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The federal framework

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INTRODUCTION

Even the name of the country—the Federal Republic of Germany (die Bundesrepublik Deutschland)—underlines the importance of the federal structure in Germany. The German term *Föderalismus*, derived from the Latin *foedus*, meaning federation or alliance, suggests a form of state organisation in which there is devolution of power from the centre to the constituent parts or regions; the concept of federalism, therefore, implies a **decentralised** system, in which there is real power-sharing, divided between a central government and several regional ones.

Gordon Smith (1979:48) refers to the German federal system as being often underrated as a political institution. This chapter should be read in conjunction with the following one on the political system, since federalism is an integral part of the German polity, which is by no means the only aspect of German life and society influenced by the federal framework. It also affects, for example, schooling, the legal system, cultural matters, the organisation of the media, health and social provision.

Two points are of fundamental importance in understanding the concept of (German) federalism. First, there are both large and small countries which have federal systems. It is clearly effective to apply a federal, decentralised system to huge political units such as the USA, Canada or India because of their sheer size. However, small countries such as Switzerland and Austria—and indeed Germany itself is not large in comparative global terms—also have a federal system. In fact, the USA and the Swiss Confederation were key influences on the original decision to adopt a kind of confederate federalism for the German Confederation (der Deutsche Bund 1815–66).¹

Second, the establishment of a federal system for the FRG in 1949 was not an innovation. It was a legacy from the past, building on a long federal tradition. When Germany was first unified as a nation-state in 1871, a federal component was introduced, despite Prussian hegemony,

in the German Empire. The upper house of parliament at the time, the Bundesrat, had fifty-eight seats (Prussia had seventeen); it functioned as a sort of federalist/monarchist organ of state.² The Weimar Republic (1919–33) also had a second chamber, the Reichsrat, in a federal system.

The federal component was abolished between 1933 and 1945 by Hitler and the National Socialists, who ran a centralised, unitary state (*Einheitsstaat*), since federalism and dictatorship are incompatible. The Eastern (Soviet) zone of occupation, when it became the GDR in October 1949, originally contained a federal component too. This was, however, soon changed as fourteen administrative districts (*Bezirke*) took over from the five *Länder* and the East German *Landeskammer*, thus centralising power under a socialist system. In the three Western zones (US, British, French) the authors of the Basic Law, the West German constitution, were particularly keen to reintroduce a decentralised, democratic, federal structure in May 1949, as were the Western Allies themselves.

In this way West Germany adopted a federal system similar, though not identical, to that of the United States. The United Kingdom does *not* have a federal structure; in fact its political system is often criticised for concentrating too much power in London, at the expense of the regions. Calls for Scottish devolution and a Welsh parliament were evident yet again during the 1997 British general election campaign. Indeed, the view was often expressed in the UK between 1990 and 1997 that the British Prime Minister of the day, as well as some members of the cabinet, did not fully understand the term ‘federalism’, especially when speaking of a ‘federal Europe’.

THE CONSTITUTIONAL DIMENSION

David Southern has pointed out that an essential feature of federalism is that the constituent states have a constitutionally entrenched position, as bearers of a limited form of sovereignty (Paterson and Southern 1991: 141). Germany’s current federal system is characterised by a horizontal separation of powers between the legislature, the executive and the judiciary (see [Chapter 4](#)); there is also a vertical separation of powers between the Federation (*Bund*), the *Länder* and the local communes or municipalities (*Gemeinden*). In this vertical three-tier system (*Bund/Land/Gemeinde*), an additional district level (*Kreis*) sometimes occurs between the *Land* and *Gemeinde* tiers, though this is not the case in all states. Legislative matters are shared between the federation and the individual states, administration is fundamentally the responsibility of the federal states, and the two tiers work closely together in questions of jurisdiction.

