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Christian Democracy is dead; long live the Union parties: explaining CDU/CSU dominance within the German Party System

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ABSTRACT

Since 1949, the CDU/CSU has been the dominant party grouping in the German party system yet has rarely occupied the political centre ground, as represented by the so-called median legislator within the Bundestag. This paper seeks to explain the paradox of how a right-of centre party faction came to dominate what has historically been seen as a consensual and centrist party system by drawing upon the conceptual tools of (1) formal coalition theory and (2) the notions of path-dependence, rules, norms, beliefs and standard operating procedures. The paper argues there is little reason to believe that the pattern of dominance established over the last six decades is in any immediate danger.

INTRODUCTION

The CDU/CSU or Union parties have won a plurality of votes in 15 out of 17 Bundestag elections since 1949. They have also participated in government – either alone or as the largest coalition partner - in 42 of the 62 years of the life of the Federal Republic. Thus, in both electoral and legislative terms, the Union parties have been without doubt the dominant party grouping in the German party system.

The long-standing dominance of the CDU/CSU within the German party system presents researchers with an empirical and analytical puzzle. It manifested itself within a few years of the establishment of the Federal Republic yet has persisted despite the profound transformation that German society has undergone since the 1940s. One might have assumed that social change associated with the development of the social market economy¹ and consolidation of consumer

capitalism in the 1950s and 1960s, the rise in living standards and expansion of higher education associated with the emergence of post-materialism² and the rise of the ‘new middle class’³, as well as the eventual accession of the states of the former German Democratic Republic into the Federal Republic in 1990, would have eroded the social base of the CDU/CSU. Similarly, in as far as this process of social transformation was reflected in structural changes in the German party system, we might have expected that although the period of ongoing party system concentration in the two decades after 1949⁴ and the long period of system stability associated with the so-called ‘Pappi model’⁵ from the 1960s until the early 1980s, had buttressed the dominance of the CDU/CSU, the subsequent onset of de-concentration and de-alignment in the 1980s⁶, and finally the establishment of the all-German party system in the 1990s⁷ might have had the opposite effect. Yet, despite the fact that Germany is now described as a ‘fluid party system’⁸ and the CDU/CSU now operates within a very different strategic environment than it did in the past, it remains almost as strategically influential today as it was in the early years of the Federal Republic.

The dominance of the CDU/CSU is all the more striking given that, with the exception of the current parliament and arguably a brief period in the 1950s, the CDU/CSU has never controlled the so-called median legislator⁹ on the left-right ideological axis within the Bundestag. The failure of the CDU/CSU to control the median legislator is important because it demonstrates that the CDU/CSU has remained a party of the right rather than a party of the centre. Thus, when one looks at the dynamics of German party politics over the last six decades, one is struck by the paradox of a right-of centre party dominating what has historically been seen as a consensual and centrist party system¹⁰. And even today, with the decline of the combined *Volkspartei* vote and increasing party system fragmentation and fluidity, the CDU/CSU remains the key player in German party politics. To explain why this is the case, the paper draws upon formal coalition theory as well as the notion of path-dependence, rules, norms, beliefs and

standard operating procedures. The paper argues that, given the extent of the CDU/CSU's structural and normative power, there is in fact very little reason to believe that the pattern of dominance established over the last six decades is in any immediate danger. The ebb and flow of electoral politics may consign the Union parties once more into opposition at a future Federal election but this outcome would certainly be a temporary arrangement.

The rest of the paper is structured as follows. First, it examines the structural attributes of the German party system in comparative context and in terms of its historical development. Implicit within this focus on structural attributes is the notion of the systemic power of the CDU/CSU in the context of the overall party system. Second, it looks at the institutional power of Christian Democracy in Germany, with an emphasis on structure-driven and rule-driven path dependence and the notion of the CDU/CSU playing the role of 'rule-maker' (rather than 'rule-taker')¹¹ in both the narrow arena of German party politics and also within the wider political-economic context of the Federal Republic. Finally, in the light of these two sections, the paper concludes with a summary of the arguments and a discussion of the future direction of travel of German Christian Democracy.

CHRISTIAN DEMOCRACY AND THE STRUCTURAL ATTRIBUTES OF THE GERMAN PARTY SYSTEM

As already noted, the German party system has undergone profound change over the last 60 years, much of this reflecting the transformation of Germany over the period from a particularistic illiberal society, traumatised by military defeat and political upheaval and with little sympathy for or understanding of bourgeois democracy¹², to one of the most pacifist, pluralistic, and stable democracies in the world. Throughout this period of profound change, however, there has been one relatively constant structural attribute: Germany's Mixed Member Proportional (MMP) electoral system.

The German MMP system was explicitly designed to produce a particular pattern of electoral outcomes that would prevent the emergence of a one-party-dominant system whilst avoiding the kind of electoral and political instability associated with the Weimar Republic. It therefore differs from MMP systems elsewhere (for instance in Japan, Russia, or the Ukraine) in that it is a compensatory system in which the second ballot is specifically intended to offset the disproportionate effects of the first ballot¹³. This acts as a systemic constraint on larger parties such as the CDU/CSU and its impact was further enhanced in 1985, when the Hare/Niemeyer or ‘largest remainder’ quota was introduced. These constraining effects on the larger parties are offset by the electoral threshold, in force since 1957, which prevents small parties from being rewarded their proportional share of List seats (or acquiring the status of a Bundestag *Fraktion*) unless they have either secured five per cent of the popular vote or won three constituency seats.

Figure One about here

So, in comparative terms, what kind of competitive political environment does Germany’s MMP system create? Figure One plots the disproportionality of electoral systems and the effective number of parties in the Bundestag and in the lower houses of a wider sample of 73 polities. The sample is made up of those polities submitting sufficient data to be included in the data available on the Electoral Systems Website (http://www.tcd.ie/Political_Science/staff/michael_gallagher/ElSystems/index.php).

