

Territorial Reforms in West Germany:

Policy and Political Effects

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The administrative macro-structure of the FRG has undergone a tremendous - at least quantitative - change during the last 10 years. Whereas the federal system and the relationship between central government and the 11 states remained structurally almost unchanged, this transformation of the macro-structure took place on the level of local government in all of the territorial states ¹⁾ and led to a reduction of the number of the more or less autonomous local governments from 24 933 (1960) to 10 637 (1977) counties, cities, and municipalities being members of a county.

As the community level in the politico-administrative pyramid underlies state jurisdiction, this reform was brought about by legislation of the individual states. It should serve to increase administrative efficiency and local democracy simultaneously. For the individual community concerned the reform meant a more or less complete loss of identity, be it that the formerly autonomous community was integrated into an existing community, be it that the community became part of a newly created bigger unit. The most radical and controversial case might be the political eradication of the historical cities of Giessen and Wetzlar and their integration in the artificial city of Lahn.

Although there was a broad consensus about the necessity of a reform in order to reduce the obvious regional discrepancies in quality of life by creating communities of scale on the one hand, and thus to make self-government on the community level more meaningful on the other hand, the actual reform proposals were highly controversial in all states and the results vary in the size of the now existing local governments as well as in their organisational structure and constitutional features.

Meanwhile it is increasingly being questioned whether both of the reform goals have been accomplished. ²⁾ In particular, it seems that the administrative aims have dominated over the political goals of the reform, and it may be doubted if all of the consequences of the territorial reform for local government decision making have been anticipated or can be said to have strengthened local democracy: Only in the state of North-Rhine-Westfalia, for instance, the abolishment of inefficient local governments resulted in a reduction of political mandates from 40 615 (1964) to 17 172 (1975) ³⁾. Therefore, in taking the one aspect of the normative foundation and justification of the reform seriously it must be asked how local interests are represented and local government decisions legitimised under these conditions. The German Section of the International Institute of Administrative Science is presently carrying through a research programme evaluating the administrative (efficiency) as well as the political (democracy) effects of the reforms; this paper is to give a report on one of the projects which focus on the political consequences of the territorial reforms.

In the following sections I shall try to analyse

- I. how the goals of the reform have been operationalised during the reform process and to which extent the political consequences of the reform were regarded in comparison to administrative and tactical criteria,
- II. what the more detailed quantitative results are, which structural variations of local government emanated from the reform, and to which extent the structural differences of local government constitutions can be explained by characteristics of the very reform process,
- III. put forward some hypotheses about the political implications of the reform in general and the structural alternatives of centralised, unitary v.s. decentralised, co-operative local governments in particular, and

IV. give an outline of the research design.

I. Origins, goals and political process of the reform

Within the research project analysing history and formal goals of the reform serves mainly heuristic purposes in order to generate criteria for the evaluation of the political implications; for the purpose of the workshop this section of the paper is intended to present information with reference to the more general subject of "transformations in local government structures in advanced industrial societies" and to those participants not so familiar with the German political and administrative system.

1. Causes and origins of the reform

From a theoretical point of view changes in the administrative structure can be interpreted as attempts to meet new functional requirements imposed by the socio-economic environment of the system. This adaptation process is brought about in a political process, which originates in the perception, articulation, and - more or less precise - definition of a set of crucial problems, and during which structural alternatives are sought, evaluated and selected according to a set of mostly conflicting criteria proposed by different groups of political actors.⁴⁾ In our case the lack of fit between the macro-structure of local government, its problem solving capacity, and environmental demands became obvious only at the beginning of the 1960s, although the administrative geography dates back to early 19th century. Although after 1945 the borders of the individual states had been changed, the delineation at the local level was preserved, and the internal structure of local government was only slightly affected.⁵⁾ The predominant function of public administration immediately after the second world war was crisis management in order to come to grips with urgent problems of integrating refugees, providing shelter a.s.o. During the 1950s economic development and industrialization engendered massive population migration from rural to urban areas and a geographically unbalanced industrial concentration in and around the cities. A more qualified labour force, better

traffic conditions, better infrastructure and a higher standard of living, attracted labour and industry in a process of mutual reinforcement.

When land became a scarce resource and quality of life was negatively affected by this concentration process (environmental problems, traffic congestion, missing leisure time opportunities, increasing rent level a.s.o.) people moved out off the metropolitan into suburban areas, which often belonged to another community, leaving the cities with a high pressure on the level of public investment for infrastructural services.

