The Role of the Free Democratic Party (FDP) in Domestic West-German Politics, 1969 - 1974: Example of Environmental Policy

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Abstract

As soon as the Social Democratic Party (SPD) won the elections to the Federal Diet (the Bundestag) in 1969, negotiations on forming a possible coalition government commenced. In the autumn of that year an agreement was reached between Willy Brandt and Walter Scheel to create a social liberal coalition of the SPD and the Free Democratic Party (FDP), which held until 1974. The coalition eventually collapsed because it could not weather the effects of the first oil crisis on the German economy and the internal problems related to an affair developing around W. Brandt.

Even though it would be interesting to analyse the policies of the coalition government between 1969 and 1974 in their entirety, with W. Brandt’s Ostpolitik and foreign policy being the most recognized legacy, this paper focuses on the FDP, the coalition partner that always stood in the shadow of the larger SPD. What remains relatively unknown and discussed is the transformation of the FDP after 1971, when the party adopted the concept of social liberalism as defined in its reform programme, the Freiburg Principles. The purpose of this article is to help readers understand the FDP’s position within the coalition, whereby environmental policy is used as an example to prove that, despite being the less visible coalition partner, it achieved unprecedented successes in domestic policy. The main research questions are: What did the environmental policy represent to the contemporary government? What were its key defining documents? Who were the most important players in the legislative process? The research draws on primary sources hitherto untapped.

Keywords: environmental policy, environmental protection, scientification of politics, social liberalism, Umweltprogramm.
**Introduction**

The so-called long 1960s (1959 – 1973/1974\(^1\)) may be labelled as the most dynamic period\(^2\) in the post-war history of the Federal Republic of Germany. This “long” decade rode the wave of economic expansion which lasted to the end of 1973. The period was generally characterized by the unprecedented, almost euphoric, positive expectations for the future. The last few years of this period were best known for the foreign policy of Willy Brandt, who was the Federal Chancellor of the FRG between 1969 and 1974. His Ostpolitik resulted in a gradual improvement in relations with the country’s eastern neighbours. What is less well known though, is the fact that at around the same time West Germany developed an environmental policy which became a role model for other European countries. At the very beginning of his term, Brandt gave a public speech stating the following: "We must continue in all our endeavours, which are on the one hand economically profitable and on the other, socially sustainable. There must exist a balance between the supply of private and public goods. One of the basic goods the state should provide is a clean and healthy environment."\(^3\) He therefore promised that his government would create an environmental policy for the FRG, but most importantly, assumed responsibility for creating such a policy.

This paper looks into the creation of the aforementioned West German environmental policy at the beginning of the 1970s, analyses its forms, and identifies those who played an important role in the legislative process that established it. The analysis provides answers to the following questions: What did the environmental policy mean for West Germany at the turn of the 1960s and 1970s? What were the key defining documents and tools? Who was behind its development? The goal of this paper is to prove that the dynamic period of 1969-1974 was not only significant for the foreign policy conducted by the SPD, but also that their coalition partner, the FDP, achieved considerable successes in domestic policy as exemplified by the environmental policy.

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**Methods and Materials**

The subject of this research is West German environmental and political history, in particular the development and the form of environmental policy between 1969 and 1974. The section on methodology introduces the concepts this paper works with, namely

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\(^1\) The beginning of this period is considered to be the SPD reform programme of Bad Godesberg, the end either the first oil crisis in 1973 or the collapse of the SPD-FDP coalition in 1974. See METZLER, Gabriele. Konzeptionen politischen Handels von Adenauer bis Brandt (2005), pp. 11.

\(^2\) This term was first used by the German historian Axel Shildt, See SCHILDT, Axel ad. (Hg.). Dynamische Zeiten. Die 60er Jahre in den beiden deutschen Gesellschaft (2000).

\(^3\) Willy Brandt’s speech at the commencement of the European Year of the Environment, February 9 – 12, 1970. The European Year of the Environment was instigated by the European Council on several occasions between 1970 and 1995. The first year is considered to be the start of the environmental movement in Europe. Bundesarchiv Koblenz, Umw-Ber-13/72, B 106/29375, Umweltprogramm der Bundesrepublik.
environmental policy and the drive towards the politics of expertise (ger. Verwissenschaftlichung von Politik), as well as the main primary sources and literature which address the topic.