The measure of electoral proportionality in the figure is calculated by the ‘least squares index’, which measures the disparity between the distribution of votes cast in elections and the subsequent allocation of seats¹⁴. The higher the least squares score the more disproportionate the system is judged to be. The effective number of parties is a function of the Laakso-Taagepera index¹⁵, an adjusted number of parties within a given party system, once the individual parties have been weighted according to their relative strength within it. The data¹⁶ is based on year-on-year means over the twenty years from German unification in 1990 until 2010 and the trend line

indicates – as we would expect – that the more disproportionate the electoral system, the lower the effective number of parties within parliament.

Figure One demonstrates that, in the wider international context, the CDU/CSU operates within an environment that is quite competitive but no overly so. Germany has a mean least squares score of 3.3, with a relatively narrow standard deviation of 1.054¹⁷. This means that the level of disproportionality within the German electoral system is both stable and relatively low: on a par with countries such as Belgium (with a least squares score of 3.6), Brazil (3.6), Finland (3.4), Norway (3.4), and Slovenia (3.7); all of which use List PR systems. This is in stark contrast to the highly disproportionate systems found in countries such as the UK (15.9), Albania (16.9), France (18.5), St Kitts and Nevis (19.9), or St Vincent and the Grenadines (22.6). As would be expected all but one of these latter countries operate a plurality-majority system: France has a Two-Round System and the UK, St Kitts and Nevis, and St Vincent and the Grenadines have First-Past-The-Post systems. However, it is interesting to note that Albania operates an MMP system, albeit with substantially more disproportionate outcomes to that found in Germany. Obviously, Albania is a very different kind of society and polity to the Federal Republic but it does demonstrate that the pattern of political outcomes in any given polity cannot be ‘read-off’ from the type of electoral system in use in it.

Taken in the round, then, Germany’s MMP system is relatively proportional but this does not mean that the CDU/CSU operates in a particularly fragmented party system. Germany’s mean Laakso-Taagepera score over the twenty years since 1990 is 3.6, which puts the effective number of parties within the German party system on a par with Sweden (4.1), Iceland (3.8), Peru (3.69), Croatia (3.5), and France (2.8). This is in contrast to the levels of fragmentation found in some multi-party systems, such as Brazil (8.4), Belgium (8.1), Indonesia (6.8), or Israel (6.4). At the same time, the standard deviation around the mean of the German Laakso-Taagepera score is 0.507, which is far less than the level of variance found in Albania (3.965)

and on a par with the standard deviations found in party systems in the Czech Republic (0.765), Grenada (0.733), or Fiji (0.547). However, although the standard deviation for Germany's Laakso-Taagepera score is smaller in absolute terms than the standard deviation for the German least squares score it is actually located towards the higher end of the scale relative to historically stable party systems such as Malta (0.005), Finland (0.138), or Greece (0.159). This supports the notion discussed at the start of this paper that the German party system is not particularly concentrated in comparative terms and there is a degree of relative 'fluidity' to the modern German party system within which the CDU/CSU operates.

When this notion of fluidity is examined in the context of the long-term development of the German party system, however, three things are apparent. First, it is clear that the current level of party system fragmentation is almost as high as it was in the very early years of the Federal Republic, before the process of party system consolidation had run its course. This does indeed imply a degree of fluidity. Second, it is also clear that the impact of recent party system fragmentation on potential government outcomes is far more limited than one might expect. And third, in as far there has been a process of fragmentation, the CDU/CSU has not necessarily been disadvantaged by these changes and may in fact have benefitted in terms of its strategic position within the German party system. Let us look at all three of these points in turn.

Figure Two about here

Figure Two provides an overview of the extent of party system cohesion/fragmentation over the period 1949 to 2009, using the Herfindal-Hirschman Index¹⁸. The Herfindal-Hirschman Index is a probabilistic measure originally designed to calculate the degree of oligopoly in commercial markets. The index normally ranges from 0 to 1 and the score increases as the number of firms in a market decreases and the disparity in their sizes increases. Conversely, the Herfindal-Hirschman Index approaches zero under conditions in which large numbers of firms of roughly equal size operate¹⁹. The Herfindal-Hirschman Index provides the computational core for the

Laakso-Taagepera Index and, although it is less intuitive in that it does not describe an effective number of parties, because its values run from 0 (total fragmentation) to 1 (total concentration), it is *ceteris paribus* better suited to large n inferential statistical analysis²⁰. However, the reason why the Herfindal-Hirschman Index is used here is that it provides us with a ‘smoother’ run of data for a long time series such as this one than that provided by Laakso-Taagepera.

Figure Two demonstrates that the period from 1949 to around 1965 was characterised by rising Herfindal-Hirschman scores (from 0.250 in 1949 to 0.419 by 1957), followed by a period of high party system concentration from 1965 to 1987, in which the scores peaked at 0.446 (close to the Herfindal-Hirschman score for a ‘two-party majoritarian’ system of around 0.500) before dropping back in the 1970s and early 1980s. This run of high scores coincides with the period the so-called Pappi-model. Ongoing party system fragmentation is observable in the late 1980s and early 1990s but it is not until 2002 that we see significant further fragmentation, with a strong trend downwards from 0.357 in 2002 to 0.291 in 2005 and finally 0.252 in 2009. Thus, the current levels of party system fragmentation are far higher than the historic mean for the entire period of 0.370 and close to the Herfindal-Hirschman score following the first Federal election in 1949.

