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Otto Kirchheimer and the Catch-All Party

ANDRÉ KROUWEL

Otto Kirchheimer's conception of the catch-all party was part of his more comprehensive theory of party transformation, encompassing four interrelated political processes. By tracing the development of the catch-all thesis and placing it within the wider context of Kirchheimer's complete work, it is possible to reconstruct a more precise understanding of what Kirchheimer meant by the catch-all concept, which itself remains highly contested. Kirchheimer's anxiety about modern democracy originated with what he saw as the vanishing of principled opposition within parliament and society, and the reduction of politics to the mere management of the state. This leads to collusion of political parties and the state, severing of the societal links of party organisations, and erosion of the classic separation of powers. Vanishing opposition, cartelisation and professionalisation of politics pits citizens against a powerful state, which increases political cynicism and apathy. Kirchheimer's comprehensive approach remains relevant to much of the contemporary debate about the transformation of Western political systems.

The German-American scholar Otto Kirchheimer (1905–65) is primarily known because of his frequently cited thesis concerning the development of the catch-all people's party, a term that has now become an established part of the conventional terms of reference of political scientists and political observers alike. Indeed, the sum of what is known about Kirchheimer's wide-ranging ideas about the transformation of West European politics is by now almost entirely reducible to this notion of the catch-all party. At the same time, the concept remains highly contested and has prompted a host of papers over the years in which various scholars have sought to identify more precisely what Kirchheimer actually meant.¹ While this article is adding to that literature, it also seeks to go beyond it by emphasising that Kirchheimer's ideas were much more elaborate and extensive than is suggested by knowledge of his catch-all thesis alone.² In fact, the famous catch-all paper, which was published posthumously as 'The Transformation of Western European Party Systems' in a volume edited by LaPalombara and Weiner,³ is really little more than a summary of a much more extensive

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theory of party transformation, within which we see an early and highly prescient assessment of many of the problems which contemporary party scholars sometimes believe they have newly discovered. The outlines of this general theory can be found in his other writings, in English, French and German, as well as in his lecture notes and private papers.⁴ In these various writings, and foreshadowing many of the current debates, Kirchheimer in the 1950s and 1960s analysed the functional transformation of parties, and in particular that of the Social and Christian democratic parties; emphasised the increasing aloofness of parties with regard to civil society, as well as their declining level of civic embeddedness; and pointed to the possible emergence of a state-party cartel as the ultimate outcome of these processes. In addition, he analysed both the causes and consequences of weakening party-voter alignments, the alterations in the ideological orientation of political parties, and the restructuring of their electoral support, all of which was combining to create a radical transformation in the basic structures of mass politics in Western Europe.

In order to reconstruct the main components of Kirchheimer's general theory of party transformation, this paper first gives a brief sketch of his life and career, until his death in 1965.⁵ By looking at his career, we can gain a better understanding of his anxiety regarding the erosion of representative democracy. Second, the widely cited 1966 version of the catch-all thesis is best understood by tracing earlier versions and by placing its arguments within the wider context of Kirchheimer's total oeuvre. In fact, Kirchheimer first developed the catch-all concept *in nuce* in 1954, and between 1954 and 1966 it was repeatedly modified and elaborated. Even in its more elaborated form, however, the catch-all thesis is still only a summary of a more general theory, which revolves around four more or less quite distinct concerns.⁶ The first of these is with what he terms the erosion of parliamentary democracy and the vanishing of political opposition. Kirchheimer was particularly concerned with the disappearance of an opposition of principle, not only in fascist and socialist states, but also in the established democracies. A second major concern of Kirchheimer was with the formation of a so-called 'state-party cartel', a development that Kirchheimer had already analysed in 1954, long before Lehmbruch, Lijphart, or Katz and Mair had proposed their own later versions of cartel democracy.⁷ Kirchheimer's third concern was with professionalisation of party organisations and the personalisation of the party-voter link. Again pointing to this development as early as the 1950s, Kirchheimer warned against this 'personalised politics' making politics devoid of substance, conflict and choice.⁸ Vanishing opposition, cartelisation and professionalisation then all lead to the fourth concern: with depoliticisation, political apathy and with the erosion of the classic separation of powers.

THE FRAILITY OF DEMOCRACY

The one theme that recurs throughout Kirchheimer's work involves the vulnerability of the democratic polity. Growing up in Germany, where he was born in 1905 in a Jewish middle class family, Kirchheimer witnessed the erosion of a liberal democratic system, which left him with a lasting sensitivity to problems of political exclusion and the abuse of power. Even within the socialist movement, where he trained trade union staff, he perceived a process of exclusion resulting from a concentration of power at the leadership level and depoliticisation and apathy at the level of the mass membership.⁹ However, his aversion towards political exclusion and abuse of power is most clear in his observations regarding von Hindenburg, who, according to Kirchheimer, transformed the formally democratic Weimar Republic into a 'presidential dictatorship'.¹⁰ Kirchheimer's legal training at the universities of Köln, Berlin and Bonn gave him the ability to apply a rigorous analysis to the misuse of the President's constitutional prerogatives.¹¹ For Kirchheimer, Hindenburg's unconstitutional dissolution of the federal parliament and the ousting of a left-wing Prussian government were all evidence of 'political justice', that is, the abuse of legal rules for political ends. By his actions, Hindenburg had effectively excluded the working class from representation at the government level and created a political crisis solely for the purpose of his own re-election.

When Hindenburg later went on to appoint Adolf Hitler as Reichskanzler in 1933, Kirchheimer, who was then an active member of the SPD and a teacher at trade union schools, moved to Paris. There he found employment at the exiled 'Frankfurter Institut für Sozialforschung', and there also he witnessed what he believed to be a similar unconstitutional abuse of power in the rule by decree of successive French governments.¹² When the Frankfurt institute moved to New York in 1937, Kirchheimer also emigrated to the United States, where he became a university teacher, and where he was also later employed at the Office of Strategic Studies (OSS) and the Department of State. Here Kirchheimer worked on issues relating to the post-war re-democratisation of Europe, and of Germany in particular. In one of his analyses of Nazi Germany at that time, he also gave the first hints of his ideas regarding the changing role of mass parties and their colonisation of the state, albeit within a totalitarian context, arguing that 'the party and the state bureaucracy together constitute an organ of mass domination'.¹³

Following Hitler's defeat, Kirchheimer had expected to witness a thorough de-nazification of the German polity. What he saw instead was the dominance of an anti-left and anti-communist attitude.¹⁴ He was also astounded by the lack of change in patterns of political representation and in the division of power among social groups, even after 12 years of

totalitarian rule and the partition of the German state.¹⁵ After he left the State Department, feeling increasingly uneasy about the McCarthyist attacks on 'communist influences' in the government of the United States, he finally used all the information he had gathered over the years to teach and write about political developments in Europe. It was during this period that he concentrated in particular on the transformation of political parties and their modified systemic functions.

