

SCANDALS, CHANGING NORMS AND AGENDA SETTING IN GERMAN POLITICS

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I. The Importance and Dramaturgy of Political Scandals

In today's liberal democracies, scandals seem to bring about more political momentum than ever before. In the media age news of scandals gets around in a short time, filling the local, state, national or even world arena and setting the political agenda. Like wars, great crimes or other sensational effects, they command the attention and emotions of the public. In Western political cultures there are few non-violent events that can compete with scandal in this respect. And even these events — like election campaigns or the overthrow of a government — become much more interesting and colourful if there is an element of scandal, be it sex, corruption or illegal telephone tapping.

The social sciences, always striving for exact data, for rational explanations of political systems and political actions and for scientific system building, tend to omit this important part of the political life. History books scarcely include scandals, and if they do, they concentrate only on those which have been decisive in bringing down important statesmen or regimes. They also forget the entertainment function that politics have in modern societies as they had in Shakespearian or ancient times. Today the mass media make this easier than before, although the style is more soap opera-like.

Another important reason for the neglect of scandal by political scientists is their quest for scientific seriousness which could be endangered by a theme appealing so strongly to emotions and sensationalism. It is therefore left to sensationalist tabloid journalism.⁽¹⁾

Politicians, on the other hand, know very well the importance of scandals, particularly in times of elections.⁽²⁾

What is a scandal? In ancient Greek a scandalon originally meant the little piece of wood which would set off a trap when touched. Later on scandalon meant an offence. Up to the present it is used in Western languages with that meaning, for instance in Church texts. An example is the pope's argument in his encyclica *Populorum Progressio* of March 26, 1967, that the poverty of the Third World countries constitutes a scandal. In everyday language this is done too, arguing that this or that should be considered a scandal.

But usually, and this is important in the sphere of politics, scandal is used in a different way, reminding us of the little piece of wood: defining an incident which may be unimportant in itself, but constitutes a violation of accepted public standards, of the norms of the political system, and therefore should be sanctioned. The sensation of political scandal is centered around these aspects, confronting the norms of the political system with the working of the political fabric. It can be based on structural problems of the political system, but in all cases it has to do with the behaviour of public figures, and it is the more interesting the higher they stand.

In this sense the fact that tens of thousands of people are killed in traffic accidents in every big Western country every year is not a scandal. It can become one if there is a spectacular accident with many people killed and someone particularly responsible. The "normal" death rate is largely left undisputed. This is why nearly every airplane or rail accident becomes publicly visible. On the other hand, one person that has been taken hostage constitutes a major event, and public responsibility for it or mishandling of it are major sensations.

Public norms can change, and evidently some of them differ between countries and cultural settings. Thus it is considered a scandal when a candidate in the U.S. primaries has had an affair with an actress or a "model", even more when something like this happens with a fundamentalist American preacher. It might be a matter of comparable importance in England, whereas on the European continent usually it

would scarcely be reported, even in the tabloids, and therefore does not become part of the public agenda. And even when reported indirectly — as with Giscard d'Estaing's accident when personally driving a car during his term as president at three a.m. and colliding with a dairyman's van — it would not become a public issue. In this sphere the Anglo-Saxon countries, as de Gaulle would have called them, are certainly more moralistic than those on the European continent. In the United States this type of scandal has become more important in recent times. It also is evident from such examples that "successful" scandals of a certain type can induce new scandals of the same or a related type. "One scandal is seldom alone"⁽³⁾, it is often followed by others of its kind, one sex scandal inducing another sex scandal, and an environment scandal another environment scandal.

Public norms may constitute a sharp contrast to the norms in other spheres of society, e.g. the entirely different handling of sex-affairs in the film industry. But in spite of that, it is evident that there are established norms of public behaviour, the violation of which can constitute a scandal, and that these norms differ even between Western countries. Differences with countries of other cultural backgrounds are still more visible. In Japan some years ago even a prime minister beating his wife was not considered scandalous, but it now is.