Figure Three about here

What is interesting, however, is that although levels of fragmentation are now close to the levels of the late 1940s, the amount of potential government outcomes are not. Figure Three sets out the number of minimal winning coalitions and coalitions with swing following German Federal elections, again over the period 1949-2009. The concept of a coalition with swing describes coalition in which a party is able to transform a winning coalition into a losing one by its defection from it (or vice-versa). Figure Three reconfirms the extent to which the German party system was consolidated in a little over a decade after 1949. In 1949 there were 26 minimal winning coalitions and 197 coalitions with swing but by 1961 this had reduced to three minimal

winner and three coalitions with swing: the classic triangular party system of the Pappi model. What is clear, however, is that although the number of minimal winning coalitions and coalitions with swing has increased somewhat since the 1980s, this increase had been modest and nowhere near in line with the increased levels of party system fragmentation discussed earlier. If we concentrate on the three most recent elections, we see that in 2002 there were only three minimal winners, rising to seven in 2005 but falling back again in 2009 to four. The number of coalitions with swing is higher but more stable: there were 12 coalitions with swing in 2002 and 2005 and this rose to 14 in 2009. These numbers are a fraction of those found at the start of our time series and although levels of party system fragmentation are now roughly similar to those found in the early years of the Federal Republic, the implications of the data are that the distribution of coalition power within the party system remains far more concentrated than was the case in the 1940s and 1950s. Let us explore this implication in more detail.

Table One about here

Table One describes the distribution of coalition power within the German party system over the period 1949 to 2009, as expressed by standardised Banzhaf scores. The Banzhaf index²¹ is a power index or p-measure that measures the amount of power to participate in coalitions possessed by each party, given the distribution of party weights - as measured by party seats - in a given legislature. Not all scholars accept the use of p-measures as they are random-voting models and do not reflect real-world politics²². However, they do allow us to gauge the raw potential power of political parties within legislatures before variables such as the broader political culture, ideological distance, pre-election pacts and commitments, and so on, are taken into account. And when we examine this raw state of political nature what is clear is that over the run of data, the CDU/CSU has enjoyed more 'coalition power', as it were, than any other political party. Moreover, although the process of party system fragmentation that has taken place since the 1980s has been reflected in a de-concentration of the distribution of coalition

power across the party system, we must make the rather counter-intuitive observation that the CDU/CSU seems to have actually benefitted from this process. Thus, if we put the CDU/CSU's unusually large p-measure of 0.750 from 1953 to one side, the CDU/CSU has enjoyed at least as much and usually more coalition power over the period since 1983. This is because during the period of the stable Pappi model the CDU/CSU, SPD and FDP all enjoyed the same raw voting power (0.333), despite the fact that at least eight out of ten voters at this time voted for the one of the two *Volksparteien* and relatively few voted for the FDP. Since 1983, however, both *Volksparteien* have regularly enjoyed higher p-measures and it has been argued elsewhere²³ that they have paradoxically benefitted from an increasingly fragmented party system, despite a declining share of the popular vote. Focussing more narrowly on the Union parties, the one instance when the distribution of party weights clearly disadvantaged the CDU/CSU was in 1998, following Gerhard Schröder's unseating of Helmut Kohl, which subsequently led to the formation of the Red-Green coalition²⁴ between the SPD and Greens. Apart from this instance, however, the CDU/CSU's p-measure has been at least the equal and often superior to that of the SPD.

Table Two about here

Nevertheless, as noted in the introduction to this paper, the CDU/CSU's dominance of the German party system has not been accompanied by an occupation of the ideological centre-ground as represented by the median legislator²⁵ and – despite the resurgence in the CDU/CSU's raw coalition power that has taken place - the period since 1983 has seen this pattern continue. To illustrate this, Table Two sets out the distribution party weights for all Federal elections since 1983 and identifies the real world coalition outcomes, the degree of change from the previous government, whether these winning coalitions were ideologically adjacent, what was the theoretical minimal connected winner and the minimal connected winner with the smallest ideological range, which party 'owned' the median legislator in the legislature (the MParty), and

which party ‘owned’ the median legislator within the coalition (the MPartyK). These estimates are made on the left-right ideological axis only. It is possible to expand the ‘policy space’ to include multiple ideological dimensions, such as libertarianism versus authoritarianism or centralisation versus decentralisation. The use of these so-called ‘dimension-by-dimension medians’²⁶ is very useful as an *ex post* ‘map’ of political space within a coalition game but plotting political parties’ relative positions on the left-right axis remains the best *ex ante* predictor of real-world coalition outcomes in advanced polities.²⁷

As was also touched upon in the introduction to the paper, the CDU/CSU ‘owns’ the median legislator in the current Bundestag but this is an unusual occurrence. From 1983 to 1998 the FDP ‘owned’ the median legislator and subsequently - partly as a result of the SPD’s increased share of seats and also because of the FDP’s ideological shift to the right – from 1998 to 2009 this position was enjoyed by the SPD. What is interesting to note, however, is that the CDU has ‘owned’ the median legislator *within the coalition* after the 1983, 1987, 1990, 1994, and 2009 Federal elections. The exception to this is the 2005 Federal election in which the SPD was both MParty and MPartyK.