THE EMERGENCE OF THE CATCH-ALL PARTY THESIS

As early as 1954, in an analysis of the West German political system, Kirchheimer had introduced the concept of the catch-all party.¹⁶ In this analysis, he argued that German voters preferred a conservative catch-all party and that, in addition, the Allied forces had pressurised the SPD to moderate its ideological position. The result was a dramatic decline in policy differences between the CDU and the SPD. He also argued that the SPD could only become a party of government by transforming itself into a catch-all mass party. In the early 1950s, Kirchheimer had already observed the genesis of a cartel of centrist parties, a decline in political opposition, and a shift in the balance of power from parliament to the executive – all of which would culminate in a so-called state-party cartel.¹⁷ In particular, it was the former mass parties with a *Weltanschauung*, such as the Christian democratic CDU, which were described as catch-all parties, while West Germany and the United States were portrayed as examples of catch-all party systems.¹⁸ In such party systems, with a high level of consensus about the role of the state and with personalised politics, political opposition could be seen to vanish.¹⁹

In none of these essays does Kirchheimer develop an exact definition of this new type of political party, however.²⁰ Indeed, 12 years after its first introduction, Kirchheimer had still only formulated a very cursory definition of the catch-all transformation, a process which he then conceived of as involving five related elements:

- a) drastic reduction of the party's ideological baggage. ... b) Further strengthening of top leadership groups, whose actions and omissions are now judged from the viewpoint of their contribution to the efficiency of the entire social system rather than identification with the goals of their particular organisation. c) Downgrading of the role of the individual party member, a role considered a historical relic which may obscure the newly built-up catch-all party image. d) De-emphasis of the class-gardée, specific social-class or denominational clientele, in favour of recruiting voters among the population at large.

- e) Securing access to a variety of interest groups for financial and electoral reasons.²¹

In other words, the somewhat loosely specified notion of the catch-all party presented in 1966 was one which had been continuously altered over a period of at least 12 years. And yet at no time during that period did Kirchheimer ever provide a clear and coherent set of indicators as to what precisely constituted a catch-all party.

For example, a draft version of the classic 1966 article²² shows that extensive revisions were made to the manuscript, suggesting that Kirchheimer was still rethinking and (considerably) re-formulating his catch-all thesis in the years between the draft version and the published article.²³ The most substantive alterations were made to the section which describes the post-war catch-all party and where Kirchheimer elaborates on the factors influencing the catch-all development in different European countries (pages 185 to 188 in the first published version were almost completely re-written). More importantly, Kirchheimer added arguments about the particular social structures that determine the success of a catch-all strategy, as well as an explanation as to why only major parties in the larger European countries could hope to appeal to wider electoral clienteles. In addition, the sections in which the expressive function (page 189) and the aggregative function (on pages 194–5) are discussed have been significantly modified. While in the draft version he argued that the expressive function migrated from parties to other political institutions, this claim is reformulated in the published version, where catch-all parties are seen to continue to function as expressive institutions, while being limited to widely felt popular concerns.

Third, Kirchheimer added a substantial portion of text to the conclusion on the attitude of the party leadership towards the power holders in the army, bureaucracy, industry and labour, arguing that the catch-all party is a co-ordinating and consensus-building institution, even though its loose-fitting structure and disconnection from society will considerably limit its scope for political action. Finally, the most important modifications to the text are seen in the five characteristics Kirchheimer lists as the key features of catch-all development. In the earlier version Kirchheimer added a feature dealing with the extra-parliamentary party, and argued that the change towards catch-allism involves 'Further development of a party bureaucratic apparatus committed to organisational success without regard to ideological consistency'.²⁴ In the final version this element is aimed more widely, now referring to the relative power of the entire party leadership ('further strengthening of the top leadership groups') while dropping the idea that catch-all parties will develop more elaborate bureaucratic apparatuses.²⁵

RECONSTRUCTING THE CATCH-ALL THESIS

At the same time as he was working on what was to be the 1966 paper, Kirchheimer was also busy with a German-language version of the article, a version that was also subject to much reconsideration and reformulation.²⁶ The German version was published one year earlier than the often quoted English version, and these versions differ at several points.²⁷ Indeed, it is evident that Kirchheimer was still in the process of fully unfolding his catch-all theory at the time of his death in 1966, and it is the lingering imprecision in these final and effectively incomplete versions of the thesis that has led to so much confusion in the subsequent analyses and applications of his ideas.

One way of dispelling this confusion is therefore to unpack the catch-all thesis, and to reconstruct it according to Kirchheimer's original ideas. In an effort to begin that reconstruction I have looked not only at Kirchheimer's published work, but also at his personal archive of unpublished papers and lecture notes from his courses at Columbia University.²⁸ I have also looked to the references and sources originally cited by Kirchheimer in his definition of the various elements of the catch-all thesis, since this allows us to see what other ideas he had sought to incorporate in his theory.