A whole section (section two) of the German constitution, the Basic Law (*Grundgesetz*—GG) (see [Chapter 4](#), pp. 45–46), is devoted to the question of the federation and the federal states. Each *Land* has its own

constitution (which must conform to the federal constitution), its own state parliament and chief executive (Ministerpräsident). Article 30 (Art. 30 GG) states that exercising government power is the concern of the federal states (*Sache der Länder*), unless otherwise stated. Art. 31 GG makes it clear that federal law overrides *Land* law. Art. 28 (2) GG guarantees the independence and individual responsibility of local self-government for the lowest tier, the *Gemeinden*. Since the Basic Law was first introduced as a provisional constitution in 1949, there have been over forty amendments to it.

Perhaps the most crucial part of the constitution regarding federalism is Art. 79 (3) GG. This expressly excludes any alteration to the *Grundgesetz* that affects the division of the FRG into federal states, or the fundamental involvement of the *Länder* in the legislative process, or the basic rights and democratic principles laid down in Arts 1 and 20 GG.

Art. 29 GG covers in considerable detail the question of reorganisation of the federal territory, involving a referendum (direct democracy), as happened for example in Baden-Württemberg in 1952 and as was proposed but rejected with Brandenburg and Berlin in 1996 (see [Chapter 2](#)). The constitution gives the federal states the right to legislate, except where such powers are conferred on the federation (Art. 70.1 GG). In practice, however, there has been a shift in favour of the *Bund* in recent years.

There are basically three sets of areas of legislative competence: those where the federation has exclusive responsibility (defined by Arts 71 and 73 GG), those where the federal states have exclusive responsibility (Art. 70 GG) and those where it is shared, i.e. concurrent responsibility (Art. 72 GG). Article 106 covers the details of tax distribution (see p. 34). There are also certain areas where the federation is responsible for the provision of a general framework for more specific legislation (*Rahmengesetzgebung*) (see [Table 3.1](#)).

Land responsibilities

The four broad areas for which each of the sixteen *Länder* has exclusive responsibility (culture/broadcasting, education, police, health—see [Table 3.1](#)) exert a considerable influence on the everyday lives of German citizens.

For example, the school system varies, sometimes quite considerably, in terms of curriculum, types of school, the age at which you change schools, etc., according to which federal state you live in. A child whose family moves from Hamburg to Munich, for instance, or from Cologne to Stuttgart, usually has to adapt rapidly to a different system. Although the federal government has an education minister and the *Bund* has an influence as far as university education is concerned (via the framework

Table 3.1 The division of legislative responsibility in the FRG's federal system

<i>Federation (Bund)</i>	<i>Federal States (Länder)</i>
Foreign affairs	Culture/broadcasting
Defence	Education
Citizenship	Police
Passport, immigration/emigration	Health
Currency and monetary matters	
Customs and foreign trade	
Federal rail and air transport	
Post and telecommunications	
Framework legislation	
Higher education	
Hunting, nature conservation	
Land distribution, regional planning	
Residence registration, identity cards	
Press, film industry	
Concurrent legislative responsibility	
Civil law, criminal law and sentencing	
Registration of births, marriages and deaths	
Law of association and assembly	
Residence of aliens	
Production and utilisation of nuclear energy	

legislation (Rahmengesetzgebung)), each *Land* has its own education ministry, which retains powers for its own state over both school and higher education. A Standing Committee of the Education Ministers (Kultusministerkonferenz) meets regularly, in order to maintain a degree of uniformity. For more detail on education and training, see [Chapter 7](#).

The great cultural diversity (see [Chapter 10](#)) in German life affects theatres, museums, libraries, public monuments, etc. Such variety is a direct result of the federal system, as is the considerable regional variation which enriches the German broadcasting network. The latter concerns both radio and television, adding a regional flavour. The distribution of political power between the federal capital and the sixteen regional capitals has contributed to a wide variety and choice in the German media landscape (see [Chapter 9](#)). In countries with no federal system, such as France or Great Britain, greater press concentration in the capital (Paris, London) is evident.

