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From Lifeless Numbers to the Vital Nerve of Democracy: Dolf Sternberger's Metaphorical Argumentation against Proportional Voting

Timo Pankakoski

Turku Institute for Advanced Studies, University of Turku

Email: timo.pankakoski@utu.fi

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This article analyzes Dolf Sternberger's post-World War II argumentation against proportional representation. Sternberger is central in the intellectual history of German democratization. However, he expressed his misgivings about parties and proportionality in a perplexingly antidemocratic register. Proportionality was anonymous, mechanical, dead, and purely mathematical, relying on "mere numbers" and "summing up" as opposed to living, dynamic, and organic political relations—ultimately not a form of political electing at all. Sternberger intentionally mobilized age-old topoi and metaphors which interwar antidemocratic authors had used against parliamentary democracy in its entirety, now skillfully redirecting their force against proportional representation more specifically. Sternberger's intricate metaphorical system linked his anti-proportional views to his theory of active civic engagement and ultimately served pro-democratic aspirations in the altered historical situation. His case exemplifies broader continuities between interwar and postwar discourses and highlights the need to read metaphorical argumentation in historical contexts and pragmatically rather than merely semantically.

Dolf Sternberger is one of the less recognized architects of German post-World War II democratization. For him, democratizing Germany necessitated an urgent electoral reform. Alongside Ferdinand A. Hermens, Sternberger was the other "grand old man" of German electoral debates,¹ and both were remarkably outspoken, equating proportional representation rhetorically with "civil war" (Sternberger) and "anarchy" (Hermens).² My article focuses on Sternberger's argumentation for plurality voting and the two-party system and against the disruptive effects of proportional representation in the 1950s and 1960s.

¹Eckhard Jesse, *Wahlrecht zwischen Kontinuität und Reform: Eine Analyse der Wahlsystemdiskussion und der Wahlrechtsänderungen in der Bundesrepublik Deutschland 1949–1983* (Düsseldorf, 1985), 31–2. For a recent comparison see Jesse, "Die Wahlsystemkonzeptionen von Ferdinand A. Hermens und Dolf Sternberger im Vergleich," *Zeitschrift für Politik* 69/2 (2022), 175–97.

²Ferdinand A. Hermens, *Democracy or Anarchy? A Study of Proportional Representation* (Notre Dame, 1941).

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Earlier known primarily for “constitutional patriotism,”³ Sternberger is nowadays recognized for promoting novel political science and a new participatory political culture in post-1945 Germany.⁴ Sean A. Forner reads Sternberger’s anti-proportionality campaigning as reflecting a broader cultural democratization of Germany on a republican basis.⁵ Also Claudia Kinkela summarizes Sternberger’s provocative statements on elections without, however, analyzing his argumentation in nuance or explicating discursive links with democracy-skeptical political theory.⁶ Jakob Norberg proposes bourgeois sociability as central to Sternberger’s democratizing endeavors, while my earlier essay discusses Sternberger’s novel notion of politics as a prerequisite of proper democratization; both readings, however, bypass the institutional aspect of Sternberger’s civic theory, apart from my prior article noting the link between plurality voting and regulated political contestation.⁷ The current article contributes to this emerging strand: I reinterpret Sternberger’s theory of elections as a reflection of profound normative issues related to democratic participation and amounting to one of the untold stories of German democratization.

In Sternberger’s theory, questions of institutional design merged inextricably with those of democratic theory and civic participation: without proper methods of channeling democratic impulses into representation, grassroots democratization would be in vain and the public sphere a mere legitimizing formality. These considerations escape the confines of postwar Germany. Scholars are still struggling to specify the relations between voting systems and democracy—how ballots cast transform into representation and to what extent this determines the characteristics of the ensuing democracy.⁸ Different electoral methods produce not only different outcomes but also dissimilar political cultures. Struggles over voting systems are thus “struggles over the substance of democracy itself.”⁹ Sternberger is a paradigmatic example of such critical awareness, and many of his observations resonate with current debates on party democracy and electoral systems.

Similar considerations characterize older political philosophy from Jean-Jacques Rousseau to Edmund Burke, Alexis de Tocqueville, Walter Bagehot, and others—albeit mostly critically, the authors aiming to reduce the effects of universal

³Jan-Werner Müller, “On the Origins of Constitutional Patriotism,” *Contemporary Political Theory* 5 (2006), 278–96.

⁴Sean A. Forner, “The Promise of Publicness: Intellectual Elites and Participatory Politics in Postwar Heidelberg,” *Modern Intellectual History* 9/3 (2012), 641–60; Forner, *German Intellectuals and the Challenge of Democratic Renewal: Culture and Politics after 1945* (Cambridge, 2014); Jakob Norberg, *Sociability and Its Enemies: German Political Theory after 1945* (Evanston, 2014), 29–55; Udi Greenberg, *The Weimar Century: German Émigrés and the Ideological Foundations of the Cold War* (Princeton, 2014), 68–70; Timo Pankakoski, “Peaceful Strife: Dolf Sternberger’s Concept of the Political Revisited,” *History of European Ideas* 46/4 (2020), 374–92.

⁵Forner, *German Intellectuals*, 92–3, 162–76; Forner, “Promise of Publicness.”

⁶Claudia Kinkela, *Die Rehabilitierung des bürgerlichen im Werk Dolf Sternbergers* (Würzburg, 2001), 206–16.

⁷Norberg, *Sociability and Its Enemies*, 29–55; Pankakoski, “Peaceful Strife,” 379.

⁸Dennis Pilon, *Wrestling with Democracy: Voting Systems as Politics in the Twentieth-Century West* (Toronto, 2019). For a recent defense of the majoritarian system against proportionality see Frances McCall Rosenbluth and Ian Shapiro, *Responsible Parties: Saving Democracy from Itself* (New Haven, 2018).

⁹Pilon, *Wrestling with Democracy*, 11.

suffrage, modern parties, and proportionality on traditional representation.¹⁰ Also Victorian supporters of proportionality, like Thomas Hare and J. S. Mill, opposed the party system for converting “the area of legislation into a battle-field” replete with “party warfare,” whereas proportional representation emerged as a pacifying solution.¹¹ Although Sternberger inversely employed such rhetoric in support of majority voting, he shared the skepticism toward parties and nurtured strong personal relations between politicians and critical citizens. Relying on Rousseau, Burke, and others, he channeled some of the critical antiparty arguments from European political philosophy to the German debates yet acclimatized them to prevailing discourses.¹²

In Germany, however, the anterior discourses were skeptical toward democracy, if not outright antidemocratic, which created an apparent mismatch between Sternberger’s democratizing aims and his ostensibly antidemocratic vocabulary. To account for this combination, I read Sternberger’s theorizing of voting methods diachronically in the long-term discursive tradition of German antidemocracy. Leaning on language-oriented intellectual history and the study of political metaphors,¹³ I disentangle the logic of Sternberger’s proposals to unearth the political and political-theoretical points he made and better comprehend how he did that. Rather than merely employing political metaphors rhetorically, exteriorly, and *ex post facto* to drive home his political and institutional point, Sternberger, I argue, engaged in elaborate “metaphorical argumentation” already on the theoretical level, and his normative conclusions were partly preconditioned by the underlying imagery.¹⁴ The metaphors thus linked his institutional and philosophical considerations and co-constituted his democratic theory.

This does not mean that Sternberger’s metaphors were particularly original, though. To sell his points to the democracy-skeptic postwar public, Sternberger employed age-old *topoi* that had earlier been used in ardently antidemocratic arguments and still contained shady undertones. Michael T. Greven observes in passing how Sternberger engaged in “argumentation that was not quite free of antiparty resentment,”¹⁵ while Forner notes in parallel how the diagnosis by Sternberger and other Heidelberg activists of “mass party politics” as “bureaucratic and sclerotic” echoed arguments by “interwar critics on the right and the left.”¹⁶ While these observations are pertinent, the logic of Sternberger’s metaphorical argumentation and its discursive relation with interwar antidemocracy has not been systematically analyzed. Friedrich Kießling highlights Sternberger’s language of numbers and

¹⁰William Selinger, *Parliamentarism: From Burke to Weber* (Cambridge, 2019).

¹¹Hare cited in Gregory Conti, *Parliament the Mirror of the Nation: Representation, Deliberation, and Democracy in Victorian Britain* (Cambridge, 2019), 301.

¹²Cf. Dieter Nohlen, *Wahlrecht und Parteiensystem* (Wiesbaden, 1986), 169–70.

¹³J. G. A. Pocock, *Political Thought and History: Essays on Theory and Method* (Cambridge, 2009); Andreas Musolff, *Political Metaphor Analysis: Discourse and Scenarios* (London, 2016); Hans Blumenberg, *Paradigms for a Metaphorology* (1960), trans. Robert Savage (Ithaca, 2010).

¹⁴For the notion of “metaphorical argumentation” see Andreas Musolff, *Metaphor and Political Discourse: Analogical Reasoning in Debates about Europe* (Basingstoke, 2004), 6.

¹⁵Michael T. Greven, *Politisches Denken in Deutschland nach 1945: Erfahrung und Umgang mit der Kontingenz in der unmittelbaren Nachkriegszeit* (Opladen, 2007), 282.

¹⁶Forner, “Promise of Publicness,” 649.

anonymity as opposed to that of persons and faces, but narrowly reduces this to presumed influences from the Austrian author Rudolf Kassner rather than analyzing Sternberger's utilization of the broader interwar antidemocratic discourses.¹⁷

Sternberger's anti-proportionality argumentation, I propose, is only comprehensible against the *discursive* background of Weimar-era antidemocracy and antiparty argumentation by thinkers such as Otto Koellreutter, Edgar Tatarin-Tarnheyden, Heinrich Triepel, Franz W. Jerusalem, Oswald Spengler, Carl Schmitt, Ernst Jünger, Hans Freyer, Edgar Julius Jung, Othmar Spann, and others—a loose constellation with identifiable continuities. Without being substantially or ideologically committed to these authors' viewpoints, Sternberger (to use J. G. A. Pocock's terminology) still spoke the language of interwar antidemocratic anti-proportionality.

