

Competing Conceptions of Democratic Legitimacy: Why Baden-  
Württemberg Elected 'A Coalition of Losers'

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## I: INTRODUCTION

This paper opens with a thought experiment: what would have happened if the federal Conservatives had only won a plurality of seats in the House of Commons on May 2, 2011? Would Prime Minister Stephen Harper have settled for another minority government? Would he have waited until the most opportune occasion to trigger another election? Would he and his allies have launched a pre-emptive media attack against the possibility of a “reckless coalition” as some Liberals and New Democrats feared (Sears, 2011)? Would the opposition have mustered the courage to topple Harper, as they almost did in 2008? How would the public have reacted after hearing for months Canada could not afford any political arrangement other than a Conservative majority? Polls conducted before the election revealed an ambivalent electorate. A Public Opinion Research poll dated April 14, 2011 found most Canadians were willing to accept a coalition government. But they differed in their acceptance of potential scenarios. Whereas 72 per cent expressed varying support for the ad-hoc coalition building associated with traditional minority governments, this level dropped for other options. Fifty-seven per cent said they would support a coalition between the party with the most seats and another small party, while less than half (48 per cent) said they would support a coalition consisting out of two or more parties with none possessing a plurality of seats (Baillie-David, 2011). A Nanos-Research poll dated April 7 found Canadians had “more negative than positive impressions” of coalition government (Globe/Nanos Poll, 2011).

These speculative questions arise when one compares and contrasts the 2011 Canadian federal election with the 2011 election in the southwestern German *Bundesland* of Baden-Württemberg where Winfried Kretschmann made history in May 2011 when local legislators elected him as Germany’s first Green<sup>1</sup> *Ministerpräsident* (Rüdig, 2012). He achieved this accomplishment some five weeks after his party had secured its highest ever share of the popular vote with 24.2 per cent during a closely watched election held March 27 – one day after Governor-General David Johnston had dropped the writ in Canada. This result – good enough for second place in the final party ranking – placed Kretschmann in the position to form Germany’s first Red-Green governing coalition with help from the third-placed Social Democratic Party (SPD), which won 23.1 per cent (Olsen, 2012). The conservative Christian Democratic Union (CDU) – led all parties with 39 per cent of the vote. But this result was not enough for the CDU to retain its hold on the state premiership, which it had held for almost six decades. Much of the blame belongs to the CDU’s former junior coalition partner, the Free Democratic Party (FDP), which won just 5.3 per cent<sup>2</sup>. This result precluded a renewal of their governing coalition, relegating both parties to the opposition benches. *Die Linke*, a post-communist parties with ideological ties to the former East Germany, finished fifth with 2.8 per cent of the vote (Wahlrecht, 2011).

While this result inspires new research into topics familiar to students of German politics such as the decline of the traditional (catch-all) *Volksparteien* (Conradt, 2011) and the role of regional elections as a reflection of larger national trends (Olsen, 2012), it also invites interest from scholars of Canadian politics because it challenges claims by Harper that “losers don’t get to form coalition,” an argument heard frequently before and during the last election (Brennan, 2010). In fact, the campaign that eventually concluded in the first majority government since 2000 and the first right-of-centre majority government since 1988 hinged largely on whether Harper could undermine the legitimacy of formal coalitions or comparable arrangements (Norquay, 2011), just as he had done during the Coalition Crisis of 2008, when he faced the possibility of losing power to a formal coalition proposed by the federal Liberals and the New Democratic Party (NDP) supported by the Bloc Québécois (Bonga, 2010). Harper, of course, evaded this threat to his minority government after then Governor-General Michaëlle Jean agreed to his request to prorogue Parliament, a move open for scholarly reflection. This paper will survey some of this scholarship in reflecting on the changing state of Canadian politics (Behiels, 2010) as it moves away from the muddled but moderate middle from where the Liberals had governed Canada for most of the previous century (Newman, 2011) towards an increasingly confrontational terrain with fewer but sharper ideological choices (Nanos, 2011).

The election outcome outlined above poses a puzzle: why did Baden-Württemberg elect a “coalition of losers” (Downs, 1998, p. 5) whereas the prospect of such a possibility sourced a

constitutional crisis in Canada in shaping the 2011 federal election? Several analytical approaches appear available. Game theorists may use either Riker's theory of a minimum winning coalition<sup>3</sup> or Axelrod's theory of a minimal connected winning coalition<sup>4</sup> to explain the coalition in Baden-Württemberg. Game theory has also proven its utility in explaining the (regional) coalition of electors that coalesced behind Harper.<sup>5</sup> Other explanations may focus on institutional distinctions such as differences in electoral systems.<sup>6</sup> Exogenous elements may also help explain the results. The fallout of the nuclear catastrophe at the Japanese nuclear plant Fukushima Daiichi following the massive Tsunami of March 11, 2011 played an undeniable but not exclusive role in Baden-Württemberg (Olsen, 2012). The uncertain state of the global economy also shaped the Canadian campaign (Norquay, 2011). While these approaches may be appropriate, this paper advances the thesis Kretschmann's victory verifies a growing desire among Germans for reforms to their democratic infrastructure in light of *Politikverdrossenheit* – a general sense of dissatisfaction with the current political process, its participants and its institutions.

Symptomatic manifestations of this malaise include election fatigue (measured by declining turnout) and a drop in party memberships. While these trends are hardly unique to Germany according to the scholarship that has surveyed the state of representative democracy and found it wanting (Norris, 2011; Pharr & Putman, 2000; Dalton, 2004), Germans appear to be particularly weary.<sup>7</sup> Research shows they tend to be less trusting of their elites than citizens in other (surveyed) countries (Kaina, 2008), a remarkable reversal.<sup>8</sup> Particularly, the paper will argue the election of Kretschmann signals a philosophical shift towards a more deliberative theory of democracy, a theory as old as democracy itself but currently enjoying a revival (Elster, 1998). Briefly, a deliberative theory of democracy measures the legitimacy of democratic decisions by the quality of public deliberations that preceded them rather than the aggregation of personal interests with the majority prevailing. In this conception, the process bears the entire burden of justifying political actions (Habermas, 1996). Democratic outcomes are legitimate "if and only if they could be the object of free and reasoned agreement among equals" (Cohen, 1997: 73) who attempt to resolve problems of social choice for the common good through no force other than that of the "better argument" (Habermas, 1975: 108). Whether it is feasible (or desirable) to institutionalize such ideals appears as a separate question. The paper will attempt to answer it when it describes Kretschmann's agenda of revitalizing representative democracy by strengthening civil society. In describing this agenda, the paper will argue that it draws inspiration from the two-track model of deliberative democracy proposed by Jürgen Habermas.

Interest in deliberative democracy and its normative conception of legitimacy has also increased in Canada, but remains less advanced than in Germany, where Baden-Württemberg ranks among the leaders in the use of elements designed to broaden public participation (James, 2003) with more reforms proposed. This last point will appear when the paper considers Stuttgart 21, a controversial upgrade of the railway infrastructure leading in and out of Stuttgart, the state capital. Few, if any comparable projects have generated more conflict than Stuttgart 21, which could fundamentally change the future direction of German democracy by altering the public decision making process around major policy issues (Novy & Peters, 2012). In fact, Stuttgart 21 has already changed German politics, because it played a major role in the election of Kretschmann, an opponent of Stuttgart 21 who used it as evidence to claim that the democratic infrastructure of Germany is needing reforms. As readers will learn, protests inspired by the size and scope of Stuttgart 21 interrupted its construction shortly after it had begun in the fall of 2010 and initiated an unprecedented mediation process designed to reconcile project opponents and proponents. Work has since resumed after the public approved the project through a referendum.