In consequence regional disparities in the level of public services provided by the communities were observed between rural and city areas on the one, and metropolitan and suburban areas on the other hand. ⁶⁾ Federal and state governments tried to develop regional policy programmes in order to even the living conditions by attracting private capital to underdeveloped areas. The communities, however, responded to the growing discrepancy between financial means and public demands and the incongruency between socio-economic problem area and planning district, respectively, by functional adaptations, at first:

- rural communities delegated more and more functions to the county level, because they were unable to afford the delivery of certain public goods and/or the required number and quality of administrative personnel, thereby undermining their own area of self-government and strengthening state administration;
- an alternative solution was the cooperation of several communities in specific service units (Zweckverbände) centralising the delivery of waste disposal, for instance, but leaving the financial and control system decentralised with the individual communities. These voluntary associations, however, tended to become self-controlling and to degrade local parliaments to organs of mere ratification of administrative decisions;
- in metropolitan areas coordination and cooperation with respect to planning (developmental and housing policy) should be improved by bringing together the city and the surrounding

communities in a new public planning authority (Stadt-Umland-Verband). For the first time this happened in 1962 when the city of Hannover and 210 suburban communities (belonging to four different counties) joined, but left traditional matters to the individual municipalities. This model was copied in Frankfurt and Saarbruecken. ⁷⁾

- A more radical solution on the way to large scale territorial reforms can be seen in the case of the city of Goettingen, which was integrated by state legislation in 1964. ⁸⁾

On the one hand the city of Goettingen experienced a loss of functions and prestige, on the other hand, however, the public services which Goettingen had provided to other communities were taken over by the county and the financial burdens, therefore, could be redistributed among the members of the county.

These reforms remained punctual, however. The initiation of the reform movement proper is usually dated in 1964, when the annual meeting of the German Juridical Association treated the problem as its main subject and suggested that counties and local governments should have a sufficient size in order to fulfil their constitutionally guaranteed tasks autonomously and efficiently, i.e., it was proposed to reform the administrative geography by creating bigger and dissolving smaller communities. Increasing "administrative power" (Verwaltungskraft, as it was labelled in a more lyrical than precise way) was expected to regain local self-government and increase democracy (versus the authority of the state-controlled counties). Obviously the emphasis on democracy did not explicitly include citizen participation, but was primarily oriented toward the 19th century dualism of state (represented by an absolute or constitutionally restricted, "enlightened" ruler) and society.

Between 1963 (Rhineland-Palatium) and 1971 (Bavaria) all of the 8 territorial states of the FRG successively initiated reform legislations under the heading of efficiency and democracy and implemented the territorial reforms by 1978 within an average time of 8 years.

2.1. Official goals, individual motives and aspects of the reform process

Besides a general acknowledgement of the necessity of a reform there was little agreement about the adequate size of local government; controversies arose over alternative types of local units deriving from different conceptions of functional differentiation in a region. The shaping of local government was complicated by considerations to reestablish unity of administration or at least regional congruency of office districts of the various state and local agencies; furthermore the interdependence of reforms at the local and at the county level had to be taken into account, and - last not least - different forms of local government constitution (centralized or decentralized systems, leaving some autonomy to the integrated communities) became an issue in the reform process.

Although the official goals of increasing administrative efficiency and strengthening local democracy were not controversial, conflict was bound to arise when these ultimate goals were operationalised and specific measures to implement them were devised. Furthermore, it can be observed that additional criteria were introduced during the political process in order to justify the various suggestions. The official goal set can approximately systematised in the following way: ⁹⁾

- administrative efficiency implied
 - increasing financial resources (by integrating well off communities)
 - in order to afford more and better qualified personnel,
 - to improve planning and decision making,
 - and to lift the level of public services and improve the delivery of public goods;
- apart from financial (input-) considerations the optimal size of the local units to be created was also influenced by deliberations about economically necessary consumer demands on local infrastructure (for instance high schools,

various sport facilities a.s.o.).

- Increasing administrative efficiency in this sense was then assumed to be a presupposition for the functional reform to follow, which should re-delegate tasks from higher administrative to the local level and thus increase the degree of autonomous jurisdiction of the communities. Autonomy, in turn, was regarded as a necessary condition to induce citizen participation by presenting important issues for local decision making.

Democracy as the second major goal, therefore, can be interpreted as the intention

- to revise the formerly inevitable delegation of genuine locals authorities onto the counties or voluntary association in order to regain and possibly broaden local jurisdiction and self-government,
- and thereby stimulate citizen participation.

Obviously, these goals can hardly be fully harmonized: increasing administrative efficiency by creating broad scale administrative units can be expected to result in increased social and geographical distance and ultimately in a loss of political and administrative responsiveness; at least, one could predict that the representation of interests and citizen control over the politico-administrative system of the communities would be difficult to secure with the traditional political mechanisms and structures.

