

The Most Important German Political Institutions

The most important German political institutions are:

- the Bundestag – The first house of the federal parliament;
- the Bundesrat – The second house of the German parliament whose members represent the federal states;
- the Bundesregierung – The federal administration, consisting of the Chancellor and her cabinet, usually elected from the Bundestag;
- the Bundespräsident – The head of state, (the Federal President) representing Germany as a whole – aloof from actual politics or the running of the government.

The Bundestag

The Bundestag is elected by the people every four years. The Bundespräsident nominates a candidate for the position of Chancellor, who is then elected by the Bundestag (always the head of the ruling party or coalition.)

Any representative in the Bundestag or Bundesrat, or (as is most often the case) the Bundesregierung (executive branch or administration) may propose legislation, which is then debated in the Bundestag (first and second reading.) Most of the real work of reviewing and discussing legislation is done in the standing committees (consisting of 13–33 members from different parties.) When a vote is taken in the full session of the Bundestag, each member votes according to his/her conscience.

Legislation that affects the federal states must be approved also by the Bundesrat.

The President of the Bundestag ranks second in the hierarchy after the Bundespräsident.

The Bundesrat

The Bundesrat is the second chamber of the parliament. It represents the federal states. Its membership is not elected by direct national vote, but delegated by the state governments. Depending on its population, each state sends three to six representatives to the Bundesrat (see **Transparency 17**).

The Bundesrat consists of 69 members. The president of the Bundesrat, who acts as the federal president's deputy, is one of the prime ministers of the federal states (or the mayors of the city-states of Berlin, Hamburg, and Bremen), who serves in this capacity in rotation, holding the office for one year. Therefore, the prime minister of any one state becomes President of the Bundesrat once every 16 years (there are 16 states.)

The Bundesrat has an important function in the legislative process. The Bundesrat's consent is required for constitutional amendments and for federal legislation which directly affects state affairs. On other issues, the Bundesrat may enter an objection to a law passed by the Bundestag, but its objection may be overridden by a majority of Bundestag members. If the Bundestag and the Bundesrat fail to agree, the Joint Committee – which consists of members of both houses – is asked to consider the matter. In most cases this committee has managed to work out a compromise. In case no compromise is reached, the legislation is set aside.

The balance of political forces in the Bundesrat changes if the majority party in a federal state loses the next state election. Therefore the case can arise where the majority party in the Bundestag and the Bundesrat are different.

The President of the Bundesrat stands in for the Federal President when he is absent.

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The Bundespräsident

The Federal President is the head of state. He represents Germany in international affairs, concluding treaties with other countries and receiving the credentials of foreign ambassadors and envoys, and cultivating the image of Germany in the rest of the world. He formally appoints and dismisses federal civil servants, federal judges, and officers of the federal Armed Forces. His freedom of decision is limited since his directives and orders require the counter-signature of the Federal Chancellor or the appropriate Federal Minister.

The political powers of the Federal President are described in the Basic Law (constitution). The idea of the drafters of the Basic Law was to have a head of state with severely limited powers, to avoid the mistakes of the past.

The Federal President has no direct influence on other constitutional bodies. He remains apart from party politics.

A law comes into effect when it is signed by the Federal President.

The Federal President is not directly elected by the people. He is elected by a majority vote of a special assembly called the Bundesversammlung, which meets every five years just for this purpose and consists of the members of the Bundestag and an equal number of representatives of the state legislatures.

The Federal President serves for five years.

The Bundesregierung

The German Federal Government, the “Cabinet”, is made up of the Federal Chancellor and the Federal Ministers. The Chancellor presides over the Federal Cabinet. He selects the ministers and makes proposals that are binding on the Federal President for their appointment or dismissal. The Chancellor also decides the number of ministers and their portfolios. He lays down the government policy guidelines. In accordance with these guidelines the Federal Ministers manage their portfolios independently and on their own responsibility.

In the course of day-to-day politics, the Chancellor must also have regard for agreements with partners in the government coalition. Not without reason is Germany’s system of government termed a “chancellorship democracy.” The Federal Chancellor is the only cabinet member elected by parliament, and he alone is answerable to it.