American and European usage of certain political concepts and terms is not always identical, and I have tried in this book to make the reader aware of potential misunderstandings that might arise from these differences. A common problem of semantics and a potential source of confusion is the term “government.” In Europe, “government” usually means “cabinet” or “executive leaders,” or “administration,” while for Americans it often means what Europeans would call “the state.” Therefore, what Americans call the “federal” or “national” government (or especially in the past, “the Union”) may be called the “state” in German; however, Germans are more likely to use the more precise term of Bund or “federation.” The Bundesregierung, or, literally, “federal government,” is the cabinet, or what Americans call “the Administration.” Thus it’s the “Kohl or Schröder government” in Germany, but the “Clinton or Bush Administration” in the United States. In this book “government” will usually mean “cabinet” unless the context is clear that the more general American sense of the term, i.e., the European “state,” applies.

To complicate matters further, both Americans and Germans use the term “state” to describe their respective subnational regional units. While the German “states” have been called Länder (plural form) since 1919, “state” can still refer either to the subnational Land (singular form) or national political system. Indeed, “state” administration in the German context usually means administration by the Land.

Another term that is used commonly in Britain and on the Continent is “competences” for what Americans call “powers.” In this book I will follow American practice and hope for the tolerance of European readers and others who might be unfamiliar with American terminology.

In Germany the ceremonial head of the national state is the president. The head of government is the chancellor. As in the United States, there
is only a head of government at the Land level: the minister-president. Since this term is so foreign to American readers, I will use instead the common term for the head of government in a parliamentary system, the prime minister. The American term, governor, is inappropriate because it suggests direct election by the people, not selection by the majority party or coalition of parties of a parliament.

The term “liberal” can also be easily misunderstood by European and American readers. In Europe “Liberal” usually refers to classical liberalism, i.e., the European philosophical tradition of individualism that supports policies of laissez faire in both civil liberties and economics. In the United States “liberal” generally refers to someone who supports both civil liberties and a significant role for government in the economic and social arenas. Thus a European “Liberal” is generally in the center or even right of center on the ideological spectrum between “left” socialists or social democrats and “right” conservatives, while the American “liberal” is “left” of center.

Germans and Americans also use the term “dual federalism” in different ways. In the United States the term emphasizes separate spheres of activity for the executive and legislative branches of the federal and state government. Thus, the federal government is responsible for old-age security, the states for education and highways. This kind of dualism still exists to some extent, but since the New Deal and the Great Society, the federal and state governments have been sharing more and more responsibilities, including the financing of a wide variety of public policies. Thus American federalism today is not as much a dual federalism as it is a cooperative federalism based on intergovernmental relations. In Germany the concept of dual federalism usually refers to the focus at the national level on legislation and the focus at the Land level on administration. But cooperation and sharing in a variety of forms have also led Germans to talk more of cooperative federalism or Politikverflechtung, a form of interlocking intergovernmental relations. As a result of these different conceptions of dual federalism, the use of terms such as “functional federalism” or “horizontal” and “vertical” relationships can have different meanings in the two countries. On the other hand, some Germans also use these terms in the American sense, which can be confusing to the reader who thinks he or she has made the appropriate adjustment to general usage in each country.

Some disagreement exists in the United States about the use of the concept of “levels” when describing national, state, and local governments. Daniel Elazar insisted that speaking of different arenas or, better yet,
“planes,” would be better, because “levels” suggests hierarchy, higher and lower, more important and less important. He preferred thinking of federal systems in terms of a matrix, in which “there are no higher or lower power centers, only larger or smaller arenas of political decision making and action.” For a number of reasons, I will use the more conventional concept of “levels.” First, because “level” is the term used in both countries by most people when they identify the different units of government and distinguish among them. Second, because it (Ebene) is the term used virtually without exception by German legal scholars as well as the general public. And third, because while it is true that one level may not in fact be “higher” than another in some hierarchical order, a distinction is frequently made today between “high” and “low” politics, terms which generally refer to policies with international or major domestic consequences as opposed to those that have only a more limited even if important domestic impact. National governments of federations are responsible for “high” politics, not subnational units.

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