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## The 10<sup>th</sup> Volkskammer of the GDR – Just a Keen Student or a Parliament with Its Own Culture?

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### IZVLEČEK

#### 10. SKUPŠČINA NDR – LE ZAVZETA UČENKA ALI PARLAMENT Z LASTNO KULTURO?

*Zadnji parlament NDR, ki je obstajal le od marca do oktobra 1990, se je nedvomno razlikoval od parlamentov v drugih vzhodnoevropskih komunističnih državah. To je bilo povezano s posebnim položajem, ki ga je imel kot parlament polovice nekdanje enotne države.. Po zmagi konservativcev na volitvah marca 1990 je bilo jasno, da večina volivcev želi čim hitrejšo združitev z Zahodno Nemčijo. Glavna naloga skupščine je bila organizacija tega procesa. Ker je bilo 400 novoizvoljenih poslancev popolnoma neizkušenih, je bilo zgledovanje po nemškem Bundestagu najbrž edina možnost za reševanje težav, s katerimi so se spoprijemali. To pa je pomenilo, da ni bilo veliko priložnosti in časa za razvoj lastnih rešitev. Kritiki so obsežno pomoč zahodnonemških političnih strank in institucij videli kot svojevrstno kolonizacijo. Tudi veliko poslancev je bilo zelo kritičnih do skupščinskega dela. Občutek pomanjkanja vpliva in nemoči je bil vsesplošen, toda obe strani sta bili obenem zmožni dosežati konsenz.*

*Pričujoči članek poskuša odgovoriti na vprašanje, ali je bil ta parlament le prizadeven učenec zahodnonemškega učitelja ali pa je bil kljub okoliščinam sposoben razviti lastno parlamentarno kulturo in držo.*

*Ključne besede: NDR, parlament, nemška združitev, federalizem*

### ABSTRACT

*The last parliament of the GDR, the 10. Volkskammer, existed only from March to October 1990 and was undoubtedly different from those in other eastern European communist countries. This had to do with its special situation as the parliament of one half of a former united nation. After the victory of the conservatives in the election of March 1990 it was clear that the majority of voters wanted unification with West Germany according to Art. 23 of the German Constitution and as quickly as possible. This meant reunification by accession of the GDR to the Federal Republic. It was the Volkskammer's main task to organize this process. Given that the 400 newly elected MPs were completely unexperienced following the model of the German Bundestag was probably the only way to be able to tackle the problems they were faced with. But this meant too that there*

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*was little room and no time to develop own solutions to their problems. Critics saw the massive support by West German political parties and institutions as a form of colonization. And a lot of MPs too were highly critical of their work. A feeling of lack of influence and powerlessness was widespread. But, as the example of the reintroduction of the five Länder shows, both sides could pull in the same direction too.*

*This article tries to answer the question whether this parliament was only an assiduous student of its West German master or despite the circumstances able to develop its own culture and its own pace.*

*Keywords: GDR, parliament, German unification, federalism*

The 10<sup>th</sup> Volkskammer of the GDR was undoubtedly an unusual parliament. It existed for barely six months, from the day of its constitution on 5 April 1990 to 2 October 1990, during which it passed more than 150 laws and 100 resolutions at a total of 38 plenary meetings. Key examples include the treaty to establish a monetary, economic and social union with the Federal Republic of Germany, the Unification Treaty, the law governing the introduction of the five Länder (states), and the Stasi-Unterlagen-Gesetz,<sup>1</sup> although there were also laws on hospital financing, freely financed housing, and the application of a trades and crafts code, just to name a few. As the GDR's first and last freely elected democratic parliament, it was responsible for organising the East German side of the legally and economically complex German unification process, and in doing so dissolve itself and the state whose citizens it represented. As if this were not enough, the task had to be completed by MPs with next to no experience in the workings of a parliamentary democracy or parliamentary operations. Its history is also made interesting by the fact that the (self-)parliamentarisation process played out in the public eye, i.e. people could watch newly-elected MPs rapidly learning the ropes of their "profession" without the guidance of experienced colleagues. And it literally was a case of "watching", for televisions were there live at all times.

The election win by the conservative "Allianz für Deutschland" ("Alliance for Germany"), a coalition of the Christian Democrats (Christlich Demokratische Union, CDU), the Democratic Awakening (Demokratischer Aufbruch, DA) and the German Social Union (Deutsche Soziale Union, DSU), on 18 March 1990 clearly

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<sup>1</sup> "Treaty on the establishment of a monetary, economic and social union between the Federal Republic of Germany and the German Democratic Republic," *Gesetzblatt der Deutschen Demokratischen Republik* 1: 332. "Treaty between the Federal Republic of Germany and the German Democratic Republic on the establishment of German unity," *Gesetzblatt der Deutschen Demokratischen Republik* 1: 1627. "Constitutional law on the formation of states within the German Democratic Republic," *Gesetzblatt der Deutschen Demokratischen Republik* 1: 955. "Law on protecting and using personal data from the former Ministry for State Security/National Security Office," *Gesetzblatt der Deutschen Demokratischen Republik* 1: 1419.

demonstrated that most GDR citizens wanted to be reunified with the Federal Republic, and have their living conditions aligned with the West, as quickly as possible, for the Allianz's proposed policy had included the demand for a liberal constitutional democracy, the federal unification of Germany as per Article 23 of the West German Basic Law, and a consistent, socially and ecologically-oriented market economy.<sup>2</sup> The path to reunification had thus almost been completely set; alternatives, be they any kind of "third way" or the unification as per Article 146 of the Basic Law, were no longer matters for discussion.<sup>3</sup> The primary task of the 10<sup>th</sup> Volkskammer was now to adjust rights and structures in every conceivable area. However, given it had to be performed by 400 MPs with no parliamentary experience, help from West Germany was required.

