European Parliament

## A permanent system for seat allocation in the EP

> Reconciling degressive proportionality and electoral equality through proportional completion


Policy Department for Citizens' Rights and Constitutional Affairs

## A permanent system for seat allocation in the EP

# Reconciling degressive proportionality and electoral equality through proportional completion 


#### Abstract

This paper, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the AFCO Committee, proposes a permanent system for the allocation of seats in the European Parliament that ensures transnational electoral equality even under the conditions of increasing degressivity of national quotas. This is achieved through a system of proportional completion using a new EU-wide seat quota.


## AUTHOR

Manuel MÜLLER, Senior Research Fellow, Finnish Institute of International Affairs

## ADMINISTRATOR RESPONSIBLE

Martina SCHONARD

## EDITORIAL ASSISTANT

Sybille PECSTEEN de BUYTSWERVE

## LINGUISTIC VERSIONS

Original: EN

## ABOUT THEEDITOR

Policy departments provide in-house and external expertise to support EP committees and other parliamentary bodies in shaping legislation and exercising democratic scrutiny over EU internal policies.

To contact the Policy Department or to subscribe for updates, please write to:
Policy Department for Citizens' Rights and Constitutional Affairs
European Parliament
B-1047 Brussels
Email: poldep-citizens@europarl.europa.eu

Manuscript completed in February 2024
© European Union, 2024

This document is available on the internet at:
http://www.europarl.europa.eu/supporting-analyses

## DISCLAIMER AND COPYRIGHT

The opinions expressed in this document are the sole responsibility of the authors and do not necessarily represent the official position of the European Parliament.
Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy.
© Cover image used under licence from Adobe Stock.com

## CONTENTS

LIST OF ABBREVIATIONS ..... 4
LIST OFTABLES ..... 5
EXECUTIVESUMMARY ..... 6

1. INTRODUCTION: DEGRESSIVE PROPORTIONALITY AND ELECTORAL INEQUALITY ..... 7
1.1. A legitimacy dilemma ..... 7
1.2. The exacerbating effects of $E U$ enlargement ..... 7
1.3. A solution: Decoupling the representation of member states from the representation of European parties ..... 9
2. ENSURING ELECTORAL EQUALITY: PROPORTIONAL COMPLETION THROUGH EU-WIDE LISTS
3. OPERATIONALISING DEGRESSIVE PROPORTIONALITY: SQUARE-ROOTPROPORTIONAL ALLOCATION WITH A GUARANTEED 6-SEATS MINIMUM ..... 13
REFERENCES ..... 16

## LIST OF ABBREVIATIONS

| EP | European Parliament |
| :--- | :--- |
| MEP | Member of the European Parliament |
| NI | Non-inscrits |
| TEU | Treaty on European Union |

## LIST OF TABLES

Table 1: Effects of EU enlargement on various inequality indicators 8
Table 2: The proportional completion system 12
Table 3: $\quad$ Square-root proportional allocation (with enlargement scenarios) 14

## EXECUTIVE SUMMARY

According to Article 14(2) TEU, the allocation of national seat quotas in the European Parliament must be "degressively proportional", giving smaller member states a larger number of MEPs per population. While this is justified in order to ensure adequate representation of the smaller member states' party systems, it also leads to transnational electoral inequality, as votes cast in smaller states have a greater impact on the overall distribution of seats among European parties in the EP. With future EU enlargements, these imbalances are set to increase even further. This poses a challenge to the democratic legitimacy and public acceptance of the EP that needs to be addressed when developing a permanent system for the allocation of EP seats.

This briefing proposes an allocation system that allows the degressive proportionality of national seat quotas to be maintained, while also eliminating distortions between the vote and seat shares of European parties, thereby ensuring transnational electoral equality. This is achieved through a system of proportional completion based on a new EU-wide seat quota. In a proportional completion system, seats from this quota are allocated in such way that each European party's overall seat share (seats from the national quotas plus seats from the EU-wide quota) is proportional to its EU-wide share of votes.