Sternberger skillfully utilized metaphors that carried anterior antidemocratic connotations yet redirected their force in novel prodemocratic directions. This was quite deliberate. Sternberger started as a philosopher, cultural essayist, and productive journalist, authoring hundreds of popular texts and delivering radio programs on political matters. He remained extraordinarily sensitive to the nuances of language even after turning to political science proper as one of its German "founding fathers."¹⁸ Sternberger was undoubtedly familiar with interwar antidemocratic discourses, which he had himself analyzed. In the 1920s and 1930s, Sternberger reckoned with Karl Jaspers's and Martin Heidegger's existential languages as a student of philosophy, but was also exposed to critical-school ideas with Theodor W. Adorno and Walter Benjamin and radical nationalism in his encounters with Ernst Jünger.¹⁹ In 1932–3, Sternberger, commissioned by Adorno, reviewed a book by the organistic economist–sociologist Othmar Spann,²⁰ repelled Heidegger's "language of battle,"²¹ and dissected the language of the radically conservative von Papen government, criticizing particularly key metaphors like "body," "organism," or "poison" and analyzing discursive borrowing from National Socialism.²² In the von Papen essay, Sternberger "identified the central ideologemes of extreme right political discourse," which laid the foundations for his postwar project on the Third Reich's official parlance in "From the Dictionary of Inhumanity."²³ He also explicitly settled scores with Carl Schmitt, beginning in 1946.²⁴ Given this background, Sternberger certainly recognized the undertones of his discursive borrowings.

The mismatch between antidemocratic connotations and Sternberger's prodemocratic aims in the electoral debate resulted in apparent continuities on the

¹⁷Friedrich Kießling, *Die undeutschen Deutschen: Eine ideengeschichtliche Archäologie der alten Bundesrepublik 1945–1972* (Paderborn, 2012), 151–2.

¹⁸Kinkela, *Rehabilitierung des Bürgerlichen*, 108–26, 167–81.

¹⁹See William J. Dodd, *Jedes Wort wandelt die Welt: Dolf Sternberger's politische Sprachkritik* (Göttingen, 2007), 71–106.

²⁰Dolf Sternberger, review of Othmar Spann, *Geschichtsphilosophie, Zeitschrift für Sozialforschung* 1/3 (1932), 403–4.

²¹Sternberger cited in Dodd, *Jedes Wort wandelt die Welt*, 88.

²²Dolf Sternberger, "'Fressendes Gift' bis 'Wiedergeburt': Wörterbuch der Regierung von Papen in Auszug," in Sternberger, *Schriften XI: Sprache und Politik* (Frankfurt am Main: 1991), 25–32.

²³Dodd, *Jedes Wort wandelt die Welt*, 127 and *passim*.

²⁴Pankakoski, "Peaceful Strife."

linguistic level. Methodologically, making sense of his metaphors necessitates sensitivity to differences “between the language that has been handed down and what it now has to say.”²⁵ Metaphors build upon inherited semantic materials, but their actual significance emerges from uses in particular historical contexts. Acknowledging how largely metaphors are a matter of pragmatics rather than mere semantic meanings of the lexemes involved also helps loosen the links between certain metaphorical substances and ideological implications. This is particularly pertinent as regards political language, where the recycling of habitual expressions with differing intentions is a central mode of operation. Viewing political language as an argumentative resource at everybody’s disposal, rather than a rigid structure with preset ideological implications, enables us to perceive that the historically contingent antidemocratic connotations of Sternberger’s metaphors did not predetermine their postwar functions and ideological coloring. Actually, precisely the fact that Sternberger’s organic, mechanical, and other metaphors were well worn and habitual in the German discursive tradition secured their argumentative effectiveness also after 1945: conventional political metaphors “offer more scope for creativity and ingenuity” and can be used “in apparently daring and unfamiliar ways” due to “an existing structure of interpretation which an author [can] count upon to support his new usage.”²⁶

Scholars of postwar Germany have noted argumentative continuities with the interwar era—continuities that ultimately enabled an intellectual transformation: rather than simply rebutting the problematic past, postwar democrats relied on “preexisting political languages,” such as selected discursive elements from interwar antidemocracy, to make sense of the present.²⁷ Consequently, their positions manifest “continuities with Weimar-era skepticism toward parliamentarianism.”²⁸ Sternberger’s argumentation against proportional voting is a paradigmatic example of this. More broadly, his case illustrates not only the productive interaction between institutional and philosophical considerations, but also the peculiar dynamics of continuities and discontinuities in the intellectual history of German postwar democratization, the need to read political language contextually and functionally, and the pragmatic rather than purely semantic aspects of political metaphors.

The Weimar trauma and the postwar campaign for plurality voting

When voting methods were chosen after 1945, there were two main alternatives. In a plurality voting system, the candidate(s) receiving the most votes is/are elected to represent the entire electoral district, whereas proportional voting systems have

²⁵Hans Blumenberg, “Light as a Metaphor for Truth: At the Preliminary Stage of Philosophical Concept Formation” (1957), in *History, Metaphors, Fables: A Hans Blumenberg Reader*, ed. Hannes Bajohr, Florian Fuchs, and Joe Paul Kroll (Ithaca, 2020), 129–69, at 149.

²⁶Jeremy Rayner, “Between Meaning and Event: An Historical Approach to Political Metaphors,” *Political Studies* 32/4 (1984), 537–50, at 544.

²⁷Dirk A. Moses, *German Intellectuals and the Nazi Past* (Cambridge, 2007), 53, 66.

²⁸Sean A. Forner, “Für eine demokratische Erneuerung Deutschlands: Kommunikationsprozesse und Deutungsmuster engagierter Demokraten nach 1945,” *Geschichte und Gesellschaft* 33/2 (2007), 228–57, at 243.

multimember districts and seek to make the elected body proportionally reflect the division of political support in the constituency. Plurality voting, nowadays used mainly in some anglophone countries, emphasizes accountability, whereas proportional representation maximizes the correspondence between electoral support and outcome. Plurality voting pushes parties to seek wider support, but in proportional systems political groups lack incentives to form broader parties and moderate their policies. The latter model is therefore typically perceived to increase the number of parties and intensify rivalries. After 1945, these aspects were widely interpreted as causes of the Weimar Republic's downfall. The "splintering" of the party system, the dominant narrative went, made governments unstable and created space for radical anti-system parties to occupy. The fact that voting methods were largely discussed against the Weimar background intensified the electoral question into an either-or one, although elements of both models were actually adopted.²⁹

The contrast was stark already in the Weimar era: major parties and leading theorists, such as Hans Kelsen, Hermann Heller, and Richard Thoma, promoted proportional representation as reflecting social divisions more accurately than British-style plurality voting. While Friedrich Naumann disagreed already at the outset, only the criticism by notable constitutional lawyers like Gerhard Leibholz, Heinrich Triepel, Otto Koellreutter, and Rudolf Smend from the late 1920s turned attention to proportional representation's disintegrating tendencies.³⁰ These authors had antipathies toward parliamentary democracy and parties in general, and their criticism of proportional representation was inextricably linked with the effort to promote plebiscitarian aspects at the expense of parliamentary power. Although many promoted an electoral reform, no consistent campaign emerged, and the support for plurality voting remained ideologically fragmented, with the center-leaning Ferdinand A. Hermens, the liberal Theodor Heuss, and the Social Democrat Carl Mierendorff among the key proponents.³¹

The postwar campaigns built directly on that basis. Hermens linked the failed electoral system to the Nazi takeover in a 1933 booklet and continued the criticism in several publications during his emigration.³² For him, proportional representation caused "party splintering," endangered the popular will, and promoted "disagreement and disintegration," thus weakening democracy's potential to resist dictatorship in critical times.³³ Also Sternberger moved in this tradition. In 1947, he mentioned Hermens's work and the plan to publish a translation, while Hermens noted Sternberger's anti-proportionality arguments favorably in 1949.³⁴

²⁹Thomas Zittel, "Electoral Systems in Context: Germany," in Erik S. Herron, Robert J. Pekkanen, and Matthew S. Shugart, eds., *The Oxford Handbook of Electoral Systems* (Oxford, 2018), 781–802.

³⁰For an overview see Kathrin Groh, *Demokratische Staatsrechtslehre in der Weimarer Republik: Von der konstitutionellen Staatslehre zur Theorie des modernen demokratischen Verfassungsstaats* (Tübingen, 2010), 291–9.

³¹Jesse, *Wahlrecht*, 56–65.

³²Cf. *Ibid.*, 28 n. 55.

³³Ferdinand A. Hermens, *Europe between Democracy and Anarchy* (Notre Dame, 1951), 11–12; Hermens, *Mehrheitswahlrecht oder Verhältniswahlrecht?* (Berlin, 1949), 27.

³⁴Dolf Sternberger, *Die Große Wahlreform: Zeugnisse einer Bemühung* (Cologne, 1964), 67; Hermens, *Mehrheitswahlrecht oder Verhältniswahlrecht*, 9.

Hermens influenced Cologne-based political scientists, whereas Sternberger worked in Heidelberg, the hub of liberal-minded scholarship and cultural-political reconsideration. He edited the explicitly reformist journal *Die Wandlung* (Transformation), founded in 1946 with Karl Jaspers, Alfred Weber, and Werner Krauss, wherein Alfred Weber, Gustav Radbruch, and lesser scholars like Walter G. Becker made parallel arguments against proportionality. Sternberger also chaired two civic associations that forcefully endorsed plurality voting: the Heidelberg Action Group for Democracy and the German Voters' Society. Via his scholarly and leadership contributions to Heidelberg political science, Sternberger promoted the study of democracy, elections, participation, and parliamentarianism, which directly supported his societal contributions, including numerous journalistic publications popularizing the anti-proportionality arguments.

The anti-proportionality campaign was not merely an academic endeavor. Political scientist Wilhelm Hennis recalls how Alfred Weber, representing the German Voters' Society, lobbied the opposition leader Kurt Schumacher in 1951 and reminded him of Naumann's conviction that parliamentarianism and proportional voting were incompatible principles.³⁵ This was also Sternberger's position. The political reception, however, remained lukewarm. Gradually the anti-proportionality campaign waned, as reality failed to verify its key propositions. At first, electoral results seemed to confirm Sternberger's hypothesis that proportional representation "disintegrated" the polity into splinter parties and exposed it to fascism.³⁶ Eventually, however, the mixed system with an electoral threshold and targeted party bans reduced the number of parties in the Bundestag from eleven (1949) to six (1953), four (1957), and three (1961).³⁷ With such condensation and stability, many of Sternberger's arguments lost their credibility. The prominent liberal MP Thomas Dehler renounced Sternberger's "bogus arguments" for majority voting in a plenary session in 1966.³⁸

Several of Sternberger's academic colleagues remained critical, too. In 1948, Richard Thoma noted how "noteworthy voices" were currently arguing against proportionality, yet he empirically questioned the link between majority voting and the two-party system with reference to international experiences and argued in favor of proportionality as a more democratic method.³⁹ Heribert Westerath called for further evidence of proportional voting creating inoperative governments and destroying democracy as the Weimar analogy implied.⁴⁰ Hans Peters summarized the advantages and disadvantages of both systems equally, for instance observing in parallel with Sternberger that majority rule required a clear decision from the elector, made candidates less dependent on parties, and, further, worked against

³⁵Wilhelm Hennis, "Die Rolle des Parlaments und die Parteidemokratie," in Hennis, *Regieren im modernen Staat: Politikwissenschaftliche Abhandlungen I* (Tübingen: Mohr Siebeck, 2000), 226–73, at 247–8.

