

The Role of Second Chambers/Upper Houses

The Bundesrat - The German Experience

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The Bundesrat



Overview

- History
- Constitutional status
- Distinctive features and functions
- Advantages and disadvantages of the Bundesrat model

History of the Bundesrat

- Federal system of the Holy Roman Empire of the German Nation
- German Empire of 1871
- Federal Republic of Germany

Constitutional status

Article 50 of the Basic Law:

“The Länder shall participate through the Bundesrat in the legislation and administration of the Federation and in matters concerning the European Union.”



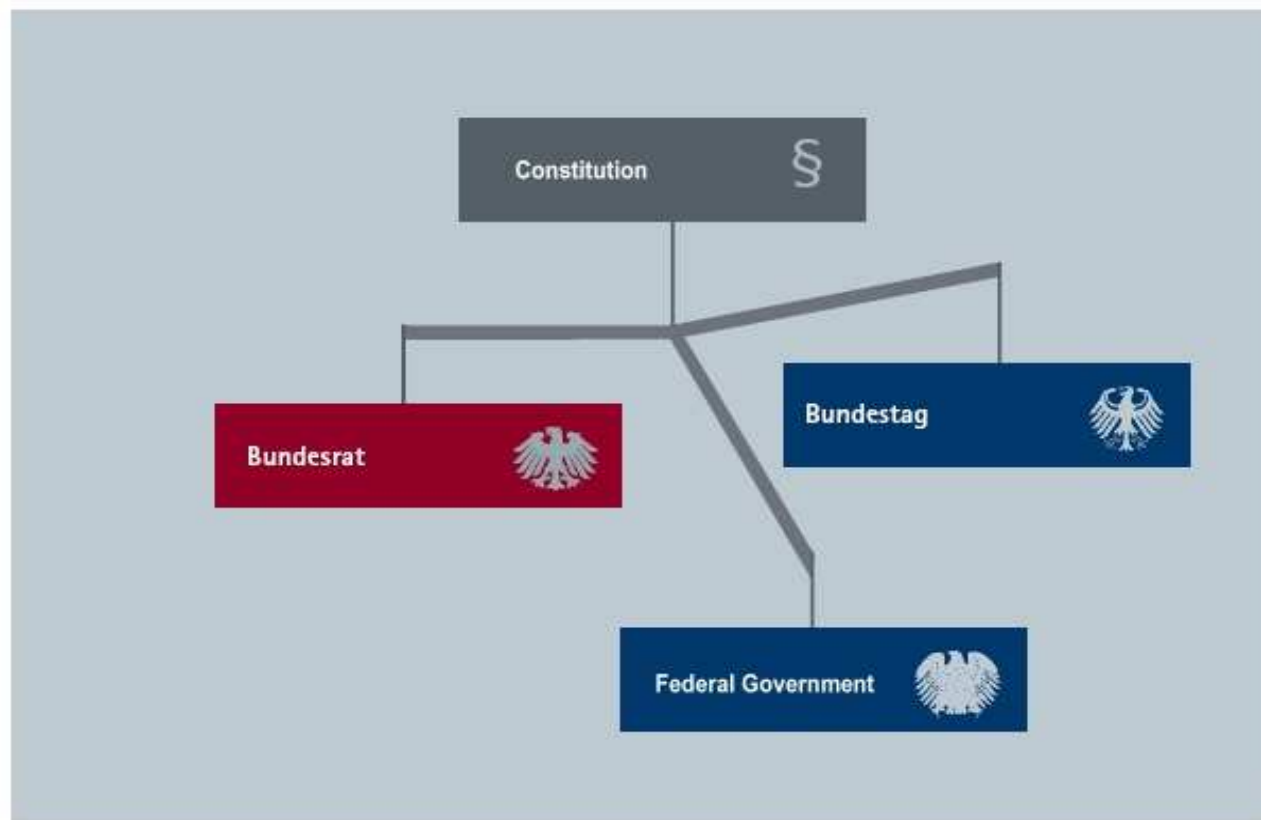
Constitutional status

Federal constitutional body with responsibility for the state as a whole



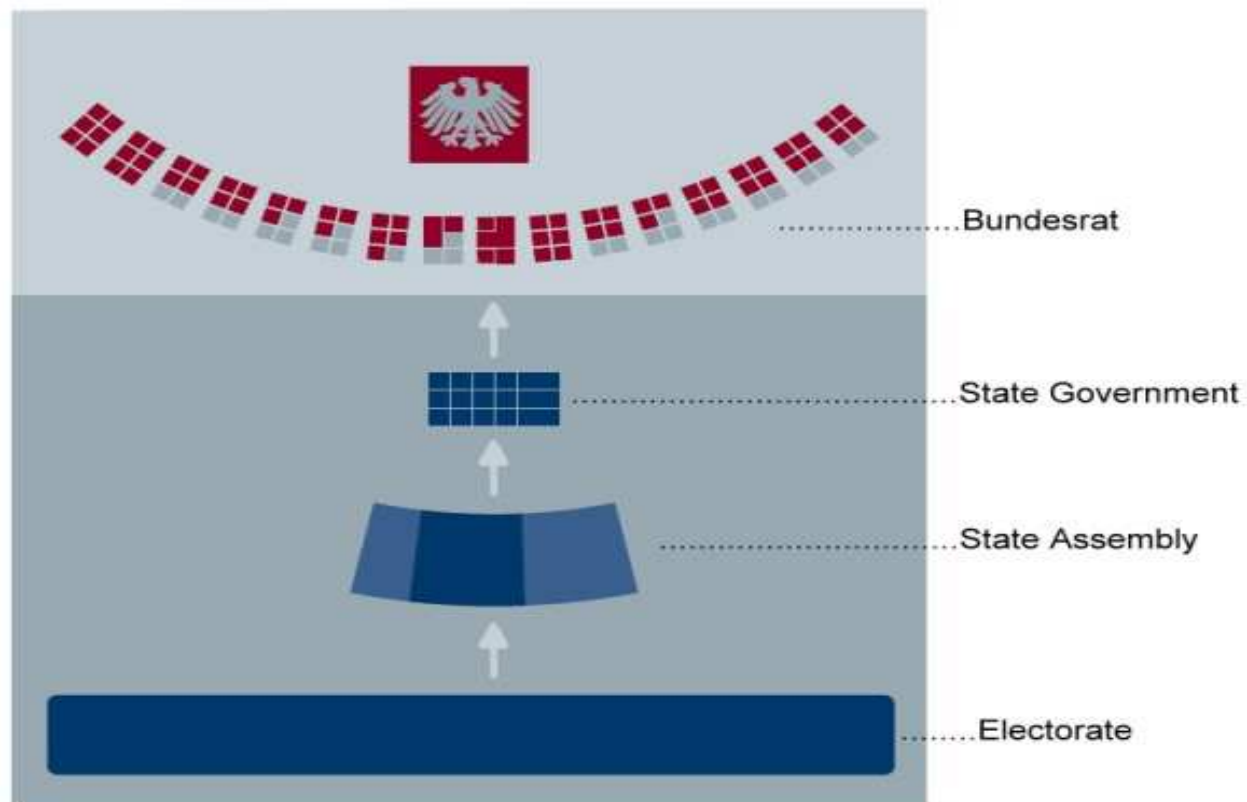
Constitutional status

Institutionalised counterweight



Distinctive features of the Bundesrat model

“Parliament of (Land) executives”



Distinctive features of the Bundesrat model

Tiered system for allocation of votes among the Länder:

- Each Land has at least → 3 votes
- 2-6 million inhabitants → 4 votes
- 6-7 million inhabitants → 5 votes
- Over 7 million inhabitants → 6 votes

Distinctive features of the Bundesrat model

69 votes in all – 69 members

Distribution of votes:

