



# HAMBURG RATHAUS

Seat of Hamburg's State Parliament and  
State Government



Landeszentrale  
für politische Bildung  
Hamburg





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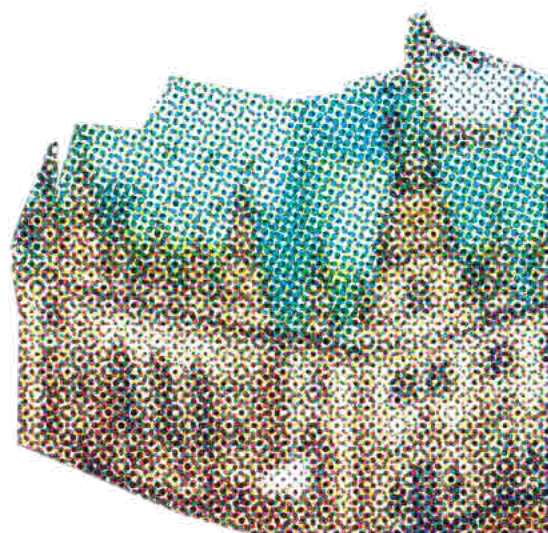
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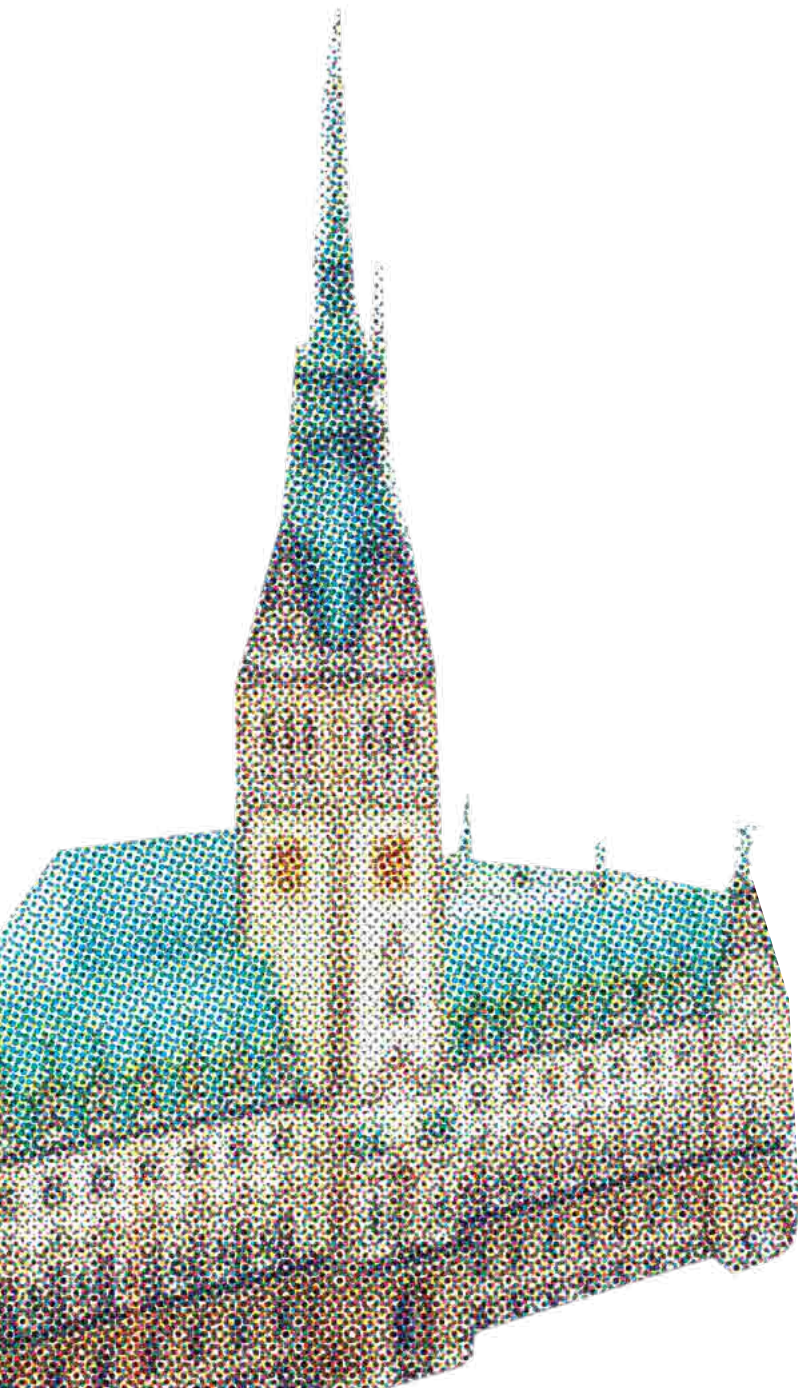
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# HAMBURG RATHAUS

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Hamburg Rathaus

# HAMBURG RATHAUS

## Seat of Hamburg's State Parliament and State Government

With this brochure, we'd like to introduce you to the Hamburg Rathaus, the city hall. It is the **seat of Hamburg's state parliament and state government**.

The Rathaus is in the middle of the city, and was built more than 100 years ago, between 1886 and 1897. With its richly decorated façade, its width of 111 meters, its 112-meter central tower, and its 647 rooms, the Rathaus looks a bit like a castle.

The inner courtyard of the Rathaus is also worth a look. It is open to the public, and is an oasis of peace and relaxation in Hamburg's busy central city.

Once every year the Summer Festival of the Hamburg *Bürgerschaft* takes place here. Food and drinks are served under awnings.

At the center of the courtyard, the Hygieia Fountain splashes quietly. Mythical creatures, a dragon, and Hygieia, the Greek goddess of health and hygiene, decorate the fountain. Hygieia and the dragon symbolize the conquering of the Hamburg cholera epidemic of 1892.

### The city is governed from the Rathaus

Even though the Rathaus may look like a castle, you'll find no king or emperor reigning here. It is the workplace of the democratically elected state parliament and the Hamburg state government.

In Hamburg, the state parliament is called the *Bürgerschaft* and the state government is called the *Senat*. It is at the Rathaus where issues important to you are debated and resolutions made – on housing and health, education, and economic issues, for example.

Please join us on a tour through the Hamburg Rathaus on the following pages, and learn about the work and the responsibilities of the *Senat* and the *Bürgerschaft*. On this tour we will show you the opulent and richly decorated rooms of the Rathaus, with their murals, wood carvings, and much more. These rooms

host events and receptions for dignitaries from many countries all over the world.

Before we step through the ornate cast iron front gate into the Rathaus, let's learn a bit about Hamburg's political structure.