Looking at the present differences between communities in size, regional function, and political constitution, it is tempting to explain these variations as a logical consequence of differences in the goal premises or of differential weightings of conflicting goals. A closer look at the reform process and the individual motives of various political actors, however, makes clear that the present structure of local government in the FRG is rather a result of a psycho-logical and politico-logical process than of logical operations.

2.2 Reform Motives

Obviously the reform implied a redistribution of resources, power, and life chances in general. Conflicts between state legislation and local government, between those communities losing their political and social identity and those gaining from the reform point at different individual interests and motives of the actors involved in the reform process.

Governments, parliaments and political parties on the state level anticipated potential losses and gains of voters, respectively, when they initiated the reform or designed the future shape of local government. For government the political risks were neutralized by initiating the reform by coalition governments, which was done in 6 of the 8 territorial states; additionally, coalitions between the great parties of the Social and the Christian Democrats safeguarded a sufficiently great parliamentary majority in the legislative process. On the other hand, consensus building became more difficult within coalition government, because both of the partners occupied a veto position. Particularly in grand coalitions, which ruled in Baden-Wuerttemberg and Lower Saxony, there was a strong pressure to compromise, because SPD and CDU had fundamentally different positions with respect to two aspects of the reform: the conservatives evaluated reform plans basically against the idea of freedom and wanted to bring about the reform by an initial phase of voluntary fusions of communities, allowing for politically decentralised models of community organization; the Social Democrats, however, intended the reform under the norm of egalitarianism and favoured a model of unitarian, centralized communities, which seemingly could be implemented only by legislative force. In some states the opposition parties put pressure on the government to initiate the reform (Rhineland-Palatium, Hesse), speculating on voter losses of those in responsibility ¹⁰⁾, or presented alternative more rigorous plans, when government had initiated the reform, without seriously trying to realise these conceptions ¹¹⁾. By the same reason in three countries (Bavaria, North-Rhine Westfalia, Saarland) the reform was initiated by the majority fractions in order to monopolize the political issue.

On the side of those affected by the reform, the towns and municipalities, the distributional effects were anticipated and uttered to parliament during the participation phase of the legislative process, on occasion of local inspections, which took place in some states, or through commissioned research overwhelmingly carried out by jurists.

The potential losers of a reform feared that

- the various forms of political decentralisation on the community level would not compensate the loss of political autonomy,
- public and private activities including the place of residence of the administration would be concentrated in the bigger communities integrating the smaller ones,
- voluntary private contributions to the fulfillment of public affairs like road repairs would diminish and thereby offset gains in efficiency,
- the reform would result in a loss of prestige (by ceasing to be the residence of local administration) and local identity (disappearance of village names, local motor car numbers a.s.o.).

On the contrary, the winners of a reform expected to gain:

- more inhabitants and taxes,
- territorial gains that would allow for more industrialisation and ultimately an increase of taxes, as well;
- competitive advantages over other communities in attracting industry,
- better possibilities of local development planning.

The local politicians, putting forward these arguments, were personally motivated by fears and hopes with respect to

- their political career: losses of political mandates, impairment of power position in a new representative body, losses of honorary, prestigious posts;
- income and costs of exerting the mandate;
- higher qualification requirements that would possibly not be met in the new political environment.

Those favouring the reform generally expected career advantages. The importance of career expectations or implications was also

decisive for the attitude of local administrators to the reform; whereas some expected more highly valued posts depending on the predictable growth of the administrative system, others were afraid to lose their offices or to be forced into functions of minor prestige. 12)

The citizens, finally, were, if at all, negatively motivated towards the reform: they expected that local interests would have less chances to be respected in communities of scale; specifically private enterprises were afraid, that within a wider community they would have to compete more intensively for commissioned public works. It was also anticipated that costs of using public facilities and local taxes would rise. Last not least, people were anxious that contacts to local politicians would diminish, that administration would be alienated due to greater geographical and social distance, that local identity would be lost, and sometimes they opposed a fusion with other communities because of traditional local hostilities due to religious, social, and/or economic differences.

In sum, political motives, which referred to the power distribution in the new community seem to have played only a minor role in the reform process; if at all, political considerations of the future power distribution in the community and within the political system entered the discussion merely as restrictions to the intended enhancement of administrative efficiency, put forward by individual communities, but hardly systematically treated on the state level where the reform process had its arena. According to Gunlicks, during the legislative process in Lower Saxony, for instance, the important political question, whether the communities should have centralised or decentralised constitutions, was a controversial issue only for 14 % of the members of parliament. 13)

2.3 Features of the reform process

Particularly with respect to size and political structure of the communities some aspects of the reform process are of theoretical importance.

