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## Two patterns of opposition: Party Group Interaction in the Bavarian State Parliament

*Most research on parliamentary opposition focuses on constitutional and institutional aspects. This article argues that these approaches are limited in explaining differences between opposition parties. A case study of the Bavarian State Parliament, shows that there is support for the assumption that complex patterns of a number of factors, such as individual party groups' ideology, history, their members' socio-demographic background, and their informal rules of engagement, influence the way opposition parties behave. The study shows distinctive differences between the appearance and the strategies employed to influence the majority's decision-making. The Social Democrats, a traditional mass party with over 40 years in opposition, focused on a strategy of professional, subject-oriented co-operation within parliament. The Greens chose confrontational power policies that had their main effect outside parliament. This stands in line with the party's origin in grassroots movements and its culture of conflict resolution. Those findings raise the question of how party identities and policies coincide with the preference of one opposition strategy over another and they contribute to the discussion of how parliamentary behaviour and representative roles are interwoven.*

**Keywords:** *Parliamentary Opposition, Parliamentary Party Groups, Parliamentary Behaviour, Opposition Strategies, Bavaria*

### **Introduction**

The article aims to advance understanding of opposition strategies by analysing them in a wider context considering the impact of the political system's institutional and structural aspects, the representatives' socio-demographic background, and party-specific aspects, such as a party group's history and ideology, and its informal rules of engagement.

Parliamentary opposition plays a central role within a functioning representative democracy. As a *government in waiting*, it scrutinizes and criticizes the political majority's decisions and offers alternative policies and personnel to voters (Sternberger 1956, pp.134) with the overall aim of taking over power at some point. However, ever since Dahl's (1966b) initial work on this topic his complaint, that this important aspect of parliamentary decision making remains under-researched, is still true.

Recent work on parliamentary opposition even attributes the *a-theoretical character* of most research in this field to the "*theory-resistance* of its object of study" (Helms 2008, pp.7). This observation is puzzling in so far, as parliamentary opposition operates in a field that has been well examined both empirically and theoretically. Empirical research has started looking at parties' policy preferences as one dimension of their opposition strategy (Kaiser 2008). Various strands of research, such as on legislative careers (Best & Cotta 2000b, Cotta & Best 2007, Patzelt 1999) or legislative behaviour (Norton 1997, Müller et al. 2001) touch common ground with studies on opposition and can provide analytical insights with greater theoretical depth.

Even though the performance of parliament as a whole is of imminent interest for the field of parliamentary and comparative studies, publications on opposition are rare (Helms 2008, Norton 2008). Theoretical work on opposition tends to focus on patterns of opposition within the political system as such (Dahl 1966a, Blondel 1997, Helms 2004) or is looking at opposition strategies in general (Kirchheimer 1980, Oberreuter 1975), assuming that – in order to take over power from government – opposition parties would have to behave somewhere along the three aspects of fundamental opposition, competition, and co-operation with the majority.<sup>1</sup>

#### *The impact of systems and institutions on parliamentary opposition*

In defining opposition's appearance, characteristics, goals and strategies, Dahl (1966a) follows a rather static approach. He identifies four important system characteristics (organizational cohesion, competitiveness, site for the encounter between opposition and governing majority, the opposition's distinctiveness) and looks at how the opposition's goals and choice of sites combined with those characteristics to produce a specific choice of strategy (Dahl 1966a). In doing so, he focuses on the political system as such, linking the different characteristics to typical countries where such an opposition type might occur. Dahl acknowledges that opposition strategies and citizens' attitude to opposing government policies are linked to a country's political culture and influenced by societal cleavages (Dahl 1966c, pp.352f.). However, he does *not* attribute them to *specific parties within a system*. Blondel (1997), who both simplifies Dahl's theoretical concept and extends it beyond western democracies, shares this static approach. Despite calling for a stronger consideration of partisan matters when looking at the structure of opposition, Blondel (1997, pp.463) still sees opposition as "a 'dependent' concept" that is "tied to the character of the government".

Helms (2004, pp.24) explicitly points out "theoretical and analytical shortcomings of the comparative opposition literature". Despite this observation, his contribution on this topic, which focuses on the constitutional level and describes five different types and forms of legitimate opposition to the government, again refers to specific countries (UK, Germany, Fifth French Republic, USA and Switzerland), instead of choosing an approach detached from constitutions and institutions.

By referring exclusively to constitutional and institutional aspects of opposition, determined by a country's political, party and electoral system, these authors elude the question of whether different kinds of parliamentary opposition, displayed by competing parties, might be visible within one political system.

#### *The impact of partisan and socio-demographic aspects*

Similar shortcomings exist when exploring how members of parliament behave, and whether their behaviour follows specific patterns. There has been considerable qualitative research on parliamentary behaviour in the past decades, most notably by Searing (1994) for the House of Commons and Patzelt (1997) for German MPs. It became evident that depending on their background, their individual skills and their career plans, MPs may pursue different roles both in and outside of parliament. For example, work patterns of MPs focusing more on parliamentary work, or more on their constituencies differ significantly (Patzelt 1997).

What unites most of these studies is that while they are looking at MPs' typical roles, they are ignoring one central benchmark most members of parliament have: their party and their parliamentary party group. The systematic neglect of the question of what impact the *membership in a particular party group* might have on a MP's behaviour is surprising as it contrasts with some empirical findings on several legislature: Isaksson and Akademi's (1994) quantitative longitudinal analysis *Party Behaviour in the Finnish Parliament* demonstrates how a party's position in parliament affects its behaviour. Opposition parties acted foremost as vote-seekers, showing strong activity in plenary sessions and in employing (unsuccessful) roll-call votes. In contrast, the members of the governing coalition focused on committee work where they acted unanimously to ensure that their own bills became law. Based on quantitative analysis of Belgian MP's behaviour, De Winter (1997, pp.129) claims that the

use of the various parliamentary tools, such as voting, debate and control, “is largely determined by party, and especially by its governmental status and ideological profile”. Research on the Austrian Parliament further underlines the impact that partisanship and a party’s position in parliament might have on the party group’s behaviour. As Müller and colleagues (2001) indicate, there are significant differences in the way members of opposition and governing parties, as well as of smaller and larger party groups, focus on one role or the other and these roles might change – along with the party groups’ fate in parliament – over the course of several legislative periods.<sup>2</sup> Both Jenny and Müller’s findings on Austrian MPs (2008) and Isaksson and Akademi’s (1994, pp.102) empirical results on Finnish MPs underline a particular active role of Green Party opposition MPs that could – amongst other reasons – have its cause in the party’s history in the grass roots movement. Their findings are backed by analyses of party group behaviour in British local government that suggests that the specific partisan world-view does influence a party group’s votes (Leach & Copus 2004). First results of a study explaining party cohesion in the House of Lords from a social-psychological angle through the party group members’ ‘belongingness’<sup>3</sup> further underline the important impact party culture might have on its members’ behaviour and choice of strategies.