Distribution of votes in the Bundesrat
Total of 69 votes



Each federal state has at least three votes

States with more than 6 million inhabitants have five votes

States with more than 2 million inhabitants have four votes

States with more than 7 million inhabitants have six votes

Total population 82.1 million
Source: Federal Statistical Office, 2008

Distinctive features of the Bundesrat model

- Imperative mandate
- Representation of Land interests
- No parliamentary groups
- Votes cast en bloc
- Decisions adopted by absolute majority vote
- Rotation of the presidency of the Bundesrat

Functions of the Bundesrat

- Federal legislative body
- No federal legislation without the participation of the Bundesrat
- “First say” in parliamentary deliberations
- Decisive influence on consent bills
- Participation in European affairs

Advantages and disadvantages: Composition

Disadvantage:

- Undemocratic ?

Advantages:

- No promotion of party competition
- Effective representation of the interests of the Länder
- Quality competition
- High degree of objectivity
- Prevention of undesirable nationwide developments

Advantages and disadvantages: Policy of obstruction?

No:

- Fewer than one percent of all bills fail due to Bundesrat objections
- Mediation Committee facilitates politically necessary compromises between the Federation and the Länder

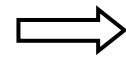
Advantages and disadvantages: Voting rules

Criticism



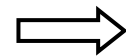
But

Agreement imperative



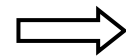
Interests of the Länder
determine decisions

No split voting



No party politicization

High hurdle of absolute
majority



Consensus principle



Bundesrat

Summary:

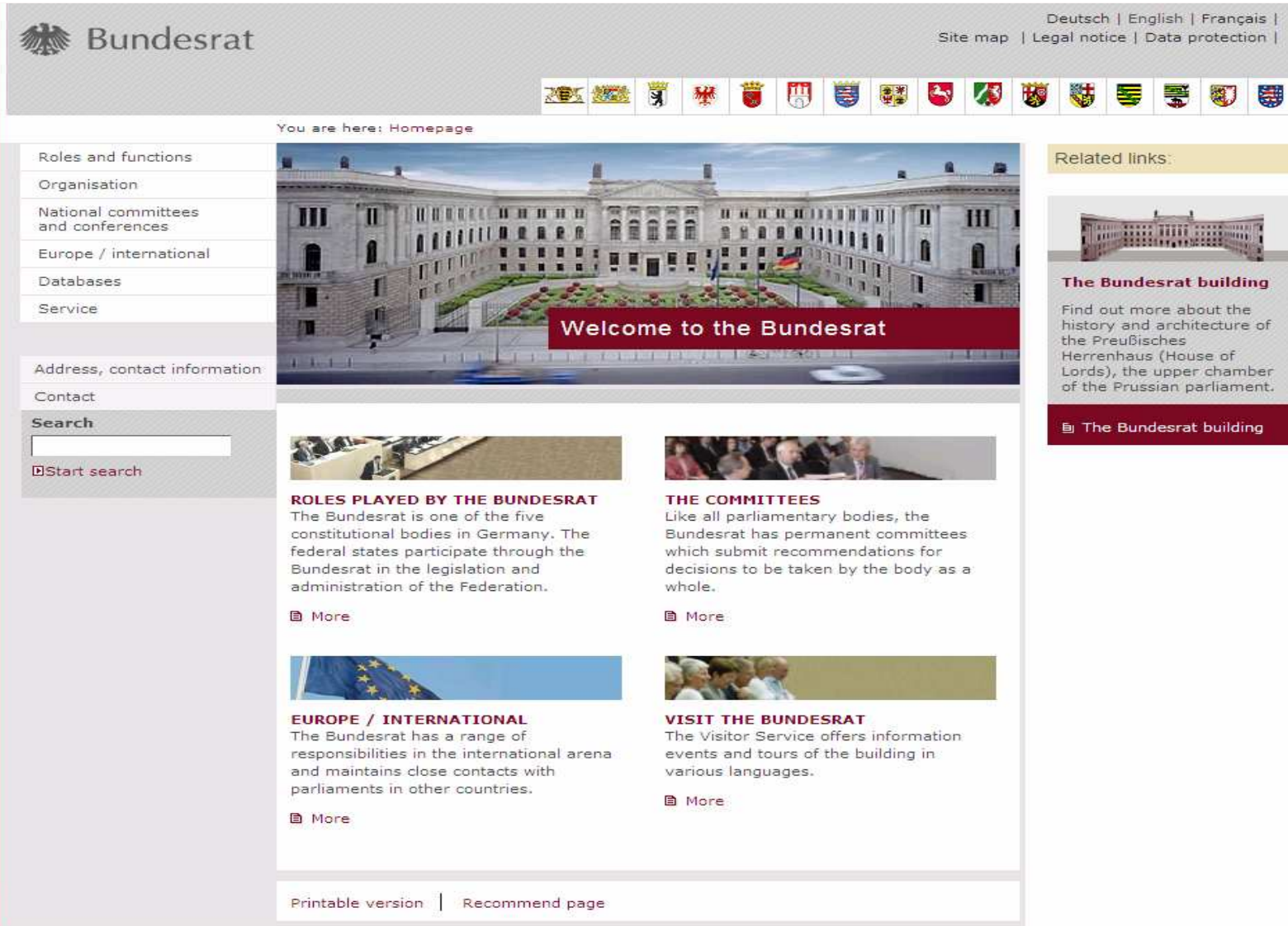
Bundesrat model ensures:

