

# 聯邦參議院在德國「府際關係」互動中的運作與功能

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本文探討德國聯邦制度中邦與聯邦參議院的關係，其中聯邦參議院發揮的立法、行政功能與司法參與，將是探討的重點。德國聯邦參議院如何在複雜的邦與聯邦利益中折衝協調，其制度規範中所展現的合作、妥協精神，對欲追求建立和諧府際關係的台灣，應有參考價值。尤其，政治利益最終都是以政策立法的形式實現，透過聯邦參議院在聯邦立法過程中，所牽涉的政黨與府際關係（聯邦與邦，及各邦之間）利益協商，將瞭解德國府際關係藉由聯邦參議院運作的精髓。結論中，將探究德國聯邦參議院在德國聯邦政治體系中所扮演的角色，希冀透過聯邦參議院的研究，發現目前德國聯邦制度發展所面臨的困境與挑戰。

**關鍵詞：**聯邦參議院、聯邦制度、府際關係、德國政府與政治

# **The Operation and Functions of the German Senate in Inter-governmental Relationships**

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## **ABSTRACT**

This article will analyze the role of the German senate in the legislative, administrative and judicial functions of the German federal system.

How the German senate operates in complex interests between the state and federal governments, and how the 16 states and the federation engage in cooperation and compromise through the operation of the senate will provide a good reference for Taiwan to establish harmonious relationships between the central and the local governments. Especially by examining how political interests are realized through policy-making with negotiations between different political parties and the interactions between the different level governments in the legislative process, we will better understand the importance of the role of the German senate. In conclusion, we expect to uncover the current difficulties and challenges in the development of the German federal system.

**Key Words:** German senate, federal system, inter-governmental relationships, German politics and government