The idea that there might be more to party-cohesion and strategic decision making in parliament than a strong whip is supported by a third strand of research that focuses on the socio-demographic aspects of legislative careers, their impact on the selection and election process and the representativeness of those finally elected. Research in political representation has been a well-established and geographically widespread strand of political science for several decades (Best & Cotta 2000b, Patzelt 1999). By analysing the interdependence of social and political change and changes in the composition of the legislative bodies it aims – amongst other issues – to analyse if the MPs’ social bias will have an impact on their legislative behaviour (Best & Cotta 2000a, Kavanagh 1992, Norris & Lovenduski 1995). Most of the studies focusing on the background of MPs are looking at the MPs as a group, detached from their individual parties. This is surprising, as the composition of party groups may differ significantly from the point of view of their members’ gender, education, occupational background, religion etc. and many legislatures provide this data sorted by the MPs’ partisanship (Norris & Lovenduski 1995, Ismayr 2000, Saalfeld 1995). However, findings as to what extent these variances – which after all are only proxy-variables for individual socialization – really *do* make a difference if it comes to drafting and implementing political ideas, are inconclusive. This applies even to the very well researched question of how significant the representation of women MPs in parliament is on policymaking.<sup>4</sup> While the analysis of party groups in the German Bundestag indicated that social homogeneity is not a useful indicator to predict party cohesion (Saalfeld 1995, pp.218), other strands of research claim that the social background of legislators does influence their attitude and behaviour (Norris 1997, p. 6f., Wängnerud 2000, Best & Cotta 2000a, p.18, Hazan & Rahat 2006, p.371).

The following case study on opposition in the Bavarian State Parliament shows that in contrast to some of the theoretical models discussed above there are great variations as to how opposition party groups behave within one political system.

### **Bavaria as case study for party interaction on a territorial level**

Amongst Germany’s sixteen federal states, Bavaria has been, and still is playing a special role in Germany’s history and politics. With its roots reaching back as far as 555, Bavaria, which became a Kingdom in 1806 and a republic in 1919 (Free State of Bavaria), unites three big historical-political traditional regions with very distinctive identities: Franconia in the North and Swabia in the West were predominantly protestant but quite heterogeneous regarding the levels of agriculture and industrialisation. In contrast, the large territory of Old Bavaria was predominantly catholic, clearly dominated by agriculture and not reached by industrialisation after the Second World War (Mintzel 1987a). Despite of discussions on how exactly those cleavages were reconciled (Falter 1982, 1988, Gebhardt 1986, Mintzel 1987a, 1987b) it is

undisputed, that the state's long history of independence has contributed to a strong regional identity and a distinct political culture. The beneficiary of this development has been the 'Bavarian State Party', the conservative Christian Social Union (CSU). Apart from a three year break from 1954-1957, the CSU has been in government since 1945 and has ruled with absolute majority from 1962-2008. The party's predominant role and the hegemonic structure of the Bavarian sub-system contravene the "cross-party mode" concept developed for political decision making in the German Bundestag (King 1976, pp.21). It is unclear whether common findings on parliamentary opposition are applicable to the Bavarian State Parliament, as most of them have been developed in the face of coalition governments in the Bundestag.

It is common opinion that parliamentary opposition acts within a frame defined by a triad of the opposition tasks: critique of the government, control of the government and presenting an alternative option to the electorate (Sternberger 1956, pp.134). Research in parliamentarianism as well as the international comparison of party politics, and research into elites is dominated by theses heralding the co-operation of opposition members of parliament with those of the governing party or parties (Helms 1997, pp.45f.). Quite often, the opposition's constructive cooperative behaviour towards legislative drafts of the government, and society's pressure to solve complex issues consensually, achieve the joint resolution of problems. Taking into consideration that several of those resolutions reflect oppositional ideas, some researchers even postulate a co-governing of opposition (von Beyme 1998, Sebaldt 1992a, 1992b). This oppositional trend to co-operate is equally evident in parliaments that – such as the British House of Commons or the National Diet of Japan – are governed by one party only (Helms 1997, pp.200, Inoguchi 2008, pp.127).

Based on these findings, it seemed plausible to expect cooperative behaviour of the opposition in the Bavarian State Parliament towards the absolute majority of the CSU. The continuing hegemonic role of the CSU underlines this hypothesis: In the light of permanently disillusioning election results, there was hardly any hope for the opposition parties to take power.<sup>5</sup> The 'alternative function' as one of the classical opposition tasks thus seemed more or less irrelevant. In contrast, given the unequivocal majority during the past decades the only way to influence politics in the Bavarian State Parliament seemed to be co-operation.

### *Methodological approach*

To overcome the institutional focus of classical theories on parliamentary opposition, this research sought to embed party interaction in the Bavarian State Parliament in a wider context. Apart from looking at the institutional framing of decision making in this assembly, several other factors that might affect the behaviour of party groups were considered. In line with studies on parliamentary decision making in the German Bundestag, which had shown that the complex interaction of political constellations and action strategies can best be analysed by working multi-dimensionally (von Beyme 1998, Sebaldt 1992a), the research combined qualitative and quantitative methods. This contained a thorough analysis of the socio-demographic background of all assembly members, grouped by partisanship, a detailed literature review and a media-analysis on the party's history in- and outside parliament. This analysis of any implications the institutional setting might have on the opposition party group's abilities to take the government to account complemented the initial framing. 21 qualitative interviews with members of the Bavarian State Parliament (MBSP) explored the interaction between the party groups further. In contrast to other interview projects that focused on the MP as an individual (Müller et al. 2001, Searing 1994, Patzelt 1993, 1995), the interview questions concentrated on differences between party groups and their behaviour in parliament. Issues explored in particular were the party groups' image and functioning, and the interviewees' judgment of the opposition parties' efforts.

In order to assess the actual impact of the parliamentary opposition on state legislation the research further contained a quantitative analysis of all initiatives (legal bills, proposals, amendments etc.) the parliament handled within its four-year session. A qualitative detailed analysis of selected legal bills that took media reports, comments of pressure groups, plenary debates and discussions in all committees involved into account, complemented the research.

One aim of this research was to explore in detail, how opposition parties influence the majority's decision-making with respect to legal bills. Consequently, instead of taking a random sample of legal bills (Sebaldt 1992a, von Beyme 1998), the analysis was limited to topics where both the majority (either the government or the CSU party group) and at least one of the opposition parties had provided a draft-bill. Based on those guidelines, nine topics emerged which were addressed in 21 (out of 181) draft-bills.