This raises the question of whether, in these circumstances, the last Volkskammer of the GDR could have been more than just a keen student of its West German teacher, or whether it still managed to develop its own independent parliamentary profile.

The initial position of this parliament will thus first be explained below, before its specific working conditions are then examined. The sections thereafter describe how it geared itself around the West German model, and what role the media played. Finally, the example of the formation of the five new states within the GDR shows that, while the West German model did certainly align with some of the East's ideals, critical aspects were still dictated by the West.

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### The Initial Situation

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The constitutive meeting held at 11am on the morning of 5 April 1990 marked the start of the final legislative period of a parliament which, until just a few months prior, had not even earned its reputation as such.<sup>4</sup> From the 1<sup>st</sup> election period in 1950 to the election on 18 March 1990, the "old" Volkskammer of the GDR was the perfect example of a so-called socialist representative body and therefore, by definition, fundamentally different to what was known in the GDR as a "bourgeois parliament". Specifically speaking, this meant there were no career parliamentarians, since MPs worked on a voluntary basis. They convened two, maximum three, times

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<sup>2</sup> "Allianz für Deutschland' zu den Volkskammerwahlen am 18. März," *Neue Zeit*, February 7, 1990. Article 23 of the German Constitution 'initially' established that the Basic Law applied to the then eleven West German states. "It must be enforced in other parts of Germany on their accession". The alternative, accession under Art. 146 ("This Basic Law, which, upon Germany's unification and liberation, applies to the entire German people, shall become invalid on the day a constitution freely decided on by the German people takes effect."), was particularly preferred by opposition parties PDS and Bündnis 90/Grüne.

<sup>3</sup> Martin Sabrow, "Der vergessene 'Dritte Weg'," *Aus Politik und Zeitgeschichte* 11 (2010): 6–13.

<sup>4</sup> Regarding the Volkskammer, cf. Werner J. Patzelt and Roland Schirmer, ed., *Die Volkskammer der DDR. Sozialistischer Parlamentarismus in Theorie und Praxis* (Wiesbaden: Westdeutscher Verlag, 2002). Helmut Müller-Enbergs, "Welchen Charakter hatte die Volkskammer nach den Wahlen am 18. März 1990?," *Zeitschrift für Parlamentsfragen* 22 (1991).

a year in East Berlin for a meeting which lasted not much longer than a day, before returning to their homes and regular places of employment. This was allegedly the only way to guarantee close contact with the working population. There was no separation of powers either. According to the official description, the Volkskammer instead fulfilled “the principle of unity in decision-making and execution. [...] As a working body, it ensures its decisions are implemented, and exercises control here.”<sup>5</sup>

The GDR’s Constitution stated that it was the highest state power. Until well into the 1980s, Volkskammer elections regularly recorded fantastic participation levels of over 98 percent, with equally fantastic results nudging the 100-percent mark for the unity list (Einheitsliste) of the ten GDR mass organisations and parties pooled under the “National Front”. While the bloc parties CDU, Liberal Democrats (Liberaldemokratische Partei Deutschlands, LDPD), National Democrats (National-Demokratische Partei Deutschlands, NDPD) and the Farmers’ Party (Demokratische Bauernpartei Deutschlands, DBD), as well as mass organisations like the Free German Youth (Freie Deutsche Jugend, FDJ) and the Free German Trade Union Association (Freier Deutscher Gewerkschaftsbund, FDGB), officially masqueraded under the guise of pluralism, the Socialist Unity Party of Germany (Sozialistische Einheitspartei, SED) in fact ran roughshod over them. The allocation of seats was already established before any “election”.<sup>6</sup>

At the start, the Volkskammer hardly ever reacted to what was happening on the streets of the GDR in the autumn of 1989, remaining a loyal supporter of the system for some time.<sup>7</sup> However, the pressure of the increasingly vocal protests and the intensifying economic and political crisis occurring in the country meant it, too, ultimately had to make changes. The first signs of life were slow in coming; even the meeting on 24 October, in which Egon Krenz was elected Erich Honecker’s successor as head of the State Council in a public ballot, followed the same familiar format, albeit introducing dissenting votes and abstentions. But all of a sudden, the MPs themselves insisted on tighter meetings schedules and the formation of enquiry committees, and called for previously withheld information and discussions. The beginnings of a humble democratisation process start to show as of 13 November 1989. In December, the SED’s leading role was omitted from the Constitution.<sup>8</sup>

In this context, it is interesting to note the MPs’ reaction to the Central Round Table (Zentraler Runder Tisch), which had convened since December 1989 and had, the Volkskammer believed, become an ominous rival institution because it per-

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<sup>5</sup> Herbert Kelle and Tord Riemann, *Die Volkskammer – wie sie arbeitet* (Berlin: Staatsverlag der Deutschen Demokratischen Republik, 1989), 12.

<sup>6</sup> Hans Michael Kloth, *Vom ‘Zettelfalten’ zum freien Wählen. Die Demokratisierung der DDR 1989/90 und die ‘Wahlfrage’* (Berlin: Links, 2000).

<sup>7</sup> For the course of events, cf. Ilko-Sascha Kowalcuk, *Endspiel. Die Revolution von 1989 in der DDR* (München: Beck, 2009), chs. II, III.

<sup>8</sup> Cf. the minutes of the last nine meetings of the 9<sup>th</sup> Volkskammer (October 24, 1989 to March 6/7, 1990). Volkskammer der Deutschen Demokratischen Republik, 9. Wahlperiode, Protokolle, vol. 25, 221–556.

formed parliamentary functions and, in the eyes of many, was more legitimate than the Volkskammer.<sup>9</sup> While the members of the Volkskammer allowed the attending representatives of civil-rights groups and the old regime to discuss current problems, the decisions were to be made by them alone. They could not, however, stop the Volkskammer from rapidly losing authority, with MPs successively resigning from their positions in the final months.