³⁶Sternberger, *Die Große Wahlreform*, 66–7.

³⁷Zittel, "Electoral Systems in Context," 784–5.

³⁸Bundestag protocol, 16 Dec. 1966, at <https://dserver.bundestag.de/btp/05/05083.pdf>.

³⁹Richard Thoma, "Über Wesen und Erscheinungsformen der modernen Demokratie," in Horst Dreier, ed., *Rechtsstaat—Demokratie—Grundrechte: Ausgewählte Abhandlungen aus fünf Jahrzehnten* (Tübingen, 2008), 406–42, at 421–2.

⁴⁰Heribert Westerath, "Der sogenannte 'Pluralismus': Die Demokratie und das Wahlverfahren," *Zeitschrift für Politik* 6/4 (1959), 318–31, at 325.

tendencies toward pure-interest politics or a totalitarian one-party system; yet proportional representation formed “the will of the state” based on all available impulses and thereby “genuinely” manifested democracy rather than resulting in only formally just outcomes, as critics claimed, he concluded, clearly alluding to Sternberger.⁴¹ In a 1967 summary, Bernard Vogel acknowledged Sternberger’s anti-proportionality arguments but concluded that the interest in the electoral question had remarkably decreased after the third federal elections of 1957 and that even the most engaged critics, like Sternberger, had lost their energy given the observed concentration of parties rather than their uncontrollable proliferation.⁴²

Although Sternberger fought for a lost cause, his theorizing against proportionality remains an important chapter in the intellectual history of German democratization, and his argumentation merits closer scrutiny. Let us begin by summarizing his key premises and their implications for electoral reform. First, proportional representation was incompatible with strong parliamentary rule in which the government emerged from the legislature. Such reasoning had guided the construction of the Weimar system: Sternberger restated Naumann’s 1919 observation that parliamentarism and proportional representation were mutually exclusive, as any government formed proportionally was excessively dependent on parliamentary fractions.⁴³ Proportional parliamentarism, Sternberger seconded, produced weak governments incapable of governing effectively, which in turn provoked the call for a strong personal leader, such as the *Reichspräsident*—an option Sternberger, with the benefit of hindsight, rejected for having exploded the entire system.

Second, Sternberger regarded plurality voting and proportionality as mutually exclusive principles, relying on strict either-or logic, which presumably reflected the underlying Weimar trauma. Rather than a contingent effect of historical events, severe circumstances, or immature democratic culture, Sternberger interpreted Weimar’s downfall as primarily resulting from the flawed proportional system, and the institutional implications applied to the postwar context as well.

Third, Sternberger endorsed a strong political opposition realistically capable of becoming the government, which would also curb irresponsible electoral promises and promote constructive politics.⁴⁴ Particularly plurality voting and the two-party system secured this: electoral legislation was thus inherently linked with Sternberger’s theorizing of responsible opposition and the institutionalization of constructive criticism.⁴⁵ In Heidelberg, Alfred Weber similarly proposed the British two-party system as a benchmark and considered elections by simple plurality voting without proportionality or party lists the primary means of producing a responsible and constructive political opposition.⁴⁶

⁴¹Hans Peters, “Wahlen,” in Görres-Gesellschaft, ed., *Staatslexikon: Recht, Wirtschaft, Gesellschaft*, vol. 8, *Verbände—Zypern* (Freiburg, 1963), 398–406, at 402–4.

⁴²Bernhard Vogel, “Probleme einer Wahlrechtsreform,” *Zeitschrift für Politik*, Neue Folge 14/3 (1967), 246–58, at 248–9.

⁴³Sternberger, *Die Große Wahlreform*, 71.

⁴⁴*Ibid.*, 72.

⁴⁵Dolf Sternberger, “Opposition des Parlaments und Parlamentarische Opposition,” in Sternberger, *Schriften III: Herrschaft und Vereinbarung* (Frankfurt am Main, 1980), 337–66.

⁴⁶Alexander Mitscherlich and Alfred Weber, *Freier Sozialismus* (Heidelberg, 1946), 67–8.

Fourth, invoking classic republican ideals, Sternberger substituted active participation for remnants of state-centered authoritarianism after 1945, perceiving also political elections from the viewpoint of civic engagement and curbing party organizations' power. Democratic legitimacy emanated from the actively construed will of the citizenry in elections. Rather than amounting to mere plebiscites, as in totalitarian regimes, democratic elections expressed a particular decision by each voter.⁴⁷ Sternberger's emphasis on active, informed electoral choice thus had a distinctive antitotalitarian aspect, implicitly countering both the Nazi past and the Soviet threat.

Fifth, properly functioning democracy required sufficient political contestation, but Sternberger was equally concerned with the excessive polarization and fragmentation of the party system. He cited experts' conclusions that parties in a two-party system with plurality voting were effectively forced to broaden their constituency and extreme positions were thus politically inviable, whereby plurality voting had moderating effects on political contestation.⁴⁸ To support this point, Sternberger correspondingly described proportional representation pejoratively as producing a situation of "latent civil war," while plurality voting equaled fair political competition and alternating governmental responsibility.⁴⁹ There are clear parallels between Sternberger's position and Bagehot's idea of proportional representation causing "diversity without moderation" and turning the deliberative assembly into "a compound of all sorts of violence."⁵⁰

As regards the aim, there are similar parallels between Sternberger's and Kelsen's views of parliamentarianism as a peaceful way of reconciling political differences in discussion and compromise.⁵¹ Sternberger agreed with Kelsen on the importance of electoral legislation for the outcome of fair political competition, something contemporaries like Westerath also acknowledged.⁵² However, Sternberger and Kelsen fundamentally disagreed on the electoral methods that would produce this desired outcome. This, together with Kelsen's emphasis on parties and his relativistic position that democracy cannot be consistently defended against its enemies, prevented Sternberger from utilizing the overlap between their ideas in promoting a novel competition-based political culture. Kelsen was equally reserved. In 1955, he restated his interpretation of proportional representation as the most democratic system for securing representation also for minorities, mitigating minority/majority contrasts, and thereby reducing malign competitive struggles

⁴⁷See particularly Dolf Sternberger, *Grund und Abgrund der Macht: Kritik der Rechtmäßigkeit heutiger Regierungen* (Frankfurt am Main, 1962), expanded edn in Sternberger, *Schriften VII: Grund und Abgrund der Macht* (Frankfurt am Main, 1986).

⁴⁸Dolf Sternberger, "Eine Wahlreform für den Staat," in Sternberger, *Ekel an der Freiheit? Und fünfzig andere Leitartikel* (Munich, 1964), 189–93, at 192.

⁴⁹Sternberger, *Die Große Wahlreform*, 66.

⁵⁰Cited in William Selinger and Greg Conti, "Reappraising Walter Bagehot's Liberalism: Discussion, Public Opinion, and the Meaning of Parliamentary Government," *History of European Ideas* 41/2 (2015), 264–91, at 277, 279.

⁵¹E.g. Dolf Sternberger, "Herrschaft der Freiheit," in Sternberger, *Schriften X: Verfassungspatriotismus*, ed. Peter Haungs, Klaus Landfried, Elsbet Orth, and Bernhard Vogel (Frankfurt am Main, 1990), 58–80. For Kelsen's democratic theory see particularly Lars Vinx, *Hans Kelsen's Pure Theory of Law: Legality and Legitimacy* (Oxford, 2007), 101–44.

⁵²Westerath, "Sogenannte 'Pluralismus.'"

for power. Kelsen made these points against Joseph A. Schumpeter and Hermens, referencing the latter's 1931 volume on capitalism and democracy, but neglected Sternberger, the other main critic of proportionality. Kelsen admitted that majority voting might secure more effective governance but preferred proportionality for being more "democratic," further noting that its disadvantages had been "very much exaggerated."⁵³

In sum, for Sternberger, strong and stable government without authoritarian elements required majoritarian democracy of the Westminster type, as did responsible political opposition and the moderation of political extremes. Direct personal choice was to be promoted at the expense of parties' power, which further spoke against Weimar-style list-based elections. With these argumentative needs in sight, Sternberger coined a plethora of metaphorical arguments, linking majority rule with living relations between electors and politicians, while proportional representation was an anonymous, mechanical, and mathematical principle, jeopardizing the living, organic unity of the political community.

Not only did such arguments preclude collaboration with the proponents of proportionality; given his frenzied style, Sternberger risked being interpreted as anti-party or antidemocratic *in toto*. He explicitly denied this, though. Parties were unavoidable, but they should be "living and dynamic formations" capable of organizing the activities of anteriorly existing political subjects, not rigid organizations recruiting supporters.⁵⁴ His criticism thus targeted parties' "solidification, congealment, block-building, [and] latent and necessary mutual hostility"—tendencies linked exclusively with "proportional parties" where "militant party members" replaced "electors."⁵⁵ Sternberger specifically targeted proportionality, not democracy in general. Proportional representation typically increased the number of parties, and this, Sternberger noted, was an effective propagandist tool which Hitler had employed against democracy in its entirety.⁵⁶ The point implies that Sternberger saw himself as defending "democracy" against proportionality; ironically, however, he did this with arguments earlier mobilized against liberalism, parties, and democracy in general.

Democratic electing as a relation between living human beings

To further capture the theoretical context of Sternberger's metaphorical arguments, let us summarize his view of elections as a key democratic phenomenon. For him, political electing was a relation between two living humans and a personal decision reflecting the elector's political existence as an entire human being, whereas proportional representation was an anonymous and nonpersonal system. To make that point, Sternberger played with the double meaning of *Wahl* as both elections and choice/choosing. The very term implied that political elections were a matter of political choice, and that the act of choosing (*Wahl*) emerged between living human beings—"the living elector," on the one hand, and the delegate, "a living

⁵³Hans Kelsen, "Foundations of Democracy," *Ethics* 66/1 (1955), 1–101, at 84–5, 101 n. 18.