With proportional completion ensuring transnational electoral equality, degressive proportionality becomes democratically much less problematic. This could create an opportunity for a political compromise in which small memberstates accept a relatively large quota of EU-wide seats, while large member states accept a further increase of the level of degressivity of national seat quotas. To this end, the briefing proposes a formula of square-root proportionality with a guaranteed minimum quota of 6 seats, which further strengthens the representation of small and mid-sized member states.

In combination, square-root proportional allocation of national seat quotas and proportional completion through EU-wide lists can thus make the EP both more pluralist in terms of the representation of national party systems, and more democratic in terms of the equal weight of all votes on the representation of European political parties.

## 1. INTRODUCTION: DEGRESSIVE PROPORTIONALITY AND ELECTORAL INEQUALITY

### 1.1. A legitimacy dilemma

Degressive proportionality - the principle enshrined in Article 14(2) TEU that larger member states elect more members of the European Parliament (MEPs) than smaller ones, but smaller member states have more MEPs per population than larger ones - is in an obvious conflict to the democratic principle of electoral equality. At the two extremes, a vote cast in Malta ( 6 seats per 0.5 million population) can have almost ten times the impact on the overall outcome of the election as a vote cast in Germany ( 96 seats per 84.3 million population). Indeed, the inequality of voting power between constituencies in the European Parliament (EP) is one of the highest of any democratic parliament in the world (TailorNéron 2014).

In large member states such as Germany, this voting powerimbalance is already now being used as an argument to deny the EP full democratic legitimacy (e.g. Winkler 2019). More specifically, degressive proportionality can lead to distortions between the EU-wide vote share of a European party and the seat share of its political group in the EP. ${ }^{1}$ This also has implications for the legitimacy of, for example, the lead candidate system, since the political group with the most votes might not be the one with the most seats (Müller 2014).

Attempts to justify this violation of voter equality with appeals to the principle of "state equality" (Habermas 2017) have been contested on thebasis that, in practice, the EP's work is structured around transnational political groups, and the assertion of national interests is not a relevant aspect of its discourse (von Achenbach 2017). Still, degressive proportionality can also be justified from a transnationalist perspective (ibid.). In the nationally fragmented European public sphere, MEPs have a crucial communicative function as a link between the national and European levels of both partyinternal and public discourse. This requires that the main national parties of all member states are adequately represented in the EP, which is only possible by over-representing smaller ones. ${ }^{2}$

However, this compromise between democratic equality and adequate representation of smaller member states' party systems is always precarious. When designing a permanent system of seat allocation, it is therefore important to carefully consider the impact of possible future developments on voting power imbalances in the EP. These effects are particularly relevant in the case of future EU enlargements.

### 1.2. The exacerbating effects of EU enlargement

With the envisioned enlargement of the EU, EP seats will have to be made available for the new member states. In principle, this can be done in three different ways:

[^0]- increasing the overall number of EP seats beyond the current maximum of 751;
- reducing all other member states' seat quotas, thus lowering the minimum quota for the smallest states (currently 6 seats); or
- maintaining the 6 seats minimum for the smallest states and further reducing other member states' seat quotas, thus increasing degressivity between member states.

Of these options, the first two are inadvisable. With 751 seats, the EP is already one of the largest democratic parliaments in the world, and a further increase would critically undermine its functional efficiency. Reducing the minimum quota, on the other hand, would jeopardise the representation of the national party systems of small member states and thus strain the communicative link between the EP and the national publics of these countries.

It is therefore inevitable that enlargement will lead to increased degressivity and thus exacerbate the problem of electoral inequality between member states. Table 1 illustrates this for two hypothetical enlargement scenarios, applying various inequality indicators on two possible formulas for degressive proportionality, namely the "Cambridge Compromise" (Grimmett et al. 2011) and an allocation based on the square root of member states' population with a guaranteed 6 -seats minimum (see chapter 3 below).