View looking north over the Rathaus,  
the Binnenalster, and the Außenalster



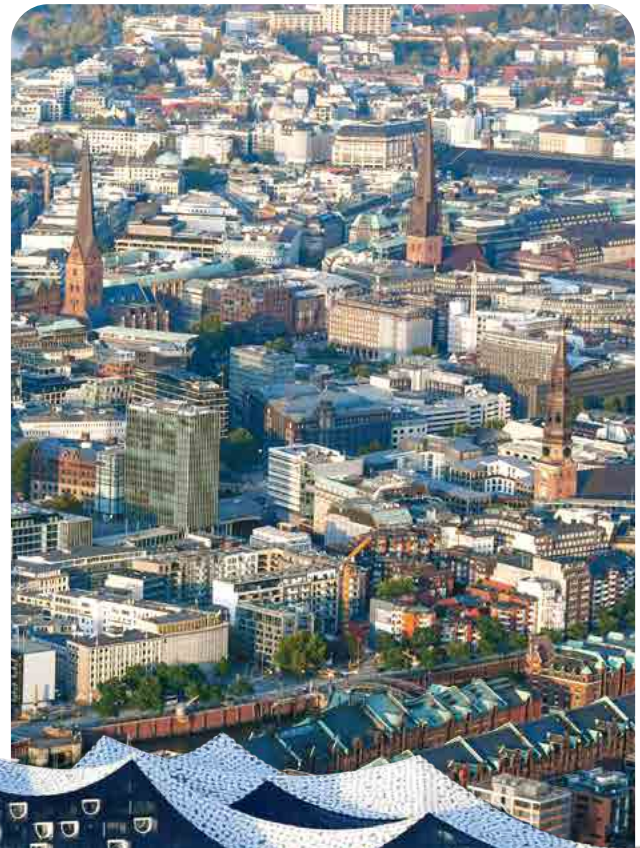
# HAMBURG IS THE SECOND-LARGEST CITY IN GERMANY

More than 1.8 million people live here

Hamburg is Germany's second-largest city, with more than 1.8 million residents and an area of 755.3 km<sup>2</sup>.

Just a few steps from the Rathaus is the Alster River. Hundreds of years ago, the river was dammed to form a lake. Later the city walls divided the lake into the Binnenalster and the Außenalster – the Inner Alster and the Outer Alster. The Lombardsbrücke (Lombard Bridge) was built to span the small channel that connects the two lakes. In the large photo you can see the Binnenalster and the Außenalster, separated by the area where the city walls used to be and the Lombardsbrücke. The lakeshores are an ideal spot for pleasant strolls, and in good weather you can enjoy the sun sparkling on the water.

Of the more than 1.8 million residents of Hamburg, around 700,000 have an immigration background (about 37% of the population). These are people who immigrated to Germany after 1949, who were born in Germany to at least one parent who was an immigrant, or who were born in Germany as a citizen of another country.



The Elbphilharmonie, completed in 2016 - a concert hall and Hamburg's newest landmark





Germany has 16 federal states

# HAMBURG IS A FEDERAL STATE IN THE FEDERAL REPUBLIC OF GERMANY - WITH A DISTINCTION

Germany has 16 federal states. Hamburg is one of them.

Germany is divided into 16 federal states – Hamburg is one of them. The map on the previous page shows all 16 of the states. Each state has a state government. In Hamburg it is called the *Senat*.

## The Federal State of Hamburg is a city-state

Hamburg is structured differently than most of the other German states. The territory of Hamburg includes no other towns or villages. That is why it is a city-state. The German states of Bremen and Berlin are also city-states, because their territories include nothing beyond the borders of the city (except Bremen, which includes the city of Bremerhaven). Other federal states have *Kreise* (administrative districts, counties, parishes) and *Kommunen* (municipalities) – city-states do not have these sub-divisions.

## Federation of all states in the Federal Republic of Germany

The 16 federal states form the federation of the Federal Republic of Germany. The Federal Republic of Germany has a federal government. Its seat is in Berlin.

Division of duties between the federal government and the state governments

The federal government and the governments of the 16 states share governmental duties. The federal government is responsible for Germany's foreign policy, for example. Foreign policy includes advocating for peace and providing humanitarian aid to those people who are victims of war and civil strife. The federal government is also responsible for the German asylum and refugee policies.



The facade of the Rathaus is emblazoned with the great coat of arms of the Free and Hanseatic City of Hamburg, which was adopted in 1897. It shows two outward-looking lions holding a shield in their paws. On the shield is a castle with three towers. The middle tower symbolizes the medieval St. Mary's Cathedral, which was torn down in the early 19th century. The six-pointed stars on the outer towers are *Mariensterne*, stars of St. Mary, Hamburg's patron saint in the Middle Ages.

## The federal government and the state governments share legislative responsibilities

The sharing of duties is defined in Article 70ff of the Basic Law of the Federal Republic of Germany. This article specifies the areas for which the states or the federal government make the laws. You can find links to the text of the Basic Law on page 13.





# HAMBURG HAS SEVEN DISTRICTS

## Each district has a district office and a district council

The city-state of Hamburg has no other towns or communities. Rather, it is divided into city districts.

### Hamburg is divided into seven Bezirke – districts.

The map on the left shows Hamburg's seven districts: Hamburg-Mitte, Altona, Eimsbüttel, Hamburg-Nord, Wandsbek, Bergedorf, and Harburg.

### District administration

Each of the seven districts in Hamburg has its own administration – the *Bezirksamt* (district office). The map shows the buildings where the main offices are located. Some agencies and departments may be located in other buildings. The main office can tell you where the office that handles your particular issue is located.

There are many things you can and must do at the district office. This is where you register when you move into your own apartment, when a child is born, or when you want to get married. The registrar's office, which conducts marriages, is also in the district office. The district office is where you receive and renew identification papers, and where birth certificates, marriage licenses, and death certificates are issued.

who are eligible to vote. The district council advises and supervises the district office. It makes decisions about many issues which fall under the responsibilities of the district offices.

*Bezirksversammlungen* are not parliaments – they do not make laws. Laws for the city of Hamburg and its districts are made by the Hamburg state parliament, the *Hamburgische Bürgerschaft*.

You can learn more about the work done by the district offices in the brochure “Ihr wählt die Bürgerschaft – Ihr wählt die Bezirksversammlung.” This brochure (in German) can be downloaded at <https://www.hamburg.de/contentblob/12407998/215403da6b-0435b2adf3c52e2ce08781/data/ringbuch-bezirksversammlung-buergerschaft-2019.pdf>.

### Supervision of the administration

Each district in Hamburg has its own democratically-elected council, called the *Bezirksversammlung*. It is elected every five years by the residents of the district





Nighttime view of the Hamburg Rathaus

# THE FEDERAL REPUBLIC OF GERMANY IS A DEMOCRACY

## Hamburg is a democratic city-state

With its many lights, Hamburg is particularly beautiful at night. The special lighting at the Hamburg Rathaus lets its façade shine in a warm glow. Residents of Hamburg can feel at ease and live in peace. Human rights are recognized, and we live in a democracy. Democracy means “rule of the people.” The citizens have a voice in everything that happens in their state.

In a democracy, all people have the same rights and responsibilities. All people may speak their opinion, may gather peacefully, and have the right to be informed.

**But that wasn't always the case.**

Between 1933 and 1945, Germany was a dictatorship under the National Socialist German Workers Party – the Nazi Party – with its “Führer” Adolf Hitler. All other parties were banned during this time. Those who had opposing political views, homosexuals, people with disabilities, Sinti and Roma, and especially people of Jewish heritage were persecuted and murdered. Professional bans, persecution, confiscation of property, imprisonment, sterilization and castration, deportation and execution were all legal.