Scandals can be an important force in social change. "They are a definite indication that it is working inside a society."⁽⁴⁾ A public scandal influences public opinion or an important part of it. "Scandal is infectious. It marks everything. It stigmatizes persons and events."⁽⁵⁾ "It goes on spontaneously, radically, and in black-and-white-style."⁽⁶⁾

Scandals relate to a publicly accepted norm which has been violated. If everything becomes clear soon and the violator gives in, the case will be easily resolved and the media will lose interest in the scandal after a short time. A politician or a bureaucrat may step down voluntarily, or may be sacrificed to resolve the situation. This is done quite ritually and confirms the validity of a system's norms and values in Edelman's sense. Everybody can be satisfied, nothing of importance

needs to be changed, and public interest turns to something else. In the television age, public awareness seems to become even more short-lived than in earlier times. Therefore, efficient political management will always try to end a scandal quickly to get rid of it, and to pacify public opinion, if necessary with a sacrifice. Instead of stepping down, there may also be a public gesture like an excuse. This is practiced in Japan in a very earnest and ritualistic way, the responsible person bowing to the concerned people.

Scandals become more important when they last longer, and fill the media. If one high point of interest follows another, they fascinate the public again and again. One pattern is the refusal of the person who has been found "guilty" or is to be sacrificed to accept this role. Such a conflict can result in a long struggle, straining loyalties of political friends and allies. Political friends, who stand "before", or "behind" the accused — so the German expressions go — all of a sudden adjust their positions when the right time comes and the decision for sacrifice has been made with or without the consent of the guilty one, the victim or the scapegoat. The more important the related figures are, and the more they try to evade responsibility, and the more prestige they command, the more they try to get out, the more vivid, visible, and emotionalizing the conflict can be. But when resistance has been abandoned or the necessary sacrifice has been made, the scandal is ended.

The public finds those scandals most exciting and stimulating which imply a conflict of contradictory norms, each of them justifying the positions and actions of the two sides in the conflict — especially if the related values and norms are important and generally acknowledged, if an inherent conflict is evident between them anyway and the scandal case becomes a forum where conflicting positions are confronted. It also adds fuel to the flames if competing political parties or fronts come into it, both of them having their respective values. The scandal then becomes a battle ground for a symbolic conflict over the governing principles of state and society, bringing about passionate participation on both sides.

Modern history knows of several *causes célèbres*, the most famous being the *Dreyfus* case dominating French politics for more than a decade around the turn of the century, and constituting a battle ground for the fight between the monarchist and clerical right and the republican left.⁽⁷⁾ In the *Dreyfus* case the prestige of the army in a nation traumatized by the 1871 defeat, authoritarianism and anti-semitism stood at one side, republican liberties and justice on the other. The whole nation took part in the conflict, the novelist *Zola* publishing his "*J'accuse*", and the socialists siding with some of their "class enemies": In our times the American Watergate case is a famous example. There the presidential authority and competence to govern the nation stood on one side, constitutional principles on the other. Trust in America and American values could be understood in both ways. In both cases the drama derived from the power positions involved and the use of the mechanisms of the state and the establishment.

In great scandals as well as in small ones, certain dramatic effects are important for the course of events and their configuration. Such effects can be:

1. Bringing in new aspects and relationships to nourish the fire. If that cannot be done, the public's interest will fade away after some time.
2. Uncovering new details of delicate points of already known stories. The media often hold back some details until some days later in order to keep the interest alive.
3. Waiting for a decision which is overdue, e.g. the sacrifice of a person implicated in the scandal and the postponement of such decisions.
4. After a ritual sacrifice the tension melts away if there is not a chance for more to come (e.g. the next figure to be sacrificed, particularly if she or he is in a more important position).
5. Singling out a *bête noir* and whitewashing the others' reputation.
6. Ritual functions of investigating committees, courts, or "wise men". A case that has been brought to an end, after some time

can become promising again. New explanations can be found, new insights and different views provided. After some years even a *bête noir* may appear quite differently in the light of new events (e.g. Nixon since 1987), or even a new *bête noire* may be found.

II. Scandals and Scandalizing in the Federal Republic

The Federal Republic offers a rich and diverse landscape of political scandals, though their style is neither as imperialistic as France's "Rainbow Warrior", nor as clandestine as Britain's "Spy Catcher", as important as Watergate or bizarre as Irangate, or as intricate as some Italian scandals.

