

Presidential Election in Germany

30th June 2010

ANALYSIS

1 month before
the poll

Surprise

On 31st May last the President of the Federal Republic, Horst Köhler was the source of stupefaction when he announced that *"he was resigning immediately,"* an all time first in the country's history. Obviously moved, the person the Germans nickname *"Super Horst"* said that he had taken his decision after learning of the reactions to the interview he had given on the state radio station on 22nd May last on his return from Afghanistan and in which he justified the military engagement of 4,500 German soldiers in Afghanistan for economic reasons. *"In my opinion society as a whole is gradually beginning to accept that in the event of doubt and necessity military commitment can be necessary to protect our interests for example the freedom of trade links, by preventing instability in certain regions which would have negative effects on trade, our employment and our income,"* he declared.

These words shocked listeners because they do not reflect the government's official line which says that Germany's military engagement in Afghanistan is a contribution to the fight against international terrorism. *"The economic reasons are not a justification for the deployment of troops in Afghanistan,"* stressed Defence Minister Karl-Theodor zu Guttenberg. The reasons for his resignation mentioned by the Head of State did not convince the German political classes. Elected on 23rd May 2004 then re-elected five years later as Head of State, Horst Köhler is often seen as an atypical Head of State. In the name of respecting the Constitution the President of the Republic refused to sign certain laws notably on the privatisation of the aviation security sector in 2006. He qualified the financial markets as *"monsters"* – which he apologised for afterwards – and said that the initial period of the present government coalition led by Chancellor Angela Merkel which rallies the Christian Democratic Union (CDU/CSU) and the Liberal Democratic Party (FDP), as *"disappointing"*. *"We have witnessed growing discord between government action and the analysis that the Head of State made of the Greek crisis and of the euro. Horst Köhler could no longer fulfil his task as he wanted and the new coalition*

which he himself supported is not undertaking the right policy in his opinion," said Frank Baasner, director of the Franco-German Institute (DFI) in Ludwigsburg.

"I am most sorry. I believe that people in Germany are extremely sad. He was the President of the People," declared Chancellor Angela Merkel after the announcement of the Head of State's resignation. *"It is as if I had been struck by lightning,"* declared Deputy Chancellor and FDP leader Guido Westerwelle. *"I quite admire this gesture which does not lack elegance. There was no Köhler affair, no-one had asked him to resign. Undoubtedly we must see in his action the highest consideration in which he held his responsibility,"* stressed Henrik Uterwedde, Deputy Director of the DFI in Ludwigsburg.

This resignation comes at a bad time for Chancellor Angela Merkel. *"She finds herself in an almost desperate situation as that of Chancellor Schröder (SPD) after the defeat of North Rhine Westphalia (22nd May 2005) when he then convened early elections,"* declared Nils Diedrich, a political scientist from the Free University of Berlin.

The Candidates

For a time Ursula von der Leyen (CDU) had been considered to succeed Horst Köhler. With Angela Merkel's support the present Labour and Social Affairs Minister is extremely popular amongst the Germans but does not find unanimous agreement amongst the Conservatives and Catholics of the Christian Social Union (CSU), allied to the CDU since 1953 who are against the policy she undertook as Minister of the Family, the Elderly, Women and Youth (2005-2009). Angela Merkel had to give in to pressure on the part of the CDU executives likewise that from her government partner the FDP.

On 3rd June the Chancellor put forward the candidate chosen by the government coalition, Christian Wulff, Minister President of Lower Saxony since 2003. A rising CDU star he can be considered as both Angela Merkel's "*dauphin*" and adversary. Catholic and a representative of the liberal wing of the CDU, he is appreciated by both the FDP and the CSU.

Joachim Gauck, who undertook research in the archives of the former political police of the German Democratic Republic (RDA), the Stasi, will be the candidate for the Social Democratic Party (SPD) and the Greens. The Presidential Function

The Head of State is elected by the German Federal Assembly (Bundesversammlung) which comprises 1,224 members: 612 members of the Bundestag, the Lower Chamber of Parliament and an equal number of elected representatives from the 16 Länder, MPs from the regional parliaments and personalities from civil society. The election is undertaken by secret ballot according to an absolute majority in a first and then a second round. If none of the candidates achieves this majority (i.e. 613 votes) a third round is organised during which the person who rallies the greatest number of votes is elected. The presidential post in Germany is mainly honorary: the Head of State is however a moral authority, since his role goes beyond the prerogatives he is granted by

the Fundamental Law. Elected for five years the German President represents the country internationally. He concludes treaties with foreign States, accredits and receives diplomatic representatives. He is the guardian of the law and the Constitution, appoints and dismisses judges and high ranking federal civil servants, officers and sub-officers. Finally he can dissolve the Bundestag in two precise instances: when the latter does not succeed in electing a Chancellor (i.e. if none of the candidates manages to rally the majority of votes of the MPs after three days - article 63 of the Constitution) or when a motion of confidence put forward by the Chancellor does not receive the approval of the majority of the Bundestag members (article 68). General elections have to be convened in the 60 days following dissolution (article 39). Three dissolutions have taken place: on 23rd September 1972, 6th January 1983 and on 21st July 2005, during the mandate of outgoing Head of State Horst Köhler.

