

Comparative Study of Electoral Systems Macro-Level Data: Germany

Part I: Data Pertinent to the Election at which the Module was Administered

1. Variable number/name in the dataset that identifies the primary electoral district for each respondent.

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2. Names and party affiliation of cabinet-level ministers serving at the time of the dissolution of the most recent government.

Name of Cabinet Member	Name of the Office Held	Political Party
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See EJPR 34:3-4, 404 f.

3. Political Parties (active during the election at which the module was administered).

Name of Political Party	Year Founded	Ideological Family Party is Closest to	International Organization Party Belongs to (if any)
CDU	1945	christian democaratic	CD International
CSU	1945	christian democaratic	CD International
SPD	1863	social democratic	Soc International
FDP	1948	right liberal	Lib International
Die Grünen	1980	ecology	The Greens
Republikaner	1983	national (extreme right)	
PDS	1989	socalist (ex-communist)	
DVU	1971	national (extreme right)	

4. (a) Parties position in left-right scale (in the expert judgment of the CSES Collaborator):

Party Name	LEFT										RIGHT											
1. CDU	0	1	2	3	4	5	X	7	8	9	10	0	1	2	3	4	5	6	X	8	9	10
2. CSU	0	1	2	3	4	5	6	X	8	9	10	0	1	2	3	4	5	6	7	8	9	10
3. SPD	0	1	2	3	X	5	6	7	8	9	10	0	1	2	3	4	5	6	X	8	9	10
4. FDP	0	1	2	3	4	5	6	X	8	9	10	0	1	2	3	4	5	6	7	8	9	10
5. Grüne	0	1	2	X	4	5	6	7	8	9	10	0	1	2	3	4	5	6	7	8	X	10
6. Republikaner	0	1	2	3	4	5	6	7	8	X	10	0	1	X	3	4	5	6	7	8	9	10
7. PDS	0	1	X	3	4	5	6	7	8	9	10	0	1	2	3	4	5	6	7	8	X	10
8. DVU	0	1	2	3	4	5	6	7	8	X	10											

4. (b) If you have asked respondents to rank political parties on a dimension other than the left-right dimension, please also provide your own rankings on this other dimension.

NOT APPLIED.

5. In your view, what are the five most salient factors that affected the outcome of the election (e.g. major scandals; economic events; the presence of an independent actor; specific issues)?

1. widespread tiredness with the outgoing government, in particular the agony -- after his long-lasting chancellorship -- of Helmut Kohl
2. economic conditions, in particular mass unemployment
3. an attractive candidate for chancellorship of the oppositional SPD, Gerhard Schroeder
4. his professional 'postmodern' media campaign à la Clinton and Blair
- 5.

6. Electoral Alliances

Sometimes, electoral alliances are made at the constituency level as, for example, in Finland. Documenting who is allied with whom, and how, in each constituency is a large task and we do not expect you to do more than make some general reference to the existence of constituency-level alliances. Sometimes, electoral alliances are made at the national level - these are the alliances that we would like you will identify. Information is sought on who is allied with whom and on the nature of the electoral alliance.

- a) Were electoral alliances permitted during the election campaign?  
 Yes  No
- b) (If yes) Did any electoral alliances form?  
 Yes  No
- c) (If yes to b) List the party alliances that formed:

Name of Alliance	Parties in the Alliance
Alliance 1: _____	_____
Alliance 2: _____	_____
Alliance 3: _____	_____
Alliance 4: _____	_____
Alliance 5: _____	_____

7. (If a presidential election was held concurrently with the legislative elections) List presidential candidates ..

Name of Presidential Candidate	Party of Candidate*
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\*or parties, if multiple endorsements are allowed.

8. If the national team plans to collect aggregate election returns (or constituency-level returns) please include these returns with the study materials provided when the data are archived.

#### Part II: Data on Electoral Institutions

A central theme in the Comparative Study of Electoral Systems concerns the impact of electoral institutions on voting behavior and election outcomes. In order to assess the impact of institutions properly, a necessary preliminary step is to obtain accurate information on those institutional arrangements. The purpose of this document is to describe the kind of information we are asking you to provide.