In all of the states reform plans were implemented by up to 53 special laws (in North-Rhine-Westfalia); however, in some states it was decided to give the communities a period of 5 to 7 years to associate voluntarily within the frame of certain principles and criteria laid down in government plans or basic legislation. This voluntary unification of communities was partly induced by their anticipating the otherwise inevitable compulsory fusion by law; in addition, however, governments offered financial incentives to motivate the communities economically, too. Those states allowing neither a voluntary phase nor financial incentives were North-Rhine Westfalia, Hesse, and Saarland.

Secondly, territorial reforms on the local and the county level are naturally interdependent. Most states, however, preferred to solve the reform problem sequentially by beginning at the local level. Again, it were the three above mentioned states which carried through the reform simultaneously on both levels in order to have a comprehensive instead of an incremental solution. And obviously this strategy presupposed that there was no voluntary phase, the results of which would certainly have conflicted with the plans for the county reform.

Although all states except Bavaria had the reform plans elaborated by expert commissions, only in the case of North-Rhine-Westfalia and the Saarland the commissions had a majority of members recruited from the realm of (administrative) science, whereas in the other cases the commissions were composed of practitioners from administration and politics, preferably retired high rank civil servants. Be it that the advisers were selected by government according to their known reform preferences,¹⁴⁾ be it that the suggestions of the commissions were not anticipated by the state governments, the scientifically dominated commissions happened to produce the most radical

reform proposals aiming at a decimation of local units by suggesting 8000 inhabitants as the minimal size and proposing the centralised local government structure as the only constitutional type.

The interplay of these factors might explain to a certain extent some of the most striking differences in the results of the reform.

II. Results of the reform process

Although the reforms were initiated in all states in order to achieve the same ultimate goals, the differences in the results are quite remarkable - quantitatively and qualitatively.

1. Quantitative results

Overall the number of autonomous local governments has been reduced between 1960 and 1977 as follows:

- cities: 137 to 89
- counties: 425 to 235
- communities: 24 371 to 10 637
 - with: 5 541 unitary communes
 - and 5 085 member communities
 - in 724 two-level-systems.

Those states giving the communities not the chance to associate voluntarily, carrying through the reform simultaneously on local and county level, and drawing strongly on scientific advice (North-Rhine-Westfalia, Hesse, Saarland) were also those

- having exclusively unitary communes of the centralized type,
- reducing the number of local governments most radically by 89,9 per cent (NRW), 84,4 per cent (HE), and 85,5 per cent (Saar) with an equivalent reduction of the number of counties,
- and having a high percentage of communities with more than 5000 inhabitants now.

A second group of states (Lower Saxony, Baden-Wuerttemberg, and Bavaria) achieved

- a relatively high reduction of the number of local units, as well,
- with a high percentage of units having more than 5000 inhabitants, but still having communities with less than 1000 inhabitants,
- and allowing decentralised, two-level local government systems as an alternative to unitary communes.

The third group (Rhineland-Palatium, Schleswig-Holstein)

- diminished the number of municipalities only by 35,3 and 15,1 per cent, respectively,
- maintaining a great number of small units with less than 500 inhabitants (51,6 and 46,8 per cent) and even 92,7 per cent with less than 5000 inhabitants in Schleswig-Holstein,
- having two-level-government structures of the associative type as the quantitatively most important form of local political constitution (S-H 122 Aemter compared with 96 unitary communities and R-P with 165 associations (Verbandsgemeinden) in comparison to 37 unitary communities).

2. Qualitative differences

I shall confine myself now to pointing out the structural differences between the basic constitutional types of local government, the one described above as centralised, unitary and the other so far circumscribed as two-level, associative, decentralised type.

2.1 unitary communities (Einheitsgemeinde)

have only one political centre after the reform; in other words, the integrated communities have experienced a complete loss of political autonomy and social identity in the most extreme case. This means that there is only one local parliament (council) and a central budget; with respect to the administrative branch local decentralisation is possible, but political control is exerted centrally.

However, besides this extreme type of political and administrative centralisation and the alternative of at least administrative decentralisation most state governments gave the communities

the opportunity to constitute local districts (Ortschaften, Bezirke) which are congruent in general with the area of the formerly independent communities; whether this is merely a way of administrative or also a device of political decentralisation can only be determined empirically, because it is up to the central council to decide whether districts are constituted at all and what their competences are to be. Political decentralisation is indicated by the fact that the districts may elect their own councils directly, and their function is formally described as managing affairs of solely local concern within a ^{small} budget determined by the central council; districts are also supposed to represent local interests in matters of central regulation without, however, having any voting power.