The main legacy of the 9<sup>th</sup> Volkskammer is thus said to be that, during the last four months of its existence, it created the legal bases for a somewhat seamless transition into the GDR's first democratic parliament by virtue of the travel law, citizenship law and, most importantly, the electoral law for the election on 18 March 1990, thereby ensuring "institutional restabilisation following the collapse of the SED supremacy".<sup>10</sup>

The outcome of this first free and truly secret election in the GDR is well known: Contrary to all predictions, and most likely to the surprise of most people, the "Allianz für Deutschland" – the coalition between the CDU, DA and DSU – won with 48 percent of votes – well ahead of the Social Democrats (Sozialdemokratische Partei Deutschlands, SPD), who didn't even receive half (namely 21.9 percent), and ahead of SED successor, the Democratic Socialist Party (Partei des Demokratischen Sozialismus, PDS), with 16.4 percent. Way off the mark were the Liberals with 5.3 percent and Alliance 90/The Green Party (Bündnis 90/Grüne), the coalition of various civil-rights and environmental conservation groups, with 4 percent. Rounding things off were the members of Germany's Democratic Farmers' Party (DBD) and the Democratic Women's Federation of Germany (Demokratischer Frauenbund Deutschlands, DFD) on 2.5 percent, and a single member of the United Left (Vereinigte Linke). On 12 April, the CDU, DA, DSU, Liberals and SPD formed a Grand Coalition, which held a crushing majority of 303 to 97 votes in the Volkskammer.<sup>11</sup>

The task lying before the 400 newly elected MPs – 409 including the successors –<sup>12</sup> was colossal, with little time in which to be completed: The MPs initially assumed they had been elected for a full legislative period of four years. While some estimated more time than others for the unification process, no one expected this Parliament's lifetime to be as short as six months.

<sup>9</sup> Uwe Thaysen, *Der Runde Tisch, Oder: Wo blieb das Volk? Der Weg der DDR in die Demokratie* (Opladen: Westdeutscher Verlag, 1990).

<sup>10</sup> Roland Schirmer, "Machtzerfall und Restabilisierung der Volkskammer im Lauf der Friedlichen Revolution," in *Parlamente und ihre Macht. Kategorien und Fallbeispiele institutioneller Analyse*, ed. Werner J. Patzelt (Baden-Baden: Nomos, 2005), 202.

<sup>11</sup> The balances of power were to shift in summer, when, first the Liberals in July, then the Social Democrats in August, left the Coalition: Barely a month before the Volkskammer ended, the CDU and DSU parties still had 196 delegates, while the opposition parties had 204 seats.

<sup>12</sup> Christopher Hausmann, *Biographisches Handbuch der 10. Volkskammer der DDR (1990)* (Köln, Weimar, Wien: Böhlau, 2000).

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## Working Conditions

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The conditions in which the 10<sup>th</sup> Volkskammer commenced its work were extremely unfavourable. Not only were the newly elected MPs very unclear as to what they had to do and how to go about it, there were other factors as well. One was that they did not know each other. And this did not just mean that, for example, the members of the SPD party were not aware who their colleagues from the CDU, PDS or Liberals were; even within the individual parties, people initially hardly knew the person sitting in front or next to them. Key functions within the parties, whether these be president, committee chairperson or work-group chairperson, had to be filled without properly assessing whether the candidate was even suited to the task. It was the same story when selecting speakers in the plenum. If, due to lack of experience or information, it was impossible to ascertain the strengths and weaknesses of one's own members, one was dependent on guesswork and leaps of faith.

For many MPs, it only became clear once actually in Berlin that being elected meant giving up their previous job and performing their new task on a full-time basis, at least for a certain period, whose duration was unknown. While the old Volkskammer was content with two or three meetings a year, meeting frequency now rapidly increased. On average, there was one plenary session a week, often more, plus the usual party, work-group and committee meetings, some special sittings, including on Sundays, with some meetings spanning several consecutive days or lasting well into the night. If many MPs initially assumed they would at least have a few hours during the week to continue pursuing their original career, in keeping with the old GDR ideal of voluntary MPs, they were taught otherwise within the first few days of their attendance in parliament: Adoption of the Western parliamentary model had transformed them into career politicians virtually overnight. A Volkskammer mandate left no time for sideline work. But it also meant the MPs had to be paid for their work, since they had lost their original source of income. The introduction of per-diem allowances was inevitable.

Discussions on this topic particularly revealed the unease many parliamentarians felt at having to set their own income amount. Reinhard Höppner (SPD), chairperson of the work group commissioned with the draft legislation, put this malaise into words: "I'd love to find a way out of it. As a result of having to be the chairperson of this committee, I have ended up in the less than ideal position of now also having to report on it here."<sup>13</sup> Although the Members of Parliament Act (Abgeordnetengesetz) passed through the parliament in two readings, there was no debate on either occasion. As many MPs found the amount inappropriately high (3600 GDR Marks plus 2300 GDR Marks flat allowance, said amount being paid out in D-Marks upon the conversion of currency on 1 July. Members of the old

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<sup>13</sup> 7<sup>th</sup> meeting on 17 May 1990. – Protokolle der Volkskammer der Deutschen Demokratischen Republik: 10. Wahlperiode (vom 5. April bis 2. Oktober 1990), ed. Deutscher Bundestag, Referat Öffentlichkeitsarbeit (Berlin: 2000), 200.