##### Overview of Information Needed

In most countries, the best source of the needed information is the electoral statute or code that currently governs lower house elections. If the text of the law is available in a variety of different languages, please send a version in the most accessible language available. In any event, please also provide full bibliographic information on the source of the information sent.

[The *Bundeswahlgesetz* is on the net at: <http://www.bundestag.de/gesetze/bwg/bwg.htm>, the *Bundeswahlordnung* at <http://www.bundestag.de/gesetze/bwo/bwo.htm>]

In a few countries, such as the U.K., there may not be a single statute that governs elections. In such cases, our hope is that you will do your best to provide an accurate description of the electoral system in response to the detailed questions described below.

For those countries in which there is an electoral statute, there may also be other sources of information on the electoral procedure that you know of: perhaps the constitution specifies part of the electoral system, or perhaps a local scholar has written a description of the electoral system, or perhaps there is a map of the electoral districts available. It would be helpful if these materials could be sent as well.

##### Details of Information Needed

The kinds of details that are needed are indicated by the following list of questions. If you are sending a copy of the electoral code, then there is no need to answer these questions separately. If you are not sending the electoral code, then these questions may help in deciding what to send.

#### I. QUESTIONS ABOUT ELECTORAL DISTRICTS.

Definitions: An electoral district is defined as a geographic area within which votes are counted and seats allocated. If a district cannot be partitioned into smaller districts within which votes are counted and seats allocated, it is called primary. If it can be partitioned into primary districts, and there is some transfer of votes and/or seats from the primary districts to the larger district, then the larger district is called secondary. If a district can be partitioned into secondary districts (again with some transfer of votes and/or seats), it is called tertiary.

In some electoral systems, there are electoral districts that are geographically nested but not otherwise related for purposes of seat allocation. In Lithuania, for example, there are 71 single-member districts that operate under a majority runoff system, and also a single nationwide district that operates under proportional representation (the largest remainders method with the Hare quota). Neither votes nor seats from the single-member districts transfer to the nationwide district, however. The two processes are entirely independent (with voters having one vote in each district). In this case, the nationwide district, although it contains the 71 single-member districts, is not considered to be secondary. It is primary. One might say that there are two segments to the electoral system in such cases.

1) How many segments (as just defined) are there in the electoral system? **2**

For the first segment, please answer the following questions (questions 2 through 11):

2) How many primary electoral districts are there? **328**

3) For each primary electoral district, how many members are elected in that district? **1**

4) How many secondary electoral districts are there? **1**

5) How many tertiary electoral districts are there? **none**

II. QUESTIONS ABOUT VOTING.

6) Exactly how are votes cast by voters?

6a) How many votes do they or can they cast? **2**

6b) Do they vote for candidates, for lists, or for both? (Explain)

Each voter has two votes. One is the first vote [Erststimme] which is given to one of the constituency candidates and determines who wins the the constituency mandate [Direktmandat]. The other is the second vote [Zweitstimme] which is given to party lists and determines the party proportions in parliament.

7) Are the votes transferable? **NO**

8) If more than one vote can be cast, can they be cumulated? **NO**

9) Are there any other features of voting that should be noted?

In theory there are 656 members of the Bundestag, one half of them (328) being directly elected from the constituencies and the other half being indirectly elected via the state lists. Party proportions of the seats are determined according to their share of the second vote. If a party won more direct seats than its share of the second vote would allow, party proportions are adjusted by granting the other parties so-called surplus mandates [Überhangmandate]. Therefore, in practice, the number of deputies might exceed 656.

III. QUESTIONS ABOUT CONVERTING VOTES INTO SEATS.

10) Exactly how are votes converted into seats? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

10a) Are there legally mandated thresholds that a party must exceed before it is eligible to receive seats? **yes**

If so, what is the threshold? **5 per cent**

10b) What electoral formula or formulas are used? \_\_\_\_\_  
 \_\_\_\_\_

11) If there are lists, are they closed, open, or flexible?  
 closed \_\_\_\_\_  
 flexible, but in practice virtually closed \_\_\_\_\_  
 flexible \_\_\_\_\_  
 flexible, but in practice virtually open \_\_\_\_\_  
 open \_\_\_\_\_

Definitions: A list is closed if the seats that are awarded to that list are always occupied by the candidates in order of their appearance on the list (i.e., if the list gets x seats then necessarily the top x names on the list get the seats). A list is open if the question of which candidates on the list get the seats that are awarded to the list is determined solely by the votes that each candidate receives. A list is flexible if it is neither closed nor open.