Developments in Canada, meanwhile, point the other way, particularly after the Coalition Crisis of 2008. Yes, the larger subject of democratic reform has generated a considerable literature (Johnston & Blais, 2005). Yes, Canadians have also witnessed several (although generally, unsuccessfully) attempts at

genuine reforms, particularly at the provincial, but also at the federal level. But this evidence should not evoke feelings of elation. Recent research suggests Canadians have remained tolerant, if not deferential towards more traditional theories of democracy that generally tend to be suspicious of public deliberation. But if this reluctance appears to be consistent with the historical pattern that has defined Canada's history as a consociational democracy, this paper will argue contemporary political elites have done nothing to discourage it. In fact, they have given it a populist disguise.

## II: The 2011 BADEN-WÜRTTEMBERG BALLOT

One of seven German state elections held in 2011, the Baden-Württemberg ballot qualifies as one of the most important regional elections in recent years for three reasons. The first concerns the state's larger status within Germany. The second reflects the role of the election as a referendum on the national government of Chancellor Angela Merkel and her right-of-centre coalition. The third concerns the state of the democratic infrastructure in Germany. The paper will now discuss this trio of points, starting with the observation that the election determined the direction of one of Germany's most important states.

Several key German industries operate out of Baden-Württemberg,<sup>9</sup> third among the 16 *Länder* in both area (35,752 km) and population (10.7 million). They include Germany's powerful automobile industry, whose interests have frequently shaped German domestic and foreign policy, most recently in the related policy fields of energy and climate change, as Germany tries to reconcile its desire to appear as a global environmental leader with the bottom-line demands of its economy (Wurzel, 2010), a tension that would re-appear during the final weeks of the campaign. Other important industries in the state include the machine-building and computer software sectors. This economic geography has made Baden-Württemberg one of the most prosperous regions in all of Europe, as it ranks near or at the very top of various national and continental indices measuring social cohesion and economic strength. This reputation has earned Baden-Württemberg a leadership role in German federalism by way of being a *Musterländle* (exemplary state).

The attention Baden-Württemberg traditionally receives amplified during the *Superwahljahr* (super-election year) of 2011. Five questions dominated discourse as it approached: would *Die Linke* broaden its appeal beyond its base in the former East Germany? Would the Greens continue their seemingly inevitable march towards becoming a *Volkspartei* (Beste, Deggerich, et al., 2011)? Would the Social Democrats recover their profile in remaining a *Volkspartei* following their disastrous result during the federal election of 2009 (Bartsch, Brandt, et al., 2011)? Would the Free Democrats be able to reverse their declining poll numbers, which had been dropping since 2009? And would the CDU reserve its shrinking appeal on the state level (Olsen, 2012)? These questions loomed large in Baden-Württemberg, where the CDU has held the state premiership since 1953 – either on the strength of an absolute parliamentary majority or with formal support from either the SPD or the FDP as coalition partners.

A coalition with the FDP had buttressed Christian Democratic rule in Baden-Württemberg since 1996. But prospects for this arrangement to continue were more than fragile as voters were set to punish the Free Democrats for their poor national performance as the junior coalition partner of Merkel over a continuum of small and large controversies, such as their insistence on cuts tax during a period of austerity and their grating personnel debates. And if Merkel's coalition could not retain one of its two southern regional redoubts of strength (Bavaria being the other), what would become of her agenda, her ability to push it through the *Bundesrat* (federal council) and her own position in the face of grumblings that she lacks conservative credentials? In this sense, the Baden-Württemberg election acquired the aura of a referendum on Merkel's government, as it wrestled with a range of national and continental issues, including the European sovereign debt crisis. The *Superwahljahr* of 2011 had therefore become Merkel's *Schicksalsjahr* (fateful year).

The Baden-Württemberg election also publicized to a previously unseen degree concerns about German democracy. Catalyst for this critique was nothing less than a "project of superlatives" (Novy & Peters, 2012: 128) deemed to be indispensable to the region – Stuttgart 21, a re-development of the regional transportation infrastructure. First conceived in 1988, Stuttgart 21 has gone through various permutations. Yet three components have remained constant: (i) the creation of a high-speed railway connection to the city's airport; (ii) the transformation of the city's terminal station located above ground

into a through-station to be located underneath the current station, with its site to be re-developed and (iii) the creation of a 60-kilometer high-speed rail line between Stuttgart and Ulm linking the city to Munich and places beyond as part of a railway corridor stretching from Paris to Budapest. Encouraged by the enthusiastic support of local public officials and economic interests who believe the project would transform Stuttgart into a European hub (Ward, 2010), *Deutsche Bahn* (DB) AG pushed ahead, shepherding Stuttgart 21 through a lengthy process featuring several stops and starts. It officially broke ground in February 2010, almost 10 years later than planned (Novy & Peters, 2012).

As proponents hailed this occasion, opponents reiterated their criticisms, which fall into five overlapping categories: (i) costs; (ii) transportation benefits; (iii) ecological risks; (iv) historic preservation; and (v) the decision-making process, which critics alleged violated democratic principles. Focusing on the fifth point, research has revealed it might be more than difficult to reconcile mega-projects with democratic norms (Novy & Peters, 2012). Project proponents must frequently confront charges of avoiding or violating established practices of transparency and accountability because they either wallow in ignorance or (worse) fear such measures might mire their projects in potentially fatal delays. This same scholarship has also found politicians and bureaucrats associated with mega-projects have also frequently attempted to keep citizens at bay. "Stuttgart 21 (was) no exception" (Novy & Peters, 2012: 140) as it turned a "metaphor for a callous clique economy, the epitome of a detached arrogant class (made up of) the respective state premiers, state legislators, mayors, bankers and entrepreneurs" (Novy & Peters, 2012: 141). This said, the overwhelming nature of the project itself prevented broad public discussions, let alone protests for most of its history prior to the official ground breaking (Novy & Peters, 2012).

Stuttgart 21 only started to make national headlines once construction had started in the fall of 2010, with rallies drawing up to 100,000 people. Notably, many of the Stuttgart 21 protestors were older, well-educated, well-off *Bürger*. This group was once in the words of essayist Dirk Kurbjuweit (2011) "*staatstragend*" (p. 26) – supportive of the state. Now, it had seemingly switched sides, raging against the state in giving rise to the phenomenon of the *Wutbürger* – the enraged, seemingly egotistical citizen who feels disillusioned by and disenfranchised from the procedural aspects of political participation. This phenomenon differs fundamentally from past forms of political alienation prominent among lower classes (Kepplinger, 2000) and arguably peaked during the Stuttgart 21 protests, which turned violent on September 30, 2010 when police used force against protestors, many of whom were doctors, lawyers and engineers wearing suits and necklaces. This 'Black Thursday' with its unwarranted violence sparked an outcry, increasing opposition (Novy & Peters, 2012).