The analysis focused on the 13<sup>th</sup> electoral term (1994-1998). This period is set long enough in the past to allow completeness for both the parliament's archive and the archives of interest groups involved.<sup>6</sup> At the same time, it is not too distant as that the interviewees would not have vividly remembered this period of politics. Additionally, this timeframe allowed to judge the interactions of the governing majority and opposition parties in the context of German national politics since the mid 1990s – a period no longer directly influenced by the unification process but not yet impacted by the Green Party's first participation of government in the Bundestag in 1998. The analysis was restricted to the three party groups represented in this term: CSU, Social Democrats (SPD) and Greens<sup>7</sup>, which since 1986 had started to replace the previous third party in the assembly, the liberal Free Democratic Party (FDP).

#### *Institutional Framing of Party Interaction*

Amongst other factors that are distinctive for the political system of Bavaria,<sup>8</sup> the state's so-called "improved system of mixed voting" has been particularly beneficial for the CSU's hegemonic role. This additional member system contains of two separate votes (the first one for a constituency representative, the second one for a representative to be picked from a party list, thus allowing more voter participation). In a simplified description, the system, used uniquely in Bavaria, effectively favours mass parties over smaller ones by accumulating both votes when determining a party's share of seats (Hübner 1979, Aulehner 1991, Ender & Schultze 1991, Jung & Rieger 1995). For several decades, this has resulted in a very strong CSU party group that often exceeded the necessary absolute majority of 103 seats by 20-30 seats, a medium sized group of SPD members (with around 70 seats) and one much smaller third party group that very rarely counted more than 15 members. The different size of the party groups has a severe impact on partisan representation in the various specialist committees. For the 13<sup>th</sup> electoral term, the CSU had won 120 seats, the SPD 70. SPD members chaired four out of 12 committees and the party was present with at least six MBSPs in each of the committees, allowing each representative some degree of specialisation within the particular policy area. In contrast, the 14 member strong Green party group could send only one MBSP in each committee who then was the sole representative of his party's point of view on any issue discussed.

Though the Parliament's Standing Orders formally provide for various ways to take the government to account, many measures (e.g. the right of any MBSP to summon a member of government in front of a plenary session or a committee meeting) need the approval of the majority of votes, and thus the governing party. The option to set up an inquiry committee to investigate issues that are of public concern, formally requires only the support of 20% of MBSPs (Art 25/1 BV). However, simply by supporting any initiative to set up such a committee, the majority will gain the right to set the agenda, name the chair, and set the number of committee members. This usually allows the governing party to remain in charge of the investigation and to keep a 2/3 majority within the committee which is essential for the decision to exclude the public from listening to the debate (Rausch 1977, p.93; Rothmund 1986, p.55).

#### *The Party Group Members' Socio-demographic Background*

The assembly's handbook for the 13<sup>th</sup> session (Bayerischer Landtag, 1996) provides brief biographies for each MBSP with details on their sex, age, religious affiliation, marital- and family status, education and their previous job(s). Further details are given on the MBSPs' former engagement in other political arenas, for example in local assemblies or interest

groups. This data was analysed along party lines and contrasted with similar data available for the Bundestag (Schindler, 1999). It became evident that while there are some distinct differences between the three party groups, the State Parliament is overall a very homogenous assembly (Steinack 2007a, 88ff.). Particularly the biographies of the members of the two larger party groups, CSU and SPD, share many similarities. 89% of the CSU and 69% of SPD MBSPs were male, the majority of them were married with children, and roughly half of each group had been employed in public institutions prior to becoming an MBSP. Representatives over the age of 50 dominated in both groups.<sup>9</sup>

In contrast, the Green party group was gender-balanced and their MBSPs were at average a decade younger with none of the men and only 25% of female MBSPs over the age of 50. Despite these differences, the Greens, who in the Bundestag were a quite distinct group, far less religious, far better educated, and far less likely to be married, by and large complied with a traditional life-style in Bavaria. Most of them were married (though only 37% of the women had children), around 70% were members of either the catholic or the protestant church, and with three farmers amongst them, they could – alike the CSU - claim agrarian credibility, while their Social-Democrat counterparts who had neither farmers (nor members of the working class) amongst their representatives, lacked this link.

Before becoming a MBSP, in general, both SPD and CSU members had undergone a long path of inner-party qualification, 41% of the SPD-members had been engaged in trade unions. Similar to their CSU colleagues, the majority of SPD MBSPs could build upon previous experience of representing voters on a local or regional level. Among the 73 representatives,<sup>10</sup> 45 (61%) had been councillors within their village, city or district; five had been mayors, some in cities as big as Munich; two each had held posts as district governors or had represented their party in the Bundestag and the European Parliament.<sup>11</sup>

The Greens in general enjoy the reputation to focus far less on making a party-career a pre-requisite for candidatureship and to support candidates who, albeit previous engagement in areas related to the party's political aims, are not actually party members.<sup>12</sup> Despite this standing, 11 out of the 16 had been party members for more than ten years, some even were founding members of the party, and a further two had a party affiliation of at least five years. Ten (62%) had gained previous experience as councillors.

### *The Party Groups' Historical, Ideological and Cultural Background*

With respect to tradition and modernity as the main pillars of Bavarian identity and politics, CSU, SPD and Greens show very different roots and developments.

The CSU, founded after the Second World War with the aim to unite protestant and catholic conservative voters, managed after some initial struggles to integrate large groups of society, a task certainly facilitated by the fact that the party operates only in Bavaria and thus could tailor both its structure and its programme to the state's specific interests and needs. Though originally focused on self-employed farmers, craftsmen and merchants, the party successfully managed to modernise itself (Mintzel 1998, p.121) and to secure the support of new voter groups, in particular amongst salaried employees and public servants. Since the 1960s the CSU has managed to develop its profile as a party that promotes modernisation while at the same time protecting a particular Bavarian identity (Mintzel 1998, Sutherland 2001, Hepburn 2008). Slogans such as "*Bei uns in Bayern: CSU*" (Here in Bavaria: CSU) underline the party's self-image and reputation as "Bavarian State Party". It has a widespread net of local branches and holds the majority in many local authorities. Inside parliament, the group enjoyed the reputation to be highly hierarchical and extremely shut off towards outsiders or the public while being closely interlocked with the government in a "Unity of action" (Steinack 2007, pp.81ff.)

Competing with the CSU for votes from the centre ground is the SPD. Founded in 1863 and re-established after the Second World War, this most traditional of all German parties remained tied to pre-war settings (Mintzel 1998, pp.115ff.). Dissimilar to other German states, the party's Manifesto of Godesberg in 1959, which initiated and symbolised the change from a socialist labour party to a mass party, could not trigger new voter groups in Bavaria.

