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Reform des Bundestags- wahlsystems

Bewertungskriterien und Reformoptionen

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Executive Summary

In 2013, the German Bundestag introduced the first substantial electoral reforms to the system in decades. The reform came about through a broad-based multi-partisan compromise and complies with key requirements stipulated by Germany's Federal Constitutional Court in two previous judgments. However, the reform has two major drawbacks. In addition to rendering an already complex system even more complicated, the reform can have a negative impact in normative terms. One such effect is a significant increase in the number of seats in the Bundestag. In Germany's current party system – which is increasingly subject to fragmentation as the two traditional parties (CDU/CSU and SPD) continue to lose votes – it's entirely realistic that the Bundestag could grow by up to 100 seats. And yet, if parties with a smaller share of votes are nonetheless given an equal number of or even more seats, this dynamic will distort, if not undermine, the intended spirit of elections.

Given this state of affairs, a reform of the reform seems inevitable. This will prove difficult, however, as all stakeholders want to retain the basic structure of proportional representation for constituency candidates (first votes), which is, however, the source of rather precarious side effects. Whereas the previous system left overhang seats uncompensated, the new system faces the challenge of limiting unfettered seat growth. The question then becomes how to retain the framework of proportional representation for constituency candidates without distorting a party's national proportionality or triggering major Bundestag growth.

The study presented here delineates the theoretical and empirical foundations of a reform of the Bundestag electoral system. For the purposes of this study, we developed context-specific assessment criteria for such a reform and examined selected reform options in order to determine the extent to which they meet the criteria. The recommendations are applied to different elements of the electoral system such as electoral district structuring (constituency boundaries), forms of voting and procedures for vote allocation.

The findings show that a viable reform of the Bundestag electoral system requires a change in constituency boundaries in order to preclude overhang seats. In turn, this prevents proportional distortions among parties in the Bundestag from emerging that would require seat compensation. The study presents in detail two potential reform types here: introducing dual electoral districts and reducing the number of single electoral districts. All other reform options would instead allow for overhang seats and therefore, at best, merely mitigate problems. This is true most notably of the oft-suggested idea of introducing a single vote system. Though this option has its benefits, it would not prove an effective remedy for the overhang seat problem. The same applies to all other reform variants that target changes in Bundestag seat calculations as they fail to provide a sustainable means of maintaining a stable Bundestag size and proportionality among parties should overhang seats be required.