The real world outcome of the coalition game following the 2005 Federal election raises an interesting puzzle, however, that might point us to another factor in the reality of CDU/CSU dominance within German party politics. For in theoretical terms the SPD’s possession of MParty and MPartyK status should have made the party decisive within the coalition game. There are two reasons for this. First in the process of coalition formation the SPD blocked the dominant left-right dimension in the Bundestag along which any majority connected winning coalition could form and therefore had to be included in any coalition that might form. Second, during the period of negotiating the coalition agreement and in the subsequent process of coalition management the SPD’s preferred policy options should have trumped any alternative put forward by whatever coalition partner it choose to enter government with. So much for the

predictions of theory; in reality the SPD had little option but to enter government as the junior partner to the CDU/CSU. Moreover, it was the CDU/CSU that avoided the electoral meltdown suffered by the SPD after four years of Grand Coalition in the 2009 Federal election and was able to return to government as the senior partner to the FDP in a Black-Yellow coalition. In short, it was the CDU/CSU that seemed better equipped to adapt to changing circumstances and turn what looked like an inauspicious coalition arrangement with the SPD to its advantage. Under Angela Merkel, the CDU/CSU seemed more skilful at shaping the political ‘narrative’, as it were, in its favour. To explain why this might be the case we must turn away from coalition theory and look at the broader institutional rules, norms, and standard operating procedures of German politics and political economy.

CHRISTIAN DEMOCRACY AND THE INSTITUTIONAL RULES OF GERMAN POLITICS AND POLITICAL ECONOMY

As discussed at greater length elsewhere²⁸, the formation of the CDU/CSU and its consolidation as both the key defender of bourgeois interests and as the *de facto* ‘party of government’ in the late 1940s and early 1950s was intimately linked with establishment of the Federal Republic of Germany as an independent state and with the shaping of the emergent state’s economic, social, and political order. Thus, the CDU/CSU emerged as a right-of-centre, cross-class, and cross-confessional party, with its power base in the ascendant Catholic west and south of the new Republic. Internal power struggles between notables such as Adenauer and Jakob Kaiser were externalised in the direction of travel of the Federal Republic’s political economy: particularly the successful currency reform and subsequent adoption of Erhard’s economic policies in the Western zones of occupation that were to eventually constitute the West German state. Unlike the coercive social engineering that was taking place at that time in the nascent German Democratic Republic, however, the CDU/CSU was working with the grain of existing political

culture in the Federal Republic. In other words, party, state, and society were socially-conservative, pro-free market and strongly influenced by Catholic social theory. In addition, the tone of the Federal Republic's external relations reflected the preferences of Adenauer and those around him: pro-America, pro-Europe, and, whilst reluctant to be seen as assertive in foreign policy, resolutely anti-Communist. The SPD was forced to adapt to this new political environment and, whilst anti-Communism was not alien to the world-view of the party's leadership, the broader political-economic settlement required a certain period of adjustment. This process began reasonably early and culminated in the Bad Godesberg conference of 1959 but, nevertheless, it was the CDU/CSU – buttressed by the domestic impact of the Cold War as well as the erosion of class conflict brought about by the Economic Miracle of the 1950s and early 1960s – that made the political weather in those early years. In short, the new Federal Republic was to all intents and purposes a Christian Democratic state; with all that implied in terms of institutional rules, norms, and standard operating procedures (SOPs).

Thus, by the early 1960s we can identify a process of path-dependence to the political settlement in the Federal Republic. But to mention path-dependence is not to subscribe to a fatalistic and/or deterministic notion in which structure determines outcomes. In fact its use in evolutionary economics²⁹ allows for more contingency than is often the case in political science. Thus, in this paper I draw upon the evolutionary economics literature in order to make the distinction between 'structure-driven' and 'rule-driven' path dependence³⁰. Structure-driven path dependence exists where existing structures impact on the choice and evolution of subsequent structures; either for reasons of efficiency or because of rent seeking. Rule-driven path dependence, on the other hand, exists when the emergence of rules and practices is shaped by existing power relationships and their path-dependence is grounded either in reasons of efficiency or because public-regarding decisions are thwarted by interest group politics. The two types of path dependence and the reasons for their persistence are summarized in Table Three.

TABLE THREE ABOUT HERE

In our analysis of why the CDU/CSU has been so dominant within German political culture and political economy, we can identify both types of path-dependence set out in Table Three and all four reasons for their persistence.

The reader will note that efficiency is assumed to underpin both types of path-dependence so let us discuss this first. An efficient institution as defined by this literature is one in which any change that is made to make any agent better off is impossible without making another agent worse off. In such a ‘Pareto optimal’ environment³¹, the relative welfare of agents within the institution is difficult to alter as any re-distribution of welfare would require the consent of all agents. All agents therefore – in this case the new or re-constituted political parties in the Federal Republic - were forced to accept this structure-driven path-dependence and adapt their strategies accordingly. For the SPD this meant a move away from Marxist-inspired democratic socialism and political neutrality to an acceptance of the Social Market Economy, a pro-West foreign policy and the pooling of sovereignty within the European Economic Community. This was an adaptation to structure-driven path-dependence and, in that respect at least, the CDU/CSU had not only won the political argument; it had shaped the structures to begin with.

In terms of rule-driven path-dependence, the entire political class that survived the consolidation of the party system in the late 1940s and early 1950s came to enjoy a certain level of welfare through adhering to the now-established rules of the game. These rules were both formal, such as the rules of electoral administration (MMP, etc) and constitutional constraints upon party organization and activity, and also involved more inchoate principles about the conduct, actions, procedures, and arrangements that underpinned party politics in Germany. To say that such arrangements were efficient does not mean to imply that they presented the best of all possible worlds for the main political parties. Indeed, in the 1950s the ruling CDU/CSU did

consider ditching the Federal Republic's MMP electoral system in favour of First-Past-The-Post in the belief that this would not only generate stronger more responsible government but also hand the party a significant electoral advantage. Eventually the move was abandoned in the face of internal opposition and outrage from other political parties, particularly the FDP, which would have been the big loser from such a change. In the event, the CDU/CSU recognised that the advantages of change were outweighed by opportunity costs of such a re-distributive proposal.