Table 1: Effects of EU enlargement on various inequality indicators

|  |  | Status <br> quo |  | Cambridge Compromise |  | Square root proportionality <br> with 6-seat minimum |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | EU-27 | EU-35 | EU-40 | EU-27 | EU-35 | EU-40 |
| All member states <br> population/MEP <br> Gini coefficient | 27.4 | 24.0 | 27.2 | 31.8 | 35.2 | 37.0 | 39.3 |
| Population/MEP | 9.72 | 9.72 | 10.03 | 18.10 | 12.78 | 15.55 | 25.75 |
| Patio smallest to largest <br> member state |  |  |  |  |  |  |  |
| Percentage of EP seats <br> not allocated <br> proportionally | 15.3 | 10.8 | 16.9 | 16.4 | 24.3 | 28.3 | 27.1 |

Source: Own calculation, based on most recent population data by Eurostat. EU-27: current member states; EU-35: current member states and candidate countries except Türkiye; EU-40: current member states and candidate countries plus Norway, Switzerland, Kosovo, Iceland.

As can be seen, the specific formula chosen for the degressive allocation of seats influences the magnitude of the effect, but cannot avoid the problem altogether. In all scenarios, enlargement will lead to a further increase in degressivity-based electoral imbalances betweenEU member states.

While there is no objective limit to how much electoral inequality can be considered "acceptable" for a parliament, it is clear that a further increase from the already high current level will at some point endanger the democratic legitimacy and public acceptance of the EP. Finding a solution to this problem is therefore essential for any permanent seat allocation system that is fit for enlargement.

### 1.3. A solution: Decoupling the representation of member states from the representation of European parties

Such a solution can consist in decoupling the representation of member states on the one hand and the representation of European parties and their political groups on the other. For the reasons given above, the representation of memberstates in the EP - in the form of the national seat quotas - must be degressively proportional and is therefore necessarily unequal. However, given the transnational working structure of the EP, the key to its democratic legitimacy is not the representation of states anyway, but the representation of European parties.

The main question in this respect is therefore whether the share of seats held by the political groups in the European Parliament adequately approximates the share of votes received by their respective party families in the European elections. In the current electoral system, state and party representation are structurally linked: European parties with more MEPs from small member states (as well as from member states with low voter turnout) are over-represented, while European parties with more MEPs from large member states (and member states with high voter turnout) are under-represented.

However, it is possible to design an electoral system that retains the degressive proportionality of national seat quotas but eliminates distortions between the vote and seat shares of the European parties. This can be done through a model of transnational proportional completion through EU-wide lists (Müller 2021, 2022), which will be presented in the following. ${ }^{3}$

[^1]
## 2. ENSURING ELECTORAL EQUALITY: PROPORTIONAL COMPLETION THROUGH EU-WIDE LISTS

The core idea of the proportional completion system is to use an additional EU-wide seat quota to compensate for the imbalances in the European parties' EU-wide vote and seat share. Similar systems of multi-tier allocation with proportional completion through nation-wide lists already exist, for example, in the elections to the Austrian and the Scottish parliaments.

The basis for applying this system in the EU is the introduction of a new EU-wide seat quota. This is similar to the EU-wide quota of 28 seats that has already been proposed by the EP in its proposal for a new European electoral law (European Parliament 2022). However, the EP's existing reform proposal has been modelled according to a "parallel voting" system, in which the allocation of seats from the EU-wide quota is separated from the national quotas.

In the proportional completion system, by contrast, seats from the EU-wide quota are allocated in such way that each European party's overall seat share (i.e. its seats from the national quotas plus its seats from the EU-wide quota) is proportional to its EU-wide share of votes. This is done in the following steps:

- National seats are allocated to national parties in the same way as today. The seats allocated in this step are already definitive.
- The number of seats received by national parties that are notaffiliated with any European party or EU-wide list ("stand-alone parties") is subtracted from the overall number of EP seats (751). The remaining seats are then distributed among European parties basedon the proportion of votes obtained by their EU-wide lists. This determines the total seat number of each European party.
- The seats that the European party has already received from national quotas (step 1 ) are deducted from this total. The remaining seats are then assigned to the candidates on the EUwide list.
- If a party has already received more seats from the national quotas (step 1 ) than it would be entitled to according to its EU-wide vote share (step 2), it does not receive any seats from the EU-wide quota. However, it retains the "overhang" national seats. To keep the total number of seats in the EP constant, the seat entitlements of the other European parties are reduced proportionately.