IV. QUESTIONS ABOUT THE POSSIBILITIES OF ELECTORAL ALLIANCE.

12) What are the possibilities of alliance in the system? NONE

12a) Can parties run joint lists? NO

12b) Is there apparentement or linking of lists? NO

12c) Can candidates run with the endorsement of more than one party? NO

12d) Do parties withdraw their lists or candidates in some constituencies, urging their supporters there to vote for an ally's list or candidate? NO

12e) Other? \_\_\_\_\_

Definitions: A joint list refers to one on which candidates of different parties run together. Apparentement refers to a legal agreement between two or more lists to pool their votes for the purposes of an initial seat allocation, with seats initially allocated to the alliance then reallocated to the lists in the alliance.

13) If joint lists are possible, are they subject to different regulations than single-party lists? For example, higher thresholds, different numbers of candidates that may appear on the list, etc.

14) If apparentement is possible, what lists can participate in such agreements  
lists of the same party in the same constituency? \_\_\_\_\_  
lists of the same party from different constituencies? \_\_\_\_\_  
lists of different parties in the same constituency? \_\_\_\_\_

15) If candidates can run with the endorsement of more than one party, is this reflected on the ballot?

Yes, candidate's name appears once, together with the names of all supporting parties \_\_\_\_\_

Yes, candidate's name appears as many times as there are different parties endorsing him or her, each time with the name of the endorsing party \_\_\_\_\_

Yes, other (please explain) \_\_\_\_\_

No party endorsements are indicated on the ballot paper \_\_\_\_\_

Part III: Data on Regime Type

Below are various questions about the type of regime--presidential, parliamentary, semi-presidential--in your country. There are two potential problems with these questions that should be noted at the outset. First, in some countries there may be a discrepancy between the de jure (or legal) situation and the de facto (or practical) situation. For example, in Great Britain the Queen still possesses a legal right to veto legislation, but this right has not been exercised since 1707. In the case of such obviously obsolete powers, please answer according to the de facto situation. Otherwise, describe the de jure situation. A second potential problem is that the questions may not be phrased optimally for the situation in your particular country. In such cases, please answer as best you can, providing some indication of the difficulties as you see them.

I.) Questions regarding the Head of State.

1) Who is the Head of State?

President

Monarch

Prime Minister serves as ceremonial head of state

Other (please specify) \_\_\_\_\_

2) How is the head of state selected?

Direct election

Indirect election

Birth right

Divine right

Other (Explain) \_\_\_\_\_

a) If by direct election, by what process?

Plurality election

Run-off or two-ballot system

Other (Explain) \_\_\_\_\_

(i) If by run-off system, what is the

Threshold for first-round victory? \_\_\_\_\_  
Threshold to advance to second round? \_\_\_\_\_  
Threshold for victory in second round? \_\_\_\_\_

b) If by indirect election, by what process?

Electoral college

\_\_\_\_\_ Selection by the legislature

\_\_\_\_\_ Other (Explain) \_\_\_\_\_

(i) If by electoral college,

How are electors chosen?

The electoral college is called federal convention [Bundesversammlung] and consists of all members of the federal parliament [Bundestag] and an equal number of members of the state parliaments [Landtage] that are selected in accordance with party proportions in the state chambers.

Does the electoral college deliberate? **No**

What is the voting procedure used by the electoral college?

**Majority vote -- qualified majority first, then simple majority if a qualified majority was not reached in two rounds**

(ii) If by the legislature,

By which chamber(s) of the legislature?

What is the voting procedure used?

3) If there is a Head of State, does the Head of State have the following powers? [Check all that apply.]

a) Introduce legislation? **NO**

b) Require expedited action on specific legislation? **NO**  
If yes, what is the default if the legislature takes no action?