The SPD could not adapt to the post-war changes in the state's rural-catholic society and was unable to benefit from Bavaria's late period of industrialisation that – unlike industrialisation periods in the Ruhr region a century ago – did not go along with a growing mass of working poor, but quickly generated a rather well off lower middle class. Since 1957, the Bavarian SPD has been continuously in opposition, which is a Europe wide record of parliamentary defeats.<sup>13</sup> This downfall went along with a loss of party members<sup>14</sup> and local branches, though the party still holds a fair share of local councillors, majors and heads of regional districts.<sup>15</sup>

The Greens had first entered the State Parliament in 1986. In order to win votes, the party originally pointed out its "otherness". Founded in 1980 as catch basin of left-wing protest groups, united by their critical approach towards the system, but in other respects focused on a widely different range of topics and interests, the Greens perceived themselves initially as "anti-party" (Raschke 1993, pp.42ff.). They express this positioning, for example, by stressing the importance of grass-roots democracy, by electing a team of spokespeople instead of voting for one party leader, and by fighting traditional male-dominated party-structures with a "zipper-system" of alternating female and male candidates on party-lists. Until well in the 1990s, discussions between the party's fundamental and more realistic factions dominated the party's public appearance. Even though the electorate might not always support the incoherent way their party presented itself in public, party supporters widely acknowledged the Green's factionalism gave the party extra credibility with respect to looking at political problems from various angles (Raschke 1993, pp.202ff.). During the time of assessment, the Green's Bavarian branch stood out for its strong emphasis on ecological matters and gender equality, while lacking the political radicalism, other regional branches may display (Raschke 1993, pp.266ff.).

### Opposition behaviour in the Bavarian State Parliament

Based on the MBSPs' statements and underlined by the quantitative and qualitative analysis of parliamentary papers the research identified several levels and strategies of opposition influence. These are distinguished by a specific combination of places and modes of opposition influence:

- The *strategy of power-oriented politics* focused on confrontation in the plenary and on mobilising the public outside parliament.
- The *matter-of-fact co-operation* sought to change things within parliament through co-operation in committees and by trying to influence decision making in non-public areas aside from the committees.

The analysis showed that both strategies could cause the CSU to change its position. However, the opposition parties' success was normally limited to small objective changes in the majority's legal bills, and the CSU-majority refused stronger programmatic changes to its politics by the SPD and the Green Party.

**Table 1: Strategies of opposition influence in the Bavarian State Parliament**

	Mode of contest	Place of contest
<b>Content-oriented politics</b>	Cooperation	Committees and informal contacts within parliament
<b>Power-oriented politics</b>	Confrontation	Plenary, Media and public outside parliament

#### *Places and Instruments of opposition influence*

Analysing the nine legislative procedures revealed that the opposition chose very different modes and places of contest depending on the topic. Those can be distinguished between *content-oriented* (or *matter-of-fact oriented*) and *power-oriented politics* and *public* and *non-public space*.



Instruments used for power-oriented politics were entirely public and mostly used outside the parliament and the plenary sessions. The focus of those instruments that related to objective, content-oriented politics was the non-public area of decision making as well as the (public) meetings of the parliament's specialist committees.

The lack of instruments used for power-oriented politics in the non-public area of decision-making can be explained by two factors: as committee-sessions in the Bavarian State Parliament are open for the public, the MBSPs' space for non-public interaction is much smaller than in other assemblies. A further obstacle is the absolute majority of the CSU government whose unity – unlike coalition-governments in other assemblies – is much harder to split over controversial topics.

Although the interviewees did not label the two different levels of influence (political power/objective content) explicitly as such, their comments and the analysis of the empirical material showed the use of different strategies in different places:

- (i) The interviewees thought the plenary to be a place of confrontation where MBSPs meet under the prefix of party-politics.<sup>16</sup> Political content was discussed only during the second (and more rarely third) reading of legal bills. Aside from this, the opposition parties used the opportunity to scrutinise the government's politics during question time. Results of a qualitative analysis of plenary debates in the second half of 1996<sup>17</sup> underline the interviewees' perception.
- (ii) In contrast, discussions in committees showed a much higher influence by representatives of the SPD and the Green party. Apart from legislative bills which, in their majority were introduced by the government, more than 70% of all parliamentary initiatives discussed during this election period (most prominently amendments to legal bills) were initiated by the opposition. In line with this MBSPs highlighted that opposition influence could most easily be achieved in committee meetings (Steinack 2007, pp.160ff.). However, the committees' recommendations are non-binding; the final decision whether an initiative will be adopted or not is taken by the plenary.
- (iii) The third pillar of opposition influence was to appeal to and integrate the public even prior to initiating a legal bill. The interviewees rated the informal influence that a party could gain outside parliament as the most important factor for influencing governmental decisions (Steinack 2007:181ff.). Most relevant are contacts to pressure groups prior to the preparation of legal bills. Once the legislative process has formally started, MBSPs try to influence voters by launching press releases and media-reports. In exceptional cases, they may use this to an extent that parts of the public will support the opposition party's position by launching a petition for a referendum, which – if successful – might alter the majority's decision.

**Table 2: Places and Instruments of opposition influence**

	<b>Content-oriented Politics</b>	<b>Power-oriented Politics</b>
<b>Non-public Space</b>	Discussions of experts from all parliamentary party groups aside from committee and plenary sessions Lobbying of stakeholders to convince the political majority Discussion of proposals in committee meetings*	
<b>Public Space</b>	Proposals to amend the majority's draft bills Hearing of experts and lobbyists Plenary discussions	Launch of press-releases in order to alert the media and the public Use of the media by lobbyists to support party positions Petitions for referendums (sometimes jointly with lobbyists) Initiative to discuss current topics in parliament in order to confront the government with the opposition's point of view

\* Though committee sessions formally are public, visitors and journalists quite often do not attend.