Every state has its own police service, although expediency has meant that, in practice, a system of overall co-ordination across the *Länder* has proved necessary in the fight against serious crimes such as terrorist attacks or kidnapping. Health provision, addressed in [Chapter 6](#), also

Table 3.2 Examples (%) of tax revenue distribution in Germany

<i>Tax</i>	<i>Federation</i>	<i>States</i>	<i>Local</i>
Income	42.5	42.5	15
Corporation	50	50	
Capital	50	50	
VAT	55	45*	
Business	20	20	60
Customs, excise	100		
Coffee, tea	100		
Brandy	100		
Beer		100	
Inheritance		100	
Vehicle tax		100	
Entertainment			100
Dog licences			100
Property			100

Source: Adapted from various sources, including Paterson and Southern (1991).

Note: *Until 1995 the ratio was 65/35 (see below).

comes under the auspices of the federal states, where austerity measures (*Sparpaket*) are proving necessary, with a view to making savings in Germany's massive health budget.

THE FISCAL DIMENSION

When it came to ordering financial and fiscal matters, two earlier German systems were taken into consideration. Under Bismarck in the German Empire (1871–1918) the central state, the *Reich*, was financially dependent on the *Länder*. During the Weimar Republic (1919–33) the reverse was true; in fact the financial position of the *Länder* was so catastrophic from 1930 to 1933 that they were not able to offer any real resistance to the rise of Hitler and the National Socialists, whose centralist state was anathema to the German federalist tradition.

The fiscal/financial dimension of federalism was, therefore, and still is, of paramount importance. A certain degree of financial autonomy is essential. There are around forty different taxes in Germany today, which go directly to one of three sources: into the coffers of the federation (*Bundeskasse*), the federal states (*Länderkasse*) or the local communes/municipalities (*Gemeindekasse*) (for examples, see [Table 3.2](#)).

However, some of the tax revenue collected is split either two or three ways. This applies to the biggest share of the tax bill paid in Germany (over 70 per cent), the so-called community taxes (*Gemeinschaftssteuern*), which cover four taxes: income tax (*Lohn und Einkommensteuer*), value

added tax (*Umsatz/Mehrwertsteuer*), corporation tax (*Körperschaftsteuer*) and tax on capital income (*Kapitalertragsteuer*). Income tax is the largest amount, 42.5 per cent going to the federation, 42.5 per cent to the states and the remaining 15 per cent to the communes (*Gemeinden*).

The second-largest source of tax revenue is value added tax (VAT). Originally 65 per cent of VAT flowed into the federation's coffers, with 35 per cent going to the federal states. In 1995 that was amended to a 55:45 ratio, as a result of changes needed after Unification. Corporation tax in Germany is split equally between the *Bund* and the *Länder*, as is the tax levied on capital income. Art. 106 of the constitution deals in detail with how tax revenue is apportioned.

There is a long list of taxes that accrue directly to the federation. These include customs and excise duties, tax on capital transfer, insurance, road freight, oil, tobacco, coffee, sugar, salt, brandy and sparkling wine, plus charges imposed by the European Community. Property transfer tax, wealth tax, inheritance and gift tax, motor vehicle tax and lottery/gambling taxes all go straight to the federal states. Any American or British student reading this who visits Germany and partakes in the popular German pastime of beer-drinking will also be contributing to the tax revenue of the *Länder*! Those who prefer sparkling wine or brandy will be paying a tax directly to the federation.

Taxes which go initially to the communes include a business tax (*Gewerbesteuer*). The communes give around 15 or 20 per cent of this income to the federation, and the same amount to the states, in return for their share of income tax. The precise percentage can vary from one local authority to another. Property tax, the income from hunting, fishing and dog licences, and entertainment taxes also benefit the local communities.

THE CO-OPERATIVE DIMENSION

Owing to the different powers exercised by the federation and its constituent parts, co-operation and co-ordination are essential features. The distribution of powers in Germany's political system, with its federalist component, is referred to in German as *Politikverflechtung*, literally an 'entanglement'. This term indicates that the two levels of government, the *Bund* and the *Länder*, are interwoven, or interlinked. German experts speak of *kooperativer Föderalismus*, in which compromises offering a clear delineation of functions between the *Bund* and the *Länder* are continually sought. Co-operative federalism aims to ensure effective utilisation of public resources. This involves a three-stage process of distributing financial resources between the sixteen states horizontally.

