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Economic Insight

A primer for the German election

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On February 23, Germans will elect a new parliament (Bundestag). We provide an overview of the election day process, how the seats in the new parliament will be distributed and how the new federal government will be elected.

1) What will happen at election day?

The polling stations will be open from 8 am until 6 pm. Immediately after the polling stations close, the TV stations will publish predictions for the election outcome based on a survey of voters outside the polling stations. These forecasts have proven to be fairly accurate in the past. From around 6:20 p.m., the TV stations will first publish “trend projections” and then the first projections, which are increasingly based on the counting of the votes cast. The election result is often as good as certain by 7 p.m. at the latest.

There are usually exceptions when one or more parties are close to the 5% threshold (see also point 2). This is because the shares of the other parties in the seats can still shift to such an extent that certain coalitions become possible or impossible.

2) How are the mandates distributed?

Every voter has two votes. The more important of the two is the so-called second vote. This is because a party's share of the second votes basically determines how many seats that party gets in the new Bundestag.

With the first vote, the voter can partly determine which persons are elected to the Bundestag. There are a total of 299 constituencies in which party candidates compete for a so-called “direct mandate”. The candidate with the most "first votes" is elected. However, since the reform of the electoral system two years ago, not all constituency winners necessarily go on to the Bundestag. If a party wins more constituencies in a federal state than it is entitled to seats based on the share of second votes, the constituency winners of this party who received the lowest share of first votes do not receive a seat in the new Bundestag. If a party is entitled to more seats than it has won constituencies, its remaining seats are filled according to the “state list” drawn up by the parties.

A special feature of German electoral law is that a party only enters the Bundestag if it receives at least 5% of the second votes cast (the so-called 5% threshold). There is only an exception for parties that win at least three constituencies with the first votes. In this case, they receive a number of seats corresponding to their share of the second vote.[1]

3) How is the government formed?

Since 1949, there is only one example for a party winning the absolute majority in the Bundestag (the CDU together with its Bavarian sister party CSU in 1957). Therefore, normally a coalition has to be formed to reach the necessary majority in the Bundestag for a government. Talks on forming a Government usually begin in the week after the election. Initially, there are often general talks in various compositions until it becomes clear which parties will begin coalition negotiations. In some cases, party conferences decided in the past whether their party should start such negotiations.

In most cases, these negotiations are successful and end with the conclusion of a coalition agreement.[2] There is no deadline by which these negotiations must be concluded. Once the negotiations have been concluded, the Bundestag – formally at the suggestion of the Federal President – elects the new Chancellor. This requires a majority of the votes of the members of parliament (so-called chancellor majority). The Federal President then appoints the Chancellor and – at his suggestion – the federal ministers.

If the candidate for the chancellorship fails to achieve an absolute majority in the Bundestag election, further ballots can be held in the following 14 days, in which other candidates can also be elected Chancellor. Once this period has expired, an additional ballot is held immediately, in which the person who receives the most votes is elected ("relative majority"). In this case, the Federal President has 7 days to decide whether to appoint the elected candidate as Chancellor or whether to dissolve the Bundestag and call new elections.

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[1] Parties representing national minorities are another exception. For example, the party of the Danish minority is also represented in the current Bundestag with one MP, although it received significantly less than 5% of the second votes in the last election. (**back to text**)

[2] There was an exception after the 2017 Bundestag elections, when the Liberals (FDP) broke off negotiations with the CDU/CSU and the Greens. (back to text)

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