

9. Berliner Colloquium zur Zeitgeschichte

Rereading Clinton Rossiter, *Constitutional Dictatorship*

Convenor: Bernd Greiner (Hamburger Institut für Sozialforschung)

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Questionnaire

Session 1 »Constitutional Dictatorship«: What Does It Mean?

Introduction Bernd Greiner

Chair Tim B. Müller

(Drawings by Rossiter, pp. 3-14)

- * Where do we place Clinton Rossiter's book in terms of the history of ideas?
- * What distinguishes a »constitutional dictatorship« from an autocracy and full-blown dictatorship?
- * How sustainable are Rossiter's normative premises? Is the temporary suspension of the separation of powers and fundamental rights an indispensable condition for long-term stabilization of democracy and constitutionality?
- * Is the much-cited example of the »Roman dictatorship« of any heuristic or analytic value in terms of the modern era in the West?
- * What »pre-modern« models for the regulation of conflicts and crisis are relevant to a modern era in need of just such regulation?
- * What can be said with respect to »social self-regulation« in terms of crises and conflicts – and with regard to its interaction with the state and statehood?
- * To what extent is the strengthening of the executive a »secular trend«?
- * Are democratic constitutions based on assumptions that they could never guarantee, and which they are increasingly unable to do?

**Session 2 Stress Test for Democracies (1):
Balance Sheet for the Twentieth Century**

Introduction Arnd Bauerkämper

Chair Bettina Greiner

(Drawings by Rossiter, pp. 31-32, 44-53, 61-73, 117-129, 171-183, 255-264, 285-287)

- * What are the transatlantic similarities in dealing with crises and conflicts between 1914 and 1945? What differences can be discerned?
- * How can the differences or commonalities be explained?
- * What role is played by various »political cultures« in the formation and establishment of »emergency regimes«?
- * Or do situational threats moderate the particularities of »political cultures«?
- * To what extent does the »interpretation« of emergency powers and the manner in which the democratic separation of powers and constitutional guarantees are suspended actually depend on charismatic leadership figures?
- * Are there institutional provisions to prevent any hardening of the »constitutional dictatorship«?
- * Are »emergency regimes« also based on the prerequisite of there being a »collective willingness« to delegate responsibility?
- * In what way are »symbolic politics« a deliberate means of hedging on the part of »constitutional dictatorship«?

**Session 3 Post-1945 in Transnational Comparison:
The Relationship between Crises, Emergencies
and Democracy**

Introduction Gabriele Metzler

Chair Klaas Voss

- * In terms of institutions, procedures and mentalities, what traces were left behind by the »constitutional dictatorship« which established itself internationally between 1929 and 1945?
- * In Clinton Rossiter's sense, can we speak of a return to the former status quo?
- * Are there national particularities or even national »Sonderwege« (special national paths) in the dismantling of special powers that have been assigned or arrogated during a crisis?
- * What developments gave renewed occasion for considering the implementation of emergency regulatory and constitutional measures or of even decreeing them on a permanent basis?

- * What challenges remained without issue or yielded only temporary solutions?
- * Should the »democratically stable« era from 1945 to end of the twentieth century be regarded as an anomaly in the long history of Western democracies, which have been particularly susceptible to crises?

**Session 4 Stress Test for Democracy (2): »Constitutional Dictatorship«
as an Answer to Multiple Crises of the Twenty-First Century?**

Introduction Anja Mihr

Chair Mischa Gabowitsch

(Drawings by Rossiter, pp. 288-314)

- * »Capitalism does not need democracy,« was the opinion of the German writer Ingo Schulze in a highly regarded essay. Political scientist Herfried Münkler regards the »end of parliamentary democracy« as quite »foreseeable«. And in America there are now calls for a new »constitutional assembly.« How valid are these assessments?
- * It remains undeniable that since the onset of the twenty-first century, Western democracies have been confronted with multiple coincidental crises and strains – terrorism, chronic budget deficits, transnational integration, military crisis intervention, as well as economic, currency and financial crises. What are the consequences for the institutional make-up of Western democracies for the separation of powers and for procedural legitimization in politics?
- * What is the relationship between transnational integration and the modalities of a »constitutional dictatorship« as defined by the nation-state? Is the constitutional state even in a position to counter transnational challenges and crises solely by means of the nation-state's democratic processes? And if so, to what extent?
- * Is the relationship between »acceleration« (understood as a synonym for globalization) and »parliamentarization« (understood as a synonym for deceleration) doomed to be one of irreconcilable tension?
- * What are the political implications of the notion expressed by the phrase »the limits of reasonableness«?
- * Can we refer to democracy's sources of legitimization as being exhausted?
- * Have the planning fantasies from the second half of the twentieth century been exhausted as sources of political and intellectual action?
- * Can we in fact speak of unprecedented challenges or even structural overloads? Or, conversely, what tools and potentials are entailed in taking on the multiple crises by applying well-practiced democratic decision-making processes? Or do we

presently find ourselves in a transition towards a new version of »constitutional dictatorship«?

* What would be the potentialities (in Clinton Rossiter's sense) and the dangers of returning to a »constitutional dictatorship«?

* In the future, what will the standards of quality and effectiveness be that define our criteria for the stability and resilience of constitutional states?