When discussing scandals, political culture and morale one has to be careful not to fall into the trap of glorifying the past in defiance of the facts — a traditional way of misjudgement since ancient times. Though unrealistic, this has been a classic way of political thinking. Remember Cicero's idealizing of the old republican virtues, exclaiming "o tempora, o mores!", in his Catilina speech. In Germany idealizing is generally connected with what is supposed to have been the old uncorrupted standards of Prussian officialdom.⁽⁶⁾ This is largely fictional, and a successful creation of conservative historians and schoolbooks of imperial times, although it is true that there may have been somewhat less corruption than in some other countries in the 18th and 19th centuries.

Concerning Germany two key examples may serve as references. The founding of the Bismarck empire in 1871 as well as that of the Federal Republic were connected with corruption. In 1871 the Bavarian king Ludwig II was bribed by Bismarck. Secret Prussian money enabled him to continue building his costly castles. This was important in motivating the king, *contre coeur*, to write the letter offering the imperial crown to the Prussian king, and to include Bavaria into the empire dominated by Prussia (Ironically, more than a hundred years later, the romantic castles are still there, but the empire and large parts of its territory are gone. Today, in the age of mass tourism, the castles can be considered a reasonable investment). In the whole era, this financial connection

was kept secret. Even decades later, conservative German historians tried to belittle the corruption.⁽⁹⁾

When the Federal Republic was founded, corruption was decisive in the vote for Bonn instead of Frankfurt as the federal capital in 1949.⁽¹⁰⁾ Again there was a Bavarian connection: some deputies of the regionalist Bavarian party were bribed, each one getting one thousand German Marks. When the *Spiegel* reported the newly founded republic's first scandal, the Bundestag formed its first investigative committee. The Flick political party finance scandal with hundreds of millions of German Marks showed the scale of fraud had increased after the economic miracle. But Noack's conclusion of declining moral standards in the course of the history of the Federal Republic⁽¹¹⁾ is questionable as party financing in its early years remains largely uncovered.

Der Spiegel is the principal source for German political scandal. Compiling only the headlines of scandal reports of this German magazine, a volume of 137 pages was filled.⁽¹²⁾ The magazine is not, as the troubled chancellor Adenauer accused it in 1962, "making money with treason". It makes money with scandal, and can be characterized as the Germany's "central organ of scandals", investigating leftist and rightist parties, federal and Länder bureaucracies, entrepreneurs and trade unions, arms' deals and bribery. Considering its legendary archives and its investigative zeal, nobody can feel safe. Founded in 1946 by Augstein and his associates in their twenties, the *Spiegel* still cultivates the scepticism of the immediate postwar generation. In contrast to the identification with the state in the Hegelian tradition, this scepticism over the years has become an important element of the West German political culture. Other magazines like *Der Stern* have partly imitated the *Spiegel*'s style. Interestingly enough, in spite of several attempts, it has not been possible to create a corresponding conservative magazine. Muckraking towards all sides seems to be bound to liberal attitudes.

Nazi Scandals: One of the *Spiegel*'s principal issues in the sixties, seventies and eighties has been uncovering old Nazis and war criminals in leading positions. Most people would suspect that this type of

scandal would die out with the Nazi generation which is too old to hold office these days. On the contrary, however, the critique has become more and more rigid and successful. An example:

In 1988, the *Spiegel* attacked the TV journalist Werner Höfer, already retired and restricting himself on the role of host in the "Internationaler Frühschoppen", a popular TV magazine with journalists from various countries. Höfer was then a sort of doyen of TV and radio people, and respected for his liberal and professional management style in the party-dominated German TV system. The *Spiegel* reported that he had written a nazistic rabble-rousing article on the terror trial of the famous pianist Kreiten in 1944, who had expressed oppositional views. The *Spiegel* also accused Höfer of having justified the execution of the artist.

Höfer at first tried to defend himself, arguing that he had not written the headline and some parts of the article. But after some days — with nobody defending him — he stepped down. In August 1988 he lost a libel suit against *Der Spiegel* in the first instance and did not appeal.