⁵⁴Sternberger, *Die Große Wahlreform*, 17–18, 45–6.

⁵⁵*Ibid.*, 45–6.

⁵⁶*Ibid.*, 30.

human being,” on the other.⁵⁷ For Sternberger, the true “subject of politics” was “the human person in a humane society,” whereas the “collective personalities” of politics, such as political parties or states, were personalities only in a derivative metaphorical sense.⁵⁸

This argument built on his Aristotelian conceptualization of politics as manifesting in regular peoples’ daily interactions, not exclusively in the high politics of states, the work of specific politicians, or the functioning of institutions. Already in 1946, Sternberger noted how the individual human being, not parties or institutions, was the true subject of politics, and each citizen remained a “political being from morning to night.”⁵⁹ Although Sternberger also studied institutional questions in a comparative-politics framework, his perspective remained that of a theorist of person-based participatory democracy.

Already these premises implied that the current list-based proportional elections, in which citizens voted for parties and parties then filled lists with candidates, were not elections in Sternberger’s demanding sense, as this gave political parties an excessive role in determining the electoral outcome. Even more crucially, however, list-based proportional representation watered down the very act of voting from an act of delegation between living persons into an anonymous mathematical abstraction. The contrast between persons and lists was prevalent already in the Weimar debates, together with list voting’s tendency to alienate voters from candidates.⁶⁰ Sternberger, however, underpinned the habitual point with a consistent democratic theory of citizens as political subjects.

Sternberger’s theory of electoral choice carried clear volitional tones, deriving from his Rousseauian influences, but the Aristotelian idea of the human being as a political animal and the stress on the *entire* human being as the proper political subject restricted this aspect. More than the will of the electorate was at stake. Although political theory traditionally focused on will formation, electing also involved spirit (*Geist*), judgment, and conscience.⁶¹ Similarly, Sternberger elsewhere endorsed ethics, customs, or good manners (*Sitte*) as an inextricable element of politics alongside power—something, he explicitly noted, applied to individuals and organizations alike.⁶² Politics was thus more than interests, power, or abstract will; it involved judgments on the common good, relying on passions and ethical intuitions deriving from the community’s customs. Also during the electoral term, electors met the results of their choice with both “heart” and “head,” which further highlighted the entire human being as the political subject.⁶³ In addition to depersonalizing politics, proportional representation also jeopardized this aspect: electoral mathematics effectively filtered out emotions and ethical convictions, overemphasizing reason and will.

⁵⁷Sternberger, *Die Große Wahlreform*, 17–18.

⁵⁸Dolf Sternberger, “Macht und Sitte: Eine Studie über Politik als Wissenschaft,” in *Lebende Verfassung: Studien über Koalition und Opposition* (Meisenheim am Glan, 1956), 11–21, at 17, 20.

⁵⁹Dolf Sternberger, *Dreizehn politische Radio-Reden 1946* (Heidelberg, 1947), 74–5, 78–9.

⁶⁰Jesse, *Wahlrecht*, 66–7.

⁶¹Sternberger, *Die Große Wahlreform*, 26.

⁶²Sternberger, “Macht und Sitte,” 20.

⁶³Sternberger, *Die Große Wahlreform*, 64.

To support his view of electing as a personal relation, Sternberger anticipated voters in majoritarian systems actively contacting representatives throughout the electoral term, whereas PR's anonymity implied passive citizens, who simply "went home for four years after the election."⁶⁴ While the *topos* of citizens being active only "every four years" was employed against the Bonn Republic, for instance, by the conservative jurist Werner Weber,⁶⁵ Sternberger redirected its rhetorical force against proportional representation in particular. Plurality voting, by contrast, served community-enhancing functions, which also extended to candidates' mutual relations: the vanquished would politely greet the winner of the electoral district ("see you next time!") and former competitors closely monitored politicians' actions.⁶⁶ For Sternberger, personal relations between electors and politicians, as well as between candidates, guaranteed active interaction, civic control, accountability, and sportsmanship, whereas party-led proportional representation eroded these.

Further, Sternberger presented voting as a unified decision with existential and identity-forming significance for political subjects and the community alike. "The election/choosing [*die Wahl*] is ... the pinnacle of the entire democratic political life of a people," and "the primary quality of the individual, in which his/her entire political existence [*politische Existenz*] crystalizes, is that of being an elector/chooser [*Wähler*]."⁶⁷ People's sovereignty meant that the decision (*Entscheidung*) on the republic's future course belonged to the elector; yet, as the new constitution somewhat unequivocally described political parties as "contributing" to the people's will formation, the nature of this decision remained unclear.⁶⁸ Although he never specified the term's meaning, Sternberger invoked *Entscheidung* repeatedly and in stark opposition to simply giving one's vote in a proportional system. This was further supported by the double meaning of *Wahl* as "election" and "choice" and of *wählen* as "electing" and "choosing."

Making a genuine decision connoted autonomy, personal commitment, categorical distinction between alternatives, and, above all, clarity. Clarity, however, was in short supply in proportional representation. Currently, Sternberger posited, the elector's decision was as "unclear" as the sound of a muted trumpet and, in another colorful metaphor, resembled an oracle's murmur which necessitated deciphering and oftentimes rather represented the views of the interpreting clergy, in this case party leaders managing the lists.⁶⁹ On this basis, it was evident that only person-based majoritarian elections lived up to the constitutional standard that power derived from the people rather than, say, from political parties.⁷⁰

To depict the popular will in proportional representation as a muted trumpet is clearly metaphorical. Sternberger introduced a dense network of interrelated imagery to make plurality voting a more persuasive alternative. This, however, was not mere superficial rhetoric; rather he engaged in systematic metaphorical argumentation. By rebutting proportional representation and party power,

⁶⁴Ibid., 64–5.

⁶⁵Werner Weber, *Spannungen und Kräfte im Westdeutschen Verfassungssystem* (Stuttgart, 1958), 48, 56.

⁶⁶Sternberger, *Radio-Reden*, 69.

⁶⁷Sternberger, *Die Große Wahlreform*, 63.

⁶⁸Ibid., 108–9.

⁶⁹Ibid. 109–110.

⁷⁰Ibid., 65.

Sternberger promoted a particular theory of democratic politics based on active, direct, and personal civic participation. His polemics against proportionality, I posit, provide an intensified and condensed version of the broader theory: the main political-theoretical function of the metaphors was to link the electoral question seamlessly with his broader philosophy of active citizenship.

The political community is a body with a vital center, vital nerve, and body parts

Sternberger's theory of the living constitutional unity in democracy particularly invoked organic and bodily metaphors—arguably the most habitual single source domain for political metaphors.⁷¹ Sternberger explicitly commented on bodily metaphors in Rousseau, but he was also aware of the longer intellectual history of such imagery, for instance reading the seminal volume by Ernst Kantorowicz on Hannah Arendt's recommendation in 1959.⁷² Despite occasional critical observations, Sternberger integrated bodily metaphors into his political theory, and in that concrete context they served several noteworthy argumentative functions.

First, as is common, the body metaphor connoted unity, integration, and benign segmentation of the community as opposed to disintegration and mere adjacency. Invoking what he explicitly called “a simile from natural science,” Sternberger argued that the current decentralized German polity must have a “living and animated” (*lebendig und bewegt*) structure so that “unity” (*Einheit*) emerges. Lest political community fall victim to mass democracy's mechanizing tendencies, it must be unified like a body and have a correspondingly undivided and non-delegatable will—a point Sternberger made with reference to Rousseau's popular sovereignty.⁷³ The second function of bodily metaphors, that of connoting life and dynamics, came completely intertwined with the aspect of unity, as illustrated by the above citation. Unity was a consequence of being alive.

The third function was to connote hierarchy. Although dependent on one another, body parts were not equal. To supplement political decentralization, Germany also needed a “center of political life” or “vital center” (*Lebenszentrum*), which, unsurprisingly, was the “electing person.”⁷⁴ Correspondingly, Sternberger described electing as the “vital nerve” (*Lebensnerv*) of the democratic community.⁷⁵ In traditional imagery, the monarch was the head, but the elector now occupied this position. Sternberger's vitalistic bodily metaphors thus transcended not only the habitual conservative ramifications of body politic imagery, but also the Rousseauian variant, which “fatally” depicted the state as a political body and individuals as mere body members.⁷⁶

⁷¹For an overview see particularly Alrich Meyer, “Mechanische und organische Metaphorik politischer Philosophie,” *Archiv für Begriffsgeschichte* 13 (1969), 128–99.

⁷²Sternberger to Arendt, 22 Sept. 1959, in Hannah Arendt and Dolf Sternberger, *Ich bin Dir halt ein bißchen zu revolutionär: Briefwechsel 1946 bis 1975*, ed. Udo Bermbach (Berlin, 2019), 185; Ernst H. Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton, 2016).

⁷³Sternberger, *Die Große Wahlreform*, 34–5.

⁷⁴*Ibid.*, 34–5.

⁷⁵Sternberger, *Radio-Reden*, 60.

⁷⁶Sternberger, “Macht und Sitte,” 17–18.

Besides elevating electors to the head, Sternberger's partly implicit body metaphor also enabled relating parties to electors in a new way: elections were comparable to nerves channeling the impulses (voting decisions) from the brain (electors) to the limbs (political parties). On account of his criticism of party rule, Sternberger reshuffled the roles, thereby turning the typically conservative body metaphor into an indirect argument for active democratic citizenship. Rather than an ardently conservative argument, Sternberger's metaphor was a curious mix of Burkean body imagery and the geometrical argument put forth by James Madison and Thomas Paine that the republic must have a center, which they identified with the electors, represented by the parliament.⁷⁷

Sternberger supplemented the metaphor with democratic and representative implications, but the Burkean inspiration in his key term "living constitution" (*lebende Verfassung*) is evident.⁷⁸ "Constitution" here connotes not only Germany's basic law or polity, but also bodily constitution—a conscious terminological ambiguity. Volitional electoral acts took place in such a "living process of will formation," which Sternberger modeled after the "living" British constitution and opposed to the "dead" or "killed" constitution of block systems and one-party states.⁷⁹ While Burke had opposed his living constitution with a scheme on paper, Sternberger described the constitution as a "skeleton" to be supplemented with "the flesh of the body politic," provided by political parties, so that the "body" would "live."⁸⁰

Sternberger's theorizing of electoral systems built upon this metaphorical edifice. Electoral laws regulated the interplay between body parts and determined "the real constitution [*Verfassung*] of the political body [*politischer Körper*]."⁸¹ Also Sternberger's support for British-style plurality voting and the concomitant promotion of parliamentary opposition as an alternative government in a lively two-party setting rested on a bodily basis. The change of "squad" had to be possible "so that the entire body would live" and that "no individual body parts mortify or get pinched off from blood circulation."⁸² In the contemporary context, this was a reference to Social Democrats' long-term exclusion from governmental power.