- Effective representation of the interests of the Länder at federal level
- Additional supervision



**Thank you very much for
your attention!**

For more information: www.bundesrat.de



The screenshot shows the homepage of the German Bundesrat. At the top left is the Bundesrat logo, featuring a black eagle with spread wings. To its right is the text 'Bundesrat'. In the top right corner, there are language options: 'Deutsch | English | Français' and utility links: 'Site map | Legal notice | Data protection'. Below the header is a row of 17 small state coats of arms. A breadcrumb trail reads 'You are here: Homepage'. The main content area features a large photograph of the Bundesrat building with a red banner overlaid that says 'Welcome to the Bundesrat'. To the left of the main content is a vertical navigation menu with links: 'Roles and functions', 'Organisation', 'National committees and conferences', 'Europe / international', 'Databases', 'Service', 'Address, contact information', and 'Contact'. Below the menu is a search box with the text 'Search' and a 'Start search' button. To the right of the main content are four informational boxes: 'ROLES PLAYED BY THE BUNDESRAT', 'THE COMMITTEES', 'EUROPE / INTERNATIONAL', and 'VISIT THE BUNDESRAT'. Each box includes a small image, a title, a short paragraph of text, and a 'More' link. On the far right, there is a 'Related links' section with a yellow header, containing a link to 'The Bundesrat building' with a small image of the building and a descriptive paragraph. At the bottom of the page, there are links for 'Printable version' and 'Recommend page'. A small logo is visible in the bottom left corner of the page.

Bundesrat

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You are here: Homepage

Roles and functions
Organisation
National committees and conferences
Europe / international
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Address, contact information
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Search

Start search

Welcome to the Bundesrat

ROLES PLAYED BY THE BUNDESRAT
The Bundesrat is one of the five constitutional bodies in Germany. The federal states participate through the Bundesrat in the legislation and administration of the Federation.
More

THE COMMITTEES
Like all parliamentary bodies, the Bundesrat has permanent committees which submit recommendations for decisions to be taken by the body as a whole.
More

EUROPE / INTERNATIONAL
The Bundesrat has a range of responsibilities in the international arena and maintains close contacts with parliaments in other countries.
More

VISIT THE BUNDESRAT
The Visitor Service offers information events and tours of the building in various languages.
More

Related links:

The Bundesrat building
Find out more about the history and architecture of the Preußisches Herrenhaus (House of Lords), the upper chamber of the Prussian parliament.
The Bundesrat building

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