From the establishment of the FRG in 1949, different political parties used environmental protection as a tool with which to promote their image.\(^4\) Prior to W. Brandt’s term as chancellor and the head of the SPD-FDP coalition, it had lacked purpose, which prevented it from being interpreted as a comprehensive environmental policy. Before analysing the development of the new policy, it is important to determine what the environmental policy meant for the coalition government in power and how it defined it.

"The environmental policy must be a policy for the people." It is with these words that Josef Ertl (FDP), Federal Minister for Food, Agriculture and Forestry, introduced the policy in July 1971. The minister, who was responsible for the conservation of nature and landscape, added "and it must never be just a fashionable term, but simply a question of our civilization’s survival."\(^5\) The contemporary political rhetoric connected the question of the environment to the question of the survival of humanity. Even today, after almost fifty years of development, environmental protection is connected to a bleak future. One of many modern definitions outlines environmental policy as "a set of institutions and organizations the creator, vehicle, and sponsor of which is a state and the main purpose of which is to solve the conflicts arising from utilizing natural resources."\(^6\) An important guideline for the development of the environmental policy at the beginning of the 1970s was defining the environment as a system that consists of several parts, namely air, water, soil, waste, and artificial components created as a result of human activity.

In order for the environmental policy to be able to serve its purpose, the government needed to obtain legitimate authority. An important role in achieving this was played by the participation of experts (scientists and professionals) who were invited to craft the policy and take part in the political decision making process. It was the arguments supported by science which made the environmental policy trustworthy and which provided social consensus. The environmental policy of the FRG must therefore be seen as the result of the rise of the politics of expertise. This expert driven planning enjoyed its highest support from the autumn of 1969 onwards, when the SPD became the strongest political party; at its peak it was declared to be the foundation of all political decision making.

The German historian Gabriele Metzler considers the rise of the politics of expertise as confirmation that West Germany was a modern country at the end of the 1960s.\(^7\) She

\(^4\) This was typical of the SPD and its programmes for protecting air quality Grüne Charta von der Mainau and Blauer Himmel über Ruhrgebiet, both from 1961.


\(^6\) Definition taken from SLAVÍKOVÁ, Lenka; VEJCHODSKÁ, Eliška; SLAVÍK, Jan et al. Ekonomie životního prostředí – teorie a politika (2012), pp. 148.

\(^7\) Taken from the famous speech of W. Brandt in the Federal Diet in 1969 during the election of a new chancellor, which he started with "Wir schaffen das moderne Deutschland!" (roughly translated as "We will
considers modern politics to be rational, based on scientific knowledge and methods and thus liberated from ideological influences typical for every era. A contemporary government document drafted by the FDP defined expert planning as something "which is no longer considered contradictory to a free market economy, but rather complementary, which has therefore become vital for a society’s development."

The rise of the politics of expertise is a topic which has been analysed in detail in scholarly literature most notably by the aforementioned G. Metzler, whose monograph from 2005, entitled Konzeptionen politischen Handelns von Adenauer bis Brandt, deserves particular praise. Contrary to this, the development of the environmental policy of the FRG has been all but neglected by scholars. There are well-known German writings and publications by environmental historians, including Frank Uekötter, Tobias Huff, Birgit Metzger, Jens Ivo Engels, Karl Ditt, Kai F. Hünemörder, Silke Mende, Jan-Henrik Meyer. They consider the industrial revolution to be the beginning of environmental history; the moment when human beings first started transforming the natural world and landscape. Most of the published works dedicated to the environmental history of Germany focus on the latter period of the 1960s and 1970s as the era in which the most progressive development of environmental culture took place. These are most often analyses carried out by non-governmental organizations. Most recently, the

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8 Ibid, pp. 11.
publications on environmental history have started to focus on the connection between political regimes and environmental protection.\textsuperscript{14}

This paper relies on typical sources with regards to the political history of the FRG during the period 1969 – 1974. These sources are mostly of either an official or private nature (private letters, memoirs on environmental policy development, personal notes of politicians). Some sources of a more narrative nature were also used (e.g. pamphlets published by ministries or the Federal Diet). The archival research was conducted in five separate German archives: Parliamentary Archives in Berlin; German Federal Archives in Koblenz; Willy Brandt’s Archive in Bonn; SPD Archives in Bonn; and FDP Archives in Gummersbach.