Volkskammer only received an allowance of 500 GDR Marks), they donated part of their income. The per-diem allowances did, however, remain a main point of criticism in public discussions.<sup>14</sup>

In March 1990, it became clear that MPs coming from outside Berlin required permanent housing where they could not only sleep and eat, but ideally also work. Large-volume accommodation was, however, rare in Berlin at this time, and most MPs ended up living in a former home for single Stasi officers on Ruschestraße in Berlin Lichtenberg. The facility first had to be urgently renovated, was not finished on time, and also lacked space, forcing some MPs to share rooms. And these MPs were not always from the same party, resulting in an atmosphere akin to a youth hostel – a notion fuelled further by the fact that the residents would meet in the evenings for guitar sing-alongs. However, this cross-party bonding undoubtedly also helped them get to know each other better, and break down any initial mistrust.<sup>15</sup>

The working conditions were also anything but optimum, with the infrastructure required for normal parliamentary operations virtually completely lacking. There were hardly any offices or meeting rooms, inadequate office materials, poor to negligible telecommunication, and even problematic transportation to and from parliament. The Volkskammer administration catering to the old setup could not handle the increased workload.

The meeting venue (the “Palast der Republik” until the 36<sup>th</sup> sitting) had been erected in the 1970s as a socialist cultural establishment in the centre of Berlin on the site of the demolished City Palace.<sup>16</sup> It was a multi-purpose building which the Volkskammer had to share with several restaurants, theatres, a post office and a bowling alley, among other things. As one of many occupants, the Volkskammer had no other choice but to find other rooms to work in. The parties finally took up quarters in the former building of the SED’s central committee at Werderscher Markt, which had now been renamed the “Haus der Parlamentarier” or “House of Parliamentarians”. The plenum also had to relocate there for the last two meetings after the Palast der Republik closed overnight due to an asbestos risk. Many MPs were mortified at having to move to this of all places. Apart from this, the Lenin Hall where meetings were held was merely a conference room and in no way suitable for parliamentary proceedings. There was no separation between the parties; MPs sat closely next to one another, making vote counts extremely complex. Visitors and journalists had to crowd around the room’s side walls, because there was no separate seating for them.

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<sup>14</sup> See BArch DA 1/16731, the letters to the Volkskammer.

<sup>15</sup> Paul Krüger, “Für einen geordneten Einigungsprozeß – zur Arbeit der CDU/CDA-Fraktion,” in *Mandat für deutsche Einheit. Die 10. Volkskammer zwischen DDR-Verfassung und Grundgesetz*, ed. Richard Schröder et al. (Opladen: Leske + Budrich, 2000), 157.

<sup>16</sup> Alexander Schug, ed., *Palast der Republik. Politischer Diskurs und private Erinnerung* (Berlin: Berliner Wissenschafts-Verlag, 2007).

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## Help from the West

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In view of all these challenges, the “big brothers” from the West provided urgently required help and guidance – insofar as sister parties existed, (as with SPD, CDU, the Liberals and Bündnis 90/Grüne), for parties like PDS and DBD/DFD had none.<sup>17</sup> It would likely have been virtually impossible for the Volkskammer to operate without the material and non-material assistance of the Federal Republic of Germany, which included technical equipment such as copiers, fax machines, telephones and cars, but also information, training, counselling or simply money. For example, the SPD, which received probably the best planned and most comprehensive aid, had a contact office in East Berlin from as early as January 1990. The party organised training sessions and information presentations before the 10<sup>th</sup> Volkskammer was even constituted, and also provided the essential legal support, for the difficulties started with the previously unheard-of terminology, which had to be painstakingly learned. At one point, 16 West German consultants were working for the Social Democrats in the Volkskammer.<sup>18</sup>

Certain periods saw Bonn colleagues figuring in almost all parties and sometimes even in the Volkskammer’s house gallery – a demonstration of affiliation always met by heartfelt approval from the plenum.<sup>19</sup> There were also a number of personal contacts available to discuss problems. The German Bundestag similarly provided institutional support, whether through administrative information, material resources and money, or counselling on security issues.

To enable things to get moving quickly and smoothly without any double-handling, attempts were made to establish as many structures as possible parallel to those in Bonn. For example, the number and layout of the committees in the Volkskammer was geared around the Bonn model, as was the number and layout of the ministries or work groups within the parties. The parties themselves also copied their respective sister parties. Bündnis 90/Grüne, for instance, adopted the model of having multiple spokespersons at the head of the party instead of one single leader – which was very appropriate for this highly heterogeneous combination of four groups originating in the civil-rights and environmental movement. This prevented certain members from being disadvantaged during the allocation of leadership positions. In the CDU/DA party, on the other hand, MPs formed state groups at a time when states did not exist in the GDR – another imitation of the West German model. The CDU in the Federal German Republic traditionally had very strong state associations, major regional

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<sup>17</sup> The CDU and Liberals had emerged from the GDR bloc parties CDU, NDPD, LDPD, while the SPD and Grüne were founded during the autumn of 1989.

<sup>18</sup> Martin Gutzeit, “Aufbau, Organisation und Arbeit der SPD-Fraktion der Volkskammer,” in *Die Handschrift der SPD muss erkennbar sein. Die Fraktion der SPD in der Volkskammer der DDR*, ed. SPD-Bundestagsfraktion (Berlin, 2000).

<sup>19</sup> Cf. particularly the meeting on June 17, 1990, which was especially criticised by the PDS. Uwe-Jens Heuer exclaimed: “Do we want to swap places? They can come down and we’ll go up.” – 15<sup>th</sup> meeting on 17 June 1990, Protokolle, 535.

differences, and a much more pluralist, decentralised organisational structure than, for example, the Social Democrats, and this was also reflected in the organisation of the Bundestag party, which similarly featured regional sub-groups, the strongest of which being the single-party CSU-Landesgruppe.<sup>20</sup>

One of the most important tools in ensuring the functionality and control of a parliament are the rules of procedure. The Volkskammer's old rules of procedure from 1974 were totally inadequate for modern, democratic parliamentary proceedings. They were modified out of necessity in April, and then definitively replaced in July 1990 by a version closely resembling that adopted by the German Bundestag. But the first drafts of this new version existed even before the election in March 1990. The Volkskammer's administration had prepared a draft drawing on the Volkskammer rules of procedure from 1949, those of the Weimar Reichstag and those of the German Bundestag. The SPD also started off with an elaborate draft inspired by the Bundestag's rules of procedure.

