

# Joachim Gauck is due to replace Christian Wulff as head of Germany on 18th March next

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translated by Helen Levy

**ANALYSIS**  
1 month before  
the pool

*"The events of the last few days and weeks have shown that the German people's confidence and the effectiveness of my worked have been seriously damaged because of this. For this reason I can no longer exercise as President of Germany, either at home and abroad,"* declared Christian Wulff at the Bellevue Castle, the seat of the federal presidency in Berlin on 17th February last.

Taking over from Horst Köhler, who also resigned before him, the head of state was elected on 30th June 2010. He suspected of having used his position as Minister President of the Land of Lower Saxony (2003-2010) to achieve financial favours, then to have tried to suppress these affairs. In all likelihood it seems that he will be replaced by Joachim Gauck, the candidate on whom the main political parties represented in the German parliament have agreed. Only the Left Party (Die Linke) is against him and has chosen to support Beate Klarsfeld, who with her husband, leads the association *"Sons and Daughters of the Deported Jews of France"*, in her bid for the seat of President of Federal Germany. The latter said she was honoured but also said that she disagreed with the Left Party, notably in terms of her support of Israel.

According to the German Constitution the post of federal president must not stand vacant for more than thirty days. The election of Christian Wulff's successor is planned for 18th March next.

## **Christian Wulff, the youngest federal president and the shortest mandate in history**

On 17th February last, Clemens Eimterbäumer, the Prosecutor in Hannover demanded that the immunity of Federal President Christian Wulff be lifted – an all time first in German history. The judge wanted to launch an inquiry into the relations that the head of State had with film producer David Grönewold, who in 2007, is said to have offered the president and his wife Bettina, several holidays in a hotel on the island of Sylt on the North Sea whilst a loan of nearly one million € guaranteed by the Land of Lower Saxony is said to have been granted at the same time to the company of which the former is a shareholder. Christian Wulff is also said to have benefited from a 500,000 € loan granted to him by businessman Egon Geerkens for the purchase of his house and gifts on the part of another business man, Carsten Marschmeyer. Finally, it is claimed that he tried to intimidate journalists at the daily *Bild Zeitung*, who were investigating these issues (Christian Wulff left a furious telephone message in which he threatened the newspaper's editor in chief, Kai Diekmann). The newspaper initiated the

scandal when it published an article in December 2011 with regard to the 500,000€ property loan granted by Mr Geerkens to the President.

The lifting of presidential immunity would oblige the Bundestag, the lower chamber in Parliament to debate publicly the embezzlement of which the president is suspected. The latter preferred to resign from office.

*"It is a defeat for Angela Merkel,"* maintains Lothar Probst, a political analyst at the University of Bremen. *"A defeat that is all the more costly since the Chancellor supported him for a very long time,"* adds Steven Bastos, a political science researcher at the Genshagen Foundation. *"The Germans expect their president to be honest and upright. In the eyes of the public Christian Wulff is neither one nor the other. He has taken advantage of his situation and still cannot admit it. Christian Wulff is a burden for the Christian Democratic Union (CDU) and threatened to reduce the party's chances in the two regional elections that are planned this year (in the Saarland on 25th March next and in Schleswig-Holstein on 6th May),"* says Gero Neugebauer, a political scientist from the Free University in Berlin. Chancellor Angela Merkel (CDU) declared that personally she regretted the resignation of the Federal President.

### The return of Joachim Gauck

The names of several candidates were discussed after the announcement of Christian Wulff's resignation. The Bundestag leader, Norbert Lammert stepped down just like the President of the Constitutional Court of Karlsruhe, Andreas Vosskuhle. The Liberal Democratic Party (FDP), the Christian Democratic Union's partner in government, rejected Protestant Archbishop Wolfgang Huber. Finance Minister, Wolfgang Schäuble (CDU) and Labour and Social Affairs Minister, Ursula von der Leyen (CDU) were mentioned for a time. For its part the Social Democratic opposition (SPD) announced that it would be putting forward its own candidate if Angela Merkel put forward a person who was too distinctive politically for the post of federal president. The Chancellor, whose government coalition no longer enjoys the majority in the Federal Assembly which elects the president, therefore had to find a consensus figure.