*Opposition Strategies to enforce political interests*

The public-oriented discussion of political topics in the plenary and outside parliament on the one hand and the matter-of-fact discussion with colleagues in or prior to committee meetings on the other hand are two contrasting benchmarks of opposition strategies. Analysing legislative procedures demonstrated that opposition MBSPs used both paths equally. Out of the nine procedures examined, four each were clearly dominated by power-oriented politics or content-orientated politics, the remaining procedure, a revision of Bavaria's nature conservation law, was discussed on both levels. In this context, certain topics or interests inevitably entailed certain political action strategies:

- (i) The MBSPs chose the strategy of discussing an issue more content oriented if the topic was relatively complex and could not be communicated easily to the media. This applied for example to a legislative procedure which aimed to reduce wrongfully granted subsidies in housing or a procedure intending to change the existing law on pollution control. The opposition MBSPs also used this content-oriented approach for an initiative to make the promotion of sport compulsory for local governments where parliamentary majority and opposition parties tacitly co-operated. The main base for this party-comprehensive co-operation was that the legislative matter in question was an issue that was of general interest that none of the parties covered programmatically, and that the topic was not attributed to a specific electorate.
- (ii) In contrast, the party groups used the power-oriented strategy for topics with a high relevance for society and strong links to at least one of the involved party's programme. The analysed legislative procedures linked to this strategy mostly dealt with topics that were linked to a party's *Weltanschauung* (world view) on this matter, such as gender equality, the integration of migrants, or the use of genetic engineering. Furthermore, discussions on those topics could be reduced to clear statements and a few key words.

*Party related differences in the opposition's appearance*

When comparing the two opposition party groups, particular party-specific patterns became evident: The interviewees mentioned several characteristics in the party groups' way of presenting themselves. Especially CSU MBSPs thought their Green colleagues to be far more

undaunted, agile and committed than the members of the SPD. Several of them claimed that it had been the Greens, which had confronted the government more often. In contrast, the interviewees described the SPD members as inhibited and less dynamic but more eager to cooperate. At the same time, the evaluation of the nine legislative procedures shows that SPD and Greens pursued their political goals with different strategies.

The interviewees described the Green MBSPs quite vividly. Many of them perceived them as 'very intense personalities'<sup>18</sup>, who left both an individual and colourful imprint. Several MBSPs thought this feature to be indirectly proportional to a party group's size, because in their opinion the Green MBSPs' exposed position in committees, was the main reason why their appearance gained profile and seemed more disputatious.<sup>19</sup> A Social Democrat explained that the single Green committee member's request to speak already put that person into an exposed counter-position to the other party group's speakers in this committee.<sup>20</sup> Particularly CSU-members were impressed how the Greens managed to cover the various issues discussed.<sup>21</sup> In focusing on a few issues which they underlined by competent argument, they managed to gain a far sharper programmatic outline than their SPD colleagues did. Several interviewees labelled the Green MBSPs as 'real opposition' whose successes in articulating alternative positions had contributed significantly to the sharpening of the political profile of the party group as a whole.<sup>22</sup> They had thus managed to convert the burden of being sole-representatives of a position in committee meetings into an advantage. In particular, the fact that they did not have to go through a time-consuming and diluting co-ordination procedure in working groups mirroring the committees, like the two larger party groups, allowed the Green parliamentarians a more impertinent and agile opposition strategy.<sup>23</sup>

According to SPD interviewees, the Green MBSPs had another big bonus: their more efficient communication structures and better, partly more creative, contacts in the media.<sup>24</sup> In contrast, they thought the description of their own party members in the media as 'rather boring'<sup>25</sup> – despite the party's ambitions and political goals. Even though the SPD had more staff to do research and prepare political statements and despite its large media office, several SPD interviewees perceived the party group's external communications and presentations as inadequate. One Social Democrat complained: 'It is one of the biggest grievances within the party group that our public relations are too bad. If the people only would understand our good intentions they couldn't vote [for] any other party but the SPD'<sup>26</sup>. In his opinion, the main reason for the lack of response his party got in public, were the out-dated communication structures:

'Similar to other mass organisations, such as churches and trade unions over a long period [the SPD has] successfully used communication structures which in today's communication society are relatively unsuccessful. (...) The Green's advantage is that they never had such communication structures. This is most evident for organisations such as Greenpeace and Amnesty International; from the very beginning, their way to communicate aimed at today's structure of media communication. If I want to point out, that the chemical industry causes too much pollution I don't write a long paper and send it off to all editors; I won't organise a conference either. Instead, I tie myself to a chimney and get the public attention that I need. (...) In particular the Bavarian SPD is still formed by communication structures used 50 years ago.'<sup>27</sup>

Overall, the SPD parliamentarians didn't gain much profile in the interviews. Keywords as 'creative', 'individual' or 'unconventional' weren't used. In the interviewees' descriptions the party group more seemed like a passive group formed by the spirit of the civil service with many MBSPs exhausted through long party careers and only a few actively involved in opposition work. A SPD parliamentarian mentioned that in his opinion the party group was lacking younger members and that the long opposition period would suffocate any motivation for a personnel or political renewal:

'The SPD isn't attractive for younger or more dynamic people (...) You have to imagine: if someone becomes a teacher at 25 and then joins the SPD he can become a

member of his local party group but even if he attends regularly this will get boring at some point. For a teacher it's financially attractive to become a member of the state parliament, even if he doesn't develop his career there any further. But once he is in, it's important to get re-elected. He basically needs to defend his constituency and needs to make sure that he won't lose ground within his party, but this rarely happens: once you made it you stay there. They [the MBSPs] stick to one basic attitude – don't change anything as otherwise you might get run over [by new developments]. If we admit a few dynamic youngsters what will happen to us?<sup>28</sup>

Externally, the SPD party group tried to leave a much more homogenous impression than the Green Party that was mainly justified by the electorate's expectations.<sup>29</sup> As during the 13<sup>th</sup> session the SPD could send six or more members in any of the committees, the party group was able to divide topics between several delegates while focusing on a more intensive preparation of the issues discussed. These expert opinions were then discussed in internal party working groups where extremist and outsider positions were smoothed down in favour of a binding majority opinion that was then presented externally.<sup>30</sup> The price the SPD paid for party unity was the abandonment of extreme positions that would have allowed them to draw clearer borders and to gain a clearer profile with respect to the CSU. According to representatives of Greens and CSU, the SPD particularly had a much weaker profile in content-related questions than the Green Party. At the same time, the SPD party group showed much more readiness to co-operate with the majority and according to CSU-representatives was involved more frequently in political decision making. As one CSU politician voiced, in contrast to the Greens, one could get along with the Social Democrats; 'and it's easier to get along with them. Even if there are a few extreme positions within the SPD the larger number of representatives guarantees the sum of opinions to be well-balanced.'<sup>31</sup> Correspondingly, several SPD interviewees had stressed their group's strong focus on political realism and the resulting insight that not everything can be realised that might be programmatically desirable.<sup>32</sup>

#### *The opposition party groups' strategic preferences in legislation*

The interviewees' remarks on the appearance of Social Democrat and Green MBSPs are consistent with the way both parliamentary party groups handled the selected bills' passage through parliament. The analyses of the genesis of these bills were used as the second central indicator for the opposition parties' strategic preferences. The parties handled four of the topics by using a content related strategy with none or very limited media-involvement, and in three of these cases, the SPD had initiated the draft-bill. The Greens had initiated only one such draft-bill and this was the only case (out of the nine topics examined) where there had been a governmental draft-bill prior to a draft provided by the opposition. This delayed initiative of the Greens indicates that the eco-party did not give priority to solving content-oriented topics by cooperative discussion.