First, VAT in Germany is distributed among the *Länder* according to the respective size of population. Other taxes, but not VAT, are paid to the federal state or local authority in which the taxpayer is a resident.

This is usually known as the local yield principal. In the case of VAT, up to one-quarter of the federal states' share of VAT revenue may be given to the financially 'weaker' *Länder*. This became problematical when the five reconstituted states of the former GDR, together with a reunited Berlin, joined the new Germany in October 1990.

Second, the system of equalisation payments (*Finanzausgleich*) is a key feature of German federalism. The level of finance required for a *Land* to provide public services for its citizens, corresponding to a national average, is ascertained and compared with its allocation. If necessary, equalisation payments are made. Between 1983 and 1990 three states regularly contributed to the equalisation process: Baden-Württemberg, Hamburg (both areas with very strong economies) and Hesse. Bavaria, also a region with comparatively low unemployment and high productivity, has since become a net contributor too, as have others. With Unification in 1990 the system was thrown into confusion. Small western states, such as the Saarland and Bremen, which used to benefit from funds via the equalisation process, now find themselves contributing towards supporting the new eastern states. Financial equalisation arrangements for the five new *Länder* were delayed until the end of 1995 (by Article 7 of the Unification Treaty) but are now in force. Financial assistance from the federal government and the western states will be necessary for much longer than originally envisaged.

Third, financially weaker states also receive aid grants from the federation. These federal grants were fixed at certain maximum amounts in 1974 by the Federal Equalisation Law (Paterson and Southern 1991: 156) and benefited all the poorer states, which sometimes included Bremen, the smallest of the German states. In a way, Bremen could be seen as a special case. It is, like Hamburg and Berlin, a city-state (*Stadtstaat*) which includes both the city of Bremen and Bremerhaven. The state parliament (*Landtag*) also doubles as Bremen city council (*Stadtbürgerschaft*).

The renewed system of equalisation in the 1990s aimed at maintaining a fair financial balance between the *Länder*, bringing each of the sixteen states up to 95 per cent of the average financial level of all the states, as was the case in the West before Unification. Before 1990 this had always been achieved by inter-state transfers. However, the dire financial straits of the new states in the east (they were struggling even to reach half the financial capacity of the average of the western states) made this impossible.

The problem was solved by a huge redistribution of VAT receipts. From 1995 onwards the percentage distribution between *Bund* and *Länder* was changed from 65:35 to 55:45. This resulted in boosting the money available for transfers between the federal states, which meant that the five new states plus Berlin—Berlin was really also a special case (see

Chapter 2)—had around 92 per cent of the *Länder* average, so that the states in the west did not have to dig too deep into their own ‘pockets’ to make the figure up to 95 per cent.³ The equalisation exercise for 1995, including VAT redistribution, interstate transfers, federal grants, German Unity Fund annuities, etc., meant that the massive total of nearly DM 58 billion was transferred to the eastern states (Smith *et al.* 1996:85). Three areas of administration are important here.

First, government administration is an area where the *Bund* looks after anything concerning the Office of the Federal Chancellor (Bundeskanzleramt) and the federal ministries, as these are the highest federal authorities. They belong to the administrative apparatus at the disposal of the Federal Chancellor and his government, assisting with the implementation of government decisions and the execution of legal matters. Second, the federation accepts responsibility for administering the following specific areas: foreign affairs, the federal railways, the federal post office, the German armed forces, the federal border police, national waterways and internal shipping, air traffic and federal finance. In these areas the federation has its own support network of embassies and consulates, customs offices, etc. Third, the federation administers a special area (*Sonderverwaltung*), which includes high federal authorities such as the federal patents office, the federal employment office and the federal central bank (Bundesbank).