An alternative way to constitute local decentralisation is to have a district mayor (Ortsvorsteher) instead of a district council; this district mayor is not directly elected by the local population, but appointed by the central council. The legitimation basis of this institution is obviously small, and the question may be raised the more, if district organisations of this or the other type serve more than concealed administrative functions in order to compensate for the loss of local responsiveness of the geographically and socially (professionalised, external) removed administration.

Although the institution of districts dates back to the 1853 Prussian City Constitution, the revival of this element during the territorial reform was - besides possibly systematic considerations - also motivated by the intention to give compensation or "side payments" to former local representatives and mayors in particular. ¹⁵⁾

2.2 Two-Level-Systems

Districts in a unitary community can be interpreted as a form of devolution by delegating competences and transferring functions from center to periphery; in two-level-systems, however, the subsystems remain communities in their own rights transferring specific functions to the macro-structure. Only a core of competences is given to the higher political level by law, and it is in general up to the members of this associative or

federal system to centralise additional functions. 16)

Reality, however, is more complicated than this rough structural model. Due to the fact that local government constitution is a matter of state legislation, there is not only a variety of labels (Amt, Samtgemeinde, Verbandsgemeinde, Verwaltungsgemeinschaft) for these two-level-systems in the FRG, but the analysis is complicated by differences in the legal assignment of functions to either levels. 17)

German constitutional law distinguishes between genuine local government jurisdiction and the execution of state tasks by the communities. On the macro-level only planning functions, which the communities fulfill in their own right, are centralised in general, and the other regulative competences remain with the members or subsystems of these associations. But this functional differentiation does not hold for the execution of state tasks subject to state control; these tasks are in any case centralised on the macro-level. Also the administrative execution of genuine community decisions is delegated to the macro-system. Consequently, administrative functions of both, state and local, tasks and the fulltime administrative personnel are centralised on the macro-level, and it is basically only the political functions which are left to the individual community, which operates on the basis of honorary officials and elected representatives. Apart from details in the distribution of functions, differences exist with respect to the financial and budgetary system: in some states the associative level levies its own taxes and contributions, in others only the subsystems levy taxes and share the costs of operating the macro-system. Finally, in two states the council of the macro-system is elected directly by the inhabitants, in the other states it is elected indirectly by the individual councils of its members.

In general there is a need for structural consistency of these elements: the more numerous the competences are, the macro-system has in its own right, the more centralised administrative functions and personnel are, and the more financial autonomy the macro-system enjoys from its subsystems, the stronger is the need to legitimize the macro-system by directly electing the representatives.

Again, these differences in local government constitution can be explained by political and tactical considerations during the reform process rather than by systematic conceptions:

- ideological differences between Social Democrats and Christian Democrats on the dimension "egalitarianism - freedom" are decisive for the introduction of two-level-systems at least as an alternative to the unitary community in those states, where the conservatives had a strong influence on the legislative process,
- voluntary reforms could only take place, when the communities concerned were given the possibility of preserving some degree of autonomy in associative forms,
- the results of the voluntary phase, although by some reformers regarded as a transitory step to unitary communities, could not be reversed because of political reasons. Decentralised forms furthermore, served as a political compromise in the legislative process, when radical solutions could not be realised. As in the case of district constitutions in unitary communities the associative forms of local government served as a compensation for necessary limitations of the original autonomy, and the details of distributing functions and competences provided a broad range of bargaining opportunities in the reform process.

III. Effects of territorial reforms

Before I turn to the potential political effects of the reform, which this project is to investigate, let me sum up the most important findings, which are so far available with respect to supposedly increased administrative effectiveness. ¹⁸⁾

Financial problems of the communities have not yet been solved by the reform. The fusion of communities with low and high amounts of taxes, of course, enabled an internal redistribution. This, however, led sometimes to cuts in state subsidies especially for investment projects. Communities then tried to compensate this relative financial loss by levying higher local taxes. ¹⁹⁾

Furthermore, the financial burdens of the new local governments have grown in many cases, because those communities which expected integration launched big investment projects financed out of credits before they lost autonomy ²⁰⁾. In this situation it is difficult for the communities to finance infra-structural projects in areas with manifest overdemand for public goods. Overall, the infra-structure seems to have improved, however. ²¹⁾

In most cases the communities succeeded also in improving administrative capacity quantitatively and qualitatively; but it is difficult to demonstrate that administrative output, be it the quantity of decisions, be it the quality of planning, has grown. Contrarily, one study indicates, that the increase in costs of personnel was not matched by a corresponding increase in administrative output. ²²⁾ Only indirectly one can conclude from a change in quantity and quality of administrative staff that planning has improved and that more and better social services could be offered. ²³⁾

These findings do not allow to assess the overall-impact of the reform on administrative effectiveness, because the projects had to concentrate on selected indicators and it is theoretically impossible to sum up the individual impacts in monetary terms, as private enterprise can more easily do.