In contrast, the initiative for all four bills that were dealt with an element of public confrontation came from a Green draft bill that subsequently triggered an initiative of the governmental majority. The SPD had contributed only to one of the legislative procedures of that kind with its own draft – a bill to guarantee gender equality in the public service.<sup>33</sup>

Finally, the proceedings to change the bill for the Bavarian Nature Conservation Law is an example for a mixture between the content-oriented strategy of cooperative discussion and the strategy of influence by public confrontation: Even though the Greens discussed this draft bill extensively in party publications, the debate on the planned amendments did not reach the wider public.

**Table 3: The Opposition Party Groups' Strategic Preferences**

	<b>Confrontation</b>	<b>Cooperation</b>	<b>Hybrid</b>
<b>SPD</b>	[Bill on the Identification of genetically non-modified edibles from Bavaria]* Bill on gender equality for women and men in public service	Change to the Bavarian Municipal Code to make promotion of sport for the masses compulsory for local governments Change to the Bavarian Pollution Control Bill Bill for the cut-rate sale of public land for common welfare	
<b>Bündnis 90/ Die Grünen</b>	Bill on the Identification of genetically non-modified edibles from Bavaria Bill on gender equality for women and men in public service Change to the Bill on elections to local governments Change to the Bavarian Hunting Bill	Change to the Bill to Reduce Misguided Subventions in Supported Housing in Bavaria	Change to the Bavarian Nature Conservation Bill

\* The SPD had adopted the Green's draft bill

Analysing those legislative processes shows that the Greens preferred a strategy of influence by public confrontation in order to implement their political ideas. In contrast, the SPD members focused on a content-oriented strategy and tried to achieve changes within parliament - in so doing they normally sought to co-operate in committee meetings. This was true even when the SPD had not submitted a draft bill for the topic in question, such as changes to the Nature Conservation Law, where SPD MBSPs submitted plenty proposals for amendments. SPD members further acted as intermediaries in CSU and Green MBSPs' conflictive and highly emotionalised debates on amending the Hunting Law. The SPD group's cooperative engagement in those matters confirms results of a quantitative analysis of all legislative proposals for the 13th legislative period that showed that significantly more amendments submitted by SPD members than by Green parliamentarians got the majority's approval (Steinack 2007, pp.135). In contrast, the Green MBSPs abstained from discussing topics where their party group had not submitted an amendment and did not try to act as intermediaries.

### **Explanations for partisan differences**

Table 4 gives an overview of the identified structural, socio-demographic and party-related impact factors. How do these relate to the opposition party groups' different behaviour patterns, and how does this fit in with the different theories on parliamentary opposition and findings on partisan and socio-demographic aspects of decision making in parliament?

**Table 4: Impact factors on the opposition groups' behaviour**

	<b>Factor</b>	<b>SPD</b>	<b>Green Party</b>
<i>Structural</i>	<b>Size of party group</b>	70 Members	14 Members
	<b>Number of committee members</b>	At least 6 MBSPs per specialist committee which allows to specialise on topics	Only one MBSP per specialist committee who represents the party group's opinion but can't specialise on all topics discussed
<i>Socio-demographic</i>	<b>Socio-demographic background of MBSPs</b>	Well educated, middle aged, male-dominated. Ca. 50% previously employed in public institutions	Well educated, younger, gender-balanced. Several farmers
	<b>Legislative Career</b>	Candidates need right kind of background and pedigree, only given to those who have served in the party for longer periods	There are multiple avenues into politics; party-membership no prerequisite for MBSP candidates
<i>Party-specific</i>	<b>Party tradition</b>	Labour Movement of Imperial Germany (1870s)	Grass-root Movement & Extra-Parliamentary Opposition (late 1960s)
	<b>Political self-Image</b>	Catch-All Party	'Anti-Party'
	<b>Programmatic focus</b>	Moderate politics of the mainstream	Combining of fundamental and realistic positions
	<b>Voters' expectations</b>	Political alternative to CSU	Controller of Government
	<b>Party groups' experience in parliament</b>	Long standing experience in opposition has lead to disillusionment and resignation	Relatively new to the business with limited experience of opposition's course of life
	<b>Communication structures</b>	Dated and old-fashioned Statements for certain topics are made by the party group's official speakers on the topic	Contemporary with unusual approaches Open access to the party group's media office for all MBSPs is a highly political issue
	<b>Culture of discussion within party group</b>	Personal differences are dealt with internally Aims to find common standing on each issue discussed	Personal differences within the party group are discussed widely and publicly Several strands of opinion tolerated

*Structural and institutional explanations*

Dahl (1996a), Blondel (1996) and Helms (2004) highlighted the impact different political systems might have on an opposition's behaviour and choice of strategy. The findings outlined above indicate that the effect institutional settings have on a micro-level, within one assembly, on different opposition groups can shape their behaviour just as much. In the case of Bavaria, the election system with its tendency to facilitate a large majority and two opposition groups of very different size seems to be a central reason. The SPD's significantly bigger number of MBSPs allowed the group to focus on a more content-oriented strategy of cooperative discussion. With at least six delegates in any of the parliament's committees the party was able to develop experts for many of the topics discussed and to rely on those experts' knowledge in the decision making process. At the same time, the number of MBSPs involved in each of those decisions required complex and time-consuming coordination within the parliamentary party group and some of the interviewees stressed that balancing

interests within the party group quite regularly lead to a watering down of their political intentions, which made it harder to increase the party's profile in the public.<sup>34</sup>

In contrast, the Green party group's fourteen members did not need complex coordination, as they could send only one MBSP into each of the specialist committees who then represented the party-group's opinion. At the same time, they had to deal with the handicap that for topics that are more marginal the party group simply lacked the capacity to accumulate expert knowledge and thus was less able to develop a content-focused profile. Among the range of topics discussed in the committees, the Green MBSPs would consequently pick only few items. In doing so, they deliberately focused on subjects which were likely to produce a high response from the public and which would sharpen the party's profile as a powerful and punchy opposition.<sup>35</sup>

Why these structural reasons can explain the SPD's stronger focus on content, they fail to justify why the party group did not develop an equally strong pattern of competitive behaviour, similar to the one displayed by the Green politicians.