The Second World War began in 1939 with the German invasion of Poland. The German Reich started the war. In Europe, it ended on 8 May 1945. The war begun by Hitler and his Nazi regime brought immeasurable suffering, death, and destruction to large parts of Europe. There were 55 million casualties, of whom 5.5 million were German and 50 million were citizens of other nations. By the end of the war, half of Hamburg lay in ruins. 900,000 people in the city were homeless. More than 12 million Germans from the eastern regions of the German Reich and other countries in Eastern Europe were expelled. Many of them came to Hamburg.

Hamburg's city center in 1945 at the end of the Second World War

Decades after the war, the destruction caused by bombs could still be seen in many places in the city. The Soviet Union, the US, “England, and France were the victors in the war, and occupied the country of Germany. They divided it into four zones. The Russian Occupation Zone later became the German Democratic Republic (East Germany), and the three western Zones, occupied by America, England, and France, united to form the Federal Republic of Germany (West Germany).” The two countries unified in 1989.

Source: <https://www.geo.de/geolino/wissen/9510-rtkl-von-diktatur-zur-demokratie-deutschland-nach-dem-zweiten-weltkrieg>





Peace march and demonstration at the Rathaus against the deployment of Pershing II missiles in Europe, 1983

# THE GRUNDGESETZ IS THE BASIS OF GERMANY'S DEMOCRACY

In the spring of 2022, there were many peace marches against Russia's invasion of Ukraine and the subsequent war.

In Germany – and thus in Hamburg as well – all people have the right to hold an opinion and to voice it freely and publicly. All people may assemble peacefully without weapons. This fundamental right to freedom of expression and other fundamental rights are guaranteed by the *Grundgesetz der Bundesrepublik Deutschland* – the Basic Law of the Federal Republic of Germany.

## What is the Basic Law?

When the Federal Republic of Germany was founded in 1949, a constitution was established. Even in a democracy, there must be rules and laws that guarantee peaceful co-existence. The constitution of the Federal Republic of Germany is called the *Grundgesetz* – the Basic Law. Hamburg, as part of the Federal Republic, is subject to the constitution. All people living in Germany must respect the fundamental rights set down in the *Grundgesetz*.

## What are fundamental rights?

The fundamental rights are anchored in the first article of the Basic Law. They are freedoms guaranteed to the individual by the state. These rights are inalienable and actionable. They guarantee the peaceful and democratic co-existence of the people living in Germany.

Because of the dreadful experiences of the Nazi regime, the fundamental rights in the Basic Law have a very special meaning and value.

Every person is a free and self-determined individual. No person may be discriminated against on the basis of their gender, origin, skin color, religion or ideology, handicap, age, or sexual orientation. All people in the Federal Republic of Germany have the right to human dignity, freedom and equality, justice and solidarity.

“Many people consider fundamental rights to be self-evident. (...) As the experiences of history have shown, they are in no way naturally guaranteed, and they influence the daily lives of individuals and the co-existence of all people in a nation and in a society. The

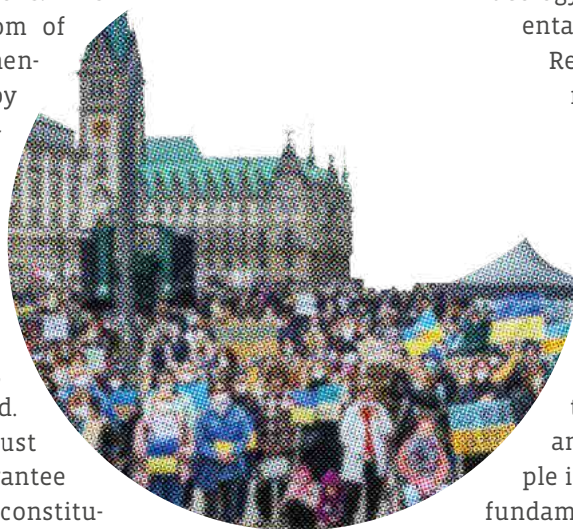
fundamental rights are the basis of the system of values of the Federal Republic of Germany. They are a part of the core of the constitution's democratic structure, based on the principal of liberty.”

Source: <https://www.bpb.de/themen/politisches-system/deutsche-demokratie/39294/grundrechte?p=all>

The fundamental rights are inalienable – that means they may not be denied to anyone. But no one may misuse the fundamental rights – freedom of expression, for example – to attack the liberal democratic constitutional structure of the Federal Republic of Germany.

The text of the Basic Law is available in German and several other languages at:

<https://www.btg-bestellservice.de/informations-material/42/anr10060000>







Piety: an allegorical sculpture on the facade of the Hamburg Rathaus

# FUNDAMENTAL RIGHTS

Articles 1 to 19 of the Basic Law are a declaration of the fundamental rights. They include the right to the free expression of personality, the right to life and physical integrity, freedom of religion, the right to equality before the law, freedom of expression, and the inviolability of the home.

Following are three examples:

## The fundamental right to religious freedom

On the facade of the Rathaus tower are four sculptures that represent civic virtues. One of these virtues is piety, shown as a figure carrying a cross in the left hand.

In Germany, Christianity is the most widespread religion. But there is no law that forces people in Germany to be Christian. Every person can decide for themselves which religion they would like to practice. Every person also has the right to practice no religion at all.

In Germany, church and state are separated. There is no state religion.

## The fundamental right of gender equality

Every year on 8 March, International Women's Day, the *Senat* holds a reception in the Rathaus for women who are involved in women's groups and other organizations that advocate women's rights. On 8 March 2011, the 100th anniversary of International Women's Day, a large banner was hung from the Rathaus balcony in honor of the day.

Thanks to women's decades-long fight for equality, women have had the right to vote in Germany since 1918. The equality of women and men was anchored in the German constitution in 1949.

## The fundamental right to the free expression of personality

"Every person has the right to express themselves freely. That means that every person can live their lives as they see fit.

Every person has the freedom to do what they like. For example, every person has the right to decide where they live and with whom they associate, what kind of clothing they wear and music they listen to, and what they do with their time. No one has the right to determine how another person lives.

Everyone may live as they like. This is called **free expression of personality**. But everyone must obey the law.

For example, no one has the right to harass another person, to hit them, or to take something away from them. Doing so disrespects the other person's rights. No one may violate another person's rights.

Every person has the right to live.

For example, the state is not allowed to torture anyone. It is not allowed to injure or kill anyone through torture.

The state is also responsible for ensuring that no one injures or kills another person.

The state must protect the health of all people. (...)

Every person has the right to decide for themselves what happens with their bodies: whether they undergo a medical examination or not, for example."

Source: Bundeszentrale für politische Bildung: einfach Politik: Das Recht auf Freiheit.





Legislature  
(parliament,  
congress,  
assembly)

Executive  
(administration,  
government)

Judiciary  
(courts)



Hamburg Rathaus:  
Seat of the legislative and executive branches  
City Courthouse: seat of the judicial branch

# SEPARATION OF POWERS AND THE RULE OF LAW ARE INTEGRAL TO A DEMOCRACY

## What does **separation of powers** mean?

Separation of powers is the division of the state's authority into three branches: the legislative branch (legislature or parliament), the executive branch (the head of government and the cabinet or ministries), and the judicial branch (the courts of law).