During the fifties, the *Spiegel* and great parts of Germany's public opinion had been less sensitive about the Nazi past of leading officials. When in 1953 the British military authorities imprisoned a Nazi group which with some success had tried to infiltrate the Free Democratic party, the *Spiegel's* critical report did not concentrate on the neo-Nazi dangers but speculated on tactical motives of the British authorities, asserting that the Germans could have managed the affair themselves. This was the tenor of most comments in the German press then.

Over the decades, the climate changed. Nazi scandals have played an important part in this process, again and again pointing to the cruel and inhuman regime that had had so many enthusiastic followers. For many in Germany, this was a worrying experience of never being able to consider the past finished. The big concentration camp trials were important in this respect, particularly the Auschwitz trial in the sixties. The debates on the limitation of punishment after 30 years, repeated several times, also played a central role. The Nazi scandals, however, influenced the public in a sceptical and critical way, putting parts of

the establishment under suspicion.

The first Nazi scandals played on Allied or American grounds in 1944 and 1945. They begin with the Aachen case when American reporters attacked Nazi affiliations of the first city administration that American troops had established in Germany. (That this judgement was not beyond doubt was proven when Nazi special units shot the American appointed mayor of Aachen shortly after the critical reports). The pattern of critique was repeated and further established later in 1945 in the Patton-Schäffer-case. The famous American general, who was responsible for the appointment of Schäffer for Prime Minister of Bavaria, had compared the NSDAP with the Republicans and Democrats in the United States. This caused a sharp reaction of public opinion in the United States and Schäffer as well as Patton were dismissed.⁽¹³⁾

In the fifties Nazi connections and the issue of Nazis in public offices were played down, integrating them into the structures of the Federal Republic. The above-mentioned Naumann affair of 1953 still shows Allied suspicion in contrast to an official German feeling of security. After some trials since 1958, however, big scandals came about in the sixties and public opinion became more and more critical. This was eased by generational change. In the seventies and eighties the criteria in Germany became still harder. The Höfer case is a good example of this.

The course of Nazi scandals is rather complicated. It differs a lot from comparable changes of public awareness in Austria, Italy, or Japan and is an important part of the successful "remaking" of West Germany's political culture.

Scandalizing communism, in an interesting negative correlation, has become less important during the last years. It began only after the early years of Nazi scandals had passed away, and reached its high time in the Cold War times of the fifties, some scandals aggressively produced by Adenauer's conservative government in election times. One example was the deliberate and unfounded accusation of two social democratic politicians of having received East German funding

for their party, being withdrawn after the elections.⁽⁴⁴⁾

Scandalizing leftists was part of the "restaurative climate" of the fifties and instrumental for the success of the conservatives in the fifties. Despite the softening of the East-West confrontation around 1970 anti-communist scandalizing gained new momentum during Brandt's Ostpolitik in connection to the conservative opposition's claim of "selling out" of the German position to "the East". It was only when the Kohl government (since 1982) accepted these détente policies and when even the hardline anti-communist Franz Josef Strauss tried to gain new standing by visiting East Berlin, Prague, Budapest, Warsaw, and Moscow — he even was invited to Addis Abeba — that this type of scandal lost its instrumental function and was discontinued. Instead, new right wing campaigns were launched on foreign refugees in 1986 and on AIDS in 1987.

In Germany's geopolitical situation espionage scandals were closely related to anti-communism. Their emergence in public follows the same logic, in contrast to the actual development of espionage itself.

Spiegel and Flick Scandals: Other types of scandal can be found everywhere in liberal democracies: scandals of corruption, of political power abuse and arbitrary government practices, of justice, of police, of administration, criminal behaviour with political implications and waste of public funds. To a certain extent, they are present over the whole history of the Federal Republic. Two of the most important scandals belong to this group:

the *Spiegel* affair focussed on power abuse and the misuse of police and justice against a critical magazine, and

the Flick corruption scandal, which included financial transfers to all established parties and to many important politicians.