Definitions: A Head of State possesses a partial veto when he or she can target specific clauses of a piece of legislation for veto, while promulgating the rest. In the U.S., such vetoes are sometimes called line item vetoes. A Head of State possesses a package veto when he or she can veto the entire piece of legislation submitted by the legislature, but cannot veto some parts and accept others.

c) Package veto? **NO**

If yes, what is the requirement to override the veto?

d) Partial veto? **NO**

If yes, what is the requirement to override the partial veto?

e) Legislate by decree? **NO**

If yes, does this require that the legislature must first specifically delegate decree authority to the head of state by statute?  Yes  No

If yes, are there restrictions on the policy areas in which the head of state can legislate by decree?  Yes  No

If yes, are there other restrictions on the head of state's authority to legislate by decree?  Yes  No

f) Emergency powers? **NO**

If yes, what actions can the head of state take under emergency authority?

If yes, under what conditions can the head of state invoke emergency authority?

If yes, what restrictions are there on the head of state's authority to invoke and exercise emergency authority?

g) Negotiate treaties and international agreements? **NO**

If yes, what other requirements are there for approval of treaties and international agreements negotiated by the head of state?

h) Commander of the armed forces? **NO**

If yes, does the head of state control promotions of high-ranking officers?

Yes  No

If yes, can the head of state dismiss or demote high-ranking officers?

Yes  No

If yes, can the head of state mobilize and demobilize troops?  Yes  No

j) Introduce referenda? **NO**

If yes, under what conditions?

k) Refer legislation to the judicial branch for review of constitutionality? **NO**

m) Convene special legislative sessions? **NO**

If yes, is this the head of state's power exclusively, or can any other (s) do this as well?  Yes, other power  No other powers

(If yes, explain): \_\_\_\_\_

## II.) Questions about the Head of Government.

1) Who is the Head of Government?

President

Prime Minister (or equivalent)

Other (please specify) \_\_\_\_\_

2) If the Head of Government is a prime minister, how is the prime minister selected?

Appointed by the head of state alone

Appointed by the legislature alone

Nominated by the head of state, and approved by the legislature

Nominated by the legislature, and approved by the head of state

Other (Explain): \_\_\_\_\_

3) If there is a prime minister, what authorities does the prime minister have over the composition of the cabinet? [Check all that apply.]

Names ministers and assigns portfolios alone

Nominates ministers for approval by the president

Reviews and approves ministerial nominations made by the president

Dismisses ministers and reassigns portfolios at own discretion

Other (Explain): \_\_\_\_\_

4) If there is a prime minister, what authorities does the prime minister have over the policy making process? [Check all that apply.]

Chairs cabinet meetings

Determines schedule of issues to be considered by the legislature

Determines which alternatives will be voted on by the legislature, and in which order

Refers legislative proposals to party or legislative committees

Calls votes of confidence in government

Other (Explain) \_\_\_\_\_

III.) By what method(s) can cabinet members, or the entire cabinet, be dismissed? [Check all that apply.]

By the head of state alone

By the prime minister alone

By majority vote of the legislature where a majority of all legislators is required

By majority vote of the legislature where a majority of those legislators voting is required

By some combination of the above, acting in concert (Explain)

Other (Explain) \_\_\_\_\_

IV.) Can the legislature be dissolved prior to regularly scheduled elections? **Yes**

1) If yes, by what method?

By the head of state alone

- By the prime minister alone
- By majority vote of the legislature
- By some combination of the above, acting in concert (Explain)

Other (Explain)

If a vote of confidence is not obtained by the chancellor, the President of the Republic can -- following a proposal of the chancellor -- dissolve the federal parliament within 21 days and call for a new election. The parliament cannot be dissolved if it is able to elect, by qualified majority, another chancellor during that period.

2) If yes, are there restrictions on when and how the legislature can be dissolved?  
[Check all that apply.]

On the timing of dissolution (e.g. not within one year after a legislative election) **see above**

As a response to action/inaction by the legislature (e.g. only when the legislature has censured the cabinet; e.g. only if the legislature fails to pass the budget) **see above**

Other (Explain) \_\_\_\_\_