Thus, for example, if we look first at what Kirchheimer sought to indicate with respect to developments at the party organisational level, then we can look to the work of both Lohmar and Pizzorno, both of whom he cites in this regard.²⁹ And these, in turn, would suggest that Kirchheimer regarded the downgrading of the role of party members as a multifaceted process, including a stagnation in the size of membership of parties, a transformation towards a more balanced social profile in terms of party membership, and a reduced importance of membership fees in terms of the overall party revenue.³⁰ Additionally the role of members declines as mediators between party leaders and the electorate and in the selection of the leadership.³¹ Party leaders are co-opted into the leadership group on the basis of their technical and managerial qualities rather than because of their ideological orientation or class origin.³² Moreover, with reference to Duverger, Kirchheimer also argues that citizens are increasingly excluded from political participation, in that catch-all parties offer less and less opportunity for membership activity, particularly as they disconnect themselves from formerly affiliated organisations.³³ Catch-all party organisations become increasingly professional and capital intensive, and depend increasingly on state subsidies and interest group contributions for their income, and on the independent mass media for their communication needs.³⁴

As far as the ideology of catch-all parties was concerned, Kirchheimer tended to see this as conditioned by electoral strategy. 'While parties are mass parties', he noted in one lecture, 'a party large enough to get a majority

has to be so catch-all that it cannot have a unique ideological program.³⁵ Kirchheimer's notes also show his assumption that catch-all parties will adopt similar policy positions in the centre of the political spectrum and that they will emphasise similar issues: 'Under proportional representation, one party can ignore the others in establishing its program, and can emphasise the points in which it is unique. However, the CDU and SPD aim for the middle. (In) English and American systems, parties fight for marginal voters. There are certain people who always vote for one party, but in order to get the floating vote one party minimises its differences from the next.'³⁶ To support his thesis on the ideological convergence of parties in the centre, Kirchheimer refers to Downs' *Economic Theory of Democracy*, and to the argument that the primary goal of political parties is winning the next election. 'In consequence the party will arrange its policies in such a way that the benefits accruing to the individual members of the community are greater than the losses resulting from its policy.'³⁷ This Downsian concept of the 'multi-policy party' is essentially equivalent to Kirchheimer's catch-all concept,³⁸ with both authors pointing to the fact that parties sacrificed their former ideological position and the interests of their core electorate in order to maximise their electoral appeal. The catch-all party is described as a mass-consumer good in that it mobilises voters on policy preferences rather than on ideology. These multi-interpretable ideologies are products for the electoral market, being limited only by the fact that voters will not vote if all parties stress totally identical programmes. Parties therefore compete by means of personalities (candidates), traditional loyalties, and other 'irrational' means.³⁹

When commenting on inter-party elite co-operation, Kirchheimer refers to Torgersen's work to illustrate how European parties stabilised their political relations by means of cross-party consensus.⁴⁰ Swedish and Norwegian social democrats reduced political competition to a minimum by reducing the distinctiveness of their political programmes. Political conflict was evident only when it proved necessary to emphasise the distinctiveness of the parties to the electorate. Parties adopted centrist positions and de-emphasised 'antiquated' political issues and 'inappropriate' traditional lines of conflict. All political leaders co-operate closely with one another, thus leaving little room for political opposition, and as a result of this inter-party co-operation the political participation of citizens declines substantially. Referring to work by Rokkan and Valen, Kirchheimer provides additional evidence for a reduction in political competition and participation,⁴¹ and, citing Lipset, he argues that increasing affluence and the consequent upward social mobility within Western industrial democracies has resulted in the emergence of new middle strata.⁴² Indeed, in many respects Kirchheimer leans heavily on Lipset in this regard. In Lipset's view, for example, the

professionalisation of politics served to minimise class conflict and generated substantial political consensus and moderation as well as a pragmatic orientation among all major parties. And while Lipset argued that communist parties seemed reluctant to accept these new social realities, it was also clear that some of them (including the Italian and French communists) had modified their ideology in a social-democratic direction.⁴³ The result was, for Lipset, that most major parties were now making a trans-class appeal, with programmes spearheaded by a commitment to collective bargaining and moderate political and socio-economic changes. Parties on both the left and the right had amicably resolved the class conflict in an acceptance of social-democratic ideology, since rightist parties had accepted the welfare state and economic planning and leftist parties had moderated their ideas for revision of capitalism.⁴⁴ Catholic and socialist mass parties were transforming their electoral appeal, losing their membership and attendance at party meetings as well as the readership of their newspapers.⁴⁵ Non-partisan interest groups, on the other hand, were gaining in membership and power. The result was a system in which there were only moderate parties with a middle class appeal, all of them competing towards the centre of the political arena.⁴⁶ From there to Kirchheimer's own ideas on the catch-all party was clearly an easy step to take.⁴⁷

At the third and crucial electoral dimension, which gave the catch-all party its name, Kirchheimer argues that the catch-all 'people's' party attempts to transgress the (already declining) socio-economic and cultural cleavages among the electorate in order to attract a broader 'audience'.⁴⁸ In his lecture notes, Kirchheimer clarified what he meant by the notion of a wider electoral 'catchment' of parties.⁴⁹ In the mid-1960s, parties in the main countries of continental Europe and in Britain were changing significantly and becoming what he saw as American-style catch-all parties. These parties ceased to recruit their voters among a specific clientele and, although parties can never appeal to 100 per cent of the voters, 'the general appeal is to *all* social classes. Only those with definite points of view contra are excluded'.⁵⁰ According to Kirchheimer, a Catholic party, for example, can appeal to all voters with the exception of convinced anti-clericals.⁵¹ To Kirchheimer, this mass appeal is not only facilitated by the decline in ideological profile, by the fading of class distinctions, and by increasing social mobility, but it is also helped by the fact that voters are increasingly attracted by the personality of party leaders. Catch-all parties reduce politics to individual political personalities. Kirchheimer also thought that if the *Weltanschauung* of the party were lost, the electorate would more easily shift its loyalty with every turnover in leadership.

KIRCHHEIMER'S POLITICAL THEORY

Framed in a set of mainly socio-economic explanations, where the emergence of catch-all parties is seen as a political product of economic affluence and redistribution through the welfare state, the catch-all thesis is a wide-ranging theory about the functional transformation of political parties at the organisational, ideological and electoral level. Nevertheless, even in this more elaborate and clearer form, the catch-all thesis is only a small but important part of the more general political theory that he sought to elaborate. In brief, this more generalised political theory revolved around four distinctive but related concerns:⁵²

- The erosion of parliamentary democracy, not only through the rise to power of fascist or communist regimes, but also in established democracies as a result of vanishing political antagonism and principled opposition.
- The subsequent formation of a state-party cartel, where parties disconnect themselves from their social foundations and become amalgamated with the state, reducing politics to mere 'state management' by professional politicians who will abuse legal means for their individual political ends.
- Disconnected from their social origin and resourced by the state, parties professionalise their party organisation and personalise their electoral appeal.
- This eventually leads to extensive depoliticisation, political apathy of the mass population and the waning of the classic separation of legislative, executive and judicial powers.

