simply extended to the five new states of East Germany. The GDR vanished forever. A constitutional council of the political parties later adapted the Basic Law to the new situation, but made no important modifications. Why should one change a constitution that was considered to be the best that Germany ever had?

The solemn celebration often years of German unity last October was a welcome opportunity for politicians, journalists and historians to make an assessment of the first decade of the unification process. It was to be expected that most of the politicians in office praised it as a successful achievement and directed their words of praise especially towards the Germans in the new or young Lander, as they are commonly called. They had indeed to bear the heaviest burdens for they had to adjust from a communist regime with totalitarian traits to a liberal and capitalist political system. The history of the unification process has so many aspects and so far-reaching effects on the people in the East in terms their former status and new



situation, that it is difficult to sum it up and do justice to a rather varied experience. Some pan-German idealists, mostly on the left, had hoped one could make a better Germany by bringing together the positive characteristics and experiences of both sides, a naive illusion, because the GDR which as a totalitarian political system had little to say for itself, had been dissolved and was, if I may say so, swallowed by the Federal Republic. The political adjustment was quick and effective as far as the institutions are concerned. The political parties emerged with the assistance of their West German organisations along the lines of the West's party system and had to merge with them. The only exception was the PDS, a successor of the former almighty communist party SED, which gained in the eastern Land-elections between 20 and 30% of the votes and became representative for those citizens who had suffered less than most others from the Ulbricht and Honecker Regime or who had developed resentments against a unification policy which they could not find helpful for themselves or the country. The PDS is, despite some communist elements and adherents, a democratic party, also represented in the Bundestag with a small group.

East German democracy on the level of the federal states and local communities is not any different from the kind of democracy practised in their Western counterparts. Participation in voting is on the average somewhat lower than in the West. The discontent with political parties is stronger than in the West, and party-membership much lower, but there is also much complaint about indifference to parties and lack of political education and interest in our Western Hemisphere.

To sum up: Democracy in East Germany is established and functions more or less well within the framework of representative democracy, it is poor with regard to participation and innovation. The integration of Eastern politicians in national parties and through national mandates is looked after by the political leaders, in order to avoid the impression rather common among East Germans that people from the new Lander are only second class citizens. The East German politician Angela Merkel is the new chairman of the national CDU and Wolfgang Thierse of the SPD is the President of the Bundestag. This indicates that the process of integration and more equalisation between East and West is well under way.

The Basic Law postulates that the federalist state should guarantee life conditions of equal value for all citizens. The new Lander are still below the average living standard in the states of Western Germany, and the gap is visible in most statistics, be it the rate of unemployment which is twice as high as in the West, be it the average income which is about 80% of that of the West even for the same kind of work. It may take some more years to close this gap but we would not be as far as we are today without the enormous transfer of capital from West to East, which will flow for many years to come.

The Germans are seldom happy about their collective fate except in deplorable situations of collective political hysteria like under Hitler, but common sense which is, alas, not a national characteristic could teach them that they are, on the whole, rather well off in their new and bigger outfit. Unification was a gift of history, the extension of democracy a chance to build a free and even prosperous society for all Germans, not only those who had had the luck and privilege to become a part of Western democracy and civilisation. This democracy is far from the perfect models that theorists like to set up, but looking around the world, including our. European neighbours among which I count Great Britain, German democracy does not cut a bad or even dangerous figure. Macmillan's slogan "We never had it so good!" applies even more so to Germany and still more so when we see it in a historical perspective This is why I gave my last book the title: SO WAR DEUTSCHLAND NIE!

If we look at some of the reactions to Germany in the British popular press one can however at times get the impression that fifty years of British-German relations which, on the whole, were marked by partnership and mutual understanding did not take place at all. Germanophobia is latent in the English subconsciousness and can apparently be mobilised by some tabloids as if nothing had changed in Germany since the awful Hitler days. The English chairman of the British-German association, that has done a lot to bring together the two countries at least on an elitist level, recently complained that the Germans were still seen by many Britons "as representatives of an alien and hostile power". The gulf is less marked on the political platform, where just now there is even an ideological embrace between Prime Minister Blair and Chancellor Schroeder, than on the level of the two peoples. It seems to be a one-sided affair: the British do not appear really keen on embracing the former enemy whereas the Germans take them as they are. They are for example very fond of the very British novels and TV-films by Mrs. Rosamund Pilcher they adore the Beatles and British pop culture, of course, and many other things considered being very British and do not heed too much the ups and downs of British politics. German and British tourists meet each other often on the sunny beaches of Southern Europe but as with other Europeans too they are far from forming a real European Community on the local level. One reason seems to be that, as most English reports from these resorts mention, Germans have the nasty habit of occupying the best places near the pool or the beach early in the morning by their towels, but they do not think in terms of conquest any more, and they do not use swastikas which are even forbidden at home.

It is a pity that English political scientists who do research on the new Germany are not as popular as certain columnists who perpetuate from time to time the low art of German-bashing. Many of them, to mention only Gordon Smith from the LSE and Peter Pulzer from Oxford, have done an excellent job in describing and explaining Germany's democratic development, so that Germans too can learn something from

them. In their books and articles we can find all we need and want to know about fifty years of German democratic history after Hitler without any Kraut-bashing.

John Mackintosh in whose memory we are gathered here, has left us a fine example for a political science that helps us to better understand politics in our own and in other countries and to use such knowledge for better political action. I thank the University of Edinburgh for the great honour of allowing me to speak here in memory of our John Mackintosh.