

The SPD's 'referendum' on the German coalition agreement poses legitimate problems, but it could also reaffirm citizens' confidence in party politics

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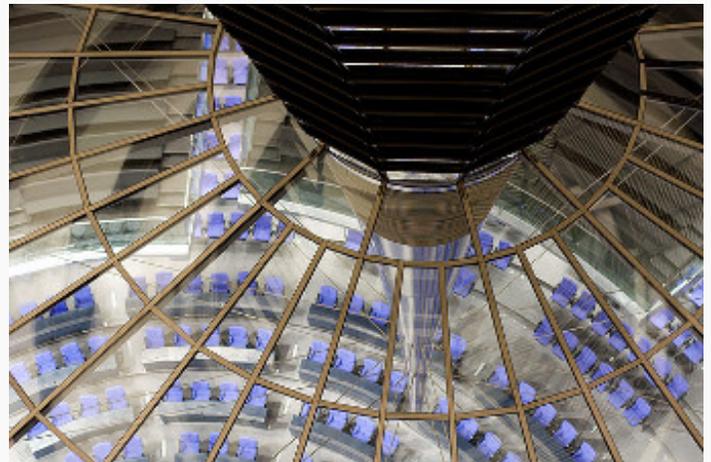
*Last month, the SPD and Angela Merkel's CDU/CSU negotiated an agreement to form Germany's next government. Before the agreement can be put into practice, however, it will be subject to a 'referendum' among the SPD's membership. **Fabio Wolkenstein** writes that while the referendum has been criticised from a democratic and legal standpoint, it may have the potential to strengthen the internal democracy of German parties and thereby reaffirm the confidence of citizens in party politics.*



Sigmar Gabriel, the chairman of the German Social Democrats (SPD), proposed to stage an intra-party referendum on the [coalition agreement](#) with Angela Merkel's centre-right CDU/CSU. Although the majority of voters seem to favour a grand coalition between the SPD and the CDU/CSU, Gabriel is convinced that letting the party base decide on whether or not this coalition will materialise is the right card to play. In his [speech](#) at the SPD's recent party conference in Leipzig, Gabriel asserted that "in a modern party, people want to have influence". Giving the membership a voice, he emphasised, is a matter of respect and is necessary to restore trust in the party leadership. In fact, Gabriel went as far as to declare that the "cohesion" promoted through more internal democracy is "more important than governing".

Whether the referendum proposal was simply a strategy to put pressure on the CDU/CSU or not, such unflinching commitment to intra-party democracy is unconventional. Party leaders very rarely let the grassroots have a say in pivotal decisions, and some might of course argue it is better that way. The referendum has therefore faced a number of criticisms.

Conservative commentators [caution](#) that the outcome of such an experiment – and hence the future of the German government – is dangerously difficult to predict. After all, while Gabriel is [confident](#) that the coalition agreement will be widely endorsed by the party base, large segments of the membership are still sceptical, not least because the last grand coalition resulted in an electoral disaster for the SPD. But to reject the referendum on the grounds of unpredictability is to call democracy as such into question. As with any other participatory institution, a referendum is not supposed to have a clearly foreseeable result, but to give voice to those that are otherwise not heard.



View of the Plenary Chamber of the Bundestag.
(Credit: BriYYZ, CC-BY-SA-3.0)

Another popular objection is that the referendum conflicts with constitutional principles, for the German constitution, like most constitutions, [forbids](#) imperative mandate. More specifically, Article 38 (1) of the constitution holds that MPs in the German parliament are not bound to "anything but their conscience". Yet if their conscience is partisan, there is little reason to doubt that they will act in any case in line with the party. One need not fear that the SPD's internal referendum will force SPD MPs to be significantly more loyal to the party than usual.

Perhaps the most common [objection](#) to the SPD's intra-party referendum is that it is undemocratic that 477,000 party members – and in reality of course a much smaller number of SPD members will vote in the referendum – decide on the future of a government that eventually affects 81 million German citizens, not to mention the rest of Europe. This argument rests on the presumption that legitimacy resides exclusively in numbers. Gabriel's own rejoinder to this charge was that if numbers matter, there is indeed plenty of reason to support the referendum since it allows a much larger group of people to decide on the coalition than what would initially have been the case had the party elite decided on its own. Granted there is some logic to this, however in a representative democracy legitimacy resides not so much in terms of mere numbers, but in electoral authorisation and corresponding accountability.

And it is in fact from the standard perspective of democratic representation that the intra-party referendum proves most problematic. The reason is that the SPD's party base has not been authorised by the voters to make a decision of this kind. Rather, the voters who turned out to vote for the SPD in the federal election have only given the SPD's election candidates – that is, either those who had a place on the party list or the SPD candidates who are directly electable in one of the 299 constituencies – the authority to represent. The rest of the party membership was not electable and hence received no electoral authorisation by the voters. This means that in the referendum legitimate representatives of the voters subject a decision to reappraisal by groups of people that have no such mandate, and cannot be held accountable by the voters.

For this reason, the SPD intra-party referendum constitutes a serious distortion of what political scientists sometimes call the traditional 'chain of delegation and accountability' connecting voters and elected representatives. Voters have delegated authority to the party elite, but certainly not to all party members, and now the voice of all party members suddenly counts more than the decision of the elite. Yet things are more complex, for there also exists a chain of delegation within the party. This is because ordinary party members select both the party leadership and the candidates for elections in party primaries. In so doing, they likewise authorise representatives they should be able to hold accountable.

If this argument is accepted, and the party elite are not only accountable to the voters but also to the membership, then there is much less reason to look with scepticism at the SPD's internal referendum. To be sure, the referendum is an exceptional measure insofar as party members normally hold the elite accountable through periodical candidate selection, rather than through direct decision making. But arguably the coalition negotiations with the CDU/CSU are also an exceptional situation for the SPD, and since the party suffered greatly from the last grand coalition, attempting to ensure that the leadership's decision enjoys sufficient intra-party support seems prudent. Indeed, a referendum is the most immediate and effective way for the party members to hold the leadership accountable in circumstances where arguably a unified decision needs to be made.

And let us not forget the bigger picture. There is a strong case for arguing that political parties (not just the SPD) need to be reinvented, and internal democratisation certainly seems to offer a promising way forward. Parties need reform because they suffer from serious problems of disaffection that become manifest in [falling memberships](#) and disturbingly low levels of public trust – in a recent German [poll](#), 68 per cent of the respondents stated that they mistrust parties. Parties are procedurally necessary for the functioning of democracy in that they constitute the intermediary structure between citizens and government, yet most people seem to turn their backs on them.

Now, of course, democratising parties from the inside is not a new idea, and critics have often countered that intra-party democracy is futile given citizens are generally uninterested in politics and reluctant to participate. But the point is that making parties more internally democratic could encourage those with a desire to participate by showing that their voice will actually be heard, and so restore confidence in party politics. This is why, in the long run, strengthening the internal democracy within parties could indeed turn out to be more important than governing.

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