In an undated research proposal, Kirchheimer specified these four interconnected domains in which he wished to analyse changes in the character and role of political parties.⁵³ Next to the decline of parliament in authority and prestige, he points to a process of partisan de-ideologisation and the development of a tripartite power cartel consisting of political parties, the state and powerful interest groups. Parties had begun to shift away from society into the state apparatus, which has resulted in a decline in the political activism of different social classes. The role of party members had also changed, with the result that there was an increased gap between members and party leaders. Furthermore, the policy preferences of elected representatives had shifted, affecting the cohesiveness of party organisations and the mechanisms of inner party decision-making. Democratic political regimes no longer sought to integrate citizens into the body politic, but only to appease them in their role as uncritical consumers of 'political products'.

On the erosion of parliamentary democracy, Kirchheimer sketched a gloomy picture of steady functional decline of parliaments as representatives of the people, as controllers of the executive, and as lawmakers.⁵⁴ During the nineteenth century parliaments transformed from pure representative bodies to primarily governmental institutions to such an extent that the legislative and executive functions became co-mingled. As large chunks of public policy were excluded from parliamentary discussion either by explicit or implicit agreement, and as the resources of the ministries have mushroomed while parliament remains a relatively minor apparatus, the individual representative becomes powerless. Legislative and executive powers become concentrated at the governmental level and the scrutinising of policy proposals occurs within cabinet rather than within parliament. From a democratic perspective, popularly elected parliamentarians should make political decisions and not concern themselves primarily with technical problems, yet in current political systems it is the bureaucrats who make policy decisions while parliament is left to work out the technicalities.

In another unpublished paper dealing with political elites in advanced industrial societies, Kirchheimer again points to this increasing diffusion of political institutions and practices, to de-ideologisation, and to a decline in political competition.⁵⁵ Contradicting pluralist notions, Kirchheimer argues that while new members can gain access to the elite group, they do not replace the ruling elite. Moreover, the transformation of mass parties into catch-all parties has reduced their representative function, in that parties now restrict themselves to the 'effective selection of political personnel ... Change to a catch-all party allocates to the party mainly electioneering or referenda engineering functions and de-emphasises anything more than the symbolic participation of the mass of the people in the political process'.⁵⁶ Echoing his earlier concerns, Kirchheimer stressed the increasing alienation from the political process of ordinary citizens, particularly the lower strata, resulting in their absence from the decisive power structures. Western political systems are faced with a mutual loss of control: citizens lose control over political organisations and political organisations lose control over their adherents. This erosion of formal control and the institutional disconnection between the leadership strata and the population at large results in the concentration of power in the hands of popular leaders.⁵⁷ As long as popular leaders remain within the existing democratic framework their personalities can serve as a citizen-system link. On the other hand, the personalisation and concentration of power at the individual rather than the institutional level may also result in its abuse. Referring to De Gaulle, Kirchheimer argues that momentary popular leaders may use their popularity to destroy existing political structures and replace them with

pseudo-legitimate authoritarian decision-making procedures that can serve their individual political objectives.⁵⁸

This concern for the abuse of legal provisions for political ends remains a constant theme in Kirchheimer's work,⁵⁹ such that at one point he even suggests that the difference between democratic and totalitarian regimes lies merely in the frequency and severity with which legal means are abused for political ends.⁶⁰ In all regimes, he argued, power-holders will abuse legal provisions if and when they risk losing their privileged positions. Examples of such abuse include ruling by decree, dissolving parliament, and manipulating political opponents and mass media in order to retain their positions of power. Having witnessed the dissolution of Weimar democracy into a presidential and subsequently Nazi dictatorship, Kirchheimer became convinced of the importance of democratic rules, the political rights of citizens, and a well functioning and democratically elected parliament. His personal experience with legal procedures and 'justice' being used for political ends in Germany, France and the United States only reinforced this conviction. Indeed, the coming together of executive and judicial powers preoccupied Kirchheimer over the decades.⁶¹

THE CONTEMPORARY RELEVANCE OF KIRCHHEIMER'S POLITICAL THEORY

As is evident from this account, there are many contemporary developments in West European political systems that were already identified, *in nuce*, by Otto Kirchheimer in the 1950s and 1960s. Kirchheimer's analyses of party transformation and its wider implications for the functioning of party democracy already addressed topics that still dominate the contemporary debate on party transformation. In particular, he observed at an early stage the emergence of a state-party cartel that resulted from processes of depoliticisation and the vanishing of opposition.⁶² Indeed, his analysis goes even further when we take his earlier work into account. Already in the 1930s and 1940s, he detected a waning of the tripartite divisions of legislative, executive and judicial powers, and claimed that the representatives of these powers – political parties, governments, and the courts – were increasingly forming a unified cartel. This power block left individual citizens virtually powerless in their attempts to influence their environment. Kirchheimer was also very prescient in pointing to the increasing level of professionalisation and personalisation in party politics, due to which political party organisations were becoming mere electioneering machines.

What makes Kirchheimer's work even more remarkable and valuable, however, is that while most of his contemporaries were arguing that

politicians were conducting ancient feuds long forgotten by everyone else, Kirchheimer's concern was the opposite. According to Kirchheimer, post-war politics differed from the *interbellum* in that the catch-all people's party acted as an agent for the personal political ambition of elites, rather than as a mass organisation oriented towards the mobilisation of citizens and towards a fundamental transformation of society. According to Kirchheimer, the state seeks to legitimise its actions through the parties in parliament, and these political parties depend more and more on the state for their resources. Incorporated into the state, parties are no longer principally opposed to the dominant regime and no longer formulate policy programmes aiming at a fundamental change in society. Kirchheimer labelled this process the 'waning' (and even 'vanishing') of opposition, as a result of which parties will be inclined to progressively withdraw from civil society into a state-party cartel, thus weakening their internal cohesion and facilitating a rationalisation of their structures and procedures. One consequence of this development is that the individual citizen can play only a very modest and passive role in party politics.