Now let us move on to rent-seeking, which is defined in the economics literature as trying to either increase one's own share of existing 'wealth' rather than create new wealth or try to capture some form of monopoly privileges over the distribution of wealth, often by tariff-protection, quotas or subsidies³². In political terms, rent-seeking manifests itself in cartel-like behaviour and the creation or manipulation of political institutions in order to protect one's own status and limit the opportunities available to political 'outsiders'. Political rent-seeking is strongly incentivised in the Federal Republic through, for instance, Article 21 of the Basic Law, which directly linked state legitimacy to the legitimacy of the political parties through the notion of the *Parteienstaat*. This linkage creates a direct congruence between protection of the constitutional order and protection of the privileges of political 'insiders'.

The structure-driven path-dependence that Article 21 cultivated is associated with a technocratic and welfarist political culture that has been criticised by scholars such as Wiesendahl³³ and, more vividly, the Scheuchs, who argued that German party politics had been reduced to an instrumental discourse of 'cliques, cabals, and careers'³⁴. The associated penetration of the senior civil service and other public positions by party officials³⁵ further aggravated these rent-seeking incentives; as did the fact that the dispersal of real political power to *Land* governments meant that none of mainstream political parties were ever *out of power* to the extent that we understand it in unitary states with adversarial plurality-majority electoral systems³⁶. As is discussed in far greater detail elsewhere in this workshop, some of the defining

characteristics of Christian Democracy – such as social conservatism, Christian corporatism, and the primacy of Catholic social teaching – became less distinct over this period as CDU/CSU politicians came to terms with the profound social changes described in the introduction to this paper. At the same time, however, other Christian Democratic achievements, the Social Market economy in particular, remained in place. And as the entire German political class became increasingly ‘cartelised’³⁷, so to speak, the incentives for opposition politicians to accept the broad parameters of what remained a Christian Democratic settlement were obvious.

Rent-seeking or interest-group politics can also be seen as a buffer for rule-driven path-dependence. And it is here that the CDU/CSU as proved itself far superior to the SPD as a manipulator of the normative ‘rules of the game’. To illustrate this, let us look at two examples where political elites from the former German Democratic Republic have sought to participate in party politics in the Federal Republic.

The first example concerns politicians from the CDU’s eponymous sister party in the German Democratic Republic. The East German CDU was part of the German Democratic Republic’s ‘block party’ system; a fig-leaf for totalitarianism that participated in a grotesque parody of competitive party politics. As such, with one or two honourable exceptions, leading members of the East German CDU were deeply implicated in the maintenance of the Communist regime. But in late 1989 the CDU/CSU was prepared to work with these individuals in order to shape events to the advantage of the Union parties. Soon after the opening-up of the inter-German border, therefore, Chancellor Kohl had put forward his ten-point programme for unification and was instrumental in the creation of Allianz für Deutschland, consisting of the East German CDU, the German Social Union (backed by the Bavarian CSU), and Democratic Awakening (the conservative wing of the East German dissident movement), which was successfully to fight the Volkskammer election of March 1990³⁸. This audacious move by the CDU/CSU meant that in terms of programme and personnel, the new all-German CDU was

further removed from the distinct Christian Democratic template set out in the Catholic south and west in the late 1940s. Nevertheless it was another example of the CDU/CSU's willingness and ability to act as 'rule-maker'³⁹ and had a huge impact on the newly forming preferences of individual voters. In particular, it contributed to the emergence of what became recognised as an 'inverted social profile' in the new Federal states that skewed the political odds against the SPD for at least a decade after unification⁴⁰.