### *Socio-demographic aspects*

Amongst the factors considered, the MBSPs' socio-demographic background seems to contribute least to the different ways the opposition parties behaved in parliament, thus questioning Best and Cotta's thesis of "representation by identity" (200a, pp.519) and contravening findings by Norris (1997, pp.6) and Hazan and Rahat (2006, pp.XXX). The party groups resembled each other a great deal with the gender-balanced, younger appearance of the Greens being the only significant difference to the male-dominated SPD and CSU groups. However, the stronger presence of women did not lead the Greens to be more vigorous in supporting women's rights in general and none of the interviewees has highlighted this female component as an outstanding feature of the Green's appearance. It thus seems unlikely that this factor caused the party group to be more vocal and competitive by publicly highlighting the party's legislative aims.

Equally unconvincing seems another explanation, given by CSU- and SPD-interviewees alike, who linked the SPD group's focus on more realistic solutions and its greater willingness to cooperate to its' MBSP's frequent previous experience as councillors on a local level.<sup>36</sup> However, as an almost equal percentage of both Green (62%) and SPD (61%) MBSPs had gained previous experience as councillors, this argument does not stand ground. Again, it seems unlikely, that the SPD's five (out of 73) representatives with previous experience as mayor should have influenced the party's attitude enough to explain the significant differences in behaviour patterns between the two opposition parties.

In contrast, the age differences between the Greens and the two other party groups seems to be a good factor for explaining different behaviour patterns. Men beyond their fifties dominated both SPD and CSU, and it can be assumed that their longer-standing experience in politics influenced the party internal discussions and shaped the way the party groups presented themselves in plenary and committee sessions and in the media. In comparison, the Greens totally lacked the influence of senior male politicians; the only two Green MBSPs beyond the age of 50 were female. Taking the Green's history as a melting pot of all kinds of social movements into account, these MBSPs individual background was far more likely to be influenced by the ideals of the women's or the peace-movement. Although by 1994 the Greens had become a constant in Bavarian State Politics they were employing action patterns acquired outside parliament.

### *Party-specific aspects*

Far more important seem to be aspects that can – in a wider sense – be described as party-specific, such as the party's history, both in- and outside parliament, its ideology, and its internal culture of discussion.

The SPD's focus on a content-oriented strategy of cooperative discussion can be explained by its standing as a mass party that, building upon its pre-war tradition of promoting working-class interest, has contributed to shaping politics both on a national level as well as in many

other German Länder for decades. In this role, the SPD stands in strong competition with the CSU when trying to win votes from the political mainstream. In order to succeed, both catch-all parties have to avoid extreme positions; they mustn't rely on idealist aims but must focus on solutions that are politically realistic. As a result, the political discussions of both CSU and SPD were inevitably more geared towards *Realpolitik* (real politics) than to political ideals. Adding to this are the decades some of the long-standing SPDs MBSPs had spent in opposition that had substantially dampened their hopes to achieve a fundamental change of politics. Acting along the motto, 'I want to see success and not only defeats'<sup>37</sup> they might have simply been more ready to compromise than their Green colleagues. Although this strategy was successful as it allowed the SPD to modify some of the majority's drafts along their own ideals, the party could not communicate this in the media as great achievement. Stuck in outdated communication structures, the party failed to get recognition as "real opposition" in Bavaria.

In contrast, the Green's preference for a strategy of influence by public confrontation can be related to the party's origins in grassroots movements and the ideals of the extra-parliamentary opposition of the late 1960s that formed the first years of the party in parliament. The Green ideal to be an 'anti-party' which aims to keep a check on the political system as such has faded while the party established itself in parliament. However, at least until the Greens first became part of a coalition government on national level (in 1998) the party's electorate expected explicitly left-wing positions. This made it easy for the Bavarian Green party to distinguish itself very clearly from the CSU in the fields of security and home affairs, as well as agricultural and environmental policy. It did not harm the party's profile that there were severe clashes between the party's more realistic and more fundamental wings; its voters tolerated, and even anticipated this behaviour as part of the party's specific culture.<sup>38</sup> Even though the Green MBSPs' public appearance in parliament during the 13<sup>th</sup> electoral term was mostly similar to the one displayed by the CSU and SPD MBSPs, many Green representatives still thought extra-parliamentary protest to be the right measure to gain attention and reach political change and they employed this attitude in their media-relations.<sup>39</sup>

Aside of this, particularly the Green's specific culture of discussion supported their MBSPs' focus on a strategy of influence by public confrontation. Shortly after the start of the 13<sup>th</sup> electoral term the party group members engaged in intensive internal party strife and discussed their clashing opinions on 'proper opposition politics' in the media extensively. The fact that the focus of their discussion was the question, how the Green representatives should handle access to the party group's press office, underlines the MBSPs' philosophy of keeping a high public profile by discussing things publicly.<sup>40</sup>

### **Final Considerations and Outlook**

The empirical findings prove common theories propounding co-operation and confrontation as being the main pillars of opposition behaviour, as SPD and Greens within the Bavarian State Parliament employed both strategies alike. At the same time, this result underlines that different strategies can exist within one political system. It thus seems necessary to extend the theoretical approaches by Dahl (1996), Blondel (1997) and Helms (2004) by taking into account the impact institutional and structural regulations on a micro-level might have for different party-groups. The socio-demographic differences between the members of the Green party group and the MBSPs of the two mainstream parties CSU are limited. Of these differences only the Greens' younger average age (which is related to many party-members background in grass-root movements, plausibly relates to the group's more confrontational behaviour in- and outside parliament. Strong indicators that the Greens' particular history might be the main driving force behind the party group's more confrontational behaviour patterns are the initially highlighted findings by Jenny and Müller (2008) for Austria and Isaksson and Akademi (1994) for Finland. In both studies, the Greens stood out as more active and less conformist than the larger parties of the mainstream.

It can be concluded that mono-causal explanations of opposition strategies falls short to take into account the complex strand of factors that influence the behaviour of MPs.



