



# Turnaround in elections adds to debate on Austrian federalism

BY MELANIE SULLY

**In** an electoral turnaround in April, Heinz Fischer became the first Social Democrat to be directly elected as Federal President in 18 years. Fischer defeated his rival, the ruling conservative People's Party candidate Benita Ferrero-Waldner, who will keep her job as Minister of Foreign Affairs for the time being. And in elections held in March, in two of Austria's nine *Länder*, the Social Democrats won an upset victory in Salzburg while Jörg Haider's Freedom Party held on to power in Carinthia.

The presence of right-wing politician Jörg Haider dominated the closing stages of the presidential elections. At a meeting with the Freedom Party and Haider, Heinz Fischer endorsed the "politics of exclusion" – he turned down any alliance with the "Haider/Freedom Party" because of Mr. Haider's past comments on the Third Reich. Mr. Fischer earned praise from the Greens but caused Mr. Haider to back the People's Party candidate, Benita Ferrero-Waldner. Political analysts considered Haider's support of her candidacy as dubious. Support from Green voters was a factor in Mr. Fischer's decisive victory.

Federalism cropped up briefly in the campaign when Ms. Ferrero-Waldner suggested that some *Land* legislatures and the national parliament could be smaller. Mr. Fischer opposed the idea saying it was important that deputies from all *Länder* should be represented in parliament. Ms. Ferrero-Waldner also questioned the competence (albeit restricted) of the Federal President to dissolve a *Land* legislature according to Article 100 of the Federal Constitution.

Last year, a founding committee made up of members of the federal government, members of parliament and some governors of the *Länder* established a special Constitutional Convention with 70 members to look at co-operative federalism as well as the role of the Austrian *Bundesrat*, the second chamber of parliament, and its veto power in limited cases, and other issues. The convention will present its recommendations for federal reform by the end of 2004.

## People's Party loses in Land elections in Salzburg

The Social Democrats also made gains in the Salzburg *Land* elections and won a large enough share of the vote to seize the *Land* governorship from the People's Party. In

Carinthia, where the Social Democrats had high hopes, the Freedom Party retained the governorship.

The result in Salzburg meant that for the first time since World War II the post of *Land* governor was filled by the Social Democrats, a woman named Gabi Burgstaller. (The

governor of a *Land* in Austria is actually the head of the government in the legislature.) Burgstaller's election was a minor sensation in conservative Salzburg and can partly be explained by the decline in popularity of the People's Party governor, Franz Schausberger. The Social Democrats succeeded in mobilising disaffected Freedom Party voters. Yet this new shooting star of the Social Democrats has often voiced criticism of the Vienna party leadership. Ms. Burgstaller is an open advocate of "great coalition" politics and as governor is working closely with the People's Party.

## The importance of the Land governor

The upset in Salzburg was only the third time a political party has been ousted from the post of governor of a *Land* since 1945. In 1964 the People's Party lost the governorship to the Social Democrats in Burgenland and in 1989, in Carinthia, the Freedom Party secured the post at the expense of the Social Democrats. In both cases the change of power was consolidated at subsequent elections.

The loss of the governorship in Salzburg is a bitter pill for the People's Party since considerable powers of patronage go with the job (according to the federal constitution the governor is the president of the state council for all schools, which appoints heads of schools). The *Land* governor attends the regular Governors' Conference meetings which discuss co-ordination of *Land* interests (Austria's version of co-operative federalism).

Governors are represented in the Integration Conference of the *Länder* that represents common interests on European integration issues. The governors represent their states on the Committee of the Regions in Brussels. They also have the right to speak before the second chamber of parliament, the *Bundesrat*. The right of *Land* governors to take part in



Heinz Fischer, new President of Austria

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the parliamentary process is guaranteed as outlined in Zögernitz, the standard parliamentary text.

Because every Land elects its own representatives to the *Bundesrat* by proportional representation, the results in Salzburg meant People's Party losses were reflected in this chamber. The president of the *Bundesrat* (speaker) rotates among the Länder and according to the federal constitution is drawn from the head of the state delegation which for Salzburg will now be a Social Democrat.

### **Haider's party re-elected in Carinthia**

In Carinthia the Freedom Party managed to repeat its performance from the previous *Land* election in 1999 defying the pundits who said just months before that the party would collapse. Jörg Haider's personality plus the lacklustre offerings of the other parties contributed to the Freedom Party success. The result meant that Mr. Haider stayed on as *Land* governor, ending speculation that he would return to federal politics. Such a

<b>Salzburg Land Elections 2004</b>		
<b>Initials</b>	<b>Party</b>	<b>Vote</b>
ÖVP	Österreichische Volkspartei <i>Austrian People's Party</i>	37.9 %
SPÖ	Sozialdemokratische Partei Österreichs <i>Social Democratic Party of Austria</i>	45.4 %
FPÖ	Freiheitliche Partei Österreichs <i>Freedom Party of Austria</i>	8.7 %
Grüne	Greens	8.0 %
Total:		100

move would have strained the People's Party/Freedom Party coalition and could possibly have led to early national elections. The result was also significant as the Carinthian Social Democrats accepted Mr. Haider as governor, a seeming classic U-turn away from the politics of exclusion. The move provoked intra-party conflict and was rebuked by Socialist parties abroad opposed to integrating Mr. Haider's party. (6)