**West German Environmental Policy (Umwelpolitik)**

To identify a certain event or date as the so-called zero hour of West German environmental policy would be inaccurate, since its roots are traceable to the time before Bismarck’s Germany.\textsuperscript{15} However, those were still rather piecemeal environmental efforts. It is therefore impossible to speak of a comprehensive environmental policy at least prior to the 1960s. At this point, it is therefore necessary to determine how the environmental policy was developed, what the key defining documents and tools were, and who was behind its development.

In the first four months of 1969, when the SPD introduced its campaign manifesto for the elections to the Federal Diet, it completely lacked the term "environmental policy" (Umwelpolitik) and the term "protection of the environment" (Umweltschutz) occurred in only a few sentences. In October of the same year, the SPD received the highest number of votes and started looking for a coalition partner, which became the FDP. The FDP had suffered at the hands of the electorate. With only a 5.8% share of the votes, it barely passed the threshold to enter the Federal Diet. However, the coalition with the SPD paved the way for the party to take on some new, albeit rather marginal responsibilities. The SPD exclusively took on responsibility for foreign policy, which later brought international recognition for W. Brandt and even the Nobel Peace Prize. The FDP, after

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\textsuperscript{15} See. UEKÖTTER, Frank. Am Ende der Gewissheiten. Die Ökologische Frage im 21. Jahrhundert (2011), pp. 40-58, which explores different German and Prussian associations of the 19th century whose goal was predominantly environmental protection.
some negotiations, accepted responsibility for creating an environmental policy under the auspices of the Federal Ministry of the Interior led by Hans Dietrich Genscher (FDP). The FDP took on its new responsibility in, from today’s vantage point, exceptionally modern fashion, which became a role model for other European countries for the 1970s and beyond. The first draft of the plan, the so-called Action Plan for the Protection of the Environment (ger. Sofortprogramm) was presented on 17 September, 1970. "In September 1970 the federal government presented the first batch of laws which needed to be passed or amended as part of the environmental policy." This is the sentence Genscher used to introduce the first draft of the environmental policy of the social liberal government. What made the Action Plan different from previously presented documents? It was mostly the scope of the measures and the adopted programmes. Until the 1970s, the programmes had always focused on one component of the environment (typically the protection of wildlife, air or water), whereas the Action Plan was a comprehensive long term plan. The main goal of the plan was to immediately pass four laws on the protection of the environment: the un-leaded fuel act, waste act, amendments to the unsatisfactory water source protection act and the air pollution limitation act.

However important the Sofortprogramm was for the development of environmental policy, it was only a harbinger of things to come. On 14 October 1971, just a few months after it had been presented to the public, a more important Environmental Protection Plan (Umweltprogramm) was published. The 65-page draft was a "comprehensive concept of internal reforms aimed at protecting the environment." It analysed all the priorities and plans in the area of environmental protection and placed them in order of importance for the next 5 to 15 years. For the first time, it also included the definition of environmental policy as "a strategy based on planning measures for protecting the environment and a proactive attitude to protection of the environment with long lasting change being the final goal."

The whole document was built on five pillars of environmental policy, namely the: (1) long term planning of environmental protection; (2) introduction of the principle that the polluter pays; (3) use of environmentally friendly technology; (4) introduction of

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16 As Genscher recalls in his memoirs: "The federal minister of the interior was in their time undoubtedly the most important minister of the era mainly due to the newly acquired responsibilities with regards to dealing with the issue of the Germans expelled after the second world war, or the new portfolio of environmental protection." GENSCHER, Hans-Dietrich. Erinnerungen (1995), pp. 125 – 138.