Despite this comprehensive help, a lot went wrong in everyday parliamentary life – though this is not a huge surprise. Parliaments are complex institutions which operate in accordance with countless written and unwritten rules. Being able to work professionally requires a well-honed mechanism, and, in the case of the Volkskammer, this first had to be put in motion.

It is not, for instance, enough to simply have rules of procedure; you also need to be able to apply them. Only the deputy head of parliament, Reinhard Höppner (SPD), actually knew how to use them to run a parliamentary session, primarily thanks to his experience as president and chair at Protestant Church synods, though he also had a gift for the task. Not only was he truly familiar with the various version of the rules of procedure, he was particularly able to anticipate situations and their consequences, think in alternatives, and find solutions in challenging scenarios. No other members of the steering committee, not even the president Sabine Bergmann-Pohl or her six deputies were able to do this, and often found themselves floundering. Other parliamentary processes also required practice, whether it was an "Aktuelle Stunde", correct composition and lodging of a petition, or the formalities for applying for a procedural motion. Or even just the knowledge that, according to information provided by the specialists from the work groups and committees, party meetings are there to discuss and establish the strategy for the plenum, and do not have to act as the place of endless debates on principles, especially when under time constraints.

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### The 10<sup>th</sup> Volkskammer and the Media

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The 10<sup>th</sup> Volkskammer was permanently monitored throughout all of this. Its process of self-parliamentarisation played out in the public eye, for the Deutscher

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<sup>20</sup> Cf. Hans-Peter Schwarz, ed., *Die Fraktion als Machtfaktor. CDU/CSU im Deutschen Bundestag 1949 bis heute* (München: Pantheon, 2009).

Fernsehfunk (GDR state television) broadcast the plenary meetings live and almost always in full right from the start.<sup>21</sup>

The media's interest in the Volkskammer had not just surfaced with the election of 18 March 1990. A detailed GDR TV report from the Chamber began as early as 24 October 1989, i.e. the final phase of the 9<sup>th</sup> Volkskammer. The TV covered the final eight meetings of this legislative period live, broadcasting some 60 hours from the Palast der Republik between 24 October 1989 and 7 March 1990. The live coverage of the 10<sup>th</sup> Volkskammer continued this practice.

All parties involved expected a lot from it, not least the citizens, who naturally wanted to see how their representatives handled their mandate. There was consequently great interest in the broadcasts at this time, with people watching them regularly and, most importantly, together in groups.

The Volkskammer itself was, however, also convinced of the importance of transparency, openness and information as conveyed by the television. With this new understanding of the public sphere, enabling the citizens to watch them perform their work, the MPs purposely wanted to break away from the practices of their predecessor. "Watch" can also easily be replaced with the word "monitor", for that is what it boiled down to. This became particularly apparent in the constitutive meeting to elect the president and steering committee. What was unusual about it was the method for counting the votes, which took place in front of everyone in the Chamber, with the head of the Volkskammer administration, surrounded by the parties' secretaries, reading out each individual ballot paper.<sup>22</sup> As transparent and comprehensible as this process was for everyone, it was also extremely tedious, and tested the patience of MPs, journalists and viewers alike. The Volkskammer thus later did away with such laborious procedures.

The permanent television coverage did, however, have unwanted and unexpected side effects. The Volkskammer did not have set regulations regarding what was filmed and how it was filmed.<sup>23</sup> As a result, viewers not only saw all the various parliamentary routines as they occurred, but also chaotic meeting scenes; they saw MPs reading, eating or chatting, they saw empty rows of seats, and they began to complain. The many letters received by the Volkskammer attest to this.<sup>24</sup> Within a very short space

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<sup>21</sup> This video material, spanning more than 200 hours, is available to the public, cf. the cooperative project run by the German Bundestag, the Bundesarchiv (German Federal Archives) and the Deutsches Rundfunkarchiv (German Broadcasting Archive) on the German Bundestag's website: *Deutscher Bundestag – Mediathek*, [http://www.bundestag.de/kulturundgeschichte/geschichte/parlamentarismus/10\\_volkskammer/mediathek](http://www.bundestag.de/kulturundgeschichte/geschichte/parlamentarismus/10_volkskammer/mediathek). Cf. also Bettina Tüffers, "Die Volkskammer im Fernsehen. Strategien der Selbstinszenierung in der 10. Volkskammer der DDR," in *Lebenswelten von Abgeordneten in Europa 1860–1990*, ed. Adéla Gjuričová et al. (Düsseldorf: Droste 2014).

<sup>22</sup> Cf. the video recordings of the meeting dated April 5, 1990: *Deutscher Bundestag: On-Demand Video*, accessed October 12, 2015, [http://webtv.bundestag.de/iptv/player/macros/\\_v\\_f\\_514\\_de/bttv/od\\_player.html?singleton=true&content=526621](http://webtv.bundestag.de/iptv/player/macros/_v_f_514_de/bttv/od_player.html?singleton=true&content=526621).

<sup>23</sup> Similar to the German Bundestag and in complete contrast to institutions such as the British parliament, cf. Tüffers, "Fernsehen".

<sup>24</sup> BArch DA 1/16731.

of time, it had developed a major image problem. In July, the steering committee felt obliged to draft up a code of conduct, in which the MPs were asked to behave in a manner respecting the dignity of the House, for the parliament's image was heavily defined by the television broadcasts.<sup>25</sup>

The MPs simply had not realised that, by adopting the West German model of parliamentarianism, they had virtually automatically also signed up to the associated by-products, i.e. the understanding of the public sphere and the unique media situation. Just as they had to learn how to handle the interaction between parliament, the media and the public in general, they also had to learn that live television broadcasts did not simply paint a neutral picture of the goings-on, but significantly influenced viewer responses through camera work, editing or commentary.