As soon as the resignation of Christian Wulff was announced the Liberal Democratic Party said it supported Joachim Gauck as candidate, an inadmissible position for Angela Merkel who accused her partner of having *"betrayed the principle of government solidarity"*. The Chancellor threatened the Liberal Democrats, who are losing ground in the polls, with the organisation of early general elections before giving in and accepting the appointment of Joachim Gauck.

*"In our opinion it is a way of guaranteeing the honour and authority of the highest post in the State,"* declared Liberal Democrat Philipp Rösler with regard to his choice to support Joachim Gauck. *"Angela Merkel's coalition would have been destroyed if she hadn't stepped down. The strategy was dangerous for the Liberal Democratic Party which feared that the Chancellor would come to an agreement with the Social Democratic Party (SPD) and the Greens without consulting it. The Liberal Democrats cannot afford further elections at the moment but they know that the same applies to Angela Merkel's party,"* analyses Gero Neugebauer.

Supported by the Social Democratic Party and the Greens, Joachim Gauck was Christian Wulff's rival in the last presidential election on 30th June 2010, which the latter just won in the third round of voting, 625 votes for him, against 494 for Joachim Gauck.

Aged 66, the presidential candidate, like Angela Merkel, grew up in the German Democratic Republic (GDR). Pastor, he defines himself as *"a conservative social democrat with a liberal bias"*. A symbol of the work in remembrance of the communist dictatorship he was first the spokesperson of the opponents' collective which rallied as the New Forum for Democracy

in Rostock in 1989 before taking the chair, after the fall of the Berlin Wall in 1989, of the committee responsible for the dissolution of the Ministry for State Security (Stasi), the political police department of the former GDR – he then took charge of the centre for the conservation and use of the Stasi archives. Joachim Gauck now also manages the association *"Against Forgetting-For Democracy"*.

*"This man can provide the impetus necessary in this challenging time and inject confidence back into democracy,"* declared Angela Merkel. *"Do not forget that we can thank a man of the Church like Joachim Gauck for the success of the peaceful revolution in East Germany,"* added the Chancellor, herself a Pastor's daughter.

### The Presidential Post

The Head of State is elected by the German Federal Assembly (Bundesversammlung) which comprises 1,240 members: 620 members of the Bundestag, the Lower Chamber of Parliament and an equal number of elected representatives from the 16 Länder, MPs from the regional parliaments and personalities from civil society. The election is undertaken by secret ballot according to an absolute majority in a first and then a second round. If none of the candidates achieves this majority (i.e. 621 votes) a third round is organised during which the person who rallies the greatest number of votes is elected.

The presidential post in Germany is mainly honorary: the Head of State is however a moral authority, since his role goes beyond the prerogatives he is granted by the Fundamental Law. Elected for 5 years the German President represents the country internationally. He concludes treaties with foreign States, accredits and receives diplomatic representatives. He is the guardian of the law and the Constitution, appoints and dismisses judges and high ranking federal civil servants, officers and sub-officers. Finally he can dissolve the Bundestag in two precise instances: when the latter does not succeed in electing a Chancellor (i.e. if none of the candidates manages to rally the majority of votes of the MPs after three days - article 63 of the Constitution) or when a motion of confidence put forward by the Chancellor does not receive the approval of the majority of the Bundestag members (article 68). General elections have to be convened in the 60 days following dissolution (article 39). 3 dissolutions have taken place: on 23rd September 1972, 6th January 1983 and on 21st July 2005.

Any candidate running for the presidential office has to be aged at least 40 and can only be re-elected

once. According to the Fundamental Law the President cannot belong either to the government nor a legislative body in the Federation (Bund) nor in one of the 16 Länder. He cannot undertake any other paid public (or private) function and he is not allowed to take part in the management or the board of a company with profit-making goals.

If, as it seems likely, Joachim Gauck is elected president on 18th March next, Germany will then be led by two people from the former GDR. Norbert Lammert, leader of the Bundestag, is now ensuring the interim as head of State.

## Joachim Gauck is elected President of the Federal Republic of Germany

Joachim Gauck, a non-aligned candidate, who enjoyed the support of five political parties represented in the German parliament (Christian Democratic Union, CDU, the Social Democratic Union CSU, the Social Democratic Party SPD, the Liberal Democratic Party FDP and the Greens), was elected on 18th March last as President of the Federal Republic of Germany in the first round of voting 991 of the 1,240 votes cast by the German Federal Assembly (*Bundesversammlung*). This body comprising 1,240 delegates (620 members of the Bundestag, the lower Chamber of Parliament, and an equal number of representatives from the 16 Länder MPs of the Regional Parliaments or personalities from civil society) is responsible for the appointment of the Head of State in Germany.