In the same way, it is not possible to give an overall assessment of the political impacts of the reform. Therefore, we decided to find out as many intended and unforeseen political con-

sequences of the reform as possible and to leave the final judgement to the reader.

The normative point of reference for the theoretical selection of potential effects within the project under consideration is "democracy" as one of the declared goals of the reform, i.e. the investigation will be guided by the question, if and how citizen participation, representation of interests, and political control of the executive branch have been affected. Following the input-conversion-output-model of politico-administrative decision making ²⁴⁾, we assume that the reform had at least two immediate structural effects, which hypothetically have an influence on the power distribution within the system of community decision-making ²⁵⁾: on the input-side a reduction of political mandates and therefore higher selectivity can be assumed, and by the concomitant introduction of new forms of government constitution a change of the conversion system has occurred. For the purpose of this project we classified the alternative structures of the conversion system along the dimension of political and of administrative centralisation / decentralisation, arriving at the following typology:

administrative political	degree of centralisation		
	centra- lised	semi- centralised	decentra- lised
centralised	unitary community without districts		
semi-centralised	unitary community with district		
decentralised	two-level-systems		

The actual classification especially of the semi-central type has to be verified by an analysis of the empirical functions. Within this theoretical frame of reference the project's methodological status will be explorative, descriptive, and comparative insofar, as we shall try to find out

- differences in power distribution and process before and after the reform,
- differences in power distribution between the presently observable structural types of the conversion system.

Drawing on former research on local government decision-making²⁶⁾ and intelligent (so I hope) speculations we may hypothesise the following effects on local government decision-making:

1. Impact on input-structures

Undoubtedly, the reform has drastically reduced the ratio of citizens/representative, the more politically centralised the new constitution is. This implies that the contacts between citizens and representatives will be loosened. The "political distance" will increase, as decision processes complicate and strain the time budget of representatives. Contacts will become formalised and representatives less responsive the more their nomination and election becomes independent of a specific local electorate or clientele. Political distance will lead also to a social selectivity of interest representation, because the increasing costs of participation will be less felt by the middle class²⁷⁾

Before the reform local policy in small villages was almost apolitical in the sense that the great national parties did not operate organisationally and programmatically on this level; representatives were elected rather according to personality than to party-membership. The more centralised the new system and the greater the communities now are, the more important become programmatic positions of the parties for local problem solving. Additionally, the more centralised the political system, the more important become political parties for the nomination and selection of candidates, and local residence and clientele gradually cease being a political resource.²⁸⁾

Representatives, therefore, will be forced to become members of political parties and change their reference groups, consequently enhancing the political distance to their local electorate.

Furthermore, with a direct mode of election not only the power of political parties will increase, but also a growing influence of the greater party districts over the smaller ones containing the integrated communities will be observed, thereby overlapping the social by a regional selectivity. ²⁹⁾

On the other hand, increasing political distance will be compensated to a certain degree by party influence on local representatives. This, however, in order to be a functional alternative, requires an engagement of the population in the local political party organization. Otherwise external political control will invade local politics, a tendency mitigated to a certain degree by party competition for voters.

Instead of more participation in political parties, we rather expect more political apathy measured in terms of participation in local elections. When political responsiveness decreases below a certain level, extra-parliamentary mechanisms of political influence, for instance citizen protests and initiatives, will be activated more frequently.

2. Impact on the conversion system

In systems theory we conceptualise not only parliament, but also the executive branch as part of the conversion system, because the latter usually cooperates with parliament in elaborating programmes. Nevertheless, from the point of view of the theory of democracy we have to ask which side is controlling the other.

Undoubtedly, the reform has conveyed an expansion of administrative tasks. This growth of local administrative jurisdiction resulted in a growth of administrative staff and probably in more specialisation and internal differentiation. Apart from coordination problems in the administrative branch the higher information processing capacity will lead the executive to produce more and more complicated programmes, which have to be politically controlled by the council.

The council, in response, will structurally change, as well. In part this change is brought about by regulations

in the local government constitutions determining size and compulsory committees. We expect that the councils will adapt their internal structure to the changed administrative structure by further internal differentiation, in order to achieve a comparable information processing and control capacity. Structural differentiation and development of a complex committee system, however, means functional specialization for the individual representative and, therefore, requires some extent of professionalisation. As we know from a previous study, local politicians, socialised in small communities, worry about a lack of knowledge in special policy problems, are afraid of becoming dependent on administrative advice or to suffer from an information overload generated by the executive.³⁰⁾ They also feel, that it becomes difficult to treat local problems and to play the role of a local spokesman under these conditions. The lack of regional differentiation and specialisation seems also to enforce the role of party programmes as a filter for problem perception.

