

Challenges and Problems of Local Democracy in Germany

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Lecture II “Challenges and Problems of Local Democracy in Germany”

1. Representative Democracy at Local Level (Citizens elect)
2. Direct Democracy at Local Level (Citizens decide)
3. Cooperative Democracy at Local Level (Citizens recommodations)
4. Conclusions

What forms of local democracy and citizen participation in local affairs do you know?

Models of municipal rule in History

- Rule by electing representatives by citizen (since 1808 only house owner, 1919-1932, since 1949 in West Germany, since 1990 in East Germany democratic))
- Rule by notables (in 19th century)
- Rule by local bureaucracy (since second half of 19th century)
- Rule by party or parties (since end of 19 century)
- Rule by “leaders” (1933-1945 in the third Reich, 1949-1989 by communist leading party in East Germany)

Second lecture - Different forms – variety of instruments

- **Representative democracy** as election of representatives (councillors) - traditional form of local democracy, In Germany since 1808, since 1919 as democratic election, traditional dominance of this form of local democracy in Germany, differences by size: municipal concordance and competitive democracy, currently in a crisis
- **Direct democracy**: relatively new form of decision-making and conflict solution directly by the people by bypassing the council in policy or personnel decisions (introduced 1955 in Baden-Württemberg, after 1990 in all German federal states direct election of mayors and municipal referendums introduced, positively implemented), gaining influence in local politics in some German federal states
- **Cooperative democracy**: “all dialog-oriented procedures for cooperative problem solving at local level, participation of citizens and civil society organizations in policy formulation and policy implementation” (Bogumil/Holtkamp 2002: 5), in Germany on the rise since 2000

Role of direct democracy still unclear: supplementing representative democracy or replacing it?

Zero sum game or positive sum game?

Different opinions on local democracy

Traditional modernizer (Vote)

- + Political responsibility for policy decisions must be clear and accountable
 - + "Democratic elite rule", citizens not interested in politics and not able to understand it
 - + Limited role of citizens as voters, possibly passive consumer
 - + "**zero sum game**" (More civic participation as loss of power of established actors, claim inflation or diffusion of responsibility)
- = Better local democracy only by strengthening council

Alternative modernizers (Voice)

- + Citizens with self-deployment and self-determination aspirations in focus
 - + Political participation of citizens pushed by communitarians, Anti-Institutionalisms and basis democracy (highly disputed)
 - + **Positive-sum game** by high prerequisites: permanent and active participation of citizens, waiver of special interest politics / administration
- = better local democracy by more participation

Representative Democracy at Local Level



Based on different legacies

- (1) General criticism of traditional forms and procedures of representative democracy and party democracy: call for direct democracy - “grass-root democratic” legacy of **East Germans** peaceful revolution
 - (2) tradition of citizens movement **in West Germany** since 1960s for more direct democracy
- ▶ Middle-class bias of local democracy and participation, Dominance of certain groups of citizens (**Social selectivity**) especially highly educated, members of higher professional positions, men in middle generation, civil servants, pensioners
 - ▶ **Exclusion of social groups** (e. g. minorities, Long-term unemployed, young people), increasingly self-exclusion

Representative Democracy at Local Level



Representative Democracy at Local Level in Crisis

Local Council Elections Germany (13 states)				
State	2010-2014	2015 -2020	2021-2026	Difference
Brandenburg	46,2	58,6	66,5	20,3
Bavaria	54,7	58,8	61,5	6,8
Baden-Württemberg	49,5	58,8	60,9	11,4
Hesse	47,7	48,0	50,4	2,7
Mecklenburg Western Pomerania	46,3	57,6	64,6	18,3
Lower Saxony	52,5	55,5	57,9	5,4
North Rhine-Westphalia	50,0	51,9	56,8	6,8
Rhineland Palatinate	55,6	61,6	61,7	6,1
Saarland	52,5	63,8	65,0	12,5
Saxony	48,9	62,8	61,0	12,1
Saxony-Anhalt	43,1	53,8	56,8	7,9
Schleswig Holstein	46,7	47,0	49,3	2,6
Thuringia	51,4	60,4	62,7	11,3
Mean	49,6	56,8	59,6	9,9