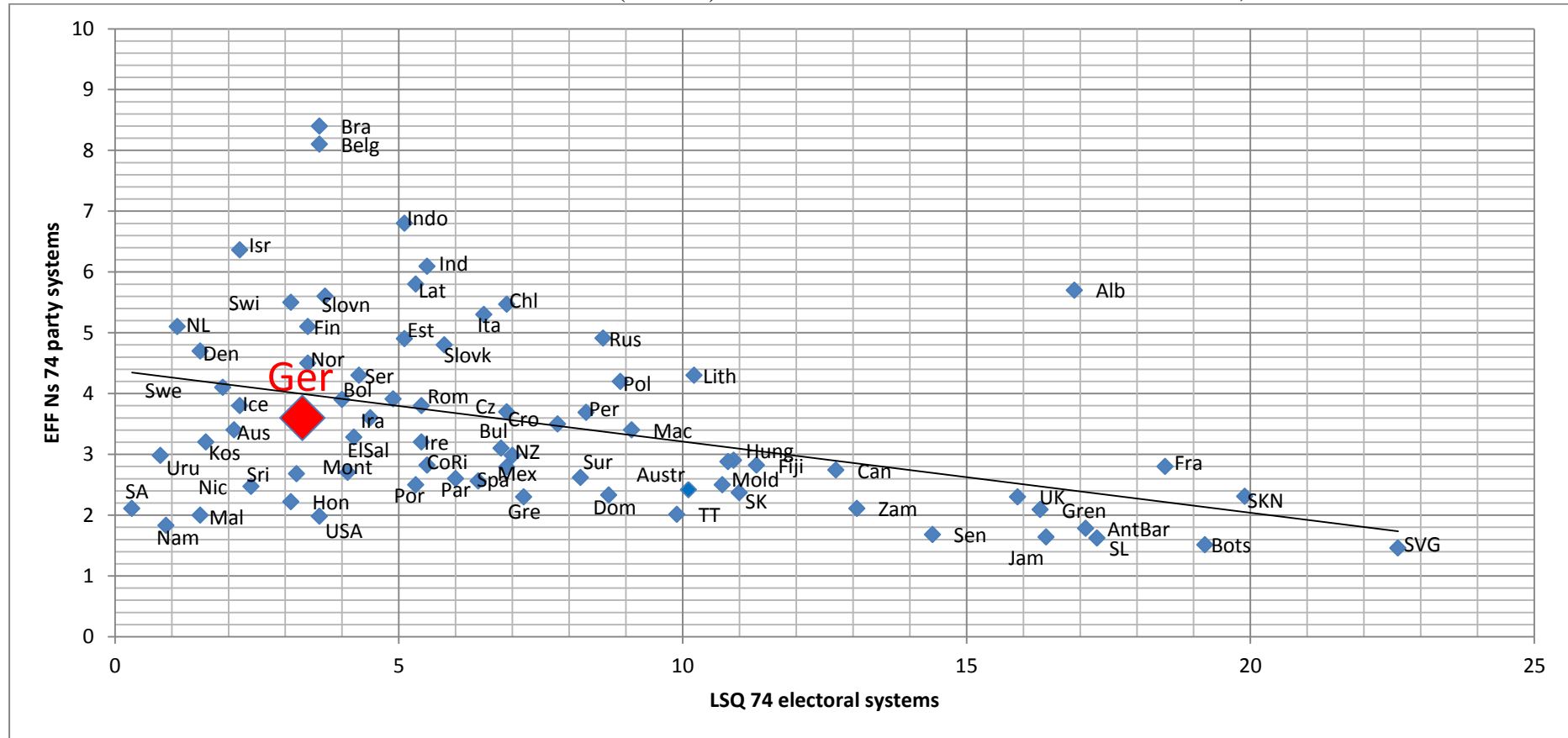
The CDU/CSU's strategy of turning a blind eye to the unsavoury political pasts of their Christian Democratic allies in the new Federal states contrasts vividly with the Christian Democrats' continued success in constraining the SPD's ability to engage with the Left Party on the grounds of that party's antecedents in the German Democratic Republic's ruling Socialist Unity Party (SED). It is true that many SPD members and voters – and not exclusively on the right of the party – are also profoundly hostile to the Left Party but this is an increasingly self-destructive position for the SPD to adopt. For the *de facto* exclusion of the Left Party from the coalition game at the national level – despite its legitimate claim to represent a significant section of the eastern German electorate⁴¹ – strongly advantages the CDU/CSU, as it limits the coalition options open to the SPD and, by reducing the Left Party to a 'dummy player', skews the parliamentary arithmetic to the political right. To demonstrate this, let us return to the 2005 Federal election, following which a coalition made up of the SPD, Left Party, and Greens coalition would have constituted the minimum-connected-winning coalition. Within such a Red-Red-Green coalition, the SPD would have 'owned' the median legislator: a much stronger role than it eventually enjoyed as junior partner in a surplus majority Grand Coalition. However, within the context of the 'logic of appropriateness'⁴² of German party politics, Red-Red-Green was deemed unacceptable. As we now know, the consequence of the SPD's decision to accept the role of 'rule-taker'⁴³ was electoral disaster in the 2009 Federal election. By contrast, the

CDU/CSU under Chancellor Merkel once more displayed its adaptive capacities and has managed to contain its electoral losses and remain in government.

CONCLUSION

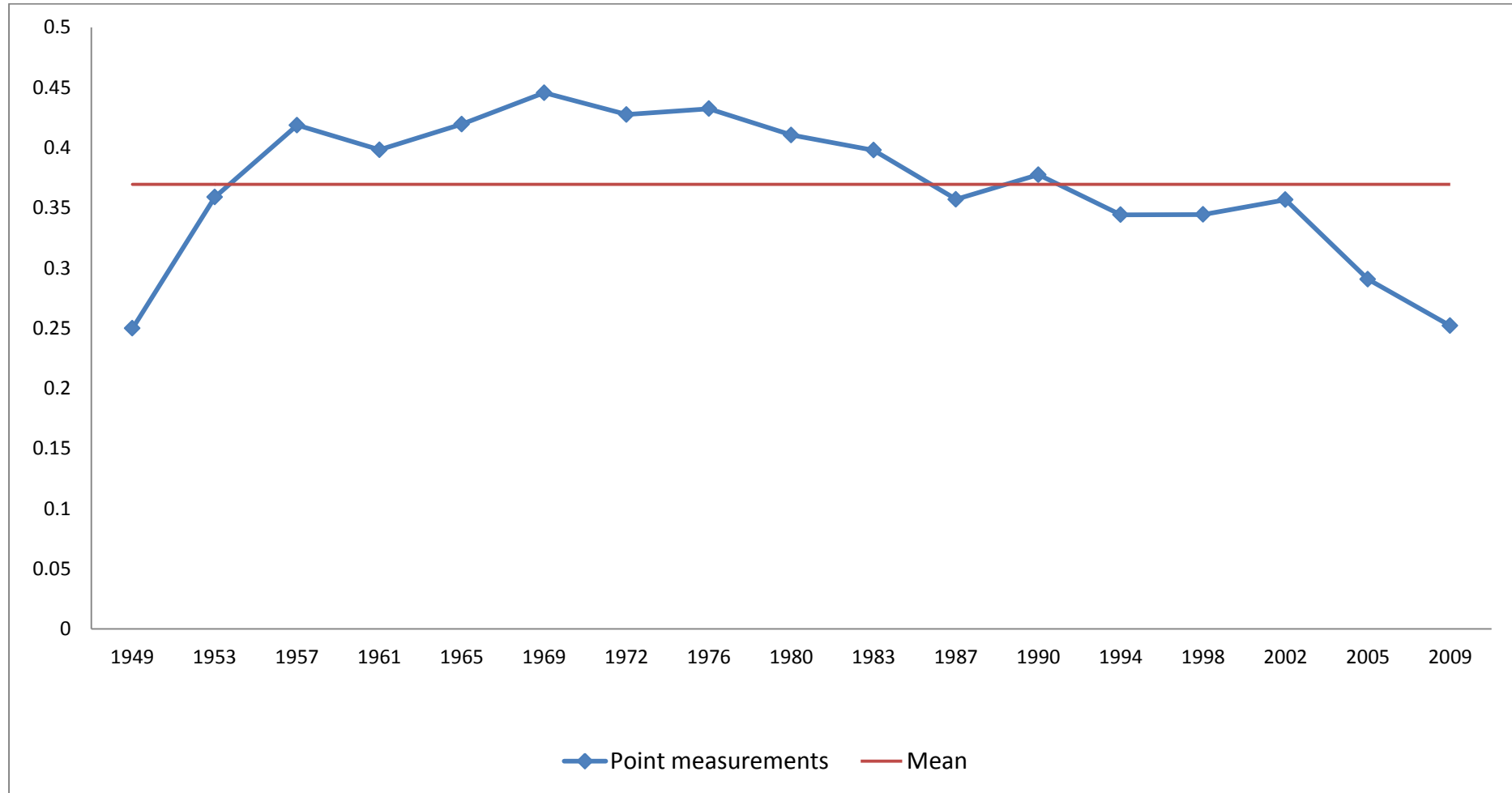
This paper has assessed the extent of structural and normative power of the CDU/CSU in the context of the overall party system. It has done this by examining the structural attributes of the German party system in comparative context and in terms of its historical development, as well as operationalising the theoretical notions of structure-driven and rule-driven path dependence. It has demonstrated that the systemic power enjoyed by the CDU/CSU has if anything been enhanced over the last three decades as a result of the process of party system fragmentation. Moreover, the paper argues that Germany's political-economic settlement remains broadly 'Christian Democratic' and that the norms and SOPs embedded within German party politics work to the CDU/CSU's advantage. The willingness and ability of the CDU/CSU to manipulate the parameters of political practice has further enhanced their strategic position but, paradoxically, the Union parties' adaptive qualities may have blunted their Christian Democratic identity. No matter; if German 'Christian Democracy' is in decline as a distinct political ideology, the Union parties remain formidable political competitors, particularly given the lack of an established political force on the populist right wing of the party system. It is not clear whether the current political difficulties of Chancellor Merkel's Black-Yellow government will eventually prove terminal but it would be foolish to predict that they definitely will, given the enduring structural and normative advantages enjoyed by the CDU/CSU within the German party system. Moreover, with the exception of 'Red-Green' or 'Red-Red-Green', the most likely coalition alternatives following a future Bundestag election would see the CDU/CSU remaining at the heart of political power in Germany.