The *Länder* take responsibility for administering a great deal of federal law, as well as any specific *Land* matters. The latter include laws relating to schools, municipal organisation, broadcasting, forestry and agriculture, data protection and the collection of church taxes. More than half the civil servants in Germany are *Land* officials, around a third are employed by the municipalities and just over 10 per cent by the federation.⁴ The *Gemeinden* play a predominant administrative role in the areas of local government, social and welfare services, public utilities and transport.

THE POLITICAL DIMENSION

As indicated at the beginning of this chapter, the German federal structure has always possessed an important political dimension, since the second chamber, or upper house of parliament, the Bundesrat, represents the interests of the *Länder*. The Bundesrat is one of the five permanent constitutional organs of the FRG, the others being the Federal Presidency, the Federal Government, the Federal Constitutional Court and the Bundestag. The second chamber is intended as both a counter-balance to the federal government and an essential link connecting the federal states to one other.

When the Bundesrat—an indispensable institution in the German federal system (see Chapter 4, pp. 49–51)—was increased in size in 1990,

following Unification, the four states with both the largest populations and the largest territories (North-Rhine Westphalia, Bavaria, Baden-Württemberg and Lower Saxony) demanded the allocation of six votes each. These twenty-four votes, out of a total of sixty-nine (see [Table 4.1](#)), mean that together they have over a third of the votes, thus being able to prevent the required two-thirds majority in the second chamber, even if all the other states voted unanimously. According to Art. 79 GG, a two-thirds majority of both houses of parliament is required in order to change the constitution.

The role of the second chamber has been strengthened from one legislative period to the next, as the number of matters which impact on the interests of the federal states has increased. Nowadays around 80 per cent (Stammen 1994:52) of laws passed require the approval of the body which represents the *Länder*, the Bundesrat. This is another clear indication of the crucial role of the federal component in the political system of the Federal Republic.

The celebrated German political scientist Theo Stammen has likened the political dimension of the German federal system to 'a large building with three separate but linked storeys' (1994:52). The building consists of local government on the ground floor, representing the municipalities, towns and districts, then on the first floor the sixteen federal states, each with its own constitution and political institutions, and finally on the top floor the federation with its central organs of state. The edifice could now be extended to include a fourth floor representing the European dimension.

Political activity occurs simultaneously on all floors, with each floor or level having its own political tasks and areas of responsibility. Decision-making is devolved to the appropriate political institutions, which are democratically constituted. This means that there are four different types of election held in Germany: local (municipal), *Land* (state), federal (national) and European. These are held every four or five years. At local level a new town and district council (Stadtrat/Kreisrat) is elected, along with mayors (Bürgermeister); at state level a new state parliament (Landtag); at federal level a new national parliament (Bundestag) (currently still in Bonn); and at European level German representatives are elected to a new European parliament (Europaparlament). The political parties (see [Chapter 4](#), p. 53) are active at every level in the FRG, offering the voters a variety of policies, programmes and candidates competing for political office.

Many prominent post-war German politicians, including Helmut Kohl and several former federal chancellors, first gained important political experience at local and state level, for example as minister president of a *Land* or as the mayor of a large city. This has worked in both directions,

so that federal politicians have also frequently later 'stepped down' to political office at state and local level.

The various strata of state organisation in the Federal Republic represent the *double* distribution of power, referred to at the beginning of this chapter as the *horizontal* and *vertical* separation of powers in the decentralised federal framework. Art. 28 (2) GG states that municipalities, or communes, must be guaranteed the right to regulate their own affairs, within the limits set by law. The association of municipalities (Gemeindeverbände) also have the right of self-government in accordance with the law. This part of the constitution guarantees the independence and individual responsibility of local government at the lowest tier of the German federal structure.

In recent years, however, the tendency has developed for the municipalities and towns in Germany to be increasingly dependent, in financial terms, on the *Länder* and the *Bund*. This, in turn, has of course placed some restrictions upon the political capabilities and freedom for manoeuvre of the *Gemeinden*. Nevertheless it is at local level that the individual German citizen has the greatest say in influencing decisions which affect his immediate political environment. This is undoubtedly true, even though the turnout at local elections is usually considerably lower than at state and federal elections (but higher than at European elections), and even though state or federal issues often weigh more heavily with the voters than local ones.