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### The New States

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The GDR was a centralist nation, while the Federal Republic of Germany was and is, historically, a federal one.<sup>26</sup> Within it, the execution of national authorisations and tasks is a state matter, as per Article 30 of the Basic Law, unless otherwise stated or permitted.

The GDR once also had states for a short time: The five states of Mecklenburg, Saxony-Anhalt, Thuringia, Brandenburg and Saxony established by the Soviet Military Administration in 1945, which were replaced by 14 districts as part of the “Construction of Socialism” (“Aufbau des Sozialismus”) announced at the 2<sup>nd</sup> SED party conference in July 1952. The borders were primarily established based on economic interests, although the restructuring also aimed for centralisation, control and the elimination of self-administration (“democratic centralism”). The districts had no political autonomy.<sup>27</sup>

But it was not able to achieve what its leaders had intended for these measures, namely a radical break with state traditions, considered to be irrelevant remnants of Wilhelmine Germany, and the “final elimination of federalism, parliamentarianism and the principle of separating powers”,<sup>28</sup> as soon became patently clear in 1989. The major demonstrations of autumn 1989 in the GDR saw the call for new states

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<sup>25</sup> BArch DA 1/16625, 65 f, Letter dated July 4, 1990.

<sup>26</sup> “The Federal Republic of Germany is a democratic and social state,” Art. 20 (1) GG. The so-called “eternity clause” in Art. 79 (3) GG further stipulates: “Amendments to this Basic Law affecting the division of the Federation into Länder, their participation on principle in the legislative process, or the principles laid down in Articles 1 and 20 shall be inadmissible.”

<sup>27</sup> “Measures to change the national structure in the German Democratic Republic” dated April 29, 1952 and the “Law on further democratisation of the structure and working methods of national bodies in the states of the German Democratic Republic” dated 23 July 1952, *Gesetzblatt der Deutschen Demokratischen Republik* 1: 613. Henning Mielke, *Die Auflösung der Länder in der SBZ/DDR. Von der deutschen Selbstverwaltung zum sozialistisch-zentralistischen Einheitsstaat nach sowjetischem Modell 1945–1952* (Stuttgart: Steiner, 1995), 76–80.

<sup>28</sup> Karl-Heinz Kajna, *Länder – Bezirke – Länder: Zur Territorialstruktur im Osten Deutschlands 1945–1990* (Frankfurt am Main: Lang, 1995), 107.

to be formed become more vocal, with local citizens deeming it a “guarantor for free democratic basic order”.<sup>29</sup> The states became a central moment of identification at a time where the superseded social and political structures were rapidly dissolving.

The Modrow government had established a “Commission to prepare and perform an administrative reform” in the GDR in 1989, but left other regulations to the subsequent Volkskammer. During the government policy statement of 19 April 1990, Prime Minister de Maizière then labelled the state structure “one of the basic conditions for German unity, a fundamental structure for democracy, and a pre-requisite for successfully restructuring our economy”.<sup>30</sup> In late July 1990, the Volkskammer finally decided to (re-)constitute the five states of Mecklenburg-Vorpommern, Brandenburg, Thuringia, Saxony-Anhalt and Saxony on 14 October 1990, thereby re-establishing the federal structures which had been dissolved by the GDR leaders in late 1952.<sup>31</sup> Apart from a few border regions, the shape and layout of the new states matched those formerly defined by the Soviet Military Administration in 1945.

However, the fact that it ended up being precisely these five states, and no other options (such as forming just three or four larger states) were seriously taken into consideration, was also a result of the federal government and West German states having massive influence over the decision, particularly financially. Bonn was not interested in extended discussions with uncertain outcomes.<sup>32</sup> This meant that the adjustment of both countries’ national and administrative structures which became necessary during the German reunification was primarily the task of the GDR. It adopted the West German model to set up the complex equalisation system and distribute skills among the individual states, and between the states and the federal government. But this did not meet with any criticism or even resistance in the GDR. On the contrary: it was preaching to the converted. In fact, hardly any other issue appears to have reached “such a broad consensus among all political powers”.<sup>33</sup> The emerging parties and other organisations even anticipated the development by “[establishing] regional associations geared around the state structures which had existed until 1952 before the states themselves had actually been formed”.<sup>34</sup> And, as mentioned earlier, the CDU/DA party modelled its structure on that of the CDU/CSU by combining MPs into state-based groups, once again before the states even existed.

The identity-boosting aspect of introducing the new states was actually visible in the Volkskammer, with colours being shown in more than just a figurative sense. Dresden-born DSU member Lothar Klein appeared before his colleagues at the dis-

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<sup>29</sup> Michael Richter, “Die Entstehung der neuen Bundesländer 1989/90,” in *Länder, Gaue und Bezirke. Mitteldeutschland im 20. Jahrhundert*, ed. Michael Richter et al. (Dresden: Mitteldeutscher Verlag, 2008), 279.

<sup>30</sup> 3<sup>rd</sup> meeting on 19 April 1990, Protokolle, 49.

<sup>31</sup> Law governing the establishment of states, dated 22 July 1990, *Gesetzblatt der Deutschen Demokratischen Republik* 1: 955.

<sup>32</sup> One suggestion stated, for example, that only three states – Mecklenburg, Brandenburg and Saxony-Thuringia – should be formed. – Richter, “Entstehung,” 282–85.

<sup>33</sup> *Ibid.*, 280.