Sternberger, however, also justified majoritarianism's expected reduction of parties with reference to securing the health of the body politic, again implying that parties were body members. Sometimes parties should indeed wither away. "One must occasionally sacrifice parts to save the whole," or, in a biblical proverb, "It is better that one body part rots than that your entire body gets thrown into

⁷⁷Dolf Sternberger, "Die Erfindung der 'Repräsentativen Demokratie': Eine Untersuchung von Thomas Paines Verfassungs-Ideen," in Sternberger, *Schriften III: Herrschaft und Vereinbarung* (Frankfurt am Main, 1980), 261–304, at 265–8.

⁷⁸He cites Burke's idea of a "living, acting, effective constitution" in Dolf Sternberger, "A Controversy of the Late Eighteenth Century Concerning Representation," *Social Research* 38/3 (1971), 581–94, at 591.

⁷⁹Dolf Sternberger, "Demokratie der Furcht oder Demokratie der Courage?" *Die Wandlung* 4/1 (1949), 3–18, at 6–7.

⁸⁰Dolf Sternberger, "Der Staat der Gegenwart und die wirtschaftlichen und ausserwirtschaftlichen Interessentengruppen," *Kölnner Zeitschrift für Soziologie* 5/2–3 (1952–3), 204–29, at 206; Sternberger, "Verfassungsgeschwulst," in Sternberger, *Ekel an der Freiheit?*, 124–6, at 125.

⁸¹Sternberger, *Die Große Wahlreform*, 65.

⁸²*Ibid.*, 146.

hell.”⁸³ Sternberger’s point is possibly inspired by Kantorowicz’s discussion of the same *topos* in fifteenth-century sources, where the citizens (limbs) or the prince (head) were expected to sacrifice themselves to save the entire body.⁸⁴ Sternberger simply introduced political parties as the flesh, and the need to cut out harmful parties followed directly from the underlying body metaphor. When properly regulated, parties constituted a “living system” of “togetherness and polarity,” but, if excessively powerful, they rather turned into “proliferating tumors” (*wuchernde Geschwulste*) that threatened to “deform and disfigure the living constitutional body [*lebendiger Verfassungskörper*].”⁸⁵ This was typical of proportional representation in particular.

The image is not only grotesque, but also disquietingly reminiscent of interwar antiparty argumentation as it represents parties as exterior, unwelcome, unhealthy, and intuitively repulsive tumor-like formations.⁸⁶ The tumor metaphor was also occasionally used in Weimar debates on PR: for instance, Hans Nawiasky defended proportional representation arguing that worries about splinter parties were exaggerated and active campaigning against them might also harm small but responsible groups. “It is like a doctor intending to operate on a tumor [*Wucherung*] with a knife but amputating a vital part that has grown weak.”⁸⁷ Sternberger’s image was perhaps a tacit response to Nawiasky’s defense of splinter parties with the same tumor metaphor. At any rate, Sternberger’s organic metaphor not only supported “living” majoritarianism but also justified its probable consequence, the elimination of splinter parties from the multiparty system.

Proportional representation is mathematical and arithmetic; votes are numbers

Sternberger’s doctrine of “living constitution” relied affirmatively on organic metaphors, partly derived from British and French classics. Mostly, however, Sternberger argued negatively, and here his discursive debt to German interwar debates is evident. Although his starting points echoed European-wide political philosophy, the level of argumentation was of domestic origins. He depicted proportional representation as relying on “dead numbers”: in proportional representation, votes turned into “sheer numbers” and “ratios” (*Verhältniszahlen*), which “blew up” the political people, he argued.⁸⁸ Sternberger vigorously opposed humans with numbers in a clear-cut rhetorical dualism. A proper political party comprised “humans,” not

⁸³Ibid., 72.

⁸⁴Kantorowicz, *The King’s Two Bodies*, 260–2.

⁸⁵Dolf Sternberger, “Block und Koalition: Eine Studie zur Entstehung der deutschen Parteiensysteme nach 1945,” in Sternberger, *Lebende Verfassung: Studien über Koalition und Opposition* (Meisenheim am Glan, 1956), 43–99, at 49; Sternberger, “Verfassungsgeschwulst,” 125.

⁸⁶Similar arguments had been made by Spengler, Jünger, and the National Socialists, for instance. Oswald Spengler, “Neubau des deutschen Reiches,” in Spengler, *Politische Schriften: Volksausgabe* (Munich, 1933), 185–296, at 190; Ernst Jünger, “Die Reaktion,” in Jünger, *Politische Publizistik: 1919 bis 1933*, ed. Sven Olaf Berggötz (Stuttgart, 2001), 119–25, at 121. See also Musolf, *Metaphor, Nation and the Holocaust*, 25–8, 122–8; Markus Weber, *Krebsmetaphorik und NS-Ideologie: Propädeutik zur Geschichte krebstherapeutischen Handelns im “Dritten Reich”* (Norderstedt, 2020).

⁸⁷Nawiasky cited in Jesse, *Wahlrecht*, 68.

⁸⁸Sternberger, *Die Große Wahlreform*, 27; Sternberger, *Radio-Reden*, 61.

“numbers,” whereas in proportional representation the elector was “but a number, a ‘one’ in the column of numbers of his party.”⁸⁹ Parties gained “quantitative proportions [*Proportion*]” or “quantitative shares of power” so that the numbers of representatives corresponded to the “numbers of votes.”⁹⁰ Rather than a decision-making procedure, proportional representation in general was a simple “act of mathematical depiction [*Abbildung*]” or an act of “counting and depiction,” in which “statistics of votes” ruled, not electors’ personal decisions.⁹¹ Such statistics was to the parliament as a map was to landscape, and this perspective turned political subjects into mere countable objects.⁹²

Consequently, election results failed to communicate the people’s will: numbers of votes might be correctly represented, but this “arithmetic justice” or “justice of numbers” (*Zahlen-Gerechtigkeit*) was actually “no justice at all,” as justice was a personal virtue applicable only to people, not a property of numbers.⁹³ Sternberger was not alone in making these points. Hermens similarly lamented that proportional representation turned the “act of electing [*Wahl*]” into a “statistical survey” (*statistische Bestandsaufnahme*),⁹⁴ and such imagery was not unknown in Weimar-era antiparlamentarianism either: Schmitt described the electoral system as a “statistical apparatus” (*statistischer Apparat*) creating an “arithmetic majority,” and expressed amazement at such a “statistical sample” (*statistische Aufnahme*) being called “an ‘election [*Wahl*]’” at all.⁹⁵ Sternberger clearly moved in this argumentative tradition. His theory of democratic representation as personal delegation precluded the notion of representation as accurate reflection, which was typically expressed in metaphors of mirroring or correspondence between map and landscape and favored by proponents of proportional representation.⁹⁶

The persons/numbers opposition also utilized an underlying secondary life/death metaphor for rhetorical effect: in proportional representation, “living [*lebendig*] citizens” had become “sheer numbers,” the arithmetic justice equaled “lifeless [*leblose*] justice,” and this amounted to “the death of democracy, the death of freedom.”⁹⁷ Also the opposition of “abstract” and “dead” numbers versus everything “living” and “organic” was a standard *topos* in interwar antidemocratic thought. This was Spengler’s key argument against Faustian civilization and its paradigmatic political manifestation, democracy. The abstractness of money corresponded to the abstractness of numbers (*Zahl*), and both were “entirely inorganic” mass

⁸⁹Sternberger, *Die Große Wahlreform*, 50, 64.

⁹⁰Ibid., 151; Sternberger, *Radio-Reden*, 61.

⁹¹Sternberger, *Die Große Wahlreform*, 19, 24, 58.

⁹²Ibid., 20.

⁹³Sternberger, *Radio-Reden*, 62. The development from Weimar to the Third Reich exemplified how “lifeless arithmetic justice” turned into “deadly injustice.” Ibid., 64.

⁹⁴Ferdinand A. Hermens, *Demokratie oder Anarchie: Untersuchung über die Verhältniswahl* (Cologne, 1968), 8.

⁹⁵Carl Schmitt, *Die geistesgeschichtliche Lage des heutigen Parlamentarismus* (Berlin, 1996), 22; Carl Schmitt, “Starker Staat und gesunde Wirtschaft,” in Schmitt, *Staat, Großraum, Nomos: Arbeiten aus den Jahren 1916–1969*, ed. Günter Maschke (Berlin, 1995), 71–91, at 76.

⁹⁶See Hanna F. Pitkin, *The Concept of Representation* (Berkeley, 1967), 60–91.

⁹⁷Sternberger, *Radio-Reden*, 62.

phenomena that reflected Faustian money-oriented thinking, as did elections more particularly.⁹⁸

For instance, Edgar Tatarin-Tarnheyden, later a prominent Nazi legal scholar, followed Spengler's analysis in his promotion of organic democracy over mere "headcount democracy" (*Kopfzahldemokratie*), which "atomized" the "act of electing" into a "race for the greater headcount."⁹⁹ In interwar antidemocracy, mathematics was identified with mechanicality, whereby not only mechanical machines, but also mathematics as such, were capable of providing persuasive countermetaphors for organic communality. In this discursive context, invoking *any* of the three inter-related elements of mathematics, mechanism, or money was enough to imply the deadliness of civilization. Sternberger capitalized on that accumulated associative potential for some of his most colorful imagery, opposing the "lifeless" justice of mathematical proportional representation with properly "living" communality.