The effects of these two scandals stood in sharp contrast. The *Spiegel* scandal produced increased political interest, identification of a large part of the public opinion with the liberal side around the *Spiegel*, a negative image of the responsible politician Franz Josef Strauss and his party, and a structuring of the party system, around Strauss' conservative CSU and the liberal FDP since 1962 up to

now.⁽¹⁵⁾ It played an important role in the preparation of the coalition between liberals and social democrats and the preparation of public opinion for it. It was widely regarded as a victory of democratic principles and produced hope and identification with the "winning" side, since Strauss after some struggle lost his ministry. This was encouraging after a long German tradition of state power having its way, particularly in the Zabern scandal⁽¹⁶⁾ before World War I.

In sharp contrast to this, in the Flick scandal the public got the impression that "all cats are grey". People lost a good deal of their trust in the parties, the young generation was reluctant to join political parties in contrast to the politically active "1968" generation and there was broad disillusionment.⁽¹⁷⁾ In 1982, for the first time in 29 years a new party, the Greens, was elected to parliament, and for several years successfully cultivated a style political innocence and lived from it.

Environmental Scandals: The most important rising type of scandal in Germany in the last years is from the environmental sector, including dangerous waste, water and air pollution, acid rain, poisoned food, dangerous drugs, and atomic energy. German public opinion was occupied with all these sub-types of environmental scandal intensely in the last years, regardless of their real importance. Even more than in other types of scandal, the public was unable to distinguish meaningful from unimportant misdeeds. Having the feeling that they could not trust the authorities and knowing they had been informed wrongly on various items, the public became hysterical in some unimportant cases, for instance on Chernobyl pollution in Bavarian whey, which was moved around in a train, meeting protests in every city or county it entered. In the end it was stored in army grounds for two years and after a cooling off period — not of radioactivity but of public opinion — it was processed. Ironically, comparable whey used for chocolate production, even of expensive chocolate pralinées, was not scandalized and consequently consumed without any problems.

Federal environmental policies in the eighties were largely a product of scandals. Whenever the public gets excited over an issue, something is done or, is claimed to be done by the politicians. This can be the

creation of a new ministry (this was the case after Chernobyl), new laws or regulations, new funds, new initiatives at the European community level, the German government trying to demonstrate its pro-environmental stand against the partner states or the "Brussels bureaucracy" or conspicuous police actions against violators. The government's activities on environmental problems therefore are shaped in an erratic style, jumping from this to that question to calm down public opinion. Important issues that are not in the limelight of scandal are forgotten, and can most easily be introduced into the public debate through another scandal. But public excitement and environmental relevance clearly do not always correspond.

III. Scandal Families and Their Developments in Germany

On the basis of an analysis of *Der Spiegel* since 1946, we can distinguish nine types of political scandals in the Federal Republic. All Spiegel reports on political scandals from 1946 to 1986 have been included in the following nine categories and subcategories. Notwithstanding possible omissions of some smaller political scandals, particularly local ones, we concluded that this is a sufficient base for a typological attempt.

Since that time, however, the end of the Cold War has also changed the dominant scandal issues. The awareness for scandals related to Communism and espionage has decreased sharply. On the other hand, scandals on arms delivery to Third World countries have become a dominant issue, particularly in the time of the Iraq crisis. Saddam Hussein's threats of chemical attacks against Israel and use of relying on Scud missiles modified with the help of German companies has brought home a problem reminiscent of Auschwitz and thus is a new kind of Nazi scandal. In this last scandal two dominant post-war German themes come together: economic success and the Number One position in exports on the one hand, and the promise *never again* after the Nazi atrocities and World War II. The unlimited promotion of industry and export by politicians such as the former minister of economics, Count Lambsdorff, is now seen in a new light.⁽¹⁸⁾

(1) Corruption Scandals

Norm: Just and lawful non-partisan due process in public office with respect to financial problems, legal and moral illegitimacy of corruption.

Scandalon: Financial corruption.

Manifestation: Universal type of scandal in all societies where public office is separated from private property, widespread in some countries and ages. In Germany the anti-corruption norms are strongly established, in historical connection with the myth of Prussian bureaucracy and the concept of Rechtsstaat.

Actors: Individuals, parties and other organizations, e.g. party financing. Certain branches of business like construction and prostitution are particularly affected.