On the organisational level differentiation of the council makes coordination necessary. Traditionally the fractions and their heads work as coordinators with a tendency toward collective voting of the fraction on specific matters. Party politicization of the council is also likely to create "artificial" conflicts. These conflicts and controvercies over the regional distribution of resources in the community will hardly be solved in public plenary sessions, but in the internal circle of the heads of fractions or the most important committees - a tendency that leads to a hierachisation of the parliamentary decision-making process.

How these developments will affect the balance of power between executive and legislative branch cannot be predicted. According to findings in cities of about 30 000 habitants we may assume, however, that the control capacity of the (still honorary!) council does not suffice to give the council more than simply the function of ratifying administrative proposals. In this situation a secondary control mechanism is developed by concentrating rather on structural decision (budget, organisation, personnel) than on programmatic, substantial affairs. In particular personnel policy concerning the top of administration is used as a substitutive mechanism to safeguard political

control over the administrative branch by reducing the complexity of the control problem through mutual confidence. 31)

This description might hold for unitary communities. What can we expect for politically decentralised systems? Whereas in two-level-systems with indirect election of representatives for the macro-system regional interests will be respected more strongly, in two-level-systems with direct elections the transmission of demands of the subsystem onto the macro-level will be more indirect. The same might be true for unitary communities having constituted districts councils. Only in case of a role combination with mandates in the subsystem as well as in the supersystem local interests might be effectively represented on the macro-level, but this combination is legally excluded at least in the case of districts. Therefore, under conditions of different representatives on both levels we expect that the political influence of formerly independent communities now being a subsystem will depend on their affiliation with the majority fraction in the central council. Even so a district mayor will more easily succeed in transmitting local interests, when he belongs to the same party as the majority fraction does. Otherwise the political role of districts will be reduced to executing a centrally predetermined small budget by deciding on the micro-allocation of resources, and to commenting on issues with local implications, without really being in a position to influence the outcome of the decision process.

3. effects on administrative output and procedure

The more administration is geographically centralised, the greater will be the social distance between administration and client, too, because personnel will be more likely recruited from other parts of the town and, therefore, not have extra-official contacts to clients. Differentiation will, additionally, lead to formalisation of procedure and to a tendency of rule orientation and obedience to universalistic norms of conduct in interaction with clients.

In this situation people will reduce interaction with public administration to a minimum of necessary affairs of approximately

3 to 4 visits a year. ³¹⁾ They tend to ask retired officials of the old local administration for advice, who have often taken over the post of district mayor during a transitory period.

However, it could be shown that in this case conflicts are likely, if not bound, to arise between district and central administration. But even in the normal case people seem to learn that the district administration does not have real competences, but has to pass on important matters to central administration. They, therefore, tend to circumvent the district and to address themselves immediately to central administration. ³²⁾

IV. Research design

The research project will heavily lean on semi-structured interviews to verify and extend our hypotheses; documents have to be analysed for details of formal regulation and for the output of the system in terms of roll calling and regional distribution of financial resources.

First of all, we intend to get a detailed description of procedure and shall put questions in form of the "Ersatz-decision-making-approach". Interviewees will be selected according to position, comprising actors who are presently in office and who have been officials and representatives before the reform.

The power of individual actors and subsystems will be measured by the reputational methode. Power distribution will be concluded, furthermore, from indicators of information and information processing capacity as well as assignment of formal competences (authority). ³³⁾

The objects under investigation are communities in the state of Lower Saxony. Besides practical considerations (distance), this state is favoured, because the reform has been finished only in 1974 and we have a good chance to interview former officials. Secondly, Lower Saxony shows all major forms of local government constitutions. To have these structural variations within one state, is important, because other constitutional factors, which I have not mentioned, but which vary from state to state, can be held constant. Data will be collected from approximately 60 interviewees in 4 communities belonging altogether to the same county. These 4 communities will represent the constitutional types of unitary community with and without districts (having a council and a mayor, respectively) and a two-level-system (Samtgemeinde).