### RESULTS

The Left Party (Die Linke) chose to put its own candidate forward, Beate Klarsfeld, who won 126 votes.

Finally the far right National Democratic Party of Germany (NPD), put its candidate forward – a revisionist historian, Olaf Rose, who won three votes.

The presidential election on 18th March came after the resignation on 17th February last of Christian Wulff, who is suspected of having taken advantage of his position as Minister President of the Land of Lower Saxony (2003-2010) to win various financial favours and of then having tried to suffocate the scandal.

In his speech that he delivered after his election the new president Joachim Gauck recalled that the first and last free elections in the former German Democratic Republic (GDR) took place on the very same day 22 years earlier. «*I shall never forget those elections. Never!*» he declared adding, «*for the first time in my life, at the age of nearly 50, I could decide in a free, honest, secret election who was going to govern.*»

Born in 1946 in Rostock in the eastern part of Germany, Joachim Gauck, like Chancellor Angela Merkel,

grew up under the communist dictatorship. During his childhood his father was imprisoned for five years in Siberia by the Soviet secret services accused of anti-Soviet agitation. The regime in power did not allow young Joachim to study literature as he wanted to, since the Pre-Selection Study Committee issued a «reserved judgement». Later he had to give up journalism because he refused to join the Free German Youth (FDJ, Freie Deutsche Jugend). He chose to study theology and become a Pastor.

In 1989, he became the spokesperson of the collective of opponents in the New Forum for Democracy in Rostock before chairing, after the fall of the Berlin Wall in 1989, the committee for the dissolution of the Ministry for State Security (Stasi), the political police department in the former GDR. In October 1990 he took over the centre for the conservation and use of the Stasi archives. A symbol of the work in memory of Germany under the former communist dictatorship, Joachim Gauck heads the association Against Forgetting-For Democracy.

«*I am neither Superman nor perfect,*» says the new

## Presidential election in Germany 18<sup>th</sup> march 2012

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president whose nickname is «*the shepherd of freedom*» who defines himself as being a «*conservative social democrat with a liberal tendency*». He has set himself the goal of «*getting the Germans to understand that they are living in a country that they can love*». «*I can promise you one thing, that I will say «yes» with all of my strength and heart to the responsibilities that you have given me,*» he stressed. Qualified as «*the president of hearts*» two years ago during his first attempt at the Presidency of the Federal Republic, Joachim Gauck is greatly appreciated by his fellow countrymen. «*In this period of crisis, populations expect a new type of leader, who is not bright and shiny but who has intellectual rigour in the same way it is occurring in Italy, where Mario Monti took over from Silvio Berlusconi,*» indicated Marc Lazar, an historian and sociologist.

On 8th March Christian Wulff made his official withdrawal as President of the Republic during a traditional ceremony which was boycotted by a major share of the political class and the media. Opposition leaders called to boycott this ceremony (*Zapfenstreik*). The four former Presidents of the Republic launched the movement that was followed by 160 people, notably the former chiefs of staff and the high ranking officers

in the Bundeswehr (the German army) which declined Christian Wulff's invitation.

The latter indicated that he wanted to take advantage of all of the benefits associated with the function of federal president. Hence he has asked to receive an «honorary salary» of 200,000€ per year (paid for life) as well as having a chauffeur driven car and the provision of an office and a team to work with him.

The Social Democratic Party has asked that these advantages now be suspended when a head of State dishonours his office. Former Chancellor (1974-1982) Helmut Schmidt (SPD) declared that Christian Wulff had «*severely damaged the presidential office. He had even damaged the entire political class*». When asked by the polls, 44% of Germans believe that the outgoing Head of State had caused permanent damage to the Presidential office.

After the election of Joachim Gauck as President of the Republic Germany now has two heads who come from the former GDR and who are also both Protestants. «*Paradoxically the rejection of the Catholic Rhineland elite is a result of Germany's secularisation. Voters have greater esteem for Protestant politicians because their line of thought is not dictated by the Church,*» stressed Gerd Langguth, professor political science at the University of Bonn.

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