This incident eventually interrupted construction and precipitated a democratic experiment as project proponents agreed to a series of public hearings to review a list of topics under the chairmanship of Heinrich Geißler, a Christian Democrat, with ties to anti-globalization forces. This mediation process with its televised hearings broke new ground, but also produced mixed results. Some including Stuttgart 21 opponents praised the hearings for promoting unprecedented debate around public projects of this sort. Geißler told the German weekly *Die Zeit* Stuttgart 21 would mark a turning point because "no future government will be able to push through a project the way Stuttgart 21 was pushed through" (Novy & Peters, 2012: 129) Others denounced the five-week long process as a delay, an opinion Geißler fueled himself when he refused to stop the project, noting that it enjoyed legal and procedural legitimacy (Novy & Peters, 2012). Geißler also rejected calls for a referendum. But his ruling also required the project to undergo an independent "stress test," a computer simulation designed to determine whether the new underground station could handle the traffic increase. This "stress test" came out in favour of the project.

Turning to the election campaign itself, it unfolded over three phases (Olsen, 2012). The first phase – which coincided with the growing status of Stuttgart 21 as a national controversy – saw the Greens rise rapidly,<sup>10</sup> as they led the formal parliamentary opposition to Stuttgart 21. Green support – which hit 36 per cent at its peak according to one poll - dropped during the second phase as the mediation process unfolded, largely to the benefit of the governing coalition around Christian Democrat Steffan Mappus, a youthful, but controversial figure (Dahlkamp & Kaiser, 2010). But this recovery turned out to be academic in the aftermath of Fukushima (Olsen, 2012). Spooked, perhaps genuinely, by the scope of the catastrophe, Merkel reversed an earlier decision to extend the life-span of several nuclear

power plants once slated for shut-down by the Red-Green government of her predecessor, Gerhard Schröder. Not surprisingly, the public treated this turnabout with skepticism, particularly in Baden-Württemberg, where Germany's anti-nuclear movement has historically been strong (Olsen, 2012). In the minds of many, Merkel's *Kurswende* (reversal) added up to nothing less than an obvious attempt to pander for votes, a perception a senior member of Merkel's cabinet seemingly confirmed (Haley, 2011).

This sudden shift might have actually hurt Christian Democratic prospects, because it lacked credibility. Its local CDU spokesperson – Mappus himself – ranked among the strongest supporters of nuclear power before bowing to Merkel's edict following Fukushima (Olsen, 2012). The Greens, meanwhile, did not need to convince any one. They could also claim consistency on the issue that had dominated before Fukushima - Stuttgart 21, which had more or less become "Merkel 21" (Bartsch, Beste, et al., 2010: 21). This consistency (Olsen, 2012) coupled with the arrogance of some Christian Democrats towards Stuttgart 21 opponents eventually vaulted the Greens into power, much to the consternation of Merkel, who once considered them a potential ally on the federal level. This prospect had vanished by voting day thanks to Stuttgart 21 and Fukushima, leaving Red-Green as the most likely governing coalition (Olsen, 2012). But this unprecedented success for the Greens under Kretschmann also contained the seed for conflict. For one, it raised expectations. While the Greens have had a record of governing at the regional and federal level, they had never set the agenda as the 'senior' coalition partner. More importantly, their Social Democratic partners had supported Stuttgart 21 during the campaign, leaving Kretschmann with the task of reconciling electoral expectations with the necessities of governance.

### III. KRETSCHMANN: A MODEST REVOLUTIONARY

The long-held opposition to Stuttgart 21 offered the Greens an opening to expand their electoral base beyond their traditional clientele of young, urban academics and professionals (Kroh & Schupp, 2011). Results released after the election showed the party made strong in-roads among rural, older Catholic voters, a group firmly within the domain of the CDU. Ironically, perhaps no one personified this new Green voter better than Kretschmann himself, whose background and habits could get him confused with a CDU voter (Unfried, 2011). Born in 1948, Kretschmann is a practicing Catholic, who trained for the priesthood before enrolling at university to become a high school teacher. While initially sympathetic towards radical elements of the German student movement of the late 1960s, Kretschmann denounced them (Haselberger, Monath et al., 2011). He eventually found a political home in the fledgling Green party. Elected to the state legislator for the first time in 1980, Kretschmann has held a number of posts in the party before becoming its top candidate. Seen as an intellectual 'Realo' (pragmatist), Kretschmann suffers from the reputation of being slow and ponderous in his public appearances (Pfister, 2011).

This characterization certainly challenges the image of the Greens as a collection of radical ecologists opposed to economic growth (Gehler, 2011). While the election of Kretschmann has offered German conservatives an occasion to revive some stereotypes, Kretschmann himself has tried to strike a cautious tone, mindful of the fact 75.8 per cent of voters cast ballots for parties other than his own (Unfried, 2011). Despite some statements deemed critical of Germany's automobile industry (Köster & Otte, 2011), Kretschmann has called this sector a pillar of the state economy in stressing that Baden-Württemberg must remain a leading location for auto manufacturing by shifting production towards 'green' products. For his part, Kretschmann has promised to work with industry. Kretschmann has also reached out to corporate interests by promising their leaders that his government would invest in education to supply their industries with trainable youth (Frese, 2011). He has also described himself as a supporter of Germany's *Schuldenbremse* (debt brake) – a 2009 constitutional amendment that commits Germany to nearly balance its books by 2016 (Rensch, 2010; Heinz, 2012) – and he has questioned his state's contribution to *Länderausgleich*, the fiscal transfer system of German federalism (Möhle, 2011). But if Kretschmann has tried to be true to his pledge of placing his state ahead of his party (Unfried, 2011) by pursuing an agenda that combines fiscal prudence with innovation, he has been out front about his plans to enhance democratic engagement consistent with a deliberative theory of democracy. The paper will now describe this agenda, starting with some comments about the nature of deliberative democracy. *Deliberative Democracy: A Primer*

Deliberative democracy refers to the "idea that legitimate lawmaking issues from the public deliberations of citizens" (Bohman & Rehg, 1997: ix). This concept promises to improve democratic governance in five ways. First, public deliberations would increase the availability of information, which

could improve the quality of decision-making by presenting alternative policy options previously not considered. Second, deliberative democracy would force participants to transform private interests into publicly defensible interests. Third, it would enhance the capacity of citizens to listen and reason. Fourth, it promises to produce political decisions deemed to be more fair and rational. While deliberative democracy would neither guarantee impartial results in preventing conflict nor preclude the possibility of poor decisions, its emphasis on reasoned analysis raises the likelihood of reaching better decisions. Finally, it enhances political legitimacy. If the exercise of political power in a democracy is only legitimate when it reflects the collective will of its citizens, then their participation in deliberations seems to satisfy this demand (Sancho, 2003).