Proportional representation is a mechanical principle

To further contrast proportional representation with his living constitutionalism, Sternberger mobilized not only organic but also mechanical background metaphors—an at least equally habitual source.¹⁰⁰ As opposed to "organic," "dynamic," and "living" political relations, proportional representation was "mechanical," "rigid," and "dead," he argued. Apart from rhetorical functions, the underlying organic/mechanical duality also served the political-theoretical purpose of linking Sternberger's observations on institutional solutions with his theory of active citizenship. As electors in proportional representation could not choose leaders personally, it was "a mechanistic-statistic principle, not a political principle," in the sense that ballots would reflect the electors' inalienable personal decisions.¹⁰¹

The link between proportional voting and mechanicality is not coincidental; it was discursively prepared by Weimar thinkers who standardly discussed political parties in a polarized setting of atomism, massification, and mechanicality versus organic communality. Rather than endorsing plurality voting for better technical performance amid social disintegration, Weimar-era scholars typically criticized proportional representation for exemplifying what was problematic in modern democracy in the first place. Analysis of voting rules frequently intertwined with critical diagnoses of party rule, individualism, and the erosion of communities. For instance, the conservative lawyer Heinrich Triepel blamed modern democracy's degradation on "atomistic individualism" and anticipated the "soulless mass" of the "mechanized society" to eventually be replaced by an organic state or "a living 'unity in plurality'."¹⁰² The sociologist and legal scholar Franz W. Jerusalem

⁹⁸Oswald Spengler, *Der Untergang des Abendlandes: Umriss einer Morphologie der Weltgeschichte* (Munich, 1979), 1163, 1168.

⁹⁹Edgar Tatarin-Tarnheyden, "Kopfzahldemokratie, organische Demokratie und Oberhausproblem," *Zeitschrift für Politik* 15 (1926), 97–122, at 117.

¹⁰⁰On organic and mechanical "background metaphors" see particularly Blumenberg, *Paradigms*, 62–76.

¹⁰¹Sternberger, *Die Große Wahlreform*, 162.

¹⁰²Heinrich Triepel, *Die Staatsverfassung und die politischen Parteien* (Berlin, 1928), 33, 36, original emphasis.

lamented how organic communality had been shattered by atomistic individualism and individuals, then re-massified into “mechanical” formations.¹⁰³

While many perceived mechanicality as inherent in democracy, particularly proportionality was considered mechanizing. For Otto Koellreutter, proportional representation caused “party splintering,” and particularly list elections unduly strengthened parties in charge of the lists. Koellreutter identified the ideas of direct and secret elections with liberalism rather than democracy *in toto*, and particularly noted how the “mechanized” list-based proportionality of the Weimar voting system contradicted liberalism’s own belief that the best should rule.¹⁰⁴ Koellreutter invoked Spengler to support the thesis of “mechanized proportional voting” and the general “mechanization of electing” eventually causing “the dictatorship of parties.”¹⁰⁵ Edgar Julius Jung, one of the ardent Weimar antidemocrats, similarly argued that the mechanical equality of mass society, manifesting in the principle of universal and equal suffrage, caused the rule of the inferior: after “the killing of the living by the mechanical,” i.e. the introduction of “mechanical democracy” and “mechanized electing” (*mechanisierte Wählerei*), society was a mere sum of individuals, not a “living unity.”¹⁰⁶ Sternberger certainly differed from these Weimar authors in his normative premises and conclusions, but the polemical polarity of mechanized proportional representation versus living and organic communality remained in effect.

Sternberger’s theory of electors as the proper political subjects described voting as a form of meaningful human action, and when detached from the reasoning behind casting one’s vote, the exterior result of that choice made little sense. Yet precisely this happened in the current electoral system where party lists were filled by parties after the elections and the personal choices of electors were supplemented with proportional elements—causing votes cast not to correspond directly to mandates received. To highlight this problem, Sternberger invoked machine metaphors built on top of the general mechanicality thesis. In proportional representation, the “subjective factor” and the “element of electing” were downplayed and the entire “apparatus” (*Apparatur*) was “organized so that votes go in from one end and a parliament emerges from the other.”¹⁰⁷ Proportional list-based elections thus mechanized intentional human action.

On these grounds, Sternberger criticized a government initiative to introduce primary and secondary votes and other institutional intricacies to electoral law. The proposition was undemocratic, as it substituted a “hidden automatic mechanism” (*verborgener automatischer Mechanismus*) for the voters’ will.¹⁰⁸ To further lash the proposed system of counting primary and secondary votes, Sternberger introduced a colorful extended metaphor of a coin machine. The entire system, he noted, resembled

a mechanical toy that I once saw: one threw in a penny and a ticking machinery went off; it rattled for a while in every nook and cranny, and then on a very

¹⁰³Franz W. Jerusalem, *Gemeinschaft und Staat* (Tübingen, 1930), 27.

¹⁰⁴Otto Koellreutter, *Grundriss der Allgemeinen Staatslehre* (Tübingen, 1933), 133–5.

¹⁰⁵Otto Koellreutter, *Die politischen Parteien im modernen Staate* (Breslau, 1926), 67–70.

¹⁰⁶Edgar Julius Jung, *Die Herrschaft der Minderwertigen* (Berlin, 1930), 119, 146, 288, 295.

¹⁰⁷Sternberger, *Die Große Wahlreform*, 148.

¹⁰⁸*Ibid.*, 103.

cute marketplace carpenters appeared and sawed, and masons who bricked up, and a guard appeared (the Federal list!) and the mayor ascended on a balcony to deliver a speech—all this for a single vote, all this for a penny!¹⁰⁹

The initiative to further complicate the voter–politician relation was objectionable on account of its mechanizing tendency, resulting from the excessive attempt at proportionality. However, Sternberger’s election theory further implied that it was not only unreasonable but also *unjustified* to treat votes apart from the underlying impulses from electors as pivotal democratic subjects: nothing other than what had originally been intended could legitimately be done with the votes. To make that point, Sternberger subtly varied the above image: by casting a vote, the elector “silently and almost unknowingly presses down a small button, power is turned on and the entire enormous mechanism of pinions and levers of party-political seat occupying begins to work in the elector’s stead.”¹¹⁰ The latter formulation particularly highlights how the system is designed to distribute seats among the parties and to serve *their* interests rather than the electorate’s. The image thus communicates illegitimacy and alienation from proper democratic functions—an argumentative purpose also served by the metaphor of votes as the “spoils” shared by robbers, analyzed below. Such elaborate machine metaphors not only reinforced the mechanicality diagnosis and thereby indirectly supported Sternberger’s theory of organic constitutionalism, but also highlighted the latent antiparty sentiments of the entire metaphorical edifice.

Votes in proportional representation are (not) money

Materially, the coin machine image also implied that votes were coins—something reflected in the interchangeability of coins and votes in the above extract. Sternberger constructed the detailed machine analogy to then rebut it and criticize the reduction of living political relations into impersonal mechanicality; similarly, he eventually rejected the vote–coin analogy. Electing was not reducible to “inserting a coin.”¹¹¹ Each vote was the means of communicating the elector’s decision, “not an object, a coin,” or “a material element” that could be “realized” (in the economic sense, *verwerten*) in isolation from the voter’s will.¹¹² Votes made sense only in connection with the original intentional decision, thus differing from the abstract and entirely homogeneous medium of money.

Sternberger’s argumentation proceeded in a tacit sequence of mechanicality → machine → coin, where the former element enabled the later, more specific ones, and linked them into a wider metaphorical framework. However, individual images, once uttered, typically also recur independently and assume further argumentative functions. To restate the point that votes could not be isolated from the decision, Sternberger proposed the image of votes as the “spoils” of parties, which resonates closely with the coin metaphor. MPs and parties had duties toward electors and could not simply “take home the spoils [*Beute*] and divide it among them like

¹⁰⁹Ibid., 91.

¹¹⁰Ibid., 96.

¹¹¹Ibid., 91.

¹¹²Ibid., 102.

the comrades of Ali Baba.”¹¹³ This literary allusion served to highlight that votes were not parties’ property to do with as they pleased, but carriers of the popular will. This version of the argument, however, also further underscored parties’ mal-
 evolent intent, illegitimate benefit seeking, cartelization tendencies, and the alienation of representative institutions from their original purpose.

In Sternberger’s use, the allegory of parties as a gang of bandits misappropriating public goods again expressly targeted *proportional* parties. Yet the figure drew from afar: the idea of the state as the “spoils” of political parties was a classic antidemocratic *topos*, particularly directed against political parties and other “pluralistic” interest groups regarded as irresponsible forces of society rather than state institutions proper. In Weimar times, for instance Hans Freyer lamented that the modern liberal state was merely the “spoils” (*Beute*) of various “societal interests,” shared “proportionally [*proportional*] between struggling classes.”¹¹⁴ Spengler noted how the “ever-changing coalitions” of the Weimar Republic would “share the ministerial seats among them as spoils [*Beute*].”¹¹⁵ The anti-pluralistic economist and political scientist Alexander Rüstow similarly lamented how “greedy interests” had turned the state into their “spoils” (*Beute*), and he maintained the image also in his 1957 description of Weimar politics as shameless logrolling by parties who “after a jointly achieved electoral victory split the spoils [*Beute*]” of the state among themselves.¹¹⁶ At that time, Rüstow was Sternberger’s colleague in Heidelberg. Among Sternberger’s immediate peers, also Jaspers made the same point by referring to the state as the “family property” (*Familienbesitz*) of a “party oligarchy” so that citizens were only able to decide upon parties’ “proportional [*verhältnismäßig*] shares” of it.¹¹⁷

The borderlines between ardently antidemocratic, skeptical, and democracy-promoting version of these exteriorly or functionally identical metaphors are shady. Sternberger is certainly not antidemocratic merely on account of the contingent connotations in the vocabulary he used; my argument is rather that he acknowledged and intentionally utilized the discursive continuities with interwar anti-democracy for increased persuasiveness. As abstract mathematics had anteriorly been associated with mechanicality, on the one hand, and with excessive rule of money, on the other, the aggregate image of proportional representation as a self-running machine producing material benefits for parties was intuitively comprehensible. The pejorative normative implications were evident for Sternberger’s postwar readers, many of whom had reached political maturity during the Weimar or Third Reich periods.

¹¹³Ibid., 99.

¹¹⁴Hans Freyer, *Revolution von Rechts* (Jena, 1931), 55, 59.

¹¹⁵Spengler, “Neubau,” 197.

¹¹⁶Alexander Rüstow, “[no title],” in Franz Boese, ed., *Verhandlungen des Vereins für Sozialpolitik in Dresden 1932: Deutschland und die Weltkrise* (Munich, 1932), 62–9, at 67; Alexander Rüstow, *Ortsbestimmung der Gegenwart: Eine universalgeschichtliche Kulturkritik*, vol. 3, *Herrschaft oder Freiheit?* (Erlenbach-Zürich, 1957), 181.

¹¹⁷Jaspers, *Wohin Treibt*, 140.