Representative Democracy at Local Level in Crisis

- Decline in turnout since 1990 (from 75 to 55 % in Western federal states, from 65 to 45 % in Eastern ones), Increasing volatility of voters (since 2016 new trend of increasing turnout)
- Part of general crisis of party-based democracy in Germany: Decrease in membership of “established” parties from 2,3 Mio (1990) to 1,2 Mio. (2021), mainly because of erosion of social milieus, Lack of vitality in local political parties (decreasing integrative capacity), since 2024 anew increasing (especially in right wing Alliance für Deutschland, left party and Greens)
- Loss of legitimacy, decrease in responsiveness, increasing social selectivity (dramatic turnout decline in social problematic neighborhoods or city quarters)
- Overload of local politics, lack of professionalism (councilors as part-time politicians)

Activities to strengthen model of representation

- Reforming electoral system (Lowering voting age to 16 years, EU citizens got active and passive right to vote, Abolishing restrictive clause, Introduction of accumulation and panachage in local elections (except North Rhine-Westphalia and Saarland))

- **Aimed to improve performance of municipal councils** (better accountability and information)
- **Accumulation (give more votes than one to a candidate)** in order to improve its position within an open list (not possible in majority voting system with less than two lists as in North Rhine-Westphalia)
- **Panashage (splitting the vote)** - opportunity in personal multiple voting systems with free list to distribute the votes to candidates of different lists
- Aim: **Limiting influence of party leaderships on lists, but number of invalid votes increased (complicated system)**
- Each voter with as many votes as seats in municipal council, Example: In Munich each voter has 80 votes which he could distribute among 728 candidates (possible overburdening of voters)

Problems

- Differentiation between individual citizen and organized civil society (many actors claim to represent it)
- Ability to discuss with local politicians and senior administrative managers at the same level? (Citizenship as own serious actor in local politics)

Prerequisites of participation

- Legitimate representation of affected groups (**legitimacy**)
- Interest of citizens to engage in participatory processes (**motivation, durability**)
- Information of citizens, communication between them and local politicians and local administration (**information, communication**)
- Competence of citizens (**qualification, coordination**)
- Financing of public participation (**costs**)

Direct Democracy at Local Level



Developed positively in recent decades in municipalities in many German federal states - Two steps

Citizen's initiative: citizens decide on a substantive local issue

- ❑ in majority of federal states certain important local issues excluded ("negative catalogue"), only Bavaria, Hamburg, Hesse and Saxony generally forego such exclusions
- ❑ signature quorum between 2 and 15 % (in different German Länder),
- ❑ council can accept initiative; if he rejected it, their initiators can initiate a local referendum, if they gain support of enough voters

Local referenda: "from below" induced a citizen's vote at municipal level on substantive local issue

- ❑ in some federal states also possible "from above" by local council ("council referenda")
- ❑ successful if meeting a double voting quorum: **participation quorum** between 10 - 25 % and majority of voters must approve the bill (**approval quorum**);
- ❑ in case of success same legal effect as a council decision

I Local referenda

- ▶ From 1956 to 2024 **9,453 citizen's initiatives and local referenda** initiated, resulted in 4,768 citizens' decisions, after decline during Pandemic an average of 285 new per year
- ▶ **Two types of local referenda:**
 - ❑ **Citizens' referenda:** 7.839 initiated "from below" by citizens with success rate 50 %.
 - ❑ 1.614 counsellors initiated "from above" (**initiated referenda**) with success rate 56 %.
- ▶ 40 % of all referenda took part in **Bavaria**, also in Hamburg, Berlin, Bremen, North Rhine-Westphalia and Hesse part of local political culture in many municipalities.
- ▶ Thematic focus: Public social and educational institutions (20 %), economic projects (20 %) and transport projects (16 %) – **Land use planning only** in some federal states included
- ▶ 39 % of all **initiatives and local referenda** completed **successful** in terms of submission - referendum is not absolutely necessary for success: 851 of the 6,261 petitions (13.6 %) succeeded in persuading local council to take a decision in the spirit of the initiators.