Kirchheimer's writings were sometimes based on personal observations, and they can also be considered as an amalgam of different elements drawn from theories of social structure, from empirical party sociology and from some of the principles derived from Downs' economic theory of democracy.⁶³ These elements were combined with strong normative views on democratic and social developments, views originating in his traumatic experiences during the collapse of the Weimar republic and further exacerbated by his fear that American political practices would become dominant in Western Europe. Despite his sometimes haphazard methodology and opaque lexicon, the importance of Kirchheimer's work lies in his ability to select from numerous data what was relevant, to differentiate general tendencies from specific events, and to combine this in an original and creative fashion. This ability enabled Kirchheimer to sketch trends and developments that are still being discussed by twenty-first century political scientists and observers. In addition, Kirchheimer was able to draw attention to a new type of party, the catch-all party, and simultaneously to identify the consequences of its emergence for modern democracies.⁶⁴ In all, Otto Kirchheimer's acute vision, inventiveness and broad-ranging scholarship allowed him to construct a comprehensive, cohesive and still relevant political theory about the transformation of Western political systems.

SELECTED BIOGRAPHY OF OTTO KIRCHHEIMER

(Note that references to Kirchheimer's publications and papers in the endnotes refer to items listed in this bibliography)

- O. Kirchheimer, *Papers, 1928–1965*, German Intellectual Émigré Collection, Department of Special Collections and Archives, University Libraries, University at Albany, State University of New York (hereafter referred to as Kirchheimer Papers).
- O. Kirchheimer, 'The Realities of Political Responsibility: Parliament and Party in Western Europe. Outline for a Research Project', box 2, 83.1, Kirchheimer Papers (undated I).
- O. Kirchheimer, Lecture notes entitled 'Parties, Interest Groups, Elections', pp.26–43, box 2, 83.1, Kirchheimer Papers (undated II).
- O. Kirchheimer (1928), 'The Socialist and Bolshevik Theory of the State', in F.S. Burin and K.L. Shell (eds.), *Politics, Law and Social Change: Selected Essays of Otto Kirchheimer* (New York: Columbia University Press 1969), pp.3–21 (originally published in *Zeitschrift für Politik*, 17, pp.593–611).
- O. Kirchheimer (1930a), 'Weimar – and What Then? An Analysis of a Constitution', in Burin and Shell (1969), pp.33–74 (originally published by Laubverlag, Berlin).
- O. Kirchheimer (1930b), 'The Limits of Expropriation', in K. Tribe (ed.), *Social Democracy and the Rule of Law. Otto Kirchheimer and Franz Neumann* (London: Allen & Unwin 1987), pp.85–129 (originally published as *Die Grenzen der Enteignung* (Berlin: de Gruyter)).
- O. Kirchheimer (1930c), 'Eigentumsgarantie in Reichsverfassung und Rechtsprechung', in Kirchheimer (1972), pp.7–27 (originally published in *Die Gesellschaft*, 7, p.166 ff).
- O. Kirchheimer (1930d), 'Die Problematik der Parteidemokratie' (1930), *Internationale Wissenschaftliche Korrespondenz zur Geschichte der Deutschen Arbeiterbewegung*, 30/2 (1994), pp.227–34.
- O. Kirchheimer (1932a), 'Legality and Legitimacy', in Tribe (1987), pp.130–48 (originally published in *Die Gesellschaft*, 9, pp.8–20).
- O. Kirchheimer and N. Leites (1932b), 'Remarks on Carl Schmitt's Legalität und Legitimität', in Tribe (1987), pp.149–78 (originally published in *Archiv für Sozialwissenschaft und Sozialpolitik*, 68, pp.457–87).
- O. Kirchheimer (1932c), 'Constitutional Reaction in 1932', in Burin and Shell (1969), pp.75–87 (originally published in *Die Gesellschaft*, 9, pp.415–27).
- O. Kirchheimer (1932d), 'Die staatsrechtlichen Probleme der Reichstagauflosung', in Kirchheimer (1972), pp.28–41 (originally published in *Die Gesellschaft*, 9, pp.125–38).
- O. Kirchheimer (1932e), 'Die Verfassungslehre des Preußen-Konflikts', in Kirchheimer (1972), pp.42–61 (originally published in *Die Gesellschaft*, 9, pp.194–213).
- O. Kirchheimer (1933a), 'Marxism, Dictatorship and the Organization of the Proletariat', in Burin and Shell (1969), pp.22–32 (originally published in *Die Gesellschaft*, 10, pp.230–39).
- O. Kirchheimer (1933b), 'Constitutional Reform and Social Democracy', in Tribe (1987), pp.179–201 (originally published in *Die Gesellschaft*, 10, pp.20–35).
- O. Kirchheimer (1940), 'Decree Powers and Constitutional Law in France under the Third Republic', *American Political Science Review*, 5, pp.1104–23.
- O. Kirchheimer (1941a), 'Changes in the Structure of Political Compromise', in Burin and Shell (1969), pp.131–59 (originally published in *Studies in Philosophy and Social Science*, 9, pp.264–89).
- O. Kirchheimer (1941b), 'The Legal Order of National Socialism', in Burin and Shell (1969), pp.88–110 (originally published in *Studies in Philosophy and Social Science*, 11, pp.456–75).
- O. Kirchheimer (1944), 'In Quest of Sovereignty', *Journal of Politics*, 6, pp.139–76.
- O. Kirchheimer (1950), 'The Composition of the German Bundestag', *The Western Political Quarterly*, 3/4, pp.590–601.
- O. Kirchheimer (1951), 'The Government of Eastern Germany', in H.J. Morgentau (ed.), *Germany and the Future of Europe* (Chicago: University of Chicago Press), pp.131–41.
- O. Kirchheimer (1954a), 'Notes on the Political Scene in Western Germany', *World Politics*, 3, pp.306–21.
- O. Kirchheimer (1954b), 'Parteistruktur und Massendemokratie in Europa', *Archiv de Öffentliches Rechts*, 79, pp.301–25.