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## Notes

- <sup>1</sup> Kirchheimer (1980, p.410) distinguishes between parliamentary opposition, opposition as principle and a decaying of opposition as consequence of classical parliamentary cartel agreements. Oberreuter (1975) differs between issue-oriented ad-hoc opposition, cooperative opposition and competitive opposition. Steffani (1987) separates out loyal vs. fundamental opposition, parliamentary opposition vs. opposition outside of parliament without an explicit mandate of voters, and systematically vs. situation-orientated opposition that seems comparable to Oberreuter's Ad-Hoc-Opposition.
- <sup>2</sup> Amongst other results their extensive qualitative and quantitative analysis of the behaviour of members of the Austrian National Parliament shows that while members of the governing parties focus on committee work, the first preference of the opposition MPs was the use of questions in plenary-sessions. In particular, the two smallest opposition parties, the Greens and the Liberal Forum, represented in parliament with nine MPs prioritized party-specific policy-areas over constituency work.
- <sup>3</sup> See Russell (2008) who refers to Norton (2003) as main trigger for her research.
- <sup>4</sup> Following Pitkin's book on *The Concept of Representation* (1972), there has been a widespread discussion whether female MPs would be automatically "acting for" women and if a "critical mass" of women in parliament would change politics. For an overview and discussion of the most recent findings, see Celis and Childs (2008).
- <sup>5</sup> The 2003 elections to the state parliament are symptomatic for the opposition's limited chances to win: The slogan used by the Bavarian SPD, 'Macht braucht Kontrolle' (power needs control), sent clear signals that the party did not seek to come into government but aimed to prevent a 2/3 CSU majority. The 2008 slogan "Bayern, aber gerechter" (Bavaria, but more just) underlined the party's new strategy of acknowledging that the CSU's political achievements cannot be simply condemned as failures – though there would be room for (social-democratic) improvement.
- <sup>6</sup> Governmental files were not available due to the general 30-year block up period; access to internal material produced by the party groups was limited.
- <sup>7</sup> Though the merger of the former West German Green Party with the East German Civil Rights movement Bündnis 90, as formed in 1993, officially carries the name *Bündnis 90/Die Grünen* its members in the Bavarian State Parliament keep referring to themselves as 'Greens'.
- <sup>8</sup> To mention are, for example, the outstanding position of the First Minister who, opposed to his colleagues in the other German Länder, may not be forced out of office by a motion of no confidence (Ender & Schultze 1991:154, Mielke 1971, Rausch 1977). Additionally unique within the German federal system was Bavaria's second chamber, the Senate with 60 members chosen amongst representatives of the trade, the industry, the agriculture, and religious and cultural groups. As the public felt it was outdated and did not promote democratic decision-making, it successfully petitioned in February 1998 for its abolition and the Bavarian Senate ceased to exist in 2000.
- <sup>9</sup> In the CSU 57% of males and 50% of females were over 50. For the SPD these figures were 68% for male and 41% for female MBSPs.
- <sup>10</sup> Eight MBSPs had left the State Parliament prematurely; one had died. As their biographies as well as those of their successors were included, the number of biographies analysed adds to **n = 214** (CSU: 120+4 successors; SPD: 70+3; Greens: 14+2; Independent: 1).
- <sup>11</sup> Amongst the CSU party group members, at least 66% had previous experience as councillors, a further 11% as mayors and 3% as district administrators. However, as the biographies of most frontbenchers only highlight their previous posts within government, but fail to mention any career-development outside parliament, it can safely be assumed that the actual numbers should read higher (own calculations, based on data provided in Bayerischer Landtag, 1996).

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12 Among the 16 MBSPs representing the Greens during the 13th session, three weren't party members.

13 Even the CSU's landslide loss of over 17% of votes in the 2008 election that forced the CSU to enter a coalition government for the first time in 47 years, did not revive the SPD. The 18.6% of votes the party managed to attract marks yet another historical lowest point on the Social Democrat's long list of lost elections in Bavaria. URL: <http://www.landtagswahl2008.bayern.de/> - official result, accessed 23 January 2009.

14 The 1994 member figures for Bavaria were SPD: 104.526 SPD, CSU: 176.250 CSU, Greens: 5.555 (Kießling 2004, p.74).

15 Most prominently, Bavaria's capital, Munich, has (apart from the years 1978-1984) been continuously governed by an SPD major since 1948.

16 See interview 01-290101-B90/Grüne, line 80ff who explained: "Meeting in partisan armament limits your leeway. One needs to get started ahead of that (...) possibly even before issues are discussed in committees (...) Once the committee sessions are over you move on to the parliamentary part that will be slug out in front of the public and this narrows your influence. If the governing MBSPs have told you three times already in committee that they will not follow your suggestion and if they have underlined this with their own point of view they are not prepared to lose their face in public. You can't expect wonders in plenary session".

17 Peter Raschke and Jens Kalke, University of Hamburg, who for the summer term 1999 ran a research seminar comparing plenary sessions in all German State Parliaments during the first half of 1996, provided this additional data.

18 Interview 05-050201 SPD, line 274ff.

19 See interview 01-290101 B90/Grüne, line 188f; Interview 09-150201 SPD, line 73ff.

20 See interview 11-190201 SPD, line 120ff

21 See interview 04-010201 CSU, line 198ff.

22 See interview 04-010201 CSU, line 168ff; Interview 07-150201 CSU, line 218ff, Interview 13-120301 CSU, line 248ff.

23 Compare interviews 07-150201 CSU, line 227ff ., 05-050201 SPD, line 264ff.

24 Compare interviews 05-050201 SPD, lines 393ff ., 18-240401 SPD, line 202ff.

25 Compare interview 18-240401 SPD, lines 200ff.

26 Interview 05-050201-SPD, lines 385ff.

27 Interview 05-050201 SPD, lines 393ff.

28 Interview 05-050201 SPD, lines 500ff.

29 See interview 21-151001 SPD, lines 239ff.

30 Votes where MBSPs can decide independently without taking their party group's guidance on a topic into account are very rare. Interviewees 21-151001 SPD (line 315) and 01-290101 B90/Grüne (line 574) pointed out that if a topic was highly controversial within the party group there would be general agreement to try and not to discuss this topic with the other party groups if possible.

31 Interview 10-160201 CSU, lines 263f.

32 See interviews 08-150201 SPD, lines 31ff; 18-240401 SPD, lines 291ff, 303; 09-150201 SPD, lines 6ff.

33 In a further legislative procedure relating to genetic engineering, the SPD party group had decided to support the Green's initiative instead of submitting a proposal of its own.

34 See interview 21-151001 SPD, line 315.

35 See interview 17-190301 B90/Grüne, lines 225ff.

36 Interviews 04-012001 CSU, lines 194ff.; 08-150201 SPD, lines 31ff; 18-240401 SPD, lines 291ff, 303; 09-150201 SPD, lines 6ff.

37 Interview 08-150201 SPD, lines 187ff.

38 According to Raschke (1993, p.203), having several competing wings was seen as healthy sign for the party's plurality, heterogeneity and inner party democracy.

39 During the session, Green MBSPs for example protested outside parliament against final storage of radioactive waste and blockaded a slaughterhouse where cattle, potentially infected with BSE, were culled.

40 Having free access for all Green MBSPs to the party group's media office was one of the key issues, which ignited a major internal and public discussion on the party group's opposition strategy in 1996. See Steinack (2007, pp.81ff.) and 'Fraktionschef und Pressesprecher beziehen Prügel. Die Landtags-Grünen spucken Gift und Galle', *Süddeutsche Zeitung*, 4.10.1996.

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