So deliberative democracy represents one of the more recent responses to an old but still relevant query: what is the nature of legitimate government? Is government legitimate if its legitimacy flows from the sources of authority (tradition, charisma, or the rationality associated with the rule of law), which Max Weber has identified? Or is legitimate government a normative concept, which assesses the political actions of a body by whether it meets certain benchmark of acceptability or justification? While this commentary has hardly hinted at complexities that surround competing conceptions of legitimacy, they have undoubtedly inspired debate. The dispute between classical liberals (Hobbes, Locke) and civic republicans (Rousseau, Harrington) looms particularly large in understanding deliberative democracy. Whereas as the former group links legitimate government with majority rule in highlighting the diversity of society and the potential for civil strife, the latter stresses the importance of civic virtue and political participation as it imagines the possibility of civil harmony based on common interests, values or traditions. While this reading lacks subtlety, a deliberative theory of democracy trends closer to the republican tradition, as it presupposes the existence of a common good, on which citizens (or their representatives) might be able to agree following deliberations designed to bring about “the public use of reason” (Bohman & Regh, 1997: x)

This deliberative conception of democracy does not preclude the possibility of aggregating interests through some form of majority rule following deliberations (Cohen, 1997). A deliberative conception of democracy is not necessarily hostile towards representative democracy, nor is it synonymous with direct democracy. But it does challenge more traditional theories of democracies, starting with the elitist theory advanced by Joseph Schumpeter, who suggests citizens could not be trusted to make major decisions. Informed by the historical experience of fascism, Schumpeter questions the very existence of a common good as he speaks in support of elite rule (Schumpeter 1942, 1976). His approach reduces democracy to a form of negative control designed to keep leaders accountable (Bohman & Regh, 1997). Schumpeter’s sociological conception of democracy also informs the economic theory of democracy, which the rational choice school starting with Anthony Downs (1957) has advanced. While more optimistic than the elitist theory of democracy, the two theories agree on two points: (i) citizens are passive consumers who exert democratic control primarily through voting and (ii) the political process is a struggle for power among competing groups. This emphasis on electoral competition also energizes the pluralist model of democracy proposed by Robert Dahl (1956).

If such criticisms may sound familiar to contemporary ears, they did not resonate until the late 1960s when the extra-parliamentary activism of the era sparked renewed interest in consensual self-government (Bohman & Regh, 1997). This interest intensified through the 1970s and gained precise shape in 1980 when the term deliberative democracy first appeared (Bessette, 1980). This historical background matters for the present, because the late 1970s witnessed the emergence of the German Greens as a parliamentary extension of the various feminist, pacifist and ecological movements that had sprung up in West Germany during the late 1960s as part of a post-materialistic response to the era of Konrad Adenauer, West-Germany’s first post-war chancellor (Coleman & Coleman, 1993; Conradt, 1989). In challenging the established party system as an anti-party party, the Greens committed themselves to the (founding) principle of *Basisdemokratie* (base-democracy), a form of decision-making that aims to (i) discourage the formation of political oligarchies within the party by decentralizing decision-making to the lowest possible level and (ii) encourage a culture of consensus. Initial institutional elements of this ethos included (i) a decentralized party organization; (ii) provisions that encouraged non-members to participate in party business, while limiting the decision-making powers of party officers; (iii) the practice of ‘rotation’ whereby the party would replace many if not most of its parliamentarians with new

delegates in the middle of a parliamentary cycle; and (iv) provisions that denied leading figures from holding more than one office (Coleman & Coleman, 1993; Koelble, 1989).

While the Greens have since shed many of these measures, their political culture has retained some of its participatory nature. This condition has in turn granted them the credibility to speak on issues such as Stuttgart 21 as Kretschmann has done in linking it to larger reforms designed to increase the legitimacy of political decision. This agenda does not aim to replace representative democracy. Rather it attempts to revitalize it through elements, which would expand opportunities for citizens to participate in politics (Sellner, 2010). As per the official Green-Red coalition contract, the Green-Red government of Kretschmann plans to strengthen civil society by expanding forms of direct democratic participation, thereby denuding the undue influence of powerful interest groups on elected representatives. Proposed measures include (i) the increased use of the Internet; (ii) the easing of various requirements for citizen-led initiatives; and (iii) the lowering of the quorum for referenda. Kretschmann's coalition has also promised the creation of a new "planning and participatory culture" in promoting new paths of dialogue that would modernize democracy beyond the addition of plebiscitary elements. Whether this agenda will redefine the political culture of Baden-Württemberg appears uncertain, as much of it remains unfulfilled. This said, its basic design mimics Habermas' two-track model of deliberative democracy.

#### *Habermas' Two-Track Model of Deliberative Democracy*

This model consists out of two spheres – (i) a formal sphere home to legislative and judicial institutions necessary but insufficient to ensure democratic legitimacy; and (ii) an informal 'public' sphere. While both spheres have different strengths and weaknesses, they share one crucial commonality: each sphere serves as a forum of deliberation, the very source of popular sovereignty as defined by Habermas in his discourse theory, which states that "all political power derives from the communicative power of citizens" (Habermas, 1996: 136), a point borrowed from Hannah Arendt who views power "as the potential of a common will formed in noncoercive communication" (Chambers, 1995: 246). Note that discourse can take place anytime and anywhere – be it through informal, personal discussions or through institutional settings (Flynn, 2004). So Habermas divorces power from social relations, grants it anonymity and disperses it throughout society in re-stating popular sovereignty. But the power that lies in the communicative actions of citizens depends on the sphere in which it unfolds. The informal 'public' sphere acts as a place of discovery, whereas the formal, institutional sphere serves as a place of justification. While the public sphere lacks the formal capacity to act, it has the space to probe problems without the obligation to turn opinions into actions. This sphere is more than just an arena for talking politics. It is a normative concept that legitimizes political decision by acting as a sounding board, where voices previously excluded can participate. This balance of advantages and disadvantages flips for the formal sphere. While it lacks the time to treat issues in a deep manner, it has the capacity to act. Habermas then completes the model by placing the "burden of political legitimacy on the interchange *between* the formal political system and the informal public sphere" (Flynn, 2004: 440).

These spheres link each other through the medium of law, which translates the normative messages of ordinary language into a code capable of circulating throughout society. The "legal code not only keeps one foot in the medium of ordinary language...it also accept messages that originate there and put these into a form that is comprehensible to the special codes of power-steered administration and the money-steered economy" (Habermas, 1996: 81). This relationship between communication (Flynn, 2004) and the law ultimately informs Habermas' principle of democracy, which states the following: "Only those statutes may claim legitimacy that can meet with the assent of all citizens in a discursive process of legislation that has in turn been legally constituted" (Habermas, 1996: 110). Democratic decisions must thus meet two conditions to claim legitimacy – they must undergo an extensive "discursive process" at the informal level of the public sphere and they must be "legally constituted" at the formal level of the institutional sphere. If they do not, political decisions would reflect nothing more than power struggles at the institutional level in excluding the objects of law-making – citizens themselves. "Without a robust political public sphere, there is little check on the administrative power that dictates the flow of communication and power within the political system and between the political system and the citizenry" (Flynn, 2004: 441). Turning to Baden-Württemberg, such conditions (likely) prevailed during the planning process for Stuttgart 21 and Kretschmann's agenda attempts to enhance the influence of Habermas' informal public sphere.



While this agenda has inspired interest around Germany, its success appears uncertain, as it faces institutional hurdles. German political elites retain major responsibilities for managing the political system and developing public policy (Conradt, 1998). Parties play a powerful role in the political life of Germany, a status specified in the Basic Law.<sup>11</sup> While this contemporary condition reflects historical choices following Germany's experience with fascism, the literature suggests a growing consensus that Germany's constitutional order is not entirely hostile towards modifications, even if it might be difficult to amend relevant provisions and clarify the relationship between different forms of decision-making.<sup>12</sup> This emerging preference for plebiscitary elements appears to be strong on the state level, where German unification triggered a genuine wave of (overdue) constitutional reforms a development that led to a deluge of citizen-led initiatives (Weixner, 2006). This said, the general practice of direct democracy remains under-developed in Germany (Montag, 2011).<sup>13</sup> The referendum that eventually approved Stuttgart 21 was the first ever of its sort in Baden-Württemberg (Darnstädt & Kaiser, 2011), which has a reputation for ranking among the leaders in direct democracy. Even this status could not save it from familiar conflicts, as Kretschmann's junior coalition partner supported Stuttgart 21.