The photos on the left show the seats of each branch in Hamburg. The legislative branch is the *Hamburgische Bürgerschaft*, the state parliament. Its seat is in the left side of the *Hamburg Rathaus*. The seat of the executive branch, the *Hamburger Senat*, is in the right side of the *Rathaus*. The smaller picture shows the *City Courthouse*, where the judicial branch has its seat. It is a few kilometers away from the *Rathaus*.

The separation of these three powers of state is very important for a democracy. The division of authority allows each branch to check and balance the other two. It prevents the abuse of power by individual persons or parties. In a dictatorship, all three branches are in one hand.

## What do **legislative** and **executive** mean?

The legislative branch of government, or the legislature, in Hamburg is the state parliament (*Hamburgische Bürgerschaft*). A legislature is the law-making authority in a state. The *Bürgerschaft* makes and passes laws that apply to the city-state of Hamburg. It does not make laws that apply to the entire country. That authority lies with the *Bundestag* (federal parliament) in Berlin.

The executive branch of government consists of the head of state and the cabinet or ministries. The executive is responsible for carrying out the laws passed by the legislature. The Hamburg executive is called the *Senat*.

## What does **judiciary** mean?

The judicial branch, or the judiciary, is the court system. It interprets and reviews the laws passed by the legislature. The courts are headed by independent judges. No state institution, not even the mayor or the Minister of Justice, may attempt to restrict their independence. The judges' duties are to the law alone. Their most important responsibility is to make decisions in specific cases. In Germany the courts also ensure that the state upholds its own laws. All residents have the right to protest state-sanctioned measures in a court of law.

## What is the **rule of law**?

In the Federal Republic of Germany - and thus in Hamburg - the rule of law is the guiding principle. This means that the rules laid out in the constitution and the laws passed by governing bodies are supreme. Unlike the situation in a police state or dictatorship, in which the government is not bound by a constitution, all agencies, courts, state parliaments and state executives in Germany must abide by the Basic Law.





Cabinetmaker



Metalworker



Shipbuilder



Painter

Figures of craftsmen on the  
Rathaus facade

# ELECTIONS FOR THE HAMBURGISCHE BÜRGERSCHAFT

## Who is allowed to vote?

When the Rathaus was built more than 100 years ago, the architects put stone figures above each of the second-story windows. The picture shows some of them. The figures represent various trades: a shoemaker, a baker, a cabinetmaker, a potter, a butcher, a tailor, a stonemason, a painter, a gardener. The builders of the Rathaus wanted to show that these professions were represented in the *Hamburgische Bürgerschaft* - the Hamburg state parliament.

For a long time before the Rathaus was built, only wealthy men were allowed to vote for and be members of the *Bürgerschaft*. These men were merchants, lawyers, and doctors. That changed at the end of the 19th century. In 1918 there was another big change – in that year women were given the right to vote.

**Today, all residents of Hamburg** who fulfil the following requirements are allowed to vote:

- they must have **German citizenship**
- they **must be at least 16 years old**
- they must have had their main residence in Hamburg for at least **three months**
- they may not have had their right to vote revoked, which can be ordered by the court for certain serious crimes.

To be elected to the *Bürgerschaft*, a candidate must fulfil the voting requirements, be at least 18 years old, and not have been disqualified from being elected.

## Elections are held every five years

Regular elections for the *Bürgerschaft*, Hamburg's state parliament, are held every 5 years.

## Who is elected?

Germany – and thus Hamburg as well – is a parliamentary democracy. That means that all state power emanates from the people. Citizens elect the parties and people by whom they want to be governed for a specified length of time. There are various parties, each of which has declared its positions on issues in a party platform. With their votes, the citizens of Hamburg determine which parties will be represented in the *Bürgerschaft* (state parliament). They also determine how many seats will be allocated to each party in the *Bürgerschaft*. Each election results in a new distribution of the number of seats to each party. You can learn more about the allocation of seats on page 29.

Elections are universal, direct, free, equal, and secret. They are free because no one may be pressured to vote for a particular person or party. They are secret because no one must reveal whom they voted for. And they are universal because all citizens who are qualified to vote may do so.

For more information about elections and voting, go to <https://www.hamburg.de/wahlen>





Cast iron lattice gateway -  
Rathaus entrance

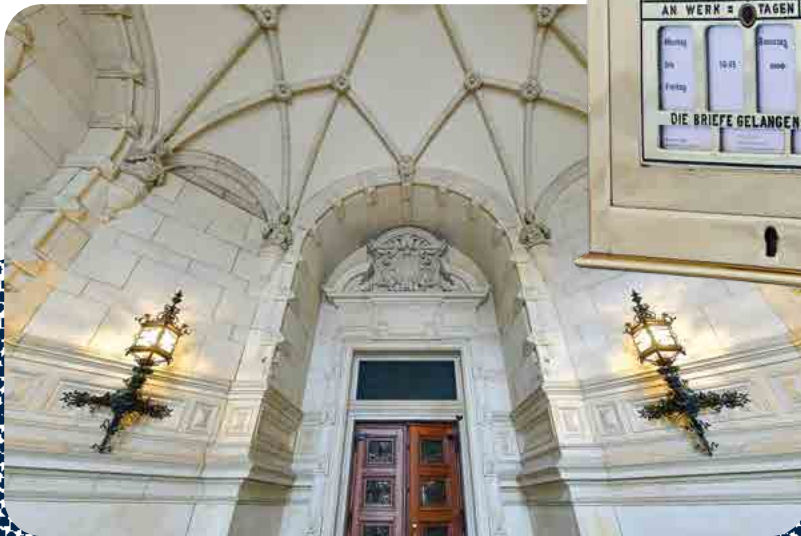


# THE RATHAUS IS OPEN

From the Rathausmarkt, an ornate black gateway leads into the Rathaus. The gate is made of cast iron and is decorated with vines, rosettes, and figures. Just inside the gate is a foyer with an old bronze mailbox. From there a door leads to the entry hall of the Rathaus.

The Rathaus is open daily, and the public is welcome to explore the *Rathausdiele*, the entry hall. Other rooms can be viewed on a tour of the building. Tours are offered at specific times, and are available in English.

Information about tours is available at the telephone number 0049-(0)40-42831-2046, from 9:00 am to 5:00 pm, and online at: <https://www.hamburg.de/rathaus-fuehrung/>







Entrance to the *Bürgerschaft*

# BÜRGERSCHAFT AND SENAT

## Hamburg's state parliament and state executive

When you enter the Rathaus, you will be in the large entry hall, known as the *Rathausdiele*. It's a busy place, as it is open to the public.

### The Bürgerschaft is the state parliament

The double stairways on the **lefthand** side of the *Rathausdiele* lead to the rooms of the Hamburg *Bürgerschaft*, the state parliament.

In the current legislative period, the Hamburg *Bürgerschaft* consists of 121 representatives. They are democratically elected by the citizens of Hamburg.

The constitution of the Free and Hanseatic City of Hamburg states that the parliament must consist of at least 120 representatives. The election law is more specific, requiring a minimum of 121 representatives. The number of representatives is calculated based on the number of votes cast in the election, so the result can vary. It is, however, always an odd number, so that no stalemate can arise.