Since this model does not imply any change for the size or composition of the national seat contingents, the principle of degressive proportionality remains in force with regard to the representation of member states. At the same time, proportional completion ensures transnational electoral equality with regard to party representation, since the seat share of each political group reflects the EU-wide vote share of its corresponding European party. ${ }^{4}$

However, for effective proportional completion, it is important to avoid having too many "overhang" seats from national quotas. The size of the EU-wide quota is crucial in this regard: If more seats are distributed throughEU-wide lists, the risk of a party exhausting its overall seat entitlement via national quotas decreases. Calculations based on the results of the 2014 and 2019 EU elections suggest that the

[^2]EU-wide quota should correspond to at least one-tenth to one-seventh of the overall seat number (Müller 2021). In a 751 -seat EP, this means that 75 to 100 seats should be distributed through EU-wide lists, which is considerably more than the 28 seats proposed by the EP in 2022.

Table 2 illustrates these effects for a hypothetical election in a simplified model with four European parties, 180 EP seats from the national quotas and an additional EU-wide quota of 20 seats (scenarios 1 and 2 ) and 7 seats (scenario 3 ). In the example, party B is over-represented after the allocation of the national seat quotas, obtaining less votes but more seats than party A. 15 seats from the national quotas go to national stand-alone parties (NI).

In the first scenario (a "parallel voting" system without proportional completion, as proposed by the EP in 2022) each European party's seats from the EU-wide quota are proportional to their EU-wide vote share. Parties with a higher vote share( $A$ and $B$ ) receive more seats than parties with a lower vote share (C and D). However, the imbalances that arise from the national seat quotas persist and Party $B$ remains over-represented in the final result.

In the second scenario (with proportional completion), by contrast, the seats from the EU-wide quota are allocated in such way that the overall seatshare of each party corresponds to its EU-wide vote share, allowing party A to overtake party B .

Finally, in the third scenario (proportional completion with toofew EU-wide seats) party B obtainsmore seats from national quotas than would correspond to its EU-wide vote share. It therefore does not receive any additional seats from the EU-wide quota. Still, due to its "overhang" seats it remains overrepresented in the final result.

Table 2: $\quad$ The proportional completion system

| Election results | Party A | Party B | Party C | Party D | NI | Total |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Vote share of EU-wide list | 35\% | 33\% | 17\% | 15\% | - |  |
| Scenario 1: "parallel voting" (20 EU-wide seats) | Party A | Party B | Party C | Party D | NI | Total |
| Seats from national quotas | 56 | 60 | 26 | 23 | 15 | 180 |
| Seats from EU-wide quota | 7 | 7 | 3 | 3 | - | 20 |
| Overall seats | 63 | 67 | 29 | 26 | 15 | 200 |
| Overall seat share (without NI) | 34\% | 36\% | 16\% | 14\% | - |  |
| Scenario 2: proportional completion (20 EU-wide seats) | Party A | Party B | Party C | Party D | NI | Total |
| Seat entitlement (proportional allocation) | 65 | 61 | 31 | 28 | (15) | 200 |
| Seats from national quotas | 56 | 60 | 26 | 23 | 15 | 180 |
| Seats from EU-wide quota | 9 | 1 | 5 | 5 | - | 20 |
| Overall seats | 65 | 61 | 31 | 28 | 15 | 200 |
| Overall seat share (without NI) | 35\% | 33\% | 17\% | 15\% | - |  |
| Scenario 3: proportional completion (7 EU-wide seats) | Party A | Party B | Party C | Party D | NI | Total |
| Seat entitlement (proportional allocation) | 60 | 57 | 29 | 26 | (15) | 187 |
| Seats from national quotas | 56 | 60 | 26 | 23 | 15 | 180 |
| Seats from EU-wide quota | 3 | 0 | 2 | 2 | - | 7 |
| Overall seats | 59 | 60 | 28 | 25 | 15 | 187 |
| Overall seat share (without NI) | 36\% | 37\% | 17\% | 15\% | - |  |