FIGURE ONE: POSITIONS (WITH LINE OF BEST FIT) OF MEANS OF ELECTORAL DISPROPORTIONALITY (LSQ) AND EFFECTIVE NUMBER OF LEGISLATIVE PARTIES (EFF Ns) FOR GERMANY AND 73 OTHER POLITIES, 1990-2010



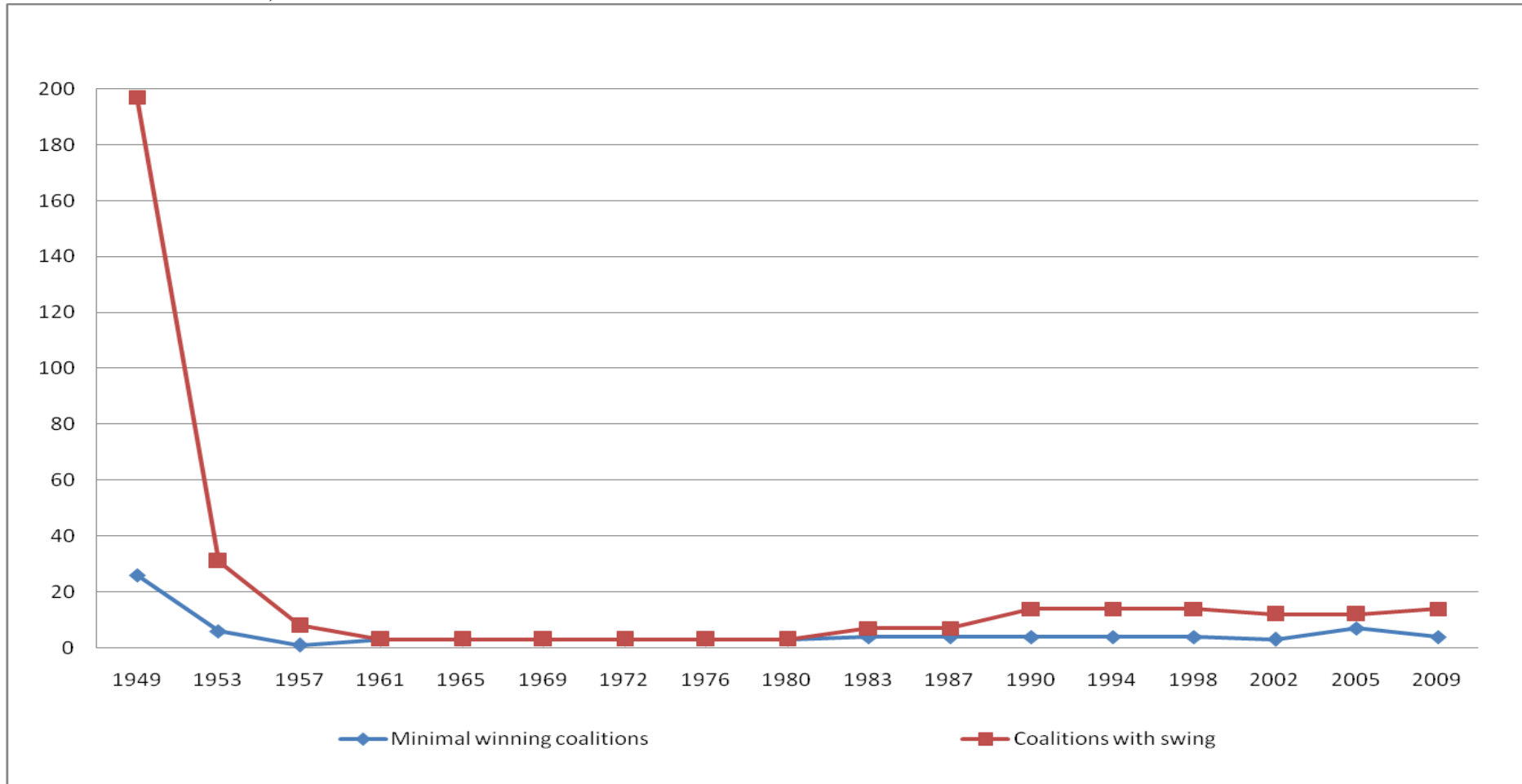
Sources: calculated from data sourced at World Resources Institute; ACE Electoral Knowledge Network; The Electoral Systems Website (http://www.tcd.ie/Political_Science/staff/michael_gallagher/EISystems/index.php)