The representatives are called *Abgeordnete*. They have accepted the responsibility of representing the political interests of the citizens of Hamburg. They are, nevertheless, bound only by their conscience, as is ensured by the Hamburg Constitution.

Some of the *Bürgerschaft's* important responsibilities are:

- legislation. The *Bürgerschaft* makes state laws
- supervision of the *Senat*, the state executive

### The Senat is the state executive

On the **righthand** side of the *Rathausdiele* is the broad stairway leading directly to the rooms of the *Senat*, the executive branch of the state government. The stairway is entered through an ornate cast iron gate, framed by a sandstone arch ornately decorated with gilded leaves and small animals like snails, birds, butterflies, and frogs.



Entryway to the Senat

The *Senat* is a council of 11 ministers and the mayor, who lead and supervise the administration of the state. The administration is made up of 11 ministries or agencies. They are state institutions and responsible for providing state services to the citizens of Hamburg.

Among the responsibilities of the *Senat*, and therefore also of the ministries and agencies, is executing the laws made by the *Bürgerschaft*.





Plenary Chamber

# THE BÜRGERSCHAFT CONVENES IN THE PLENARY CHAMBER

The Plenary Chamber of the *Bürgerschaft* is on the second floor on the left side of the Rathaus. The *Bürgerschaft* convenes here every other Wednesday at 1:30 p.m.

The Plenary Chamber is much like a theater. The rows of seats rise from the front to the back. At the front, where the stage would be in a theater, are the seats for the president of the *Bürgerschaft* and the president's council. In front of them is the lectern where representatives make their speeches.

The 123 representatives sit in the Plenary Chamber facing the council and the president of the *Bürgerschaft*. Guests may sit on the balconies to the left and right of the chamber.

The stairway leading to the Plenary Chamber of the *Bürgerschaft*







The Plenary Chamber  
during a session of the *Bürgerschaft*

# IN THE BÜRGERSCHAFT, WHO DETERMINES THE POLITICAL COURSE?



The last election to the *Bürgerschaft* took place in February 2020. In this election, the *Sozialdemokratische Partei Deutschland* (SPD, the Social Democratic Party of Germany) won the most votes (39.2%). This percentage of votes was, however, not enough to control the *Bürgerschaft*.

Control of the *Bürgerschaft* requires an absolute majority – at least 50% of the votes plus one seat. In order to have a majority in the *Bürgerschaft*, the SPD entered a coalition with the party *Bündnis 90/DIE GRÜNEN* (the Green Party). This coalition determines the political course of the current legislative period of the *Bürgerschaft*.

Regular elections take place every five years.





Governing coalition

Opposition

as of May 2022

**Governing coalition:**

53 seats for the SPD

33 seats for BÜNDNIS 90/DIE GRÜNEN

**Opposition parties and unaffiliated representatives:**

5 seats for the CDU

12 seats for DIE LINKE

6 seats for the AfD

4 seats for non-affiliated representatives: 2 FDP, 1 DIE LINKE, 1 Independent

**Empty seats:**

In the Plenary Chamber there are more seats than there were representatives elected.



Distribution of seats  
in the 22nd legislative period

# THE ALLOCATION OF SEATS IN THE **PLENARY CHAMBER** FOR BÜRGERSCHAFT **REPRESENTATIVES**

The diagram on the left shows the distribution of seats for the 123 representatives elected to the 22nd legislative period.

All parties that receive at least 5% of the votes in an election will send representatives to the *Bürgerschaft*. In the last election, five parties met the 5% threshold – the SPD, Bündnis 90/DIE GRÜNEN, the CDU, DIE LINKE, and the AfD.

The SPD received the most votes in the election, and thus received the most seats in the *Bürgerschaft*. The Bündnis 90/DIE GRÜNEN (the Green Party) received the second highest number of votes. In third place was the CDU (*Christlich Demokratische Union Deutschlands*, the Christian Democratic Union), followed by DIE LINKE (the Left Party), and finally the AfD (*Alternative für Deutschland*, Alternative for Germany).

## Majorities in the *Bürgerschaft*

→ If a party receives more than half of the votes in a *Bürgerschaft* election, that party will receive the majority of seats in the *Bürgerschaft* and will be the governing parliamentary party. Currently two parties have formed a governing coalition, which determines the political course. For more about coalitions, see page 31.

A *Fraktion*, a political group, is an association of representatives, usually of a party. A political group must have at least six members to be recognized as a *Fraktion*.

But not all representatives must belong to a political group. If, for example, a representative disagrees with their party's stance and does not vote with the group, they are no longer a member of the *Bürgerschaftsfraktion*, but they remain a member of the *Bürgerschaft*. Such members are “non-affiliated” representatives.

The main goal of each political group is to achieve as many of its party's political goals as possible.

→ If no party receives more than half of the votes, there is generally a coalition. A coalition is an alliance between at least two parties. These parties then work together. A coalition is formed as follows:

The party with the most votes allies itself with another party (or parties) to form a majority and thus a governing coalition. They draw up a coalition contract and determine the political course together.

→ All other parties who met the 5% threshold in the election form the minority opposition in the *Bürgerschaft*. They do not determine the political course, because being the opposition means that they have different political goals.

The opposition is important for democracy. It is the party or parties that oppose the administration and the governing party or coalition. It is the responsibility of the opposition to publicly voice dissent to the administration's policies.

In the current legislative period, the opposition is composed of the CDU, DIE LINKE, and the AfD.





View from the council bench into the  
Plenary Chamber

# THE GOVERNING COALITION AND ITS RELATIONSHIP TO THE SENAT

There is a close political relationship between the majority party or coalition in the *Bürgerschaft* and the *Senat*. This is why the majority party or coalition in the *Bürgerschaft* is called the governing party or coalition. The governing coalition and the *Senat* are bound to each other in the following ways:

- If an election results in an absolute majority for one party, that party determines the political course in the *Bürgerschaft*. The *Senat* will also be composed of members of this party. (There can be non-affiliated members in the *Senat*. See more on page 47.)
- If an election results in a coalition in the *Bürgerschaft*, then the coalition parties determine the political course together. Members of the *Senat* will be members of both coalition parties. That party which received the most votes in the election will have the most members in the *Senat*.

The *Bürgerschaft's* obligation of monitoring the **Senat** takes the form of cooperation between the governing party or coalition in the *Bürgerschaft* and the *Senat*.

“The administration should translate the political platforms and ideas of the majority party in parliament into practical policy. For this reason the majority parliamentary party sees no necessity in directly monitoring ‘its’ administration, but rather acts as support for the administration.”

Source: Bundeszentrale für politische Bildung. Stichwort: Gewaltenteilung.

Should the majority party in the *Bürgerschaft* disagree with the actions of the *Senat*, the conflict is generally not made public.







Swearing-in of First Mayor  
Dr. Peter Tschentscher during the 21st  
legislative period. He was also elected  
First Mayor in the 22nd legislative period.

Cabinet bench, top right

# DUTIES OF THE BÜRGERSCHAFT

## Election of the First Mayor

One important duty of the representatives in the *Bürgerschaft* is the election of the mayor. The mayor is the head of the *Senat*.

The picture on the left is of the swearing-in of Hamburg's current mayor, Dr. Peter Tschentscher (SPD) in the Plenary Chamber. Before he was sworn in he was elected by a majority of members of the *Bürgerschaft*. At the swearing-in ceremony, the mayor raises their right hand. This gesture is purely symbolic. It is meant to emphasize the solemnity of the oath.