Important Cases: Bonn capital affair (1949); Casino licence affairs in Bavaria in the fifties and Lower Saxony in the eighties; FIBAG affair (1961/62); party defectors 1969-72; Flick scandal and many smaller corruption scandals on all levels, Späth affair 1991.

(2) Scandals of political power abuse and arbitrary government practices (top politicians and officials)

Norm: Equal application of lawful and legal due process of law to everybody, universalist and unarbitrary treatment of everyone.

Scandalon: Illegal or disproportionate government interference against persons or groups, e.g. imprisonment, mistreatment, killings. Scandalous particularly in connection with oppositional activities and minorities.

Manifestation: Classic case of authoritarian states, contrary to liberal principles. Happens to a certain extent in all countries, connected with the state monopoly of power, but varies widely according to the number and patterns of scandals.

Important cases: Barth affair (1961), *Spiegel* affair (1962), both connected with defence minister F.J. Strauss; Nürnberg KOMM mass imprisonments of youth club people, amnesty affair as an element of the Flick party finance scandal; Kiessling-Wörner affair, general Kiessling falsely accused of homosexuality (1984); Barschel-Pfeiffer

affair with unlawful Land government measures against the opposition leader (1987).

(3) Justice, police and administration scandals

Norm: Lawful and non-partisan practice of judicial, executive and administrative organs

Scandalon: Unlawful action and partisan behaviour by justice, police or administration

Manifestations:

Justice: Political Decisions of justice organs, debated judgements on political questions, debated judgements on political extremists (Nazis, Communists, Terrorists), scandalous behaviour of lawyers.

Police and penal system:

Criminal behaviour by policemen, Police actions beyond law, Inhuman and unlawful conditions in prisons.

Data scandals

Illegal bugging, Mishandling of personal data, Illegal data collection.

Rising level of public sensitivity concerning data.

Important cases: Ohnesorg: a student killed by a policeman at a political demonstration; policemen robbing Autobahn lorries (1985), "Santa Fu" prison scandal, "Hamburger Kessel" (1986)

(4) Scandals of criminal behaviour with political implications

Norm: Lawful behaviour of politicians

Scandalon: Unlawful offences by politicians

Manifestations:

politically motivated criminal acts,

criminal acts by politicians without political implications.

Important cases: Zimmermann's false oath in the casino affair, jewel robber Scholl (1985), secretary of state Boenisch paid by private industry when writing on related questions.

(5) Espionage Scandals

Norm: Loyalty towards the nation/the Western alliance.

Scandalon: Giving secret information to "enemy" agencies.

Manifestations: "Classic" espionage between states, economic espionage; particularly tense scandals in times of international tension and crisis.

Important cases: Guilleaume, personal aid to Chancellor Brandt (1974); Tiedge, deputy chief of secret service (1985); John, head of the secret service (1954); East German agents or persons defecting to East Germany. Dies out in the eighties.

(6) Scandals about waste of public money

Norm: Effective and responsible use of public funds.

Scandalon: Waste, intentional or negligent.

Manifestations: Mismanagement and planning scandals.

Waste of military funds, particularly with the development of big weapons systems, often including corruption.

Important cases: Aachen Clinics, Neue Heimat, HS-30-Affair (1966), Lockheed affair (1976).

(7) Nazi scandals

Norm: Discontinuity between Nazi Germany and the Federal Republic.

Scandalon: Public figures and actions with Nazi or neo-Nazi background.

Manifestations: In the first years often Allied, particularly American scandals. In the 1960s and 70s German scandals with old Nazis and war criminals in public offices. Rising acceptance of the norm with the passage of time and generational change, at the same time scandal personnel leaving the stage. New type of neo-Nazi scandals.

Important cases: Aachen (1944), Schäffer-Patton (1945), Naumann affair (1953), Globke, Oberländer, Seeböhm and other officials in the sixties, Filbinger (1978), Bitburg, Kerschenbroich (1986), Lummer's contacts with neo Nazis (1986), Höfer (1987).

(8) Communism Scandals

Norm: No communist influence in West Germany, delimitation and fighting of communism and its representatives.

Scandalon: Communist past of politicians (only if left-wing), communist financing of political activities, activities that are "objectively" pro-communist.