- O. Kirchheimer (1955), 'Politics and Justice', *Social Research*, 22, pp.377–98.
- O. Kirchheimer (1957a), 'The Political Scene in West Germany', *World Politics*, 3, pp.433–45.
- O. Kirchheimer (1957b), 'The Waning of Opposition in Parliamentary Regimes', *Social Research*, 24, pp.127–56.
- O. Kirchheimer (1958a), 'France from the Forth to the Fifth Republic', *Social Research*, 25, pp.381–414.
- O. Kirchheimer (1958b), 'The Party in Mass Society', *World Politics*, 2 pp.289–94.
- O. Kirchheimer (1959a), 'Majorities and Minorities in Western European Governments', *Western Political Quarterly*, 12, pp.492–510.
- O. Kirchheimer (1959b), 'Asylum', *The American Political Science Review*, 53, pp.985–1016.
- O. Kirchheimer (1961a), *Political Justice. The Use of Legal Procedure for Political Ends* (Princeton: Princeton University Press).
- O. Kirchheimer (1961b), 'German Democracy in the 1950s', *World Politics*, 13/2, pp.254–66.
- O. Kirchheimer (1961c), 'The Quality of Mercy', *Social Research*, 28, pp.151–70.
- O. Kirchheimer (1962a), 'Warum ich nicht in der Bundesrepublik lebe', typescript, box 2, 83.1, Kirchheimer Papers.
- O. Kirchheimer (1962b), 'Expertise and Politics in the Administration', in Burin and Shell (1969), pp.372–82 (originally published in *Gewerkschaftliche Monatshefte*, 11, pp.670–76).
- O. Kirchheimer (1962c), Lecture notes entitled 'Political Parties, April 17, 1962' and 'Elections, May 1, 1962', pp.1–3, box 2, 83.1, Kirchheimer Papers.
- O. Kirchheimer (1963a), 'European Parliaments', Address to the Ninth National Conference of the United States National Commission for UNESCO, 23–26 October, Chicago, Illinois, unpublished manuscript, Kirchheimer Papers, box 2, 83.1 (University of Albany).
- O. Kirchheimer (1963b), 'Personalisation and Concentration of Power. Are they Consistent with Democracy?' box 2, 83.1, Kirchheimer Papers (University of Albany).
- O. Kirchheimer (1964a), 'Wandlungen in der Struktur des Staatsschutzes', *Zeitschrift für Politik*, 11/2, pp.126–46.
- O. Kirchheimer (1964b), *Politik und Verfassung* (Frankfurt, Edition Suhrkamp 95).
- O. Kirchheimer (1964c), 'The Transformation of European Party System', paper prepared for the Conference on Political Parties and Political Development, Villa Falconieri, Frascati, Italy, 6–9 January, box 2, 83.1, Kirchheimer Papers (University of Albany).
- O. Kirchheimer (1964d), 'Elite – Consent – Control in the Western Political System', paper prepared for a Seminar on the State at Columbia University on 22 October, box 2, 83.1, Kirchheimer Papers (University of Albany).
- O. Kirchheimer (1964e), 'Die Transformation Des Westeuropäischen Parteisystems', box 2, 83.1, Kirchheimer Papers (University of Albany), pp.1–6.
- O. Kirchheimer and C. Menges (1965a), 'Germany: A Free Press in a Democratic State? The Spiegel Case', in G.M. Carter and A.F. Westin (eds.), *Politics in Europe. 5 Cases in European Government* (New York: Harcourt), pp.87–138.
- O. Kirchheimer (1965c), 'Confining Conditions and Revolutionary Breakthroughs', *The American Political Science Review*, 59, pp.964–74.
- O. Kirchheimer (1965d), 'Der Wandel des Westeuropäischen Parteisystems', *Politische Vierteljahresschrift*, 6, pp.20–41.
- O. Kirchheimer (1966a), 'The Transformation of Western European Party Systems', in J. LaPalombara and M. Weiner (eds.), *Political Parties and Political Development* (New Jersey: Princeton University Press), pp.177–200.
- O. Kirchheimer (1966b), 'Germany, The Vanishing Opposition', in Robert A. Dahl (ed.), *Political Oppositions in Western Democracies* (New Haven: Yale University Press), pp.237–59.
- O. Kirchheimer (1966c), 'Private Man and Society', *Political Science Quarterly*, 81/1, pp.1–24.
- O. Kirchheimer (1967), 'The Rechtsstaat as Magic Wall', in K.H. Wolff et al. (eds.), *The Critical Spirit: Essay in Honor of Herbert Marcuse* (Boston: Beacon Press), pp.287–312.
- O. Kirchheimer (1972), *Funktionen des Staats und der Verfassung. 10 Analysen* (Frankfurt: Edition Suhrkamp 548).