Any candidate running for the presidential office has to be aged at least 40 and can only be re-elected once. According to the Constitution the President cannot belong either to the government nor a legislative body in the Federation (Bund) nor in one of the 16 Länder. He cannot undertake any other paid public (or private) function and he is not allowed to take part in the management or the board of a company with profit-making goals.

Since the two parties in the government coalition have a majority of around 20 votes in the Bundesversammlung, Christian Wulff should, unless there is another surprise, be elected as President of Germany on 30th June next.

Until then the interim will be ensured by the leader of the Upper Chamber of Parliament (Bundesrat), Jens Böhrnsen (SPD).

few days
before
the vote

Presidential Election in Germany, a round up just a few days before the vote.

The surprise resignation by German President Horst Köhler on 31st May last, a first in the country's history, occurred at a difficult time for the government coalition led by Chancellor Angela Merkel (CDU) that rallies the Christian Democratic Union/Christian Social Union (CDU/CSU) and the Liberal Democratic Party (FDP). It forced the Chancellor to organise an early – high risk - presidential election. Indeed the Social Democratic and Greens Party candidate, Pastor Joachim Gauck, is – just days before the election on 30th June - now running favourite in a presidential election that has never before been the focus of interest in Germany.

The Head of State, whose role is mainly honorary, is elected by the German Federal Assembly (Bundesversammlung) that brings together 612 members in the Bundestag, the Lower Chamber of Parliament and an equal number of representatives from the 16 Länder, MPs of the regional parliaments or personalities from civil society.

Joachim Gauck describes himself as a «*leftwing conservative*». He says he sympathises with liberal values and also thinks that he will be elected President of the Republic thanks to the votes of certain people close to the CDU/CSU and the FDP. The leftwing candidate is a friend of the present Chancellor. He declared in the daily Bild Zeitung that he could have been Angela Merkel's candidate. «*It is not my intention to take the limelight from the Chancellor with my candidature, I watched her political rise with great attention and joy,*» he says.

Joachim Gauck does not want to be qualified as the man who might bring Angela Merkel down and said that he had been on the verge of giving up the presidential race which he had been offered so as not to impede the Chancellor. «*I was surprised and flattered that someone thought of me for this post. But I didn't look for it and it really was not my intention to get in Angela Merkel's way. I am sure that she does not see my candidature as an attack against her government,*» declared Joachim Gauck. Mr Gauck, a pastor from the former German Democratic Republic, like the Chancellor, is civil rights militant. After the fall of the Berlin Wall in 1989 he led research into the Stasi archives – the former political police of the GDR.

In spite of Joachim Gauck's declarations, the candidature by the man the weekly Der Spiegel, qualifies as «the best President» is spreading disquiet amongst the government coalition forces. Several rightwing personalities have already declared their support for

him: Holger Zastrow, FDP leader of Saxony; Kurt Biedenkopf (CDU) who has asked Chancellor Angela Merkel to let the grand electors have a free choice in their vote on 30th June next and Jürg Schönbohm former CDU leader in Brandenburg said, «*I wonder why it isn't possible for the conservative camp to agree with the Social Democratic Party on the candidature of Joachim Gauck?*»

The social-democrats insist on the moral authority their candidate embodies. «*Joachim Gauck stands presenting his entire life as a man and not simply a full political life,*» declared SPD leader, Sigmar Gabriel.

Although the SPD/Green candidate has convened the rightwing he does not seem to be to the taste of the Left Party (Die Linke). Hence MP Gesine Löttsch said that Die Linke members really could not vote for Joachim Gauck, because of his militant anti-communist past. The far left party is putting forward its own presidential candidate for 30th June: Lukrezia Jochimsen, former sociologist and MP at present.

The ruling government coalition's candidate is Christian Wulff (CDU). The former Minister President of Lower Saxony (2003-2010), a post he just relinquished in order to stand in the presidential election (he was replaced by David McAllister), was not Angela Merkel's first choice for this post. She first wanted to see present Labour and Social Minister Ursula von der Leyen (CDU) succeed Horst Köhler before giving in to the pressure of her party and to her government partner, the FDP.

After the resignations of Roland Koch (CDU), Minister-President of Hessen and Jürgen Rüttgers (CDU), Minister-President of Nordrhein Westfalen, beaten in the regional elections on 9th May last, the Chancellor can now hope, in the event of Christian Wulff's victory, of ridding herself of yet another of her adversaries within the CDU, «*placing one of her last potential rivals in a golden cage in Bellevue castle (the residence of German Presidents),*» according to political scientist Gerd Langguth. «*Short term, 2010 is the year when all candidates to the Chancellorship could be eliminated and this might be beneficial to Chancellor Angela Merkel who no longer has to think of her rivals. But long term it is bad for her because increasingly she will have to convince the party to follow her. And sooner or later the party might say 'we need someone else',*» analyses political scientist Gero Neugebauer, of the Free University of Berlin.