Proportional representation is merely additive, summarizing, and accumulative

To identify another sequence of interlinked metaphors, let us analyze how the merely mathematical, and by implication mechanical, nature of proportional representation resonated with twentieth-century criticism of mass society. It was customary in the interwar antidemocratic discourse to represent democracy as building on “mere addition,” with the political intention of showing how democracy killed off the holistic national spirit and promoted rootless and self-interested individualism. After the French Revolution all “organic forces of a segmented community” were replaced by a mere “sum [*Summe*] of individuals,” Jung argued.¹¹⁸ Spengler contrasted organic and aggregative modes in a similar quasi-historical argument: when traditional estates were replaced by political parties, the “organic” was superseded by the “gathering of heads,” the “mortal enemy of all grown corporative segmentation.”¹¹⁹

Again, this deficiency manifested paradigmatically in democracy’s electoral forms, as exemplified by Tatarin-Tarnheyden’s criticism of “headcount democracy” on a Spenglerian organic basis.¹²⁰ Explicitly linking counting and mechanicality, Arthur Moeller van den Bruck lamented how “mechanical adding up of votes” (*Mechanische Zusammenzählung der Stimmen*) dominated in the current parliamentary era.¹²¹ Particularly referring to list-based elections, Jung noted how electing/choosing (*Wählen*) was currently merely “an expression of mechanical aggregation [*mechanische Zusammenfassung*]” and only benefited parties.¹²² But the people were definitely more than the “sum [*Summe*] of political ballots,” Jünger exclaimed.¹²³ For Jerusalem, the Weimar constitution mobilized the people not as a community, but “a sum [*Summe*] of separate individuals,” and proportional voting particularly contributed to this.¹²⁴ The mathematical and mechanical language was, further, often supplemented with quasi-materialistic points representing parties and interest organizations as “heaps” of interests. For instance, Jung depicted modern society as a “tumultuous heap [*Haufen*] of individuals raging against one another,”¹²⁵ while Jünger described modern parties’ aggregative function in terms of “heaping [*anhäufen*] individuals like sand [*Sand*] into a hill [*Hügel*],”¹²⁶ and Joseph Goebbels described the Weimar parliament as “a despicable heap [*Haufen*]” and “a heap of interested parties” (*ein Haufen von Interessenten*).¹²⁷

Even those nominally supporting “democracy” in some sense used the addition *topos* to resist the Weimar system. For Schmitt, the current voting system relied on “the addition [*Addition*] of individual ballots” and “the addition [*Addition*] of

¹¹⁸Jung, *Herrschaft der Minderwertigen*, 291.

¹¹⁹Spengler, *Untergang des Abendlandes*, 121.

¹²⁰Tatarin-Tarnheyden, “Kopfzahldemokratie.”

¹²¹Arthur Moeller van den Bruck, *Das Dritte Reich* (Toppenstedt, 2006), 115.

¹²²Jung, *Herrschaft der Minderwertigen*, 246.

¹²³Ernst Jünger, *Der Arbeiter: Herrschaft und Gestalt* (Hamburg, 1932), 32–3.

¹²⁴Jerusalem, *Gemeinschaft und Staat*, 25, 33–5.

¹²⁵Jung, *Herrschaft der Minderwertigen*, 106.

¹²⁶Jünger, *Arbeiter*, 111.

¹²⁷Joseph Goebbels, *Angriff: Aufsätze aus der Kampfzeit* (Munich, 1935), 166.

opinions by isolated private people.”¹²⁸ Such “arithmetic summability” (*arithmetische Addierbarkeit*) was a crucial presumption of liberal-pluralistic democracy; in reality, however, only similar items could be meaningfully “added up into a sum” (*zu einer Summe zusammenzählen*), which supported his idea of political and ethnic homogeneity as a prerequisite of democracy.¹²⁹ Schmitt’s point was to depict secret individual voting, like public discussion, as a liberal, rather than genuinely democratic idea, whereas only acclamation, the public expression of support for a political leader with an unequivocal yes/no, was truly democratic.

To be sure, Sternberger’s identification of democracy with mechanical addition was less categorical and its normative implications were different. His theory of active citizenship effectively rejected Schmitt’s proposition that secret voting mobilized individuals as mere private persons; for Sternberger, citizens were political subjects also in their private affairs—a point Nawiasky made against Schmitt already in the Weimar era.¹³⁰

Yet the above *topoi* recur forcefully in Sternberger’s postwar texts. Democracy was about the common good as per the classical model, not “particular interests” or “the mere summation [*bloße Addition*] of wishes and aspirations” coming from all sides; in fact, the “mere summation [*bloße Addition*] of favors to this or that interest organization” would mean “decay and disintegration.”¹³¹ Such formulations may appear as surprisingly critical of the pluralism of parties and interest groups in the *Bundesrepublik*, especially given Sternberger’s commitment to parliamentary democracy. We must, however, bear in mind how both Sternberger and Hermens effectively split the issue, linking democracy’s shortcoming, the aggregative tendency included, exclusively with proportional parties, not majoritarian ones.

Arguing in favor of majoritarianism, Sternberger repeated several times that elections needed to produce a “decision” rather than “merely the sum [*bloß eine Summe*] of confessions,” a “mere addition [*bloße Addition*] of the constituencies of the allied parties,” or a “mere combinatory majority, conglutinated by secret arrangements” (*eine bloß kombinatorische, durch geheime Abmachungen zusammengeleitete Mehrheit*).¹³² Particularly the proportional system provided parties with such scheming potential in the first place, and to highlight this problem Sternberger revived the terminology of “mere summation,” earlier utilized against parliamentary democracy *tout court*. Summation was the counterimage of the unified and intentional democratic decision. The critical point was that proportional representation obeyed a purely quantitative logic: adding or reducing votes could not bring about any qualitative changes, and the political community fell short of the holistic surplus implied by the “mere sum” *topos*.

To further highlight this point, Sternberger resorted to imagery of physical substances, speaking of “masses of votes” (*Stimmenmassen*) and depicting the voter under proportional representation as “a grain of sand [*Sandkorn*] in the mass

¹²⁸Carl Schmitt, *Verfassungslehre* (Berlin, 2003), 245–6.

¹²⁹Carl Schmitt, *Legalität und Legitimität* (Berlin, 2005), 29.

¹³⁰Hans Nawiasky, “Wahlrechtsfragen im heutigen Deutschland,” *Archiv des öffentlichen Rechts* 20/2 (1931), 161–93, at 184–5.

¹³¹Dolf Sternberger, “Das Allgemeine Beste,” in Sternberger, *Schriften IV: Staatsfreundschaft* (Frankfurt am Main, 1980), 267–91, at 286, 290.

¹³²Sternberger, *Die Große Wahlreform*, 152, 170.

[*Masse*]” or “in a sand glass [*Sanduhr*], each one alike [or equal] [*gleich*].”¹³³ These grains allowed themselves “to be added” (*hinzuaddieren*) onto “one of the sand-hills” (*Sandberge*) and the “relief [*Relief*] of the party-political landscape.”¹³⁴ Properly conceived, the democratic people was, however, not “some clump [*Klumpen*] or heap [*Haufen*]” but the totality of persons and individuals who had consciously decided to organize into a community (*Gemeinwesen*) and therefore had to get along, he observed.¹³⁵

As noted, the quasi-materialistic *topos* of the political people as a community rather than “heap” was common in pre 1945 antidemocratic thought: it reflected early-twentieth-century anxieties about mass society, party democracy, and their implications for political representation, and these uses were a part of the term’s “historical indexicality.”¹³⁶ Although Sternberger’s ideological intentions certainly differed, in linking party democracy with the idea of the people as a heap, Sternberger moved in this long tradition. Sternberger’s Heidelberg colleague Alfred Weber similarly noted that the Weimar parliament in fact resembled “a ‘heap of interested parties’” (*Interessentenhaufen*), signaling his reservations with inverted commas, though.¹³⁷ Both scholars were doubtless cognizant of the term’s antidemocratic undertones, particularly given how Sternberger had in his book on totalitarianism criticized Vyacheslav Molotov’s understanding of people as a “heap” (*Haufen*) or “formless mass” rather than consisting of active electors.¹³⁸ In projecting the ideas of mechanicality and massification upon Molotov, Sternberger not only acknowledged but in fact boosted the antidemocratic tone of these terms, yet he used the same *topos* selectively against proportional representation’s problems, thus loading this habitual discourse-level regularity with novel prodemocratic significance.

Proportional elections are no elections at all

Sternberger’s accumulating criticism culminated in the drastic conclusion that proportional representation was “not an act of election and electing at all [*überhaupt kein Verfahren der Wahl und des Wählens*].”¹³⁹ This statement reads as a logical implication of his entire metaphorical argumentation—perhaps overstated, but meaningful in relation to his notion of electing as an inalienable personal decision by citizens as the active subjects of politics. In denying proportional representation the status of elections, Sternberger, however, relied on some most unexpected intellectual support: the phrasing tacitly summoned Schmitt’s interwar assault on list-based elections. In 1932, Schmitt described the Weimar multiparty system as enjoying a “political monopoly” by controlling candidate lists. As citizens were completely dependent on the lists, the election was “no direct election anymore” (*keine direkte Wahl mehr*). What was at stake was merely “how large will be the

¹³³Ibid., 58–9, 69, 94.

¹³⁴Ibid., 21.

¹³⁵Ibid., 63.

¹³⁶Musolff, *Metaphor, Nation and the Holocaust*, 139.

¹³⁷Mitscherlich and Weber, *Freier Sozialismus*, 83.

¹³⁸Sternberger, *Grund und Abgrund* (1962), 79–80.

¹³⁹Sternberger, *Die Große Wahlreform*, 19.

number of parliamentary seats to be allotted to the individual party list.” On that basis, Schmitt concluded that the procedure was “not only not a direct election” but actually “not an election at all” (*überhaupt keine Wahl*).¹⁴⁰

The similarity with Sternberger’s point and formulation is striking. Is this merely coincidental or did Sternberger tacitly borrow from his purported intellectual arch-enemy whose notion of the political he forcefully criticized?¹⁴¹ The latter option seems more likely, although Sternberger may not have utilized Schmitt’s text directly. Originally a speech, Schmitt’s 1932 text was a somewhat peripheric source; Schmitt, however, repeated these formulations in a 1933 essay, readily available also after 1945.¹⁴² The passage on elections was, astonishingly, also cited in Hermens’s *Democracy or Anarchy*, which Sternberger was familiar with.¹⁴³ Also Werner Weber—a significant neo-Schmittian constitutional lawyer whose arguments Sternberger explicitly addressed—popularized the notion of current elections being “neither genuine elections nor a comprehensive act of integrating the people at all.”¹⁴⁴ Sternberger, however, recycled Schmitt’s polemics without crediting either the original source or the possible mediators, of whom Hermens appears the more likely.