NOTES

1. Among others, see K. Dittrich, 'Testing the Catch-all Thesis: Some Difficulties and Problems', in H. Daalder and P. Mair (eds.), *Western European Party Systems, Continuity and Change* (London/Beverly Hills: Sage 1983), pp.257–66; J.H. Herz, 'Otto Kirchheimer – Leben und Werk', in W. Luthardt and A. Söllner (eds.), *Verfassungsstaat, Souveränität, Pluralismus: Otto Kirchheimer zum Gedächtnis* (Opladen: Westdeutscher Verlag 1989), pp.11–26; R.S. Katz and P. Mair, 'Changing Models of Party Organization: The Emergence of the Cartel Party', *Party Politics* 1/1 (1995), pp.5–28; P. Mair, 'Continuity, Change and the Vulnerability of Party', *West European Politics* 12/4 (1989), pp.169–87; A. Mintzel, *Die Volkspartei: Typus und Wirklichkeit* (Opladen: Westdeutscher Verlag 1984); M.G. Schmidt, 'Allerweltparteien in Westeuropa', *Leviathan* 13/3 (1985), pp.329–54; M.G. Schmidt, "'Allerweltparteien" und "Verfall der Opposition" – Ein Beitrag zu Kirchheimers Analysen westeuropäischer Parteiensysteme"', in Luthardt and Söllner (eds.), *Verfassungsstaat*, pp.173–82; G. Smith, 'Core Persistence, System Change and the "Peoples Party"', *West European Politics* 12 (1989), pp.157–68; S.B. Wolinetz, 'The Transformation of Western European Party System Revisited', *West European Politics* 2/1 (1979), pp.4–28; S.B. Wolinetz, 'Party System Change: The Catch-All Thesis Revisited', *West European Politics* 14/1 (1991), pp.113–28; R. Gunther, J. Ramon Montero and J.J. Linz (eds.), *Political Parties. Old Concepts and New Challenges* (Oxford: Oxford University Press), pp.136–65.
2. Kirchheimer has also written extensively on legal issues such as imprisonment, expropriation, immigration and asylum, as well as on the development of trade unions. He is widely known in legal circles for his work on 'political justice' – the use of political considerations in legal procedures.
3. Kirchheimer (1966a).
4. Kirchheimer's personal papers can be found in the German Intellectual Emigré Collection, Department of Special Collections and Archives, State University of Albany, New York.
5. Unfortunately, this is one of the key biographies missing from Hans Daalder's *Comparative European Politics: The Story of a Profession* (London: Pinter 1997), a point explicitly regretted by Daalder in his introduction to the volume (p.6).
6. Kirchheimer also developed an extensive theoretical argumentation on the causes of party transformation, but this part of his theory will not be dealt with here.
7. Kirchheimer (1954b); Katz and Mair, 'Changing Models'; A. Lijphart, *The Politics of Accommodation. Pluralism and Democracy in the Netherlands* (Berkeley: University of California Press 1968); A. Lijphart, 'The Netherlands: The Rules of the Game', in K. McRae (ed.), *Consociational Democracy. Political Accommodation in Segmented Societies* (Toronto: McClelland and Stewart Limited 1974), p.76; G. Lehmbruch, 'A Non-Competitive Pattern of Conflict Management in Liberal Democracies: The Case of Switzerland, Austria and Lebanon', in McRae (ed.), *Consociational Democracy*, p.97.
8. Kirchheimer (1958a); Kirchheimer (1957b); Kirchheimer (1959a).
9. K. Linne, 'Die Problematik der Parteidemokratie. Ein unbekannter Aufsatz Otto Kirchheimers aus dem Jahre 1930', *Internationale Wissenschaftliche Korrespondenz zur Geschichte der deutschen Arbeiterbewegung* 30/2 (1994), pp.220–34.
10. Kirchheimer (1930a); Kirchheimer (1932e).
11. Kirchheimer (1932c); Kirchheimer (1932d).
12. Kirchheimer (1940); Kirchheimer (1941a).
13. Kirchheimer (1941a), p.154
14. Kirchheimer (1962a).
15. Kirchheimer (1950).
16. Kirchheimer (1954a), pp.317–18. Various authors still assume that the concept was coined in the 1960s, see for example H.-J. Puhle, 'Still the Age of Catch-allism? Volksparteien and Parteienstaat in Crisis and Re-equilibration', in Gunther *et al.* (eds.), *Political Parties*, p.63.
17. Kirchheimer (1954b), p.322 ff; Kirchheimer (1957b), p.300: '... the elimination of major political opposition through government by party cartel'. Kirchheimer (1941a, p.155) earlier pointed towards this collusion between parties and the state during the Nazi-regime: '... the capture of the state machinery by the party'.

18. Kirchheimer (1961b), p.256 ff.
19. Kirchheimer and Menges (1965a); Kirchheimer (1966b).
20. Kirchheimer (1957a), p.437; Kirchheimer (1957b), p.314; Kirchheimer (1959a), p.270 and p.274; Kirchheimer (1961b), p.256; Kirchheimer (1966a), p.185. It is only when one tries to construct an operational definition that it become clear how vague and unkempt the catch-all concept actually is. The reader may also become confused in that the catch-all party is sometimes referred to as the 'catch-all people's party' (Kirchheimer 1966a, p.190), other times as the 'catch-all mass party' (Kirchheimer 1954a, p.250; Kirchheimer 1966a, p.191), the 'conservative catch-all party' (Kirchheimer 1954a, p.250), the 'Christian type of catch-all people's parties' (Kirchheimer 1959a, p.270) and, in still another version, as the 'personal loyalty variant of the catch-all party' (Kirchheimer, 1966a, p.187, n.12).
21. Kirchheimer (1966a), p.190.
22. Kirchheimer (1964c).
23. Otto Kirchheimer died suddenly before submitting the final text of the chapter. Joseph LaPalombara included the text 'with only minor revisions' (Kirchheimer 1966a, p.177). However, the differences between the draft (Kirchheimer 1964c) and published version are substantial.
24. Kirchheimer (1964), p.16.
25. Kirchheimer (1966), p.190.
26. Kirchheimer (1964e), Kirchheimer (1965d).
27. For example, page 24 of the German version contains a section in which Kirchheimer discusses the relation between the timing of state building and the integration capacity of parties in the interbellum.
28. A. Krouwel, 'The Catch-All Party in Western Europe 1945–1990. A Study in Arrested Development' (Ph.D. Vrije Universiteit Amsterdam 1999); Kirchheimer's personal papers, German Intellectual Emigré Collection, Department of Special Collections and Archives, State University of Albany, New York.
29. Kirchheimer (1966a), p.190, n.16: 'Ample material to points b) and c) may be found in the interesting study by a practising German politician: U. Lohmar, *Innerparteiliche Demokratie* (Stuttgart, 1963), esp. pp.35–47 and 117–124. See also A. Pizzorno, 'The Individualistic Mobilization of Europe', *Daedalus* (Winter 1964), pp.199, 217.
30. Lohmar, *Innerparteiliche Demokratie*, pp.35–7.
31. *Ibid.*, p.43.
32. *Ibid.*, pp.117–24; Pizzorno, 'Individualistic Mobilization', pp.212–17
33. Kirchheimer (1966a), p.178, n.1, see also pp.182, 193 and 199; Kirchheimer (1954b), pp.246 and 259.
34. Kirchheimer (1966a), pp.190–94.
35. Kirchheimer (1962c), p.1.
36. Kirchheimer (1962c), p.3.
37. Kirchheimer (1966a), p.195.
38. Mintzel, *Die Volkspartei*, p.66.
39. The difference between the analyses of Kirchheimer and Downs is that Downs explains this behaviour with a rational choice model, while Kirchheimer ascribes catch-all behaviour to the 'present conditions of spreading secular and mass consumer-goods orientation, with shifting and less obtrusive class lines' which puts 'parties under pressure to become catch-all peoples' parties' (Kirchheimer 1966a, 190).
40. Kirchheimer (1966a), p.188, n.13. Torgersen distinguishes four problems: First, the decreasing differences between the platforms and programmes of parties, which concern the major political alternatives within a political system. Second, the low quality of the intellectual and academic discussion. Third, the problem of declining mass activity, reducing parties to 'pretty empty organizational shells'. The fourth problem relates to the channels of political influence in cases such as Austria, where parties 'have established elaborate agreements between themselves in order to share power'. U. Torgersen, 'The Trend Toward Political Consensus: The Case of Norway', *Acta Sociologica* 6 (1962), pp.159–60.
41. Kirchheimer (1966a), p.188, n.13. Rokkan and Valen sketch a trend toward de-ideologisation