More importantly, it is uncertain whether plebiscitary elements will ultimately improve the quality and legitimacy of democratic decision-making. A review of such elements and their use on the German state level found they do not necessarily remedy the symptoms associated with *Politikverdrossenheit* such as low turnout. Nor do they encourage the entry of new political actors. It actually appears that they might merely encourage familiar political actors to re-stage their battles. In short, a more direct form of democracy does not guarantee a more deliberative form of democracy, in which civil society exercises political power beyond the traditional procedures of political participation. And even if one accepts the premise that the Internet has opened up the political dialogue by democratizing access to information and expression, prospects for a "participatory revolution" (Jörke, 2011: 14) remain distant considering sociological realities. The affluent rather than the poor are currently occupying the barricades of dissent in Germany (Böhnke, 2011). While Stuttgart 21 protestors have demonstrated their potential in changing political behaviour and norms, their numbers were relatively small and it remains uncertain whether social classes of lesser means and education will exhibit similar levels of engagement. The pre-dominance of the well-off among Stuttgart 21 opponents draws attention to the literature that has shown an inverse relationship between political engagement and social inequality (Alber & Kohler, 2008; Solt, 2008). So Kretschmann might be more than clairvoyant when he argues his democratic reforms require patience.

On the other hand, it is difficult to despair. For all the attention Stuttgart 21 has received as a possible turning point in Germany's democratic culture, it is only one among many developments pointing towards changing democratic sensibilities. Others include (i) several referenda on the state level attracting millions of voters; (ii) public protests against the former president Christian Wulff who resigned in disgrace in facing corruption charges; (iii) wide-spread support for Wulff's successor, Joachim Gauck, a former pastor and self-described disciple of liberalism who helped topple the East German government; and (iv) the rise of the Piraten Partei (Kaiser & Latsch, 2012) advocates for public transparency and participatory decision-making through the Internet (Becker, Beste, et al., 2012).<sup>14</sup> On balance, this evidence lends credence to the tentative conclusion that German democracy is evolving towards a form of democracy that meets the definition of what John Keane (2009) has called a monitory democracy, a dynamic, evolving form of representative democracy in which formal institutions share the burdens of governance with civil society, itself a source of expertise and instrument of accountability (Jörke, 2011).

#### **IV: THE CANADIAN EXPERIENCE**

Evidence of such a democratic evolution (with its undeniable Habermasian DNA) has also appeared in Canada, where the search for the locus of sovereignty has defined its politics (Russell, 2004), notably in constitutional reforms. Consider the process leading to the failed Charlottetown Accord of 1992. The

preceding process inaugurated “a new era of deliberative politics” (Chambers, 1995: 254) by giving Canadians a genuine chance to debate and decide their future constitutional order, first through public forums, then through an opinion-shaping referendum. While this process did not escape criticism for its role in scuttling the accord, supporters say it broadened the scope of constitutional debate, thereby working towards the consensus necessary to underwrite any future changes. It certainly silenced the critics who had condemned the process preceding the equally unsuccessful Meech Lake Accord as elitist. Other developments that underscore the potential of deliberative politics include the citizens’ assemblies, which British Columbia (Warren & Pearse, 2008) and Ontario convened last decade in their failed attempts to reform their electoral systems. Indeed, the evidence suggests Canadian citizens and their politicians have been more daring in their deliberative politics than their counterparts in Germany, at least historically.

Recent developments suggest a reversal in this trajectory, as the current Conservative government has shown little interest in broadening public deliberation by clinging to traditional conceptions of democracy. This development has an ironic dimension because Conservatives can re-trace their roots to the original critics of Canada’s representative institutions – the Reform Party. While it would be an error to draw any major parallels between Reform’s populism and Green *Basisdemokratie*, both parties have arguably changed democratic practices. But this is the point where their paths diverge. Whereas Greens continue to advance reforms, the political heirs of Reform have done the opposite. Conservatives have either abandoned central planks of the Reform platform (such as recall of legislators and citizens initiatives) or amended others (such as Senate Reform) to the point that their current proposals hardly capture their original spirit (Smith, 2009). While this shift is not without merit if one considers the potential challenges and consequences of Senate reform (Smith, 2009), it points towards an elitist theory of democracy that places a premium on the importance of the governing executive as it erodes the primary institution of democratic accountability and deliberation – Parliament, specifically the House of Commons. Worse, the Conservatives have disguised this new theory in the cloth of what Jennifer Smith (2009) has called “faux populist democracy” (175).

They revealed this new theory during the Coalition Crisis of 2008 triggered by Harper’s ill-fated budget update. As Harper said during the height of the crisis, “(the) opposition has every right to defeat the government, but (Liberal leader) Stéphane Dion does not have the right to take power without an election. Canada’s government should be decided by Canadians, not backroom deals. It should be your choice – not theirs.” Later, media quoted Harper as saying that the “highest principle of Canadian democracy is that if you want to be prime minister, you get your mandate from the Canadian people – not from Quebec separatists” (Smith, 2009: 183-4). Leaving aside questions about the mechanics of securing such a mandate, comments of this sort challenge the conventions of responsible government by freeing the executive from its responsibility to maintain the confidence of the House, the defining characteristic of Canada’s parliamentary democracy.<sup>15</sup> Former Harper advisor Tom Flanagan (2009) extended this theory shortly after Jean had granted Harper’s request, when he argued “that the most important decision in modern politics is choosing the executive of the national government, and democracy in the 21st century means the voters must have a meaningful voice in that decision...(g)ross violations of democratic principles would be involved in handing government over to the coalition without getting approval from voters” (13). Such statements reach back to the rhetoric of the Reform Party (Levy, 2009) and have yielded three “Harper rules” – (i) parliamentary elections result in the election of the Prime Minister, a misconception shared by 51 per cent of Canadians according to an Ipsos-Reid survey (Bonga, 2009: 11); (ii) the Prime Minister cannot be replaced without an election by the leader of another party; and (iii) any potential coalition government has to campaign as such before being allowed to form government with the leader of such an arrangement coming from the party with the most seats (Russell, 2009).

Whether such stipulations will eventually evolve into parliamentary conventions remains uncertain. But it is clear that their airing, first during the Coalition Crisis, then later during the campaign that preceded the last federal election, had a genuine impact on segments of the Canadian media and electorate, particularly in western Canada, where opposition to coalition government has been the highest (Skogstad, 2009). This crisis ‘of Harper’s making’ exposed, if not reinforced regional fault lines in

Canadian politics (Skogstad, 2009), a potentially concerning development. Yes, it might be rather bright-eyed to begrudge westerners for rallying behind one of their own. And yes, politicians are free to exploit such opportunistic fissures in preserving their power. But if this behaviour might be nothing more than par for the political course, we should not be surprised if large swaths of eligible voters voluntarily forfeit their franchise by staying at home on election days. The collateral damage associated with this sort of action appears to be particularly heavy, if Canada's democratic leaders resort to tactics that undermine the very constitutional principles of parliamentary democracy (Skogstad, 2009). Granted, Canada's Westminster-style parliamentary democracy with its winner-take-all electoral system and constitutional conventions grant the executive enormous powers and privileges. But Harper's insistence that different seat counts in the House of Commons beget different forms of democratic legitimacy threatens to set a dangerous precedent, no matter how populist its tone and tenor might be. It certainly does little to restore faith in Canada's institutions of representative democracy (Skogstad, 2009).