Manifestations: Relevance in connection with the Cold War and corresponding ideologies. Peak in the 1950s (McCarthy syndrom). Often connected with espionage cases. Ideological "treason". Campaigns against "radicals" in officialdom, in the fifties and seventies.

Important cases: Conservative scandalizing in election times, particularly in the fifties, e.g. accusation of communist financing of leftist activities, elements of the *Spiegel* affair, Porst case (1967). Dies out in the eighties. Reemerges after reunification.

(9) Scandals of sexual deviance

Norm: Heterosexual and marital sexual practices only, taboos on other forms of sexuality.

Scandalon: Sexual deviance, e.g. homosexuality, sexual relations outside of marriage by public figures.

Manifestations: Old and important pre-1945 traditions (Eulenburg and Krupp scandals, Fritsch scandal used by Nazis against conservative military). In the last decades losing importance because of changing social norms. Therefore now only public as an element in other types of scandal, e.g. security because of danger of being blackmailed. Boomerang effect when practiced against a general in 1984.

Important cases: side affair in the Guillaume (1974) and Kiessling-Wörner scandal (1984).

Notes

- (1) Hans-Joachim Winkler, Über die Bedeutung von Skandalen für die politische Bildung, in: Hamburger Jahrbuch für Wirtschafts- und Gesellschaftspolitik, Vol. III, Hamburg 1968, 225 ff.
- (2) Systematic research on scandals has only begun in the last years, and the term *scandalogy* has been proposed for this new subdiscipline of the social sciences. See the German studies of Manfred Schmitz, Theorie und Praxis des politischen Skandals, Frankfurt: Campus 1981, and of Sighard Neckel, Das Stellhoelzchen der Macht. Zur Soziologie des politischen Skandals, Leviathan 14 (1986), and the comparative volume, Andrei S. Markovits/Mark Silverstein (eds.), The Politics of Scandal. Power and Process in Liberal Democracies, New York/London: Holmes & Meier 1988.
- (3) Christian Schütze, Die Kunst des Skandals. Über die Gesetzmäßigkeiten übler und nützlicher Ereignisse, München/Wien/Berlin: Scherz 1967, p. 39. My translation.
- (4) Schütze, p. 35.
- (5) Schütze, p. 40.
- (6) Schütze, p. 38.
- (7) Jean-Denis Bredin, The affair. The case of Alfred Dreyfus, New York: Braziller 1986. See particularly the chapter "Two Frances", pp. 245-356.
- (8) Prussian officialdom is a legend in Germany up to today, and is also the point of reference for Eschenburg's famous articles on the standards of political life which appeared in the influential weekly "Die Zeit" in the sixties and are collected in: Theodor Eschenburg, Zur politischen Praxis in der Bundesrepublik Deutschland. Kritische Betrachtungen, 3 vol., München 1964², 1966, 1972.
- (9) For a critical assessment see Fritz Stern, Gold and Iron. Bismarck, Bleichröder and the Building of the German Empire, New York: Knopf 1977, 133 ff. See also the idealizing description of Bismarck's relation to the king in his memoirs "Gedanken und Erinnerungen".
- (10) See Dieter Huwe sive Hüge/Regina Schmidt/Dietrich Thränhardt, Politische Korruptionsskandale auf Bundesebene 1949-1986, in: Jürgen Bellers (ed.), Politische Korruption. Vergleichende Untersuchungen, Münster: Lit 1988, pp. 38-59. The government-oriented six-volume German history of the Federal Republic takes no notice of the scandal (see its second volume Hans-Peter Schwarz, Die Ära Adenauer—Gründerjahre der Republik, 1949-1957, Stuttgart/Wiesbaden 1981), nor does the voluminous 1146 page history written by the American authors Dennis L. Bark and David R. Gress, A History of West Germany, 2 Vol., Oxford: Basil Blackwell 1989. In contrast, both scholarly histories discuss the selection of Bonn with great care.