<sup>34</sup> *Ibid.*

cussion relating to the “Prime Minister’s report on the Moscow summit of foreign ministers regarding the two-plus-four negotiations” on 20 September wearing an unusual tie bearing the Saxon state coat of arms in the state colours green and white. He was not the only one; at that same meeting, CDU/DA member Michael Albrecht, from the Saxon town of Riesa, demonstrated his home ties in the same striking manner,<sup>35</sup> while Klein’s party colleague Norbert Koch, the Saxon state leader of the DSU, had quoted the first verse of Maximilian Hallbauer’s 1842 “Sachsenlied” in the plenum as early as 21 June.<sup>36</sup> And as if to show that the passion for all things Saxon really did extend across all parties, Christine Ostrowski (PDS) from Dresden stepped up to the lectern on 6 July dressed in black and yellow “as a sign of my bond with the future state capital of Saxony”.<sup>37</sup>

In retrospect, Volkskammer president Sabine Bergmann-Pohl found it “remarkable that ‘state-conscious attitudes’ had emerged so soon after the start of the political change”. [...] I thought it was a good starting point for completely normal, federative developments in our new society and our nation”<sup>38</sup> – a point which Grüne member Bernd Reichelt also highlighted in the first reading of the *Ländereinführungsgesetz* (the act establishing the new states). However, he appeared far less surprised by it than Bergmann-Pohl, commenting that “The GDR was not actually able to develop its own identity, despite 40 years of efforts by the party leaders and government. The feeling of belonging to a particular state in a historic and cultural context has largely endured, and we can particularly notice this today in the emotional way people are responding to the formation of the states. The House never reached an agreement on how to surrender the GDR’s sovereignty, but I think there is a consensus when it comes to establishing states. The states will be the future reference framework for the people of the GDR when the GDR no longer exists.”<sup>39</sup>

The behaviour of the Saxon members in particular – Brandenburgers or Thuringians, for example, did not display their regional allegiances as openly – must be viewed in the context of the imminent elections; the first state parliamentary elections in the GDR were held on 14 October 1990, and the first pan-German Bundestag was elected in early December. This demonstration of regional identity was thus a clear political statement against the centralist GDR and in favour of the federal restructuring. But it was also a sign of regional identification which had never totally disappeared. Particularly in a time of political and economic instability and rapid change, it provided cohesion and guidance.

<sup>35</sup> 36<sup>th</sup> meeting on 20 September 1990, *Protokolle*, 1767 f.

<sup>36</sup> 16<sup>th</sup> meeting on 21 June 1990, *Protokolle*, 583.

<sup>37</sup> 22<sup>nd</sup> meeting on 6<sup>th</sup> July 1990, *Protokolle*, 936.

<sup>38</sup> Sabine Bergmann-Pohl, “Die frei gewählte Volkskammer,” in *Mandat für deutsche Einheit. Die 10. Volkskammer zwischen DDR-Verfassung und Grundgesetz*, ed. Richard Schröder et. al (Opladen: Leske + Budrich, 2000), 61.

<sup>39</sup> 17<sup>th</sup> meeting on 22 June 1990, *Protokolle*, 670. Cf. also Michael Richter, “Föderalisierung als Ergebnis der friedlichen Revolution in der DDR 1989/90,” in *15 Jahre Deutsche Einheit. Was ist geworden?*, ed. Gerhard Besier et al. (Berlin: LIT 2007), 57.

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**Conclusion: Just a Keen Student or a Parliament with Its Own Culture?**

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Immediately after the Volkskammer was dissolved in October 1990, the members themselves became some of the harshest critics of its work. Many felt heteronomous, driven and dominated by the events and decisions of their own government and Bonn politics, sometimes simply overwhelmed, working under permanent time constraints, without any opportunity to make their own decisions or even work through drafts to the point that people could vote on them in good faith.<sup>40</sup> By the time the accession date had been set in the August for 3 October, and the Unification treaty had been passed in the September, they had become redundant. The feeling of powerlessness varied depending on which party the MPs belonged to. It was most intense among the opposition parties.

The Stasi-Unterlagen-Gesetz (the act on the GDR's state security documents), which was only incorporated into the Unification Treaty in this form at the urging of the parliament – against the intentions of the government in Bonn –, was considered one of the few positive factors of their work. The request for their own constitution, backed by the opposition, however, was one of the many wishes left unfulfilled.<sup>41</sup>

Circumstances had admittedly made it difficult for the 10<sup>th</sup> democratically elected Volkskammer to develop its own profile as a parliament. The task it had been assigned with the victory of the “Allianz für Deutschland”, namely to arrange reunification with the Federal Republic of Germany as quickly as possible, allowed very few alternatives or independent solutions. Parliamentary structures first had to be established. This affected institutional aspects just as much as it did the work methods and everyday organisational matters of the MPs, including relations between the parliament and the media and public.

Neither the meeting venue nor the working conditions were appropriate, the role of MP had to be defined and adapted to the new requirements, and unknown parliamentary institutions and formalities had to be introduced and tested. All this had to be borne by parliamentary novices, making the need for assistance inevitable. This help, which came largely from West German affiliate parties, as well as the German Bundestag, was extensive, albeit not totally selfless, for it also pursued personal interests in relation to future election successes. The help included supplies of material and money, as well as immaterial support through information, training and counselling.

The 10<sup>th</sup> Volkskammer of the GDR differed from established parliaments in many respects. In terms of its operating style, it was generally considered more passionate, more spontaneous, more geared around consensus, and more interested in fact-based, cross-party problem-solving rather than fierce political discussions fol-

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<sup>40</sup> Cf. e.g. the interviews in the Parliamentary Press Service of the GDR's Volkskammer, No. 11, 1 October 1990 or the critical summaries by the party leaders at the last meeting on October 2, 1990, Protokolle, 1863–72.