Notes

- 1) except the city-states of Hamburg, Bremen, and Berlin
- 2) With respect to administrative efficiency see Volkhard Wrage, Erfolg der Territorialreform, Berlin 1975; concerning the political effects see Dieter Jauch, Auswirkungen der Verwaltungsreform in ländlichen Gemeinden, Stuttgart 1975
- 3) Rainer Frey, Verwaltungsreformen in Deutschland: Voraussetzung zur Verwirklichung lokaler Demokratie, in: R. Frey (ed.), Kommunale Demokratie, Bonn-Bad Godesberg 1976, p.133
- 4) see John Child, Organisational Structure, Environment, and Performance: The Role of Strategic Choice, in: Sociology 6 (1972) 1- 22
- 5) For the influence of the British model on local government constitutions in North Germany see W. Loschelder, Die Gemeindeordnungen in der Bundesrepublik Deutschland, Stuttgart 1965 (2)
- 6) see Rainer Frey, op.cit.; Rosemarie Wehling/Hans-Georg Wehling, Gemeinde und Gemeindereform, in: H.-G.Wehting (ed), Kommunalpolitik, Hamburg 1975, 14-20
- 7) see Heinz Weyl, Der Verband Großraum Hannover, in: Archiv für Kommunalwissenschaft 16 (1977), 178-195; Michael Borchmann, Der Umlandverband Frankfurt, in: Archiv für Kommunalwissenschaft 16 (1977), 23-37; Heiko Jütte, Der Stadtverband Saarbrücken heute und morgen? Zur Reform der Gebietsreform im Raum Saarbrücken, in: Die öffentliche Verwaltung 31 (1978), 350 - 354
- 8) see AlbertNouvortne, Das Göttingengesetz, in: Der Landkreis 1965, p. 77; Erich H. Biederbeck, Über die ersten Erfahrungen mit dem Göttingen-Gesetz, in: Kommunalwirtschaft 1966, p.223ff
- 9) For a systematic ordering of goals see the influential book of Frido Wagener, Neubau der Verwaltung, Berlin 1974 (2), p.285 f
- 10) For tactical considerations see Roman Schnur, Strategie und Taktik bei Verwaltungsreformen, Baden-Baden 1966; Volkhard Wrage, Taktik der Territorialreform, Köln 1973
- 11) see Wehling/Wehling, op.cit., p.24
- 12) That the career of local officials was not negatively influenced, has recently be shown by Bernd Kieseler, Die berufliche Mobilität der ehemaligen kommunalen Hauptverwaltungsbeamten in Nordrhein-Westfalen nach der Gebietsreform, Baden-Baden 1979 (in print).
- 13) see Arthur Gunlicks, Die parteipolitischen Präferenzen beim niedersächsischen Entscheidungsprozeß für eine Gebietsreform im Spannungsfeld von Effizienz, Gleichheit und Freiheit, in: Zeitschrift für Parlamentsfragen 7 (1976), p.474
- 14) For the role of expert committees see Roman Schnur,op.cit.p.22
- 15) For a detailed description of district constitutions see Wolfgang Holler, Bezirksverfassung und Kommunalpolitik, in: Demokratische Gemeinde 1977, p.205-208, 304-309, 404-408; Rolf Wiese, Bezirksverfassung in NRW, in: Der Städtetag 1975, 78-81

- 16) Only in Rhineland-Palatium the macro-system has the "competence of competences"
- 17) For a detailed description see Dieter Schimanke, Mehrgliedrige kommunale Organisationsformen, in: Archiv für Kommunalwissenschaft 16 (1977), 211-231
- 18) In the following I shall neglect the particular theoretical and methodological problems of evaluating organisations or reform programmes. Cf. Carol H. Weiss, Evaluation Research. Methods of Assessing Program Effectiveness, Englewood Cliffs 1972; Hans-Ulrich Derlien, Theoretische und methodische Probleme der Beurteilung organisatorischer Effizienz der öffentlichen Verwaltung, in: Die Verwaltung 7 (1974), 1-22
- 19) See Volkhard Wrage, Erfolg der Territorialreform, op.cit., p.74
- 20) ibid. p.89
- 21) ibid, p. 172 f
- 22) see Peter Eichhorn/Heinrich Siedentopf, Effizienzeffekte der Verwaltungsreform, Baden-Baden 1976, p.218
- 23) ibid. pp. 107, 177 ff
- 24) see David Easton, A Systems Analysis of Political Life, New York 1965
- 25) Differently from traditional community power research, which neglects institutional factors, we investigate the power distribution in the very institutional system.
- 26) see Hans-Ulrich Derlien et al., Kommunalverfassung und kommunales Entscheidungssystem, Meisenheim a. Glan 1976
- 27) see Dieter Jauch, op.cit. p. 86 ff
- 28) ibid.
- 29) Cf. Wehling/Wehling, op. cit. p. 30 f
- 30) Cf. H.-U. Derlien et al., op.cit., p.41 ff
- 31) Cf. D. Jauch, op. cit. p. 62 f
- 32) ibid. p.71
- 33) For this theoretical approach see John French/R.P.Raven, The Bases of Social Power, in: D. Cartwright (ed.), Studies in Social Power, Ann Arbor 1960, 150-167