## Confirmation of the Senat

It is also the duty of the representatives in the *Bürgerschaft* to confirm the appointments to the *Senat*. The mayor submits their choices for the ministerial positions to the *Bürgerschaft*, and the representatives vote to approve or reject the candidates. For more information, see page 47.

If the candidates submitted by the mayor are not approved, they may not take office.

## Monitoring the Senat

Another of the *Bürgerschaft's* duties is to monitor the *Senat*. The right-hand picture shows the cabinet bench at the top right. This is where the senators (i.e. the cabinet members or ministers) and the mayor and deputy mayor sit during meetings of the *Bürgerschaft*.

The ministers must answer any questions posed by representatives in the *Bürgerschaft*. They do not vote in the *Bürgerschaft*. The representatives "control" the *Senat*, in that the *Senat* is answerable to the *Bürgerschaft*.

Part of this control is monitoring the city budget. The *Bürgerschaft* determines the amount of money that may be spent and for which purpose. It checks, changes, and approves or rejects the budget drawn up by the *Senat*. The budget lists all of the city's revenues and expenditures, its assets and its debts.

The *Bürgerschaft* also monitors the work of the *Senat* by means of interpellation - the formal right of the parliament to submit formal questions to the administration. There are both **major** interpellations (*Große Anfragen*) and **minor** interpellations (*Kleine Anfragen*). When a formal question is submitted, the *Senat* is required to reply in writing within a specified amount of time.

Representatives submit *Kleine Anfragen* on many different topics of political interest. They may be submitted by one or more representatives, must be in written form, and must be answered in writing by the *Senat* within eight days.

*Große Anfragen* must be submitted in writing and signed by at least five representatives. The *Senat* has four weeks to answer with an official document.





The *Bürgerschaft's* Presiding Council

# AT THE HEAD OF THE BÜRGERSCHAFT: THE PRESIDING COUNCIL

The Presiding Council is in charge of leading the *Bürgerschaft* sessions. The Council sits at the front of the Plenary Chamber, facing the representatives.

The representatives elect the Presiding Council for the duration of the legislative period during the first *Bürgerschaft* session after the general election. In the current 22nd legislative period, the Presiding Council consists of the president, the primary vice-president, three vice-presidents, and two recording secretaries.

The **president** is a member of the majority party. In this legislative period the primary vice-president is a member of DIE GRÜNE. The three other vice-presidents are from the SPD, the CDU, and DIE LINKE. According to Section 2 of the parliamentary rules of procedure, the *Bürgerschaft* elects four vice-presidents from a list of members who have been proposed by the parties. The primary vice-president is a member of the second-largest party.

The recording secretaries serve as support for the president during the *Bürgerschaft* sessions. They call on representatives who have made requests to speak, for example.

The president of the Hamburg *Bürgerschaft* is the highest ranking representative of the city of Hamburg. He or she protects the rights of the representatives, ensures that the rules of procedure are upheld

with no party bias, and maintains appropriate behavior during the sessions.

President of the *Bürgerschaft*  
Carola Veit



Carola Veit (SPD) is the president of the *Bürgerschaft* for the current legislative period. One of her responsibilities is to preside over the sessions of the

*Bürgerschaft*, with support from the four vice-presidents. She is the primary authority in the chambers on the *Bürgerschaft's* side of the Rathaus. Among her other responsibilities are negotiating and corresponding with the *Senat*, and ceremonial duties like making speeches and welcoming foreign dignitaries.





Questions and a speaker at the podium:  
Representative Mareike Engels from the  
Bündnis 90/DIE GRÜNEN party

# THE BÜRGERSCHAFT SESSION: THE CENTER OF PARLIAMMENTARY DEMOCRACY

The *Bürgerschaft* session is the center of parliamentary democracy. It is here that the propositions and legislation submitted by the *Senat* and parties in the *Bürgerschaft* are passed or rejected. Decisions are also made about reports from committees.

In the decision-making process, arguments from both the majority party or coalition and the opposition are heard. There are discussions and debates. The debates compel the majority party or coalition and the *Senat* to explain their policies and to defend them against attacks from the opposition.

Sometimes it can be quite lively in the *Bürgerschaft* sessions. When a representative is making a speech explaining their views on an issue, other representatives from the opposition parties may heckle the speaker, or call out questions.

Propositions and legislation are passed in the *Bürgerschaft* with a majority vote. There are some exceptions to this rule. Legislation that would change the constitution require that at least three-fourths of the representatives are present and a two-thirds majority of votes.



## What issues do the representatives address?

Hamburg is not only a state, but also a city. The representatives therefore also address issues affecting the municipal administration, for example the funding of children's day care facilities or the construction of housing projects.

Representatives show their approval of a speaker





View of the Plenary Chamber from  
the balcony

# THE SESSIONS OF THE BÜRGERSCHAFT IN THE PLENARY CHAMBER ARE OPEN TO THE PUBLIC

The sessions of the *Bürgerschaft* are generally open to the public. Everyone, including children and young people, may observe the sessions. The dates and issues to be discussed are available on the internet at <https://www.hamburgische-buergerschaft.de/plenarsitzungen/>. You can register to attend a session and order an admission pass by e-mail at [kontakt@bk.hamburg.de](mailto:kontakt@bk.hamburg.de), by telephone at 428 31-24 09 or online at [www.hamburgische-buergerschaft.de](http://www.hamburgische-buergerschaft.de). In addition, every session of the *Bürgerschaft* is broadcast live on the internet at <https://www.hamburgische-buergerschaft.de/buergerschaft-live/>.

## You may also ask questions

If you would like a particular policy issue to be addressed in the *Bürgerschaft*, contact a representative that you trust. You can speak about the issue with them. The representatives have offices and office hours. They are not required to respond to suggestions from citizens, but they often do.

You can find the parties' addresses at <https://www.hamburgische-buergerschaft.de/fraktionen/>

View from the  
visitors' balcony







The Bürgersaal - a room for receptions and committee meetings

# COMMITTEES OF THE BÜRGERSCHAFT

The ornate *Bürgersaal*, with its large fireplace made of black granite, is the room where the president of the *Bürgerschaft* holds smaller receptions.

Committees of the *Bürgerschaft* also sometimes meet here.

The pillars at the sides of the wooden benches are decorated with carved heads. They represent irony, envy, jealousy, and spitefulness. These bad qualities should be left at the door when representatives enter the room for a committee meeting.

***Bürgerschaft* committees are working groups for specific issues.** They are appointed by the *Bürgerschaft*. There are, for example, committees for family issues, for children and young people, for schools, for transportation, and a committee for social issues, labor, and integration. The committees do preparatory work, discuss details, and make recommendations. They then submit their recommendations to the *Bürgerschaft*, so that the representatives are well-informed when making decisions about the issues.

The representatives can request members of the *Senat* to attend committee meetings. They must answer any questions the representatives may have.

The representatives can also invite citizens who have particular knowledge about an issue or who can give an expert opinion on it.

**The committee meetings are generally open to the public.** There is one exception: the meetings are closed when personal details of an individual are discussed, for example meetings of the Committee for Petitions and Complaints.