17 Bundesarchiv Koblenz, Umw-Ber-13/72, B 106/29375, foreword to the Umwelprogramm der Bundesrepublik.

18 Gradually, more acts were added to the pressing four, for example the obsolete Animal Protection Act which had been in effect since 1933, but which still had not been amended by 1972! Interestingly, this act was the only one on which the opposition party CDU/CSU cooperated. The reason being, that they had been proposing the act’s amendment since 1961 when it led the government. Bundestagsarchiv, Parlamentsarchiv Berlin, Gesetzesmaterialien, Tierschutzgesetz vom 24 Juli, 1972, from the proceedings of the Federal Diet, 137th session in Bonn, 29 September, 1971

19 Bundesarchiv Koblenz, Umw-Ber-13/72,B 106/29375, Umwelprogramm der Bundesrepublik.

environmental education; and (5) international cooperation. Today, these principles may seem trivial and vague, but in reality the stance of the contemporary government reflected the state of knowledge and trends, whereby the aspiration was to find a balance between the social market economy and Keynesian-style planning of environmental protection whilst acknowledging the international implications of pollution. The most effective measures were deemed to be environmental taxes and fees; for the first time subsidizing environmentally friendly technologies was considered. Another important measure was tax incentives for investors considering the construction of environmentally beneficial engineering projects and the use of environmentally friendly technologies. The linchpin was also the participation of groups of experts in planning environmental protection (expert planning).

The question remains, however, which particular institutions and people were behind the development of the environmental policy. The purpose of this analysis is not to identify all the groups which influenced, in varying degrees, the environmental policy, but only those players that were active in the legislative process. Within this context, it is also important to take into consideration the influence of both society at large, which was reacting to the growing pessimism about the future, and foreign organizations, which were forcing the FRG to adopt international treaties and agreements on environmental protection.21

As previously mentioned, the main responsibility for the creation of the environmental policy was assumed by the FDP. The party, which had suffered at the ballot box in the 1969 election, had to accept voters’ criticism and reform itself. It did so by adopting the so-called Freiburg Principles at its party convention in Freiburg on 25-27 September, 1971. This reform programme meant the party accepted the political ideology of social liberalism in line with the contemporary discourse of planning. Social liberalism was understood by the party as "freedom, which is no longer defined to be outside society and state, which is in opposition to individuals, but freedom for all independent individuals living within a state which takes care of them and as members of society." 22 The fourth and last point of the Freiburg Principles was dedicated to environmental policy.

The main representative of the FDP in the government became the Minister of the Interior, Hans-Dietrich Genscher (FDP), however the responsibility for environmental protection rested with the Minister for Food, Agriculture and Forestry, Josef Ertl (FDP). From the start, Genscher considered environmental protection to be a liberal party initiative and in accordance with the Freiburg Principles emphasized the need to preserve the market economy and was opposed to curtailing competition and free enterprise.23 Some

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21 Some of the most important ones being the OECD, NATO, European Council, UN and others.
23 For example from Genscher’s declaration in Süddeutsche Zeitung of 7 May, 1971: "The cause of the environment’s deterioration is not an individual entrepreneurs pursuit of profit. An entrepreneur only acts efficiently if they use all available technology for their production to lower their costs and the market economy demands, among other things, a behaviour friendly to the environment. Yes, truly environmentally
ministries also obtained significant new authority; the Federal Ministry of Finance with regards to water and air protection and waste management; the Federal Ministry of Transportation with regards to noise protection; some partial tasks were also delegated to the Federal Network Agency, the Federal Ministry of Education and Research, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, and the Federal Ministry of Labour and Social Affairs.

In addition to the governmental institutions, there was one group that had great influence in crafting the legislation, the experts. The typical manifestation of the politics of expertise were institutes which were home to the most notable scientists working under the authority of the respective federal ministries. There were many such institutes (e.g. Federal Statistical Office in Wiesbaden under the Federal Ministry of the Interior, Federal Centre for Vegetation Ecology, Nature Conservation and Landscape Management in Bad Godesberg under the Federal Ministry of Food, Agriculture and Forestry, and others). Furthermore, special expert groups were established to serve as advisory bodies, which were created and dissolved through changes in legislation (e.g. workgroup on waste management, workgroups for pollution monitoring, and others). New legislation was also discussed in permanent workgroups of the Federal Diet. Environmental concerns were most often discussed in the Internal Committee for "Environmental Protection" ("Umweltschutz"), the Committee on Family, Youth and Health, the Committee on Transportation, and the Committee on the Budget.