Schmitt, expectedly, pushed the argument to its limits, arguing that “the election is no longer an election,” that “MPs are no longer MPs” in the sense of “independent free men representing the benefit of the whole against party interests,” and that “the parliament is no longer a parliament” at all—thus strategically contrasting the despairing Weimar reality with the obsolete ideal of nineteenth-century parliamentarianism.¹⁴⁵ Sternberger was certainly less critical of parliamentarianism and, in the differing postwar context, sought to strengthen the parliamentary system as a guardian of democracy in a way unacceptable to Schmitt, who rather opted for authoritarian presidentialism and plebiscitary acclamation as the main democratic instrument, not democratic elections.¹⁴⁶ Yet Sternberger’s anti-proportionality rant reused Schmitt’s critique of party democracy and parliamentarianism *tout court*. The rule exercised by the people in a proportional system, Sternberger claimed, was “not rule at all” (*überhaupt keine Herrschaft*). This was so because the decisive condition for the rule of the people was that the people, rather than parties, made the decision (*Entscheidung*) on who should have leadership for the upcoming electoral period, and this would only be secured by direct plurality voting.¹⁴⁷

Conclusions

Sternberger’s argumentation on electoral forms reflected a genuine anxiety about the fate of democratic representation in an uncertain postwar situation and the experienced urgency of keeping the Weimar catastrophe from repeating itself.

¹⁴⁰Schmitt, “Starker Staat,” 75–76.

¹⁴¹For the Sternberger–Schmitt relation see Pankakoski, “Peaceful Strife.”

¹⁴²Carl Schmitt, “Weiterentwicklung des totalen Staats in Deutschland,” in Schmitt, *Positionen und Begriffe im Kampf mit Weimar—Genf—Versailles 1923–1939* (Berlin, 1988), 185–90, at 188–9.

¹⁴³Hermens, *Democracy or Anarchy*, 76.

¹⁴⁴Weber, *Spannung und Kräfte*, 48.

¹⁴⁵Schmitt, “Starker Staat,” 76.

¹⁴⁶Schmitt, *Parlamentarismus*, 22–3; Schmitt, *Verfassungslehre*, 83–4, 243–4.

¹⁴⁷Sternberger, *Die Große Wahlreform*, 162–3.

Historically he stood on the losing side, though. When Sternberger later acknowledged that his predictions remained unverified, he again summoned the underlying normative theory of democracy as meaningful personal decision making. He emphasized “acts of will” and “the subjective participation of electors” as virtues of the British model, while lamenting the popularity of proportional representation in continental Europe and particularly its “fiction of an objective, mechanical, as it were, representative relation between the people and the parliament.”¹⁴⁸ Despite proportional representation’s inherent “destructive” tendencies, a strong government/opposition bipolarity had emerged in Germany, and elections reflected a clear “decision” by the electorate, he argued already in 1956. Also the general transformation of the party system was attributable to the personalized figure of “the elector” whose “decision” had prevented the living constitution from “ossifying into the ready-made forms of the party-state.”¹⁴⁹ Eventually the democracy-minded German elector thus proved stronger than the quasi-causal correlations between voting methods and party systems. In the immediate postwar era, however, both the excessive number of parties and the polarization of ideological contestation were relevant concerns and sparked Sternberger’s extraordinarily ardent argumentation.

The above analysis warrants conclusions regarding Sternberger’s political theory, discursive continuities, and the significance of political metaphors. First, my analysis suggests that we should read Sternberger’s anti-proportionality eloquence as encapsulating the gist of his theory of electors as political subjects and of electing as a political act par excellence. He was anxious about the legitimizing link to citizens being cut by bureaucratic, oligarchic, and cartel tendencies in the party machinery, and the fervent metaphorical argumentation against proportional representation was a logical corollary of his theory of civic engagement. Although he largely proceeded *ex negativo*, Sternberger’s metaphors thus did more than “illumine problems.”¹⁵⁰ In fact, they communicated in a different register his normative theory of democracy, which he also developed in journalistic outlets and in contexts of institutional analysis.

As the relation of words and ideas is intrinsic, the metaphors were constitutive of his political theory rather than merely reflecting it exteriorly. However, the habitual dichotomy of serious theory and superficial rhetoric is misleading to begin with. Although Sternberger’s metaphors pertain to the very core of his thinking, they were also rhetorical in the sense of attempting to persuade a wider audience. The two functions are not mutually exclusive. On the contrary, his theoretical positions emerged via systematic metaphorical argumentation regarding a particularly pressing political issue in a concrete historical context: with the Weimar menace still in sight, Sternberger sought to strategically “sell” his anti-proportionality agenda to the German public.

¹⁴⁸Dolf Sternberger, “Vorwort,” in Dolf Sternberger and Bernhard Vogel, eds., *Die Wahl der Parlamente und anderer Staatsorgane: Ein Handbuch*, vol. 1, *Europa: Erster Halbband* (Berlin, 1969), v–xii, at xi.

¹⁴⁹Dolf Sternberger, “Einige Elemente der lebendigen Verfassung der Bundesrepublik Deutschland,” in Sternberger, *Lebende Verfassung: Studien über Koalition und Opposition* (Meisenheim am Glan, 1956), 23–42, at 37–40. Sternberger explicitly noted how this development contradicted Duverger’s proposals on two-party systems as the likely, although not automatic, result of plurality voting in single-member districts. Sternberger, *Die Große Wahlreform*, 247.

¹⁵⁰Jesse, *Wahlrecht*, 33.

My second set of conclusions pertains to his way of doing this. Sternberger combined a context-specific institutional agenda with republican theorizing of active citizenship, and by this combination contributed to the democratization of Germany after the epochal threshold of 1945. His argumentative strategy, however, was nearly paradoxical: Sternberger normatively “reoccupied” dominant *topoi* from the interwar antidemocratic debates and reemployed them for his own theory-induced argumentative purposes. Having written extensively on the political language of the German right, he was doubtless aware of the connotations in his wordings, together with the wider antidemocratic points they (contingently) implied. He capitalized on this gradually vanishing but still perceivable semantic potential to make his radically anti-proportional agenda appealing not only to committed republicans but also to those with remnants of antidemocratic misgivings. The tradition of anterior usages of his metaphors guaranteed their prodemocratic effectiveness.

Further, Sternberger’s case exemplifies the complex dynamics of the democratization of German political culture. For its part, it testifies to how German postwar democratization was a complex “discursive achievement,” as crucially emphasized by Moses¹⁵¹—not a straightforward substitution of one set of institutions, values, and concepts for another. Instead of exteriorly adopting the vocabulary of liberalism promoted by the Western occupiers after 1945, Sternberger expressed his democratizing efforts in a more conventional German political language, replete with accumulated antidemocratic undertones. He thus partly exploited the anti-republican mind-set he sought to transcend. This creates apparent continuities between interwar and postwar political discourses, and no unequivocal litmus test can tell skeptical arguments apart from outright antidemocracy. To further blur the picture, many by-and-large pro-democratic thinkers like Karl Jaspers, Gerhard Leibholz, or Rudolf Smend had expressed reservations regarding the Weimar-era parliamentary democracy and only partially readjusted their arguments after 1945. Continuities thus prevail on discursive and individual levels alike, but some discursive continuities emerge via strategic reoccupations like those described in this article.

However, one can only transform established political languages so much, and the discursive strategy had feedback effects on Sternberger’s political thought. Although his normative conclusions were different, the vocabulary he chose also directed Sternberger’s thinking toward certain routes. With his systematic metaphorical argumentation and conceptual borrowings Sternberger drifted discursively close to antidemocracy—perhaps closer than he realized. His case exemplifies how even highly competent authors sometimes get caught in the metaphorical nets they strategically spin and how even occasionally ornamental metaphors, when systematically employed, eventually *become* political thought. Sternberger’s fierce criticism of political parties and interest groups is partly a function of his political language—rather than the other way around.

Third, my reading illuminates how metaphors are neither pre-political cognitive resources nor mere superficial eloquence, but essentially a form of political argumentation and as such of the utmost relevance for political thought. The interactions between the rhetorical, argumentative, and theoretical levels in any author’s

¹⁵¹Moses, *German Intellectuals*, 50.

thought are multiple and multidirectional; rather than only expressing preexisting theoretical propositions, metaphors co-constitute them. To bring added exegetical value for the political theory and the history of political thought, political metaphorology, I propose, should study such effects.

Sternberger himself was keenly aware of metaphors' potential to illuminate political thought particularly in its ideological dimension. In analyzing the prophetic philosophy of history by Hegel, Marx, Lenin, and Trotsky, Sternberger paid attention to the biological metaphors of birth, ripening, and dying and observed how ideologists' eyes are "blind" to the metaphoricity of such recurring imagery and how "metaphorics thus simultaneously has its uncontrollable mighty existence ... behind the backs of those employing it."¹⁵² Sternberger certainly did not include himself among such ideologically blinded authors, yet the observation has a flavor of critical introspection. Given the forcefulness of his own metaphors and his extraordinary sensitivity to the nuances of political language, Sternberger had a hard time escaping the conclusion that his chosen imagery also guided his observations of the political world.

In the expanded 1986 edition of his book on legitimacy, Sternberger discussed metaphors of people's sovereignty and state organs and in this context explicitly declared that he had nothing against metaphors as such, for language without similes and images was quite inconceivable; nevertheless, metaphors had to be handled so that one does "not fall victim to them." The critical point is applicable to his own case. Simultaneously, however, this note testifies to Sternberger's notion of the inherent multiplicity of meaning and significance in any politically relevant metaphor: "If the meaning of the image has sunk under the purported rationality of dogmatic declarations, one must try to unearth it anew."¹⁵³ In his argumentation against proportional voting, Sternberger utilized this flexibility of meaning and metaphors' ability to serve other argumentative purposes beyond the ideologically established ones. In his usage, contingently antidemocratic metaphors served the cause of democratization—that is, democratization in Sternberger's specific sense of increased civic engagement in a system of person-based representation. Sternberger's discursive debt to interwar thought makes him a somewhat paradoxical figure: a champion of active citizenship, liberal tolerance, and constructive parliamentary opposition who, nevertheless, expressed his concerns about political parties and proportionality in a perplexingly antidemocratic register.

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¹⁵²Sternberger, *Grund und Abgrund* (1962), 130.

¹⁵³Sternberger, *Grund und Abgrund* (1986), 460–1.

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