- (11) Noack, p. 135.
- (12) Dieter Hüge sive Hüge/Regina Schmidt, Politische Skandale in der Bundesrepublik Deutschland. Eine thematische Dokumentation der "Spiegel"—Berichterstattung 1947 bis 1986, Münster 1987 (unpublished).
- (13) See Lutz Niethammer, Die amerikanische Besatzungsmacht zwischen Verwaltungstradition und politischen Parteien in Bayern 1945, in: Vierteljahreshefte für Zeitgeschichte, 15.
Vol. 1967, 153-210; Alf Mintzel, Die CSU, Opladen: Westdeutscher Verlag 1975; Saul Padover, Experiment in Germany, New York 1946.
- (14) See Dietrich Thränhardt, Geschichte der Bundesrepublik Deutschland, Frankfurt: suhrkamp 1987, 2.ed., 104 ff.
- (15) See Alfred Grosser/Jürgen Seifert (eds.), Die Spiegel-Affäre, 2 vol., Olten/Freiburg: 1966; D.Koerfer/Karl-Heinz Janssen, Dossier, in: *Die Zeit*, Aug. 22, 1980; Joachim Schoeps, Die Spiegel-Affäre des Franz Josef Strauss, Reinbek: Rowohlt 1983; Schwarz, op.cit., 262 sq.; David Schoenbaum, The Spiegel Affair, Iowa 1968; Ronald Bunn, German Politics and the Spiegel Affair. A Case Study of the Bonn System, Baton Rouge, Louisiana State University Press 1966; John Gimbel, The Spiegel Affair in Perspective, *Midwest Journal of Political Science*, 3, August 1965.
- (16) Hans-Ulrich Wehler, Krisenherde des Kaiserreichs 1871-1918. Studien zur deutschen Sozial- und Verfassungsgeschichte, revised edition, Göttingen: Vandenhoeck & Ruprecht 1979.
- (17) The Flick trial against Eberhard von Brauchitsch, Hans Friderichs and Otto Graf Lambsdorff is documented and commented on in: Hans Leyendecker (ed.), Das Lambsdorff-Urteil, Göttingen: Steidl 1988. See also Aline Kuntz, From Spiegel to Flick: The maturation of the West German Parteienstaat, in: Markovits/Silverstein, 151-165.
- (18) Lambsdorff said on various occasions that the Ministerium für Wirtschaft (ministry for the economy) stands *for and not against* the Wirtschaft, or that the export control agency should be a *Transmissionsriemen* (transmission belt) for the Wirtschaft (in German that can also mean the companies). *Die Zeit*, international edition, No.14, April 5, 1991, p.11. In this way, he made clear that the agency should promote German companies, regulation being a secondary goal.

ドイツ政治におけるスキャンダル、 規範変化及びアジェンダ設定

〈要 約〉

ディートリッヒ・トレンハート

本稿では、公衆の思潮とそれがその時代の政治にもたらす影響を十分に考慮しつつ、スキャンダルに対する分析が行われる。スキャンダル——それは、受容された社会規範の侵害として広く定義されようが——は、西洋文化においてはいかなる非暴力的事象よりも、公衆に対しより鮮烈な影響を与えるものである。そして、それは、政治をゴシップのレベルにまで引き下げることによって、公衆の耳目（つまり結果的にはマス・メディア）を捕縛してしまうのである。

しかし、スキャンダルの存在は、社会規範に依拠するものであり、それは公的なアジェンダとなりうることも、なりえないこともある。この点に関して、スキャンダルは、その規模の大小、人々に解釈される期間の長短にかかわらず、“悪”の中に潜む諸関係の再編成を助けるものである。“悪”は当事者をめいらせ、犠牲にし、それ以外の人々をごまかし、さらにはより大きな構造的な問題に対する洞察力をも与え、そして当然のごとく、公衆には思想の糧を提供するものである。

筆者は西ドイツにおける“決定的な”スキャンダルとして、贈賄をも伴った、1949年のフランクフルトに対するボンの首都決定投票を例示する。未だ公的なアジェンダに上っているスキャンダルとしては、他に、将来の政治に影響を及ぼす公衆の気質を表すようなナチ・スキャンダル、共産主義スキャンダル、環境スキャンダルが挙げられる。

さらに筆者は、スキャンダル分類と、スパイ行為、公金浪費、及び性的逸脱に関するスキャンダル等の主要な例をも提示する。