Besides the workgroups and advisory bodies operating officially under the respective federal ministries and the Federal Diet, the experience and knowledge of other non-governmental organizations, universities and research centres were also utilized in crafting the environmental policy. Of the many non-governmental organizations involved, the most important one was the German League for Nature and Conservation (Der Deutsche Naturschutzring). Private enterprises held a special position in the process as opponents to the legislation, since it logically implied greater bureaucracy and new fees and taxes. They participated in the legislative process through confederations of industry.

The expertise of the experts involved varied greatly depending on what legislative changes were required at a particular time. The experts involved in the rise of the politics of expertise were mostly natural scientists, physicians, physicists, lawyers and mathematicians, but also scholars (i.e. historians, philosophers, economists) and a special group of professionals drawn from confederations of industry. Interestingly, Peter Menke-Glückert, the state secretary of the Federal Ministry of the Interior and the person

friendly even in private enterprise." or elsewhere in Genscher’s memoirs: "Those who are able to use the latest environmentally friendly technology will control future markets." GENSCHER, Hans-Dietrich. Erinnerungen (1995), pp. 126.


responsible for preparing the Umweltprogramm, set the number of experts on the Federal Ministry of the Interior’s list at 462! For illustrative purposes, two written statements are shown below. The first is from the German League for Nature and Conservation and the second from Heinrich Gillet KG, a selected member of a confederation of industry.

Figure 1: Examples of written statements from expert groups on the Pollution Limitation Act passed in 1974


The experts also organized specialist events at universities, took part in discussion forums, and freely expressed their opinions in both the regular and specialized press. In this way they influenced the public and persuaded people of the necessity to introduce environmental protection into their everyday lives. In effect they legitimized the whole process of politics becoming more environmentally focused and provided it credibility.

In summary, the most important role in the legislative process of passing the environmental policy was played by the FDP, which assumed responsibility for crafting


27 One example may be the public debate on the issue of health standards in noise protection which was held on 22 May, 1973 in Bonn. The debate was organized as a part of preparations for a new law on protection against noise pollution (it was passed on 15 May, 1974) and was chaired by Prof. Fred Angerer from the Technical University in Munich.
the new policy from the SPD. Without the influence of experts, the environmental policy would never have achieved such a wide consensus so quickly.

Conclusion

This paper sought to prove that the era of the late long 1960s was not only characterized by W. Brandt’s foreign policy, but also by significant changes in domestic policy. One such example is that of the newly developing West German environmental policy, which was very modern by the standards of the time and based, in accordance with the contemporary belief, on expert planning.

The environmental policy at the beginning of the 1970s was mainly rooted in two documents: Sofortprogramm and Umweltprogramm, which were crafted by the SPD’s coalition partner, the FDP. It should be noted that the issue of the environment was not considered a pressing priority. Nevertheless, the FDP succeeded in building the foundations of an environmental policy which became a role model for other states for decades. It is notable that despite the continuing scepticism regarding the relationship between human beings and nature, the policy was successfully implemented as part of a social market economy and, certain exceptions aside, did not curtail free enterprise. The responsible ministry was the Federal Ministry of the Interior led by H. D. Genscher of the FDP.

The other group that played a crucial role in legislative process of the environmental policy were the experts, who were part of every government decision making process between 1969 and 1974. They gave the environmental policy credibility, cooperated on crafting the main environmental protection plans and provided broad consensus quickly.

In 1973, as a result of the effects of the first oil crisis, a part of the environmental protection programmes became obsolete. More importantly, the role of experts changed due to the general public’s loss of confidence in them. These developments saw the environmentalist movement take over the major role of protecting the environment for the remainder of the 1970s. This culminated in the establishment of the Green Party in 1980.

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