FIGURE TWO: HERFINDAL-HIRSCHMAN INDEX OF FEDERAL GERMAN PARTY SYSTEM COHESION/FRAGMENTATION, 1949-2009



Source: calculated from data sourced at <http://www.wahlrecht.de>

FIGURE THREE: NUMBER OF MINIMAL WINNING COALITIONS AND COALITIONS WITH SWING FOLLOWING GERMAN FEDERAL ELECTIONS, 1949-2009



Source: calculated from data sourced at <http://www.wahlrecht.de>

TABLE ONE: THE DISTRIBUTION OF COALITION POWER EXPRESSED BY STANDARDISED BANZHAF SCORES FOR THE MAIN POLITICAL PARTIES FOLLOWING GERMAN FEDERAL ELECTIONS, 1949-2009

Year	Party					Distribution of Coalition Power
	CDU/CSU	SPD	FDP	Greens	PDS/Left Party	
1949	0.308	0.259	0.237	—	—	Concentrating
1953	0.750	0.050	0.050	—	—	
1957	0.100	0.100	0.100	—	—	
1961	0.333	0.333	0.333	—	—	Stable
1965	0.333	0.333	0.333	—	—	
1969	0.333	0.333	0.333	—	—	
1972	0.333	0.333	0.333	—	—	
1976	0.333	0.333	0.333	—	—	
1980	0.333	0.333	0.333	—	—	
1983	0.500	0.167	0.167	0.167	—	
1987	0.500	0.167	0.167	0.167	—	
1990	0.500	0.167	0.167	0.000	0.167	
1994	0.500	0.167	0.167	0.167	0.000	
1998	0.167	0.500	0.167	0.1667	0.000	
2002	0.333	0.333	0.000	0.333	0.000	
2005	0.500	0.500	0.250	0.250	0.250	
2009	0.500	0.167	0.167	0.00	0.167	
Mean	0.392	0.269	0.214	0.074	0.034	
Standard Deviation	0.151	0.129	0.108	0.110	0.078	

Source: calculated from data sourced at <http://www.wahlrecht.de>

TABLE TWO. COALITION OUTCOMES FOLLOWING GERMAN FEDERAL ELECTIONS, 1983-2009

Election:	06/03/83	25/01/87	02/12/90	16/10/94	27/09/98	22/09/02	18/09/05	27/09/09
<u>CDU/CSU</u>	244	223	319	294	245	248	226	239
<u>SPD</u>	193	186	239	252	298	251	222	146
<u>FDP</u>	34	46	79	47	44	47	61	93
<u>Greens</u>	27	42	8	49	47	55	51	68
<u>PDS/Left Party</u>	---	---	17	30	35	02	54	76
<u>Total Seats</u>	498	497	662	672	669	603	614	622
<u>Decision rule</u>	250	249	332	337	335	302	308	312
<u>Coalition</u>	CDU/CSU- FDP	CDU/CSU- FDP	CDU/CSU- FDP	CDU/CSU- FDP	SPD-Greens	SPD-Greens	CDU/CSU- SPD	CDU/CSU- FDP
<u>Change</u>	None	None	None	None	Total	None	Partial	Partial
<u>Ideologically Adjacent?</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<u>Minimal Connected Winner</u>	SPD-FDP- Greens	CDU/CSU- FDP	CDU/CSU- FDP	CDU/CSU- FDP	SPD-Greens	SPD-Greens	SPD- PDS/Left Party-Greens	CDU/CSU- FDP
<u>Minimal Connected Winner with smallest ideological range</u>	CDU/CSU- FDP	CDU/CSU- FDP	CDU/CSU- FDP	CDU/CSU- FDP	SPD-Greens	SPD-Greens	SPD- PDS/Left Party-Greens	CDU/CSU- FDP
<u>MParty</u>	FDP	FDP	FDP	FDP	SPD	SPD	SPD	CDU
<u>MPartyK</u>	CDU/CSU	CDU/CSU	CDU/CSU	CDU/CSU	SPD	SPD	SPD	CDU

Source: Forschungsgruppe Wahlen, 1983, 1987, 1990, 1994, 1998, 2002, 2005, 2009

TABLE THREE: TYPES OF PATH-DEPENDENCE AND WHY THEY PERSIST

<u>Type of path dependence</u>	<u>Reasons for path dependence</u>
Structure-driven	Efficiency/Rent-seeking
Rule-driven	Efficiency/Interest group politics

Source: after Bebchuck and Roe (1999)

NOTES

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