See www.mehr-demokratie.de/fileadmin/pdf/2025/2025-05-20_Buergerbegehrensbericht_3.pdf

VII Direct Democracy at Local Level



II Direct election and removal of the mayor (Heads of county administration)

- ▶ *Performance deficit*: council-elected mayor too dependent on council and institutionally not strong enough to exercise effective political and executive leadership, particularly difficult budgetary decisions (contrasted with directly elected mayor especially of the Baden-Württemberg type who was credited with being an effective political and executive leader not least in budgetary matters)
- ▶ direct democratic innovation “recall” of mayor by way of local referendum (part of new municipal constitutions in the 1990th)

Variants of “recall” procedure: (1) *Brandenburg, Sachsen* and *Schleswig-Holstein* recall initiated by electorate; (2) In all other federal states municipal council decides on re-call with qualified majority, (3) in Baden-Württemberg and Bayern no recall possible.

Introduction of direct election of mayor, complemented by recall procedure, significantly strengthened and enlarged political empowerment of citizens

Cooperative Democracy at Local Level



Deliberative processes to support (not replace) democratic decision-making processes - promising way to align democratic governance with social values, interests, and preferences, and thereby strengthen democratic principles and democratic practice.

Different instruments (selection)

- **Advocacy planning:** used in Germany since 1970 as instrument of public participation in urban planning, an “advocate” (not in legal sense; usually a planner) gives ordinary citizens expert advice in planning matters, assists them and represents them before official bodies
- **Planning cells** a group of 25 randomly selected citizens, for several weeks exempted and remunerated by public sector lay planner are trying to find solutions to local problems
- **Round tables or multi-stakeholder platforms:** especially popular in East Germany from the times of the revolution, achieving consensus by agreement to a local problem based on equal representation of all relevant actors popular all over Germany
- **Future workshops:** Debating long-term prospects of local politics
- **Advisory councils:** traditional instrument of local politics in Germany, citizens as experts giving advice to local council and administration, for example in youth councils, urban development councils or senior advisory councils
- **New trend citizens councils:** since 2019 on climate protection (Berlin), on agriculture and further development of Black Forest National Park (Baden-Württemberg) and Corona policy (Baden-Württemberg, Saxony, Thuringia), random selection ensures more diverse perspectives, Balancing interests by deliberation leads to compromises, supported by broadest possible majority.

Cooperative Democracy at Local Level



New Trends because of modern technology – How can digitalization and AI change local democracy?

- Digital participation platforms enable broader, but often socially selective participation
- AI can support participation processes (e.g., automatic evaluation of citizen feedback), but also distort them
- Local democracy is becoming more data-driven, which places new competence requirements on municipalities and citizens.

Decision Theatres (computer-assisted, dialogue-based decision-making procedures)

- immersive, visual environments (often 270° or 360° rooms) in which data, simulations, and AI models are analysed together with political decision-makers, administration, and citizens.
- Originally developed by Arizona State University, increasingly used in Europe for urban development, climate policy, and infrastructure planning.
- Democratic relevance arises from: **Transparency**: AI-supported models become visible and comprehensible. **Deliberation**: Citizens and politics can discuss scenarios together. **Co-creation**: Decisions are not only presented but collaboratively developed.

Quelle: Schweizer, P.-J., Renn, O., & Webler, T. (2025). Conclusions and Outlook. In *Fairness and Competence in Citizen Participation: A Critical Review of Formats for Deliberative Policymaking* (pp. 367-389). Cham: Springer Nature Switzerland. doi:10.1007/978-3-032-02302-5_21.

Conclusions



Second lecture on basis features of local democracy in Germany

Any final questions or remarks?

Thank you very much. Questions and Remarks are welcome

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