This condition in turn increases the distance between the current theory of Canadian democracy as an electoral struggle between competing interest groups and the norms of a more deliberative theory of democracy. Note that the previous statement does not necessarily add up to an endorsement of deliberative democracy. It is a hypothesis with supporting evidence to follow. Recall that Habermas' two-track model of deliberative democracy places the burden of democratic legitimacy at the intersection of two spheres – the formal sphere with its formal legislative and judicial institutions and the public sphere. Evidence presented in this section suggests Canada's formal sphere has suffered damage. In the meantime, recent events indicate that the formal political sphere has gone out of its way to limit the influence of civil society. Consider Ottawa's rhetorical reaction to political opponents of the Northern Gateway pipeline project carrying oil-sands bitumen to the B.C. coast for Asian export. Recent changes to Ottawa's anti-terrorism strategy in February of 2012 have forced environmentalists to defuse institutions they might be bent on disrupting the proposed project with violence. Environmental groups must now also confront the possibility they will lose their charitable status, a potential blow to their advocacy. Finally, Ottawa has shortened the review process as it is unfolding, a move that promises to favour project proponents since it would limit public deliberation. Alternatively, it has angered First Nations and other groups vowing on-going opposition, a prospect that would retroactively and conveniently confirm the unsubstantiated narrative of looming violence. Granted, it would be easy to dismiss these objections as partisan and it is not difficult to argue that Conservatives are free to act in this manner because they enjoy an electoral mandate. In the same breath, this theory of democratic legitimacy appears to be increasingly distant from developments elsewhere.

## **V. CONCLUSION**

Colin Crouch (2004) advances the argument that the representative democracies of Europe, Asia and North America have slipped into a post-democratic state. Crouch blames this development on the undue influence of corporations and their media allies. Crouch (2004) argues these actors permit formal democratic institutions to survive, but deny them the necessary vitality by turning politics into a "tightly controlled spectacle" in "which citizens play a passive, quiescent, even apathetic part, responding only to the signals given to them" (3). Instead decisions are made in "private by interaction between elected governments and elites that overwhelmingly represent business interests" (3) This paper has presented evidence to the contrary from Baden-Württemberg, where the election of Germany's first Green state governor has revealed a growing preference for a more deliberative form of democracy, which aims to revitalize rather than replace representative democracy by expanding various forms of political participation. Whether this agenda accomplishes its ambitions is a different question. Prospects for a more deliberative form of Canadian democracy appear even more questionable. A deliberative democracy requires a strong formal sphere with formal legislative and judicial institutions as well as a vibrant informal sphere. The Coalition Crisis of 2008 has undoubtedly hurt the former and recent developments surrounding the Northern Gateway pipeline project offer little hope for a more reasoned political dialogue that avoids excessive populism and polarizing distortions. Granted, contemporary German voters might be less tolerant of divisive politics and more accepting of different governing arrangements, such as Kretschmann's "coalition of losers." The fact no one has publicly questioned the legitimacy of Kretschmann's government speaks to this fact. Held up against Harper's rhetoric, this surface manifestation says nothing positive about the state of democratic sensibilities in Canada.

## Notes:

<sup>1</sup> The party is technically known as Alliance 90/ The Greens.

<sup>2</sup> This result means the party barely cleared the *Fünfprozenthürde*, the five-per cent popular vote threshold parties must meet if they wish to secure parliamentary representation. For more of this rule, which does not apply universally across Germany, see Conradt (1989).

<sup>3</sup> Riker (1962) predicts a government coalition will contain the smallest number of elected legislators from all potential majority combination. The logic behind this strategy is that fewer concessions and cabinet posts will have to be offered when the majority size is close to 50 per cent of the seats.

<sup>4</sup> Axelrod (1970) advances Riker's theory by introducing an ideological component. This alternative model stipulates that the parties of a winning alliance must necessarily share some ideological common ground.

<sup>5</sup> Flanagan (2011) argues the Conservative Party consists out of a coalition that consists out of recent immigrants located in Ontario whose values overlap with the values of westerners, the main pillar of this coalition.

<sup>6</sup> Conradt (1989) notes in his analysis of proportional electoral systems (such as the German one) tend to produce "a fractionalization of the party vote and hence a multiparty system in which no single party secures a majority of seats" with the inevitable outcome of "government by coalition" (117).

<sup>7</sup> A poll conducted in 2006 found that 51 per cent of respondents were dissatisfied with the functioning of democracy in Germany Christoph (2012).

<sup>8</sup> When asked the question "What do you think of the Bundestag in Bonn as our representative assembly?" the share of respondents who found it "excellent," "basically good," or "fair," increased from 66 per cent in 1951 to 86 per cent by 1965. For more see Conradt (1989: 55).

<sup>9</sup> Located in the southwest corner of Germany, Baden-Württemberg appeared on the political map in 1952 through the amalgamation of three smaller *Länder* (Württemberg-Baden, Württemberg-Hohenzollern und Südbaden) following an occasionally controversial referendum contested a year earlier. This history gives Baden-Württemberg the distinction of being the only modern German federal state created through a popular plebiscite. While this exercise in direct democracy exposed some of the religious and cultural diversities that have defined this region, it also points to its preference for institutional elements that permit the public to play a more active role in politics, at least on the municipal and state level. Practically, it means Baden-Württemberg possesses the most complex electoral system of all the German states, a fact prominent locals consider to be a point of pride (James, 2003: 87-89).

<sup>10</sup> For a complete tracking of polls prior to the March 27 ballot, see <http://www.wahlrecht.de/umfragen/landtage/baden-wuerttemberg.htm>.

<sup>11</sup> Article 21 (1) states: "The political parties shall take part in the forming of the political will of the people." (Conradt, 1989: 55, 251).

<sup>12</sup> Section 20 (2) appears to be of particular interest. It states: "All state authority emanates from the people. It shall be exercised by the people by means of elections *and voting* (italics added) and by specific legislative, executive and judicial organs." Readers should note though that this section of the Basic Law falls under the provisions of Section 79 (3). It states: "Amendments...of the basic principles laid down in Articles 1 to 20 are inadmissible" (Conradt, 1989: 251, 259).

<sup>13</sup> Between 1949 and 2010, 251 citizen-led initiatives have come forward, most of them after 1990. Only of the same were put to a referendum. Nine of those failed because they either did not win a majority or failed to meet quorum. Only four initiatives have so far yielded permanent laws. State legislatures or the courts modified or suspended the remaining ones (Montag, 2011).

