

# **Proportional Representation and Electoral Equality: An Analysis of the Electoral System of the Bundestag of the German Federal Republic**

*Chien-Liang Lee*

## **Abstract**

The mixture of the single-member district system and proportional representation in the election of delegates to the Bundestag of the German Federal Republic is an unusual design, both for vote casting and seat allocation. Viewed constitutionally, the most controversial issue regarding the operation of the German system is the question of whether the principle of electoral equality has been violated. Especially noteworthy, is the peculiar design for additional seats, which affects not only the total number of Bundestag seats, but also party structure in the parliament. From the perspective of electoral equality, this paper explores the constitutional issues related to the German electoral system and attempts to clarify the relationship between proportional representation and electoral equality. The paper begins by describing the legal foundations and characteristics of Germany's proportional representation system. Next, it discusses the relationship between proportional representation and electoral equality, through an examination of the decisions of the German Federal Constitutional Court. In addition, a theoretical analysis is provided of the constitutional issues generated by the 13th election of the Bundestag. This paper concludes by discussing how the German experience may shed light on Taiwan's electoral reform.

**Key Words:** personalized proportional representation, electoral equality, additional seats, basic seats, districting