

GERMANY (FEDERAL REPUBLIC OF)

Date of Elections: November 19, 1972

Purpose of Elections

The elections were held to renew all the members of the *Bundestag* (Federal Assembly), whose premature dissolution was ordered by the Federal President in consequence of the negative result of a vote of confidence for the Government. The vote was asked by the Federal Chancellor himself.

Characteristics of Parliament

Federal legislative power primarily vests in the *Bundestag*; however, the States (*Länder*) constituting the Federation participate, through the *Bundesrat* (the Council of Constituent States) in the legislation of the Federation.

The *Bundestag* is composed of 518 Deputies, of which 22 are elected by the House of Representatives of Berlin (West) and 496 by the voters. The former have a restricted voting power.

The term of the *Bundestag* is 4 years.

The *Bundesrat* consists of Delegates from each of the 10 *Länder* (States). The Delegates must be members of the Government of the *Land* (State) that delegates them. It is the Government of the *Land* that appoints and recalls its Delegates to the *Bundesrat*. The number of Delegates of each *Land* depends on the size of its population: each *Land* having more than 6 million inhabitants may appoint 5 Delegates; each *Land* having between 2 and 6 million inhabitants may appoint 4 Delegates; each other *Land* may appoint 3 Delegates. The votes of each *Land* may be cast only as a block vote.

At the present time, the total number of Delegates from the 10 *Länder* is 41. In addition, Berlin (West) appoints 4 Delegates, but these have no voting powers.

Electoral System

Any citizen is entitled to vote provided he has attained the age of 18 years * and has resided for at least 3 months in the constituency in which he votes (although civil servants, members of the armed forces, employees and workmen in public service who are abroad pursuant to orders, as well as members

* See section *Parliamentary Developments*, p. 13.

of their households, also have the right to vote). Persons under guardianship, the insane, and those whose right to vote has been taken away by court decision may not vote.

Only persons listed on the electoral rolls or having a voter's certificate may actually vote. The rolls are open for public inspection between the 21st and the 14th day preceding the elections. Any person entitled to vote but unable to do so at his place of residence may obtain a voter's certificate and may vote elsewhere or by correspondence.

Any qualified elector who has attained 21 years of age and has been citizen for at least 1 year is eligible as Deputy. He must not be under guardianship or insane, and his right to vote, right to be elected or right to fill public office must not have been taken away by court decision.

Candidatures to the *Bundestag* may be for constituencies or for *Land* party lists.

Candidatures for constituencies may be presented by a political party or by individuals. In the latter case, or where the political party (other than of an ethnic minority) has not at least 5 seats in the *Bundestag* or in the Parliament of the *Land*, the candidature must be supported by at least 200 persons having the right to vote in the constituency concerned. For each constituency, each party may present one candidate only. Such candidate must have been chosen in a secret ballot in which members of the party who have the right to vote in the constituency, or their elected representatives, may participate.

Candidatures for *Land* party lists may be presented by any political party, selected as above. Where the party (other than of an ethnic minority) has not at least 5 seats in the *Bundestag* or in the Parliament of the *Land*, the list must be supported by the signature of 1,000 (but not more than 2,000) of the persons having the right to vote in the *Land* concerned. The list must indicate the names of the candidates in order of preference. In each *Land*, each party may present one list only.

Each voter for Deputies has 2 votes: one (the " first vote ") for an individual candidate in one of the 248 constituencies, and one (the " second vote ") for a party list established, for each of the 10 *Länder*, by each political party. Half of the said 496 Deputies are elected from among the individual candidates (one in each of the 248 constituencies), and half of them on the basis of the said party lists.

Among candidates from a given constituency, the candidate having received the highest number among the " first " votes becomes Deputy.

In each *Land*, a certain number of seats, roughly corresponding to the double of the number of constituencies, is available. Each party is entitled to the number of seats that corresponds to its share in the " second " votes. The computation is made according to the d'Hondt system. The number of

Deputies belonging to the party who were elected in the vote in the individual constituencies is subtracted from the total of the seats available to the party. The remaining number of seats go to the candidates indicated on the party list, in the order in which they were indicated.

Any "second" vote of an elector who has given his "first" vote for a candidate who is not a member of a party or who is a member of a party which has not submitted a party list in the *Land* concerned is disregarded.