<sup>14</sup> In September 2011, the party won 8.9 per cent of the vote to enter Berlin's city legislature. It followed this victory in Germany's capital by clearing the five per cent hurdle in the Saarland - Germany's least populous state with one million residents - in garnering 7.4 per cent of the vote to finish ahead of the Greens. Polls released in early April show that the party would easily enter the German Bundestag if elections were to be held. But this dizzying rise in the polls has also intensified questions about party's platform and professionalism

<sup>15</sup> Then-Transport Minister John Baird was even more audacious than his boss in attempting to reform the institutions of Canadian politics on the fly. In speaking to CBC journalist Don Newman, Baird defined prorogation as a "timeout" during which his government could "go over the heads of the members of parliament, go over the heads frankly of the Governor General, go right to the Canadian people" (Levy, 2009: 26).

## References:

Alber, Jens and Kohler, Ulrich. 2008. *The inequality of electoral participation in Europe and America and the politically integrative functions of the welfare state*. Berlin: Social Science Research Center. Retrieved from <http://bibliothek.wzb.eu/pdf/2008/i08-202.pdf>.

Kristen Allen, Kristen. 2012. The World from Berlin: Pirates Could 'Wind Up as Nokia' Instead of Apple." *Spiegel Online*, March 27. Retrieved from <http://www.spiegel.de/international/germany/0,1518,824025,00.html>.

Axelrod, Robert. 1970. *The Conflict of Interest*. Chicago: Markham.

Baillie-David, Norm. 2011. *Coalition Government Acceptable to Most Canadians*. Ottawa: Public Opinion Research. Retrieved from <http://www.tnscanada.ca/news/11.4.14-Acceptance-of-Coalition-Scenarios.pdf>.

Bartsch, Matthias, Beste, Ralf, et al. 2010. Merckels Bahnhof Mission. *Der Spiegel*, Oct. 4, 20-23.

- \_\_\_\_\_. Brandt, Andrea, et al. 2011. Die Erschöpfte Partei. *Der Spiegel*, Nov. 15, 28-30.
- Becker, Sven, Beste, Ralf, et al. 2012. Politik aus Notwehr. *Der Spiegel*, March 26, 18-24.
- Behiels, Michael D. "Stephen Harper's Rise to Power: Will His 'New' Conservative Party Become Canada's 'Natural Governing Party of the Twenty-First Century?'" *American Review of Canadian Studies* 40 (1): 118-145.
- Beste, Ralf, Deggerich, Markus, et al. 2011) Das Grüne Wunder. *Der Spiegel*, Sept. 12, 76-84.
- Bessette, Joseph M. 1980. "Deliberative Democracy: The Majority Principle in Republican Government." In *How Democratic Is The Constitution*, ed. Robert A. Goldwin and William A. Schambra Washington: American Enterprise Institute.
- Bohman, James, and Rehg, William. 1997. "Introduction." In *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg. Cambridge, MA: MIT Press.
- Bonga, Melissa. 2010. "The Coalition Crisis of 2008 and Competing Visions of Canadian Democracy." *Parliamentary Review* 33 (2): 8-12.
- Böhnke, Petra. 2011. Ungleiche Verteilung politischer und zivilgesellschaftlicher Partizipation. *Aus Politik und Zeitgeschichte*, Jan. 3: 18-25.
- Brennan, Richard. 2010. Coalition of 'losers' don't get to govern, PM says. *Toronto Star*, June 3.
- Bricker, Darell and Gottfried, Keren. 2011. "The new tectonics of Canadian politics." *Policy Options* 32 (7): 22-26.
- Chambers, Simone. 1995. "Discourse and democratic practices." In *The Cambridge Companion to Habermas*, ed. Stephen K. White. Cambridge: Cambridge University Press.
- Christoph, Klaus. (2012). *Politikverdrossenheit*. Berlin: Bundeszentrale für politische Bildung. Retrieved from <http://www.bpb.de/geschichte/zeitgeschichte/deutschlandarchiv/61504/politikverdrossenheit>.
- Cohen, Joshua. 1997. "Deliberation and Democratic Legitimacy." In *Deliberative Democracy: Essays on Reason and Politics*, ed. James Bohman and William Rehg. Cambridge, MA: MIT Press.
- Coleman Jr, William, and Coleman Sr, William. 1993. *A Rhetoric of the People: The German Greens and the New Politics*. Westport, CT: Praeger Publishers.
- Conradt, David. 2011. "The Shrinking Elephants: The 2009 Election and the Changing Party System." *German Politics and Society* 28 (3): 25-46.
- \_\_\_\_\_. 1989. *The German Polity* 4<sup>th</sup> Edition. White Plains, NY: Longman.
- Crouch, Colin. 2004. *Post-Democracy: Themes for the 21<sup>st</sup> Century*. Malden, MA: Polity Press.
- Dahl, Robert A. 1956. *A Preface to Democratic Theory*. Chicago: University of Chicago Press.
- Dahlkamp, Jürgen, and Kaiser, Simone. 2011. Der da oben. *Der Spiegel*, Oct. 4, 23-26.
- Dalton, Russell. 2004. *Democratic Challenges, Democratic Choices*. Oxford: Oxford University Press.
- Darnstädt, Thomas, and Kaiser, Simone. 2011. Das grüne Wunder. *Der Spiegel*, Sept. 12, 44-47.
- Downs, William M. 1998. *Coalition Government, Subnational Style: Multiparty Politics in Europe's Regional Parliaments*. Columbus, OH: Ohio State University Press.
- Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper.
- Decker, Frank. 2006. Direkte Demokratie im deutschen Parteienbundesstaat. *Aus Politik und Zeitgeschichte*, March 6, 3-16.