«*I think that a President of the Republic must be able to rally, build bridges between people, reconcile, provide dialogue and debate including between those of different origins, religions and languages,*» declared

Christian Wulff who appointed a minister whose family background was Turkish in his Land of Lower Saxony. In April last the latter «*made the front pages*» of the media when she called for a ban on the crucifix in German schools, a measure that was unacceptable to the Catholics of the CDU/CSU.

The polls reveal that if the Germans were called to vote they would elect Joachim Gauck as head of State: 39% of them would vote for him according to the political barometer on TV channel ZDF and 31% would opt for Christian Wulff. According to a poll by Forsa for the weekly Stern, Joachim Gauck would win 42% of the vote and Christian Wulff 32%. Finally the poll published by ARD credits Joachim Gauck with 40% and 31% for Christian Wulff.

The CDU/CSU and the FDP have 21 more seats than their rivals in the Federal Assembly. In theory this is enough to see the election of Christian Wulff. But is a surprise possible? For the time being Angela Merkel has withdrawn from the presidential electoral campaign.

RESULTS

Christian Wulff, the new German President

The victory achieved by Christian Wulff, the candidate who stood for the government coalition led by Chancellor Angela Merkel that rallies the Christian Democratic Union (CDU/CSU) and the Liberal Democratic Party (FDP), can be said to be "minor" as he won the German Presidential election that took place on 30th June.

Christian Wulff was elected after a 3rd round of voting with 625 votes out of the 1,244 delegates at the German Federal Assembly (Bundesversammlung) that brings together the 612 members of the Bundestag, the lower Chamber of Parliament and an equal number of representatives from the 16 Länder, MPs from the regional Parliaments and personalities from civil society. The Social Democratic Party (SPD) and Greens candidate, Joachim Gauck won 494 votes. 121 delegates, notably from the Left Party (Die Linke) abstained.

Although on paper the government coalition had a 21 vote lead over the opposition in the Federal Assembly

Christian Wulff failed in the 1st round of voting winning 600 votes. The absolute majority of the votes (623 votes) was necessary to be elected. Delegates in the government majority withdrew their support from C. Wulff. In the 1st round Joachim Gauck won 499 votes, Die Linke candidate Lukrezia Jochimsen won 126 votes and Franck Rennieke, the National Democratic Party of Germany's (NPD) candidate, 3 votes. 13 people abstained.

The 2nd round of voting was in itself a setback for the Chancellor. Christian Wulff came out ahead with 615 votes, but this was still less than the absolute majority

required to be elected. Joachim Gauck won 490 votes and Lukrezia Jochimsen, 123 votes.

Hence it was in the 3rd round when a simple majority was sufficient to be elected and after Lukrezia Jochimsen withdrew that Christian Wulff was appointed to succeed Horst Köhler (Head of State who resigned on 31st May last) as head of Germany.

52 year old Christian Wulff is a law graduate from the University of Osnabrück and was a lawyer before devoting his career to politics. A CDU member since he was 19 he became the leader of the "youth" branch of the CDU in his Land of Lower Saxony in 1983 before joining the CDU's regional management committee two years later. In 1994, he became the leader of his party in Lower Saxony and in 1998 he became the Federal Vice-President of the CDU.

Elected regional representative of Lower Saxony in 1994 he became Minister President there in 2003, a position he was re-elected to during the regional election on 27th January 2008. Christian Wulff resigned from this post just a few weeks before becoming a candidate in the race for the Presidency of the Republic. He was replaced by David McAllister as head of Lower Saxony.

Christian Wulff is the youngest President in the country's history, the second Catholic to occupy this post and the third after Gustav Heinemann (SPD), 1969-1974, and Roman Herzog (CDU), 1994-1999 to be elected in a third round of voting.

"The Chancellor was counting on this presidential election to make a new start and regain popularity in the polls after having sunk to the bottom. But this did not happen," said Oskar Niedermeyer, political scientist at the Free University of Berlin. "I did not perceive enough dissidents to endanger the election of Christian Wulff although government policy over the last few months has caused a lot of bad feeling," forecast (quite rightly) political scientist Nils Diedrich, from the Free University of Berlin before the election. "It is psychological defeat and a loss of prestige for Angela Merkel," he said after the results.

Three days after the vote Christian Wulff's election does indeed appear to be an undeniable sign of the weakness of the government in office which struggled to mobilise all of the representatives in the coalition. However even though it was a narrow and dull victory it remains so because it again revealed the division on the left.

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