The party list of any party (other than of an ethnic minority) that has obtained less than 5 % of all the "second" votes in the country is disregarded unless at least 3 candidates of that party have been elected in the elections in constituencies.

When the seat of a Deputy who was a member of a party which presented a party list becomes vacant, it is filled by the next candidate on that list, even when the Deputy had been elected in an individual constituency. If the seat of a Deputy who was not the member of a political party which presented a party list and who had been elected in an individual constituency becomes vacant, it is filled through a special election in that constituency. Such election must take place within 60 days from the date the seat becomes vacant.

General Political Considerations and Conduct of the Elections

Altogether 7 political parties put up candidates (totalling some 2,750) but only 3 obtained seats in the *Bundestag*: the Social Democratic Party (SPD), the Christian Democratic and Social Union (CDU/CSU), and the Free Democratic Party (FDP). The 4 unsuccessful parties were the German Communist Party (DKP), the European Federalist Party (EFP), the Free Social Union (FSU) and the National Democratic Party of Germany (NPD).

In the electoral campaign, the SPD emphasized the need for normalizing relations between the Federal Republic of Germany and the German Democratic Republic and for establishing closer relations with the Socialist countries of Eastern Europe (the *Ostpolitik*). In economic matters, the SPD favored the lightening of the tax burden on persons with small incomes, the prevention of speculation in real property, and the increased protection of the human environment. The CDU/CSU advocated less haste in the *Ostpolitik* and the necessity of more effective measures against inflation.

The most notable feature of the election were the substantial gains registered by the 2 parties of the Government coalition (SPD and FDP). In comparison with the previous (1969) elections, they gained 3 and 1 million votes, and 5 and 11 seats, respectively. The main opposition party (CDU/CSU) increased, as compared to 1969, the number of its votes by over 1 million but lost 16 seats. This phenomenon resulted largely because persons between 18 and 21 years of

age had the right to vote for the first time in the elections of November 1972.

The new Government is — as was the outgoing Government — a coalition between the SPD and FDP. Sworn in on December 15, it has 18 members: 13 Social Democrats and 5 Free Democrats. Willy Brandt (SPD) is Federal Chancellor.

Statistics

1. Results of the Elections and Distribution of Seats in the Bundestag

	"First" Votes	"Second "Votes
Number of registered voters . . .	41,446,302	41,446,302
Voters	37,761,589(91.1%)	37,761,589 (91.1 %)
Blank or void ballot papers . . .	457,810	301,839
Valid votes.	37,303,779	37,459,750

Political Group	Votes Obtained				Number of obtained in <i>Bundesta</i>	
	" First " Votes	" Second " Votes	" First " Votes	" Second " Votes	" First " Votes	" S
Social Democratic Party (SPD) . . .	18,228,239	17,175,169	48.9	45.8	152	
CDU/CSU	16,925,438	16,806,020	45.4	44.9	96	
Christian Democratic Union (CDU) .	13,304,811			35.2	65	
Christian Social Union of Bavaria (CSU).	3,620,625	3,615,183	9.7	9.7	31	
Free Democratic Party (FDP) . .	1,790,513	3,129,982	4.8	8.4		
National Democratic Party (NPD)	194,389	207,465	0.5	0.6	—	
German Communist Party (DKP)	146,258	113,891	0.4	0.3	—	
European Federalist Party (EFP) . .	7,581	24,057	0.0	0.1	—	
Free Social Union (FSU)	1,864	3,166	0.0	0.0		
						248

*2. Distribution of Members of the Bundestag according to
Professional Category*

Salaried clerks. . . . .	.161
Officials of political and social organizations. . . . .	.74
Self-employed. . . . .	.67
Employees in industry and commerce. . . . .	.57
Present and former members of the Government	50
Employees of public services.	46
Liberal professions.	41
Others.	22
	518

3. Distribution of Members of the Bundestag according to Sex

Men	488
Women.	30
	518

4. Distribution of Members of the Bundestag according to Age Group

23-27. . . . .	.1
28-32. . . . .	.20
33-37. . . . .	.50
38-42. . . . .	.74
43-47. . . . .	.108
48-52. . . . .	.122
53-57. . . . .	.61
58-62. . . . .	.60
63-67. . . . .	.14
68-72. . . . .	.6
73-77. . . . .	.2
	518