- Elster, Jon. 1998. "Introduction." In *Deliberative Democracy: Cambridge Studies on the Theory of Democracy*, ed. Jon Elster. Cambridge: Cambridge University Press.
- Flanagan, Tom. 2011. "The Emerging Conservative Coalition." *Policy Options* 32 (6): 104-108.
- \_\_\_\_\_. 2009. Only voters have the right to decide on the coalition. *Globe & Mail*, Jan. 9, 13.
- Flynn, Jeffrey. 2004. "Communicative Power in Habermas' Theory of Democracy." *European Journal of Political Theory* 3 (4): 434-54.
- Frese, Alfons. 2011. Den Drachen steigen lassen: Winfried Kretschmann erklärt der Berliner Wirtschaft grüne Regierungspolitik. *Der Tagesspiegel*, Aug. 15, 15.
- Gehler Michael. 2011. *Three Germanies: West Germany, East Germany and the Berlin Republic*. London: Reaktion Books.
- Globe/Nanos Poll. 2011. *More negative than positive impressions of coalition*. Ottawa: Nanos Research. Retrieved from <http://www.nanosresearch.com/library/polls/POLNAT-W11-T466E.pdf>.
- Habermas, Jürgen. 1996. *Between Facts and Norms*. Translated by William Rehg. Cambridge, MA: MIT Press.
- \_\_\_\_\_. 1975. *Legitimation Crisis*. Translated by Thomas McCarthy. Boston: Beacon Press.
- \_\_\_\_\_. 1970. *Toward a Rational Society*. Translated by J. J. Shapiro. Boston: Beacon Press.
- Haley, Charles. 2011. Nuclear Moratorium a Campaign Tactic: Merkel Cabinet Colleagues Spills to Atomic Beans. *Spiegel Online*, March 24. Retrieved from <http://www.spiegel.de/international/germany/0,1518,752943,00.html>.
- Haselberger, Stephan, Monath, Hans, et al. 2011. Der Grüne Teufel. *Der Tagesspiegel*, March 26, 4.
- Heinz, Dominic. 2012. "Varieties of Joint Decision-Making: The Second Federal Reform." *German Politics* 21 (1): 129-42.
- Howe, Paul, Johnston, Richard, and Blais, Andre (ed.) 2005. *Strengthening Canadian Democracy*. Montreal: Institute for Research on Public Policy.
- James, Peter. 2003. *The German Electoral System*. Burlington, VT: Ashgate Publishing Company.
- Jörke, Dirk. 2011. Bürgerbeteiligung in der Postdemokratie. *Aus Politik und Zeitgeschichte*, Jan.3, 13-18.
- Kaina, Viktoria. 2008. "Declining Trust in Elites and Why We Should Worry About It – With Empirical Evidence from Germany." *Government and Opposition* 43 (3): 405-423.
- Kaiser, Simone, and Latsch, Gunther. 2012. "Wir Sind Die Mitmachpartei." *Der Spiegel*, March 12, 36-37.
- Keane, John. 2009. *The Life and Death of Democracy*. London: Simon and Schuster.
- Keppinger, Hans M. 2000. "The Declining Image of the German Political Elite." *Press/Politics* 5, 4: 71-80.
- Köster, Klaus, and Otte, Petra. 2011. Arbeitnehmer-Vertreter attackieren Kretschmann: Grünen-Politiker spielt mit den Ängsten der Mitarbeiter. *Stuttgarter Nachrichten*, April 27, 1.
- Koelble, Thomas. 1989. "Party Structures and Democracy: Michels, McKenzie and Duverger Revisited via the Examples of the West German Green Party and the British Social Democratic Party." *Comparative Political Studies* 22: 199-216.
- Kroh, Martin, and Schupp, Jürgen. 2011. "Alliance 90/The Greens At The Crossroads: On Their Way to Becoming a Mainstream Party." *Deutsches Wirtschaftsinstitute Economic Bulletin* 1 (3): 25-32.
- Kurbjuweit, Dirk. 2011. Der Wutbürger. *Der Spiegel*, Oct. 11, 26-27.
- Levy, Gary. 2009. "A Crisis Not Made in a Day." In *Parliamentary Democracy in Crisis*, ed. Peter H. Russell

- and Lorne Sossin. Toronto: University Press of Toronto.
- Montag, Tobias. 2011. *Direkte Demokratie in Praxis: Volksgesetzgebung in den Bundesländern 1949-2010*. Berlin: Konrad-Adenauer-Stiftung. Retrieved from <http://www.kas.de/wf/de/33.29470/>.
- Möhle, Holger. 2011. Das neue Länderalphabet: A, B, G Erster grüner Ministerpräsident im Bundesrat. *Kölnische Rundschau*, May 28, 5.
- Nanos, Nik. 2011. "From a nothing election to a seismic shift." *Policy Options* 31 (6): 14-16.
- Newman, Peter C. 2011. *When Gods Change: The Death of Liberal Canada*. Toronto: Random House Canada.
- Norris, Pippa. 2011. *Democratic Deficit: Critical Citizen Revisited*. Cambridge, MA: Cambridge University Press.
- Norquay, Geoff. 2011. "The 'ballot question' in the 2011 election: Two wins, two losses." *Policy Options* 31 (6): 50-54.
- Novy, Johannes, and Peters, Deike. 2012. "Railway Station Mega Projects as Public Controversies: The Case of Stuttgart 21." *Built Environment* 37 (3): 128-45.
- Olsen, Jonathan. 2012. "The Spring 2011 Landtag Elections: Regional Specificities or National Electoral Dynamics" *German Politics* 21 (1): 116-28.
- Pfister, Hilmar. 2011. Das Phlegma-Misverständnis: Der designierte Grünen-Ministerpräsident Winfried Kretschmann muss sich oft gegen den Vorwurf der Behäbigkeit wehren. *Stuttgarter Nachrichten*, March 29, 3.
- Pharr, Susan and Putnam, Robert (ed). 2000. *Disaffected Democracies*. Princeton, NJ: Princeton University Press.
- Renzsch, Wolfgang. 2010. "Federal Reform under the Grand Coalition." *German Politics* 19, (3-4): 382-92.
- Riker, William H. 1962. *The Theory of Political Coalitions*. New Haven, CT: Yale University Press.
- Rüdiger, Wolfgang. 2012. "The perennial success of the German Greens." *Environmental Politics* 21 (1): 108-30.
- Russell, Peter H. 2009. "Learning to live with Minority Governments." In *Parliamentary Democracy in Crisis*, ed. Peter H. Russell and Lorne Sossin. Toronto: University Press of Toronto.
- \_\_\_\_\_. 2004. *Constitutional Odyssey: Can Canadians Become a Sovereign People 3<sup>rd</sup> Edition*. Toronto: University of Toronto Press.
- Sancho, Carmen. 2003. "New Ways of Deepening Democracy: An Approach to the Models of J. Cohen and J. Habermas." Paper Presented at 6<sup>th</sup> European Sociological Association, Murcia, Spain. Retrieved from [http://www.um.es/ESA/papers/St9\\_34.pdf](http://www.um.es/ESA/papers/St9_34.pdf).
- Schumpeter, Joseph. 1942, 1976. *Capitalism, Socialism and Democracy*. New York: Harper.
- Sears, Robin V. 2011. "Quebec Storm Sweeps Canadian Electoral Landscape: The Realignment Story of Campaign 41." *Policy Options* 31 (6): 18-36.
- Sellner, Jan. 2010. Kretschmann will 'mehr Parlament.' *Stuttgarter Nachrichten*, Oct. 18, 5.
- Skogstad, Grace. 2009. "Western Canada and the 'Illegitimacy' of the Liberal-NDP Coalition Government." In *Parliamentary Democracy in Crisis*, ed. Peter H. Russell and Lorne Sossin. Toronto: University Press of Toronto.
- Smith, Jennifer. "Parliamentary Democracy versus Faux Populist Democracy." In *Parliamentary Democracy in Crisis*, ed. Peter H. Russell and Lorne Sossin. Toronto: University Press of Toronto.
- Solt, Frederick. 2008. "Economic Inequality and Democratic Political Engagement." *American Journal of Political Science* 51 (1): 48-60.

- Unfried, Peter. 2011. Diese vernünftigen Leute. *Die Tageszeitung*, April 2. Retrieved from <http://www.taz.de/1/archiv/digitaz/artikel/?ressort=ku&dig=2011%2F04%2F02%2Fa0044&cHash=6d399053c5>.
- Wahlrecht. 2011. Retrieved from <http://www.wahlrecht.de/news/2011/landtagswahl-baden-wuerttemberg-2011.htm>.
- Ward, Josh. 2010. Stuttgart 21: A Four Billion Euro Makeover. *Spiegel Online*, August 13. Retrieved from <http://www.spiegel.de/international/germany/0,1518,710388,00.html>.
- Warren, Mark, and Pearce, Hilary. 2008. *Designing Deliberative Democracy: The British Columbia Citizens' Assembly*. Cambridge. Cambridge University Press.
- Weixner, Bärbel Martina. 2006. Direkte Demokratie in den Bundesländern. *Aus Politik und Zeitgeschichte*, March 6, 18-24.
- Wurzel, Rüdiger. 2010. "Environmental, Climate and Energy Policies: Path-Dependent Incrementalism or QuantumLeap?" *German Politics* 19 (3-4): 460-478.