<sup>41</sup> Gunnar Peters, “Verfassungsfragen in der 10. Volkskammer der DDR (1990),” *Deutschland Archiv* 37 (2004).

lowing rigid party boundaries. But we must be cautious about construing this as a new, fresher, more spontaneous, “more humane” form of parliamentary culture which contrasts with the reputedly cold, aloof, professional Bonn/Berlin setup. As time passed, the MPs’ harsh self-criticism gave way to a milder view of things, which outweighed the enthusiasm over the experiences gained at the time. Much of what was deemed negative and detrimental in 1990 was reinterpreted as a positive: Chaos gave rise to improvisation, and a lack of combativeness resulted in a preference for objective discussion and consensual decision-making. This focus on consensus undoubtedly tied in with the still-ambiguous differentiation between political parties, the difficulty of the task, and the common goals despite all differences, but also with the lack of parliamentary practice and uncertainty in dealings with one another. Party discipline was, without question, also far less intense than it is today, but conduct deviating from the party line during votes can easily be tolerated when you have the comfortable majority the coalition had in its first few months. A greater focus was also placed on discipline within the parties in the Volkskammer once things became less cut-and-dried for critical votes. There were also controversial interjections, heated debates and personal attacks.

The “either/or” question raised in the title is thus too strict. The 10<sup>th</sup> Volkskammer of the GDR was indeed a keen student; it was capable of learning and incredibly diligent. But its work was never completely heteronomous – both sides had identical intentions, not just in the case of establishing the new states – nor was it a parliament with a true culture of its own. The external circumstances, including considerable time constraints, in which it operated required a pragmatic approach to the extremely complex tasks. Well-honed rules and processes which had been tried and tested elsewhere were used. While this left little room for its own initiatives, it did enable things to run more or less smoothly.

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Bettina Tüffers

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10. SKUPŠČINA NDR – LE ZAVZETA UČENKA ALI PARLAMENT Z LASTNO KULTURO?

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POVZETEK

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10. sklic skupščine Nemške demokratične republike (NDR) je gotovo bil nenavaden parlament. Obstajal je le šest mesecev – od konstituiranja 5. aprila 1990 do 2. oktobra 1990. V tem času je parlament na 38 plenarnih sejah sprejel več kot 150 zakonov in 100 resolucij. Kot prvi in zadnji svobodno izvoljeni demokratični parlament NDR je bil odgovoren za organizacijo vzhodnonemškega dela prav-

no in ekonomsko zahtevne nemške združitev. Pri tem je razpustil sebe in državo, katere državljane je predstavljal. Za nameček so morali to nalogo opraviti poslanci, ki niso imeli skoraj nobenih izkušenj z delovanjem parlamentarne demokracije ali parlamenta. Zgodovina te skupščine je zanimiva tudi zato, ker se je (samo)parlamentarizacija odvila pred očmi javnosti – ljudje so lahko opazovali novo izvoljene poslance, kako so se hitro učili svojega »poklica«. Ker je šlo za 400 poslancev brez parlamentarnih izkušenj, je bila potrebna pomoč iz Zahodne Nemčije.

Pri tem se postavlja vprašanje, ali bi bila lahko v tedanjih okoliščinah zadnja skupščina NDR več kot le zavzeta učenka zahodnonemških učiteljev, ali ji je vseeno uspelo izoblikovati lasten parlamentarni profil.

Trzeba je priznati, da so dane razmere demokratično izvoljeni skupščini oteževale, da bi se izoblikovala kot parlament. Naloga, ki jo je dobila z zmago koalicije »Allianz für Deutschland«, in sicer da izvede čim hitrejšo združitev z Zvezno republiko Nemčijo, ji ni omogočala veliko možnosti ali neodvisnih rešitev.

10. skupščina NDR se je v marsičem razlikovala od običajnih parlamentov. Njeno delovanje bi lahko na splošno opredelili kot bolj čustveno in spontano, bolj usmerjeno v doseganje konsenza in medstrankarsko reševanje težav na podlagi dejstev namesto burnih političnih razprav v okviru strogih strankarskih omejitev. Vendar moramo biti previdni, preden to opredelimo kot novo, bolj svežo, spontano ali »človeško« obliko parlamentarne kulture, ki je nasprotje domnevno hladne, vzvišene in profesionalne drže Bonna/Berlina. Sčasoma je strogo samokritičnost poslancev nadomestil prizanesljivejši nazor, ki je prevladal nad navdušenjem ob pridobljenih izkušnjah. Veliko zadev, ki so leta 1990 veljale za negativne in škodljive, je bilo prevrednotenih v pozitivnem smislu. Kaos je vodil v improvizacijo in nepripravljenost za spopad je dala prednost objektivnim razpravam ter sporazumnemu sprejemanju odločitev. Ta osredotočenost na konsenz je nedvomno sovpadala s še vedno nejasnim razlikovanjem med političnimi strankami, težavnostjo naloge in skupnimi cilji kljub vsem razlikam, vendar pa tudi s pomanjkanjem parlamentarne prakse in negotovimi medsebojnimi odnosi. Strankarska disciplina je bila vsekakor tudi precej ohlapnejša od današnje, vendar je odstopanje od partijskih smernic med glasovanjem mogoče dopustiti, kadar je zagotovljena zadostna večina, ki jo je koalicija imela v prvih mesecih. Stranke v skupščini NDR so se bolj posvetile uveljavljanju notranje discipline, ko odločilni glasovi niso bili več tako samoumevni. Manj je bilo tudi kljubovalnih medklicev, razgretih razprav in osebnih napadov.

Vprašanje »ali/ali« iz naslova je torej prestogo. 10. skupščina NDR je bila vsekakor zavzeta učenka, ki se je bila sposobna učiti in je bila nadvse prizadevna. Vendar njeno delovanje ni bilo nikoli povsem podrejeno – obe strani sta imeli enake namene, ne le v primeru ustanovitve novih držav – prav tako pa ni bila parlament z resnično lastno kulturo. Zunanje okoliščine, vključno s precejšnjimi časovnimi omejitvami, v katerih je delovala, so zahtevale pragmatičen pristop k izjemno zahtevnim nalogam. Uporabljena so bila utečena pravila in postopki, ki so bili preizkušeni in preverjeni že drugod. To sicer ni dopuščalo veliko prostora za lastne pobude, je pa omogočilo sorazmerno nemoteno delovanje.