THE EUROPEAN DIMENSION

It was often said that nothing lasted longer than the temporary in the FRG's political system. Until Unification in 1990 there was a certain amount of truth in that. It applied equally to the stability and constitutional structure of the German *Länder* after 1945, created for the most part haphazardly, almost by accident, against the background of the four zones of occupation. With the exception of the two Hanseatic cities of Hamburg and Bremen, Thuringia and the Free States of Bavaria and Saxony, the other eleven federal states were artificially created constructions, known in German as test-tube creations (*Retortenländer*), which did not really reflect historical tradition.

Whilst the Unification process has thrown up tremendous problems of integrating the eastern states, which has already been referred to, further problems are arising from the additional question of the current European integration process. Although bringing the new states of the former GDR into line with the old ones as political entities within a democratic federal framework was not really problematical, the alignment of the eastern *Länder* in the financial equalisation process certainly was. The continuing economic reconstruction of East Germany,

after the original gross underestimates of the scale of the problem by the federal government, is relevant to the European dimension, since the new eastern states are now of course part of the EU.

Indeed, the concept of subsidiarity, embodied in the Maastricht Treaty, has placed greater emphasis on the co-ordination of European regional policy. This is an area where the German *Länder* have a leading role to play, since they were developed as free-standing political entities with independent and constitutional status; they have gathered a wealth of experience of devolved decision-making, whilst nevertheless remaining a significant constituent part of a central unit. Such a principle could make an essential contribution to the future development of an ever-closer union in Europe, integrated politically and economically.

Many observers think that such plans are more likely to be realised via a federal European structure, although a lot depends on the precise definition of federalism. Certainly a federal structure along the lines of the German system has a lot to recommend it. Perhaps the EU membership of Austria, another country with a federal system, might have an influence.

Despite some disagreement of approach amongst the different nations in Europe, there is a widely accepted view that countries structured along more centralist lines (e.g. Great Britain, France, Italy) are not always in as good a position to solve the challenges presented by the European ideal as are those, like Germany, with a decentralised structure. The differing political developments in the individual countries of the European Union, the prevailing socioeconomic conditions, the cultural idiosyncrasies and the wealth of languages hardly favour real European political and economic integration via a unitary, centralist approach.

In today's world it is paradoxically rich variety which is more likely to give free rein to the expression of human experience in Europe than uniformity. The German phrase 'unity in variety' (*Einheit in Vielfalt*) sums up not only the virtues of the German federal system but also those of a successful EU.

CONCLUSION

The federal system has clear advantages and disadvantages. On the positive side, a federal structure is said to bind together the constituent parts, or regions, of a country, offering them a genuine share in power. It should therefore combine external unity with internal diversity. In theory federalism promotes democratic values and encourages the commitment of individual citizens to democratic processes. Breaking down a large, often unwieldy system into smaller coherent units aims to increase interest and participation in the political process. It is claimed, for example, that the involvement of the sixteen German federal states

fosters regional diversity and local pride. Citizens are usually less likely to feel remote from the centre of power if they have a say in matters which affect their daily lives. In Germany the capital cities of the federal states take on important roles, becoming a focal point for regional development.

On the negative side, it is frequently claimed that maintaining sixteen regional governments, on top of a national one, is too expensive. Some argue that a devolved structure is complicated and cumbersome, leading to one compromise after another. An ever more frequent criticism of recent years is that the German federal (i.e. national) level has been usurping more and more of the *Land* powers. Another concern is simply the number of *Länder* (see below). A reduction in the number of federal states, making them more equal in size, has been proposed more than once, although no serious suggestions for change have been forthcoming in recent years.