You may attend a committee meeting without prior notice.

Dates and times of committee meetings are listed at <https://www.hamburgische-buergerschaft.de/termine/>







The Eingabenausschuss -  
Committee for Petitions and Complaints

# FOR REQUESTS AND COMPLAINTS: THE EINGABENAUSSCHUSS

## It's for everyone

One of the important *Bürgerschaft* committees is the *Eingabenausschuss* - the Committee for Petitions and Complaints. You may turn to this committee if you feel you have been treated unfairly by public agencies of the City of Hamburg. You may submit a complaint if, for example an agency (*Behörde*) has made a decision that you think is incorrect, or if you feel that an office or agency treated you with disrespect.

Anyone can request help from the Committee for Petitions and Complaints, regardless of their nationality. Adults, children, youth, prisoners, and stateless persons are all eligible.

Meetings of the Committee for Petitions and Complaints are not open to the public, and members of the committee are sworn to secrecy.

Whether it's about public assistance benefits, building laws, prison conditions, or residence permits – all petitions and complaints may be submitted, as long as they concern a public or state institution of Hamburg. For cases that involve the revocation of a residence permit, for example, there is an established practice for rapid processing.

Complaints about **private issues** like disputes with a neighbor, family problems, or tenancy issues may not be submitted. The committee is also not allowed to review decisions of a court, as it may not interfere in the independence of the judiciary.

**There are no rules about how a petition or complaint is to be formulated.** There is also no charge for submitting one. It helps the committee to come to a decision if you can present copies of your correspondence or other important documents.

**Important:** You must give your name and address, and you must sign the petition or complaint. You may use the online form, available at <https://www.buergerschaft-hh.de/eingaben>

You can also send a letter by mail to **Eingabendienst, Geschäftsstelle des Eingabenausschusses der Hamburgischen Bürgerschaft, Schmiedestraße 2, 20095 Hamburg**. E-Mail: [eingabendienste@bk.hamburg.de](mailto:eingabendienste@bk.hamburg.de)

Guidelines for submitting a petition or complaint are available at [www.hamburgische-buergerschaft.de/eingabeverfahren](http://www.hamburgische-buergerschaft.de/eingabeverfahren)

**The Committee for Petitions and Complaints has regular times during which people may present their cases.** You can ask about the times at the committee office, tel: 42831-1324. Office hours are listed at <https://www.hamburgische-buergerschaft.de/eingaben/>

Petitions and complaints are submitted to the *Senat*, which then responds with a statement on the issue. The members of the Committee for Petitions and Complaints review the case and submit an evaluation of the legal aspects to the committee. The committee then reaches a decision and submits a recommendation to the *Bürgerschaft*, which submits its decision on how the complaint should be handled to the *Senat*. The *Senat* makes the final decision about whether or not to accept the *Bürgerschaft*'s recommendation. The *Senat* is required to explain its decision.





Senat Stairway



# THE HAMBURG SENAT: THE STATE ADMINISTRATION

On the right side of the Rathaus, a red-carpeted stairway leads to the *Senat* chambers.

At the top of the stairway is the entrance to the *Senat* chambers. The doorway is flanked on either side with marble statues representing mercy (left) and justice (right). The chambers are called the *Senatsgehege*. Today the word *Gehege* is generally used for an enclosed area for animals in a zoo or wildlife park, but its older meaning was simply “a closed off area.” The ornate bronze gate that closed off the *Senat* chambers remains in place today.

## Which parties are represented in the Senat?

In this legislative period, the ministers in the *Senat* are from both the Social Democratic Party (SPD) and the Bündnis 90/DIE GRÜNEN (the Green Party). See page 31 for more information. When the *Senat* is a coalition, the coalition partners must agree on a common platform. This platform is codified in a coalition agreement. There are no members of the opposition parties in the *Senat*.

In the hallway of the *Senatsgehege*: The painting to the right is of Hamburg's first female minister, Paula Karpinski (SPD). She was appointed as Minister of the Department of Children's Welfare in 1946.







The Mayor's Chambers

# THE FIRST MAYOR: HEAD OF THE SENAT

## The mayor's deputy: the Second Mayor



On the second floor of the right side of the Rathaus are the Mayor's Chambers. The mayor uses these rooms to receive visitors.

In this legislative period, Hamburg's First Mayor is Dr. Peter Tschentscher. He is a member of the Social Democratic Party (SPD). The Second Mayor is Katharina Fegebank. She is a member of the Bündnis 90/DIE GRÜNEN. Ms. Fegebank is also the Minister of the Department of Science, Research, Equal Opportunities, and Districts. This is the ministry that addresses issues of the equality of women and men.



### What does the First Mayor do?

The First Mayor is the head of the *Senat*. He conducts the *Senat*'s business and determines policy directives. Policy directives are contained in the government policy statement, which the mayor issues after the ministers have been appointed to the *Senat*. The ministers are bound to abide by this policy statement. As the head of the *Senat*, the mayor may request information from the ministries at any time.

If you have a problem with any of the ministries or agencies in Hamburg, you may contact the First Mayor's *Bürgerbüro* (Citizens' Office) at [Buergerbuero@sk.hamburg.de](mailto:Buergerbuero@sk.hamburg.de)

**The *Bürgerschaft* elects the First Mayor by secret ballot.**

After the First Mayor is elected, he or she appoints the Second Mayor and the ministers (*Senatoren*). Persons not affiliated with a party may be chosen to fill these posts.

The *Bürgerschaft* must approve the ministers appointed by the First Mayor. The approval process is by secret ballot. For more information about the election of the First Mayor and the approval of ministers, see page 33.

Since it is the First Mayor who appoints ministers, he or she can also remove them from their posts.

**The First Mayor's and the ministers' terms in office end when a new *Bürgerschaft* is elected.** A legislative period is generally five years.

Ministers' terms in office also end if the First Mayor resigns from office.

Each minister may resign their office at any time.

**If the *Bürgerschaft* is dissatisfied with the First Mayor, it holds a vote of no confidence.** If the vote of no confidence is successful, the *Bürgerschaft* elects a new First Mayor.



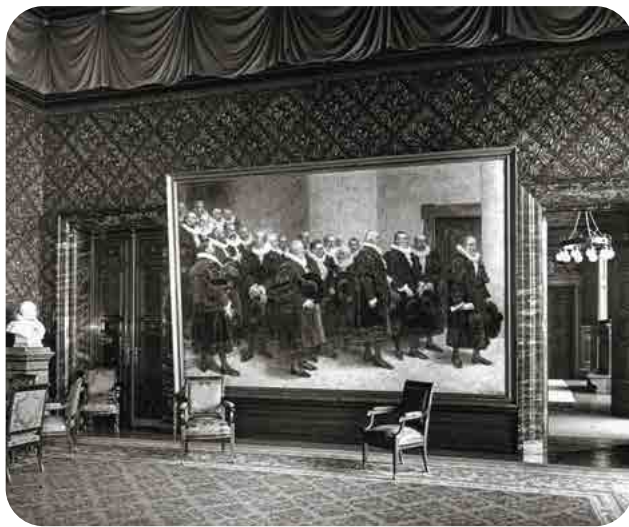


The Senat of the 22nd legislative period  
(as of April 2023)

# THE MINISTERS FORM THE CABINET

The *Bürgermeistersaal* is on the second floor of the Rathaus. In this room hangs a large painting of the ministers from 1897. On special occasions, they wore ceremonial robes of office with Spanish ruffs. The robes weighed 35 kilograms. After 1919, ministers no longer wore these robes.