- and de-politicisation: 'Urbanisation, industrialisation and the growth of the national economy have created new lines of conflict and have also gradually affected the alignments of leaders and followers in the local communities. Conditions in the peripheral areas have created important barriers, socio-economic as well as geographical, against the spread of partisan politics and have made for persistently low levels of politicisation.' S. Rokkan and H. Valen, 'Regional Contrasts in Norwegian Politics: A Review of Data from Official Statistics and from Sample Survey', in E. Allardt and S. Rokkan (eds.), *Mass Politics. Studies in Political Sociology* (New York: Free Press, Macmillan 1963), p.29.
42. Kirchheimer (1966a), pp.191–2, n.18.
 43. S.M. Lipset, 'The Changing Class Structure and Contemporary European Politics', *Daedalus* 93/1 (1964), pp.290–99.
 44. *Ibid.*, pp.268–72.
 45. 'The transformation in class attitudes as reflected in political and interest group behaviour is most noticeable in northern non-Latin Europe and among the socialist and Roman Catholic political parties' (*ibid.*, p.272). 'In Germany and in Italy, the Christian Democratic type parties, with their efforts to retain the support of a large segment of the unionized working classes, have made a trans-class appeal in favor of moderate changes' (*ibid.*, p.276).
 46. *Ibid.*, pp.282–90.
 47. A similar argument was also then being developed by Duverger, whom Kirchheimer also cites with reference to an article from 1964, which was later republished in English in 1971. 'The reciprocal isolation of governing politicians and ideologues is harmful to both. Denied contact with ideas and ideologies and losing sight of distant goals by concentrating on immediate affairs, governing politicians condemn themselves to immobility and turn to financial deals ... Political compromise and centrist positions are now more likely to develop as all parties consist of factions or wings which spread widely across the ideological spectrum. These different factions counterbalance and check one another against any extremist tendency of the party. Due to this ideological convergence, alternation in cabinet composition does no longer lead to different policies' (M. Duverger, 'The Eternal Morass: French Centrist', in M. Dogan and R. Rose (eds.), *European Politics: A Reader* (Boston: Little Brown and Company 1971), p.245).
 48. Kirchheimer (1966), p.184.
 49. Kirchheimer (undated II).
 50. Kirchheimer (undated II), p.27.
 51. Kirchheimer (1966a), pp.185–8.
 52. Kirchheimer (1964b, p.1) once summarised the underpinning goals of his work as: (1) the identification of the determinants of the swift erosion and alteration of political systems and the synchronous transformation of democratic institutions (constitution, parliament, government, political parties and interest groups), (2) uncovering the basic mechanisms of political order and disorder; by analysing the struggle between different social groups and the means by which these groups utilised legal means for achieving their political goals, (3) the creation of humane and meaningful conditions for the individual, including the guarantee of individual freedom and full participation in the democratic process.
 53. Kirchheimer (undated I), pp.5–7. This document must have been written after 1962 as Kirchheimer refers to his position at Columbia University.
 54. Kirchheimer (1963a).
 55. Kirchheimer (1964d).
 56. Kirchheimer (1964d), p.8.
 57. Kirchheimer (1963b).
 58. Kirchheimer (1963b), p.2.
 59. Kirchheimer (1955); Kirchheimer (1961a).
 60. Kirchheimer (1955), p.379.
 61. Kirchheimer (1932e); Kirchheimer (1940); Kirchheimer (1955); Kirchheimer (1959b); Kirchheimer (1961a); Kirchheimer (1961c); Kirchheimer (1965a); Kirchheimer (1967).
 62. See for a modern version of these arguments Katz and Mair, 'Changing Models'.
 63. Kirchheimer was also influenced by works such as D. Riesman, N. Glazer and R. Denny, *The Lonely Crowd. A Study of the Changing American Character* (New York: Doubleday &

- Company 1950), and D. Bell, *The End of Ideology* (Glencoe: The Free Press 1960), see for this Schmidt, 'Allerweltparteien'.
64. For an evaluation of Kirchheimer's system of thought see J.H. Herz, 'In Memoriam: Otto Kirchheimer', *Political Science Quarterly* 81/3 (1966), pp.1-3; J.H. Herz and E. Hula, 'Otto Kirchheimer. An Introduction to his Life and Work', in Burin and Shell, *Politics, Law and Social Change*, pp.iv-xxxviii; Herz, 'Otto Kirchheimer - Leben und Werk', pp.11-26; K. Sontheimer, 'Otto Kirchheimer als Politikwissenschaftler - am Beispiel seiner Beiträge zur Parteienentwicklung', in Luthard and Söllner, *Verfassungsstaat*, pp.183-8; R. Stöss, 'Struktur und Entwicklung des Parteiensystems der Bundesrepublik - Eine Theorie', in Richard Stöss (ed.), *Parteien-Handbuch: Die Parteien der Bundesrepublik Deutschland 1945-1980*, Band 1 (Opladen: Westdeutscher Verlag 1983), pp.121-45; Tribe, *Social Democracy and the Rule of Law*; O.G. Heidenheimer, 'Some Criticism of The Vanishing of Opposition in Parliamentary Regimes', undated paper in Kirchheimer archives, Box 38.1, pp.1-2.