From time to time there have been proposals for reforming the federal structure. Both before and after Unification there were suggestions to reduce the number of federal states, making them more equal in size. There would be some justification for this, because a great imbalance exists between tiny units such as Bremen (0.7 million inhabitants), the Saarland (1.1 million) and Mecklenburg-West Pomerania (1.8 million), and large states such as North-Rhine Westphalia (17.8 million), Bavaria (11.9 million) and Baden-Württemberg (10.2 million). Various permutations were advanced for amalgamating the old *Länder* into either five or six units—for example with North-Rhine Westphalia, Bavaria and Baden-Württemberg approximately as they were, and Schleswig-Holstein, Hamburg, Bremen and Lower Saxony as one northern state, and Hesse, Rhineland-Palatinate and the Saar as another federal state. There have also been suggested changes in the east. For example, reducing the number of federal states there to three—namely Mecklenburg, Brandenburg (including Berlin) and Saxony-Thuringia—or even to just two new *Länder*. Mecklenburg-Brandenburg and Saxony-Thuringia.⁵ More recently, however, there has been a general acceptance of the status quo.

Questionnaires amongst the German population reveal a high level of satisfaction with the federal system, despite a certain amount of general ill-feeling towards both Unification itself and the way in which it happened and this is referred to in the opening chapter. In the early 1950s opinion polls showed a high level of dissatisfaction with federalism amongst the West German population, who at the time apparently felt that the German federal system was a hindrance to prosperity and economic progress; it was seen then by many as expensive and outdated, creating too much duplication. This sort of reaction is no longer heard nowadays (Reuter 1991:148).

There is now a new commitment by the majority of Germany's inhabitants to the federal framework, which, despite its minor drawbacks, provided a much-needed stable framework in the immediate post-war period when the FRG was so desperately seeking to establish a successful liberal parliamentary democracy. Federalism also enabled the former federal states of the GDR, via Art. 23 GG, to be re-constituted and assimilated into the new Germany in 1990 in the Unification process. It should be remembered, when considering the various aspects of German life and society dealt with in this book, that the federal framework plays a key role in so many of them, not least the political system, which is examined in the following chapter.

NOTES

- 1 This was confederative federalism, an association of states (*Staatenbund*), like the form practised in the USA from 1778 until 1787 and in the Swiss Confederation from 1803 until 1848. This was modified to a fully federalist state (*Bundesstaat*) and also adopted by the USA from 1787 onwards and by Switzerland from 1884 onwards.
- 2 Further explanation is given in Laufer (1991).
- 3 This point is explained in an excellent chapter by Charlie Jeffery, 'The territorial dimension', Chapter 5 in Smith *et al.* (1996).
- 4 Paterson and Southern (1991) refer on p. 149 to 11 per cent of German civil servants being employed by the federation, 54 per cent by the federal states and 35 per cent by the communes.
- 5 Maps outlining several proposed reform models are given in Laufer (1991: 334–340).

RECOMMENDED READING

Smith *et al.* (1996), Chapter 5.
 Stammen (1994), a short article in English.
 Watson (1995), Chapter 2.

BIBLIOGRAPHY

- Laufer, H. (1991) *Das föderative System der BRD*, Munich: Bayerische Landeszentrale f. politische Bildungsarbeit (the standard work in German).
- Paterson, W.E. and Southern, D. (1991) *Governing Germany*, Oxford: Blackwell, especially Chapter 6.
- Reuter, K. (1991) *Föderalismus. Grundlagen u. Wirkungen in der BRD*, Heidelberg: Decker u. Müller.
- Smith G. (1979) *Democracy in Western Germany; Parties and Politics in the Federal Republic*, London: Heinemann.

- Smith, G., Paterson, W.E. and Padgett, S. (eds) (1996) *Developments in German Politics 2*, Basingstoke: Macmillan, especially Chapters 2 and 5.
- Stammen, T. (1994) 'Federalism in Germany', *Regionalism in Europe*, EUROPA 1 (2/3): 51–67.
- Watson, A. (1995) *The Germans: Who Are They Now?*, London: Mandarin, especially Chapters 2 and 5.