For many years, after the *Bürgerschaft* election and after the ministers had been appointed and approved, a group photo of the new *Senat* was taken in front of this painting.



In the 22nd legislative period, a new backdrop was chosen for the group photo of the ministers and the First Mayor - the *Senat* Stairway. The ministers lead Hamburg's 11 ministries.

Senator **Karen Pein** (SPD), **Minister for Urban Development and Housing**

Senator Dr. **Anjes Tjarks** (Bündnis 90/DIE GRÜNEN), **Minister for Transportation and Mobility Transition**

Senator **Melanie Schlotzhauer** (SPD), **Minister for Labor, Health, Social Welfare, Family, and Integration**

Senator **Anna Gallina** (Bündnis 90/DIE GRÜNEN), **Minister for Justice and Consumer Protection**

Senator Dr. **Carsten Brosda** (SPD), **Minister for Culture and Media**

Senator Dr. **Melanie Leonhard** (SPD Minister for Economic Affairs and Innovation)

Senator Dr. **Andreas Dressel** (SPD), **Finance Minister**

Senator **Jens Kerstan** (Bündnis 90/DIE GRÜNEN), **Minister for the Environment, Climate, Energy, and Agriculture**

Second Mayor of Hamburg and Senator **Katharina Fegebank** (Bündnis 90/DIE GRÜNEN), **Minister for Science, Research, Equal Opportunities, and Districts**

Senator **Ties Rabe** (SPD), **Minister for Education**

Senator **Andy Grote** (SPD), **Minister for Internal Affairs and Sport**

First Mayor of Hamburg Dr. **Peter Tschentscher** (SPD). **He is leader of the Senat.**





Great Hall decorated for the  
St. Matthias Feast

# THE SENAT IS HEAD OF STATE OF THE CITY-STATE OF HAMBURG

Every year around February 24<sup>th</sup>, the St. Matthias Feast is celebrated in the Great Hall in the Hamburg Rathaus. This celebration first took place in 1356, and it is the oldest state banquet in the world. The 24<sup>th</sup> of February is the feast day for the Christian saint Matthias, and was traditionally considered to be the first day of spring. In earlier centuries, the *Senatoren* received their appointments on this day and chose the First Mayor. It developed into a tradition to invite representatives of other cities, countries, and influential organizations to the celebration. Today, more than 400 guests are welcomed in the 720m<sup>2</sup> Great Hall, where they take their places at beautifully decorated banquet tables. Guests come from the worlds of politics, business, culture, and science. Representatives from the large religious communities and from international organizations are also invited. Prominent people from all over the world attend the banquet, including national presidents, heads of state, and kings and queens.

The St. Matthias Feast is a special occasion for the *Senat*. As the head of state of the city-state of Hamburg, the *Senat* is responsible for organizing receptions of dignitaries and state visits, and for presenting honors, awards, and prizes.

In its function as the head of state, the *Senat* has other duties as well. It represents Hamburg to the national government and to other German states. It is also Hamburg's representative to foreign countries, and as such has an office in Brussels in order to remain in contact with the European Union.



President Frank-Walter Steinmeier signs the Golden Book of the Free and Hanseatic City of Hamburg, 22 February 2019



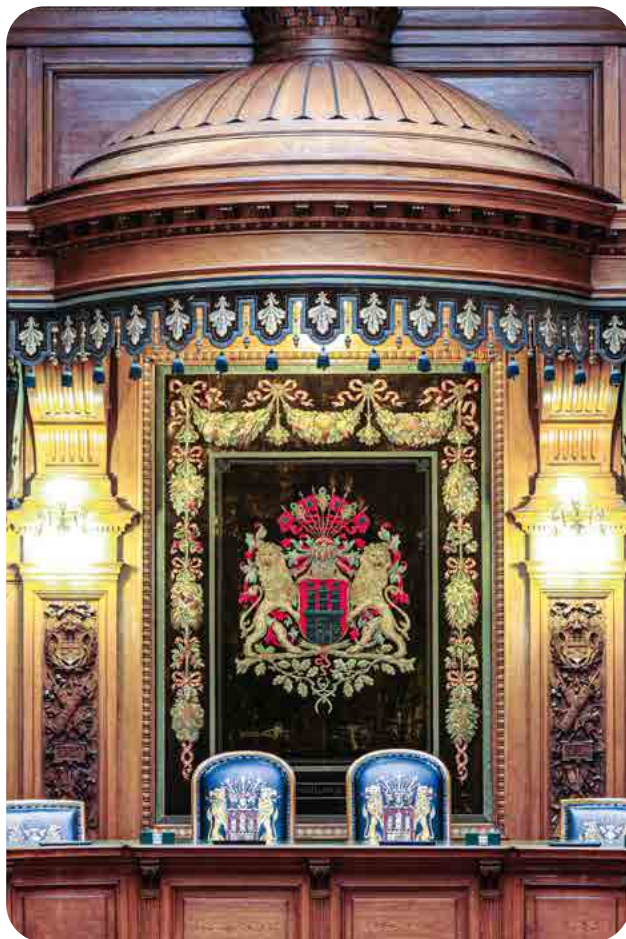


The Ratsstube

# SENAT MEETINGS

Every Tuesday at 12:00, the *Senat* meets in the *Ratsstube* (Council Chamber) on the second floor of the Rathaus. The First Mayor chairs the meetings, which are not open to the public.

The mayor and deputy mayor sit under a baldachin, or a canopy of state. To either side of them around the table sit the senators, the press secretary of the *Senat*, and the senators' advisors.



In its meetings, the *Senat* decides unanimously on bills proposed by the ministries. These bills have been discussed in preliminary meetings. Externally, the *Senat* acts as a unit and speaks with one voice. The Speaker of the *Senat* and the deputy speaker participate in the *Senat* meeting, since they will report the results at the state press conference, which takes place immediately after the meeting.

The projects of the *Senat* are governed by a contract that was agreed upon by the parties that have formed a coalition in the *Bürgerschaft* and of which the ministers are members. The First Mayor determines the policy guidelines and is responsible to the *Bürgerschaft* for them.

**There are many issues which the *Senat* can consider and make decisions about.**

At its meetings, the *Senat* decides, for instance, on all motions and communications to be submitted to the *Bürgerschaft* as well as answers to major and minor interpellations from the members of the *Bürgerschaft*. In addition, it discusses and resolves all matters having to do with organs of the federal government, in particular with the Bundesrat, other states, the European Union, or foreign countries, insofar as the matters do not form part of the day-to-day administration.

The *Senat* needs the approval of the *Bürgerschaft* for many projects, especially for anything pertaining to finances. The *Senat* puts together a budget, which is then submitted to the *Bürgerschaft* for debate and approval. If the *Senat* needs more money, it must submit a request to the *Bürgerschaft*.

The First Mayor and the Second Mayor sit under this wooden canopy

A baldachin is a canopy of state under which dignitaries sit