Source: Own calculation, adapted from Müller 2022. For proportional completion (scenario 2), the number of seats from the EU-wide quota is calculated as follows: 1 . The number of NI seats is subtracted from the total number of $E P$ seats ( $200-15=$ 185). 2. The remaining seats are allocated to the parties in proportion to their EU-wide vote share (e.g. party A: $185 \times 35 \% \cong$ 65). This is the party's seat entitlement. 3. From this number, the number of seats the party has received from the national quotas is subtracted (party A: $65-56=9$ ). This is the number of seats the party receives from the EU-wide quota. In scenario 3, party B has already exhausted its seat entitlement from the national quotas and is not taken into account for the EU-wide quota. The seats for party $A$ are thus calculated as $(187-15-60) \times(35 /(100-33))-56 \cong 3$.

## 3. OPERATIONALISING DEGRESSIVE PROPORTIONALITY: SQUARE-ROOT PROPORTIONAL ALLOCATION WITH A GUARANTEED 6-SEATS MINIMUM

With proportional completion ensuring transnational electoral equality in the representation of European parties, the legitimacy dilemma surrounding degressive proportionality loses much of its gravity. Since voters in larger member states do not need to worry that their vote will carry less weight than that of voters in smaller member states, they will have less reason to be concerned about MEPs from smaller member states being over-represented in the EP. This could create an opportunity for a political compromise in which small member states accept a relatively large quota of EU-wide seats, while large member states accept a further increase in the level of degressivity for the national seat quotas.

With this in mind, a possible formula to operationalise the degressivity of national seat quotas is squareroot proportionality, allocating seats in direct proportion to the square roots of member states' population. The smallest states (which would be entitled to less than 6 seats according to the square root of their population) are automatically awarded the minimum quota of 6 seats, and the seat number of all other member states is reduced proportionately. This system is easy to understand and simple to apply even with a growing number of member states.
Table 3 offers an overview of the effects of this allocation formula in various enlargement scenarios. As can be seen, it not only guarantees a minimum representationfor the smallest member states, but also avoids burdening the middle-sized member states. Before enlargement, most middle-sized states would even win additional seats compared to the status quo, which will improve the representation of their party systems in the EP and the communicative link between the European parties and the national public spheres in these countries. Even after a hypothetical enlargement to 40 countries, many smaller countries would lose a maximum of 1-2 seats in comparison to the status quo.

Instead, the burden is strongly placed on the largest member states, which would lose a considerable number of seats even in the short term. Prima facie, this implies increased voting power imbalances between the national seat quotas. However, this effect is offset by the relatively large EU-wide seat quota used for transnational proportional completion. The allocation system thus ensures that all European parties are represented in direct proportion to their EU-wide vote share, and that votes cast in smaller member states do not have a disproportionately high impact on the overall electoral result.

As a result, the combination of square-root proportional allocation of national quotas and proportional completion through EU-wide lists would make the EP both more pluralist (by allowing a better representation of the party systems of small to mid-sized member states) and more democratically equal (by giving each vote the same weight in terms of European party representation).

Table 3: $\quad$ Square-root proportional allocation (with enlargement scenarios)

| States | Population | Population square root | Status quo |  | Square-root proportionality with guaranteed 6-seats minimum |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  | EU-27 |  | EU-35 |  | EU-40 |  |
|  |  |  | MEPs | pop/MEP | MEPs | pop/MEP | MEPs | pop/MEP | MEPs | pop/MEP |
| EU quota |  |  | (28) |  | 75 |  | 75 |  | 75 |  |
| DE | 84311244 | 9182.115 | 96 | 878242 | 68 | 1239871 | 56 | 1505558 | 49 | 1720638 |
| FR | 68070697 | 8250.497 | 81 | 840379 | 61 | 1115913 | 51 | 1334720 | 44 | 1547061 |
| IT | 59691110 | 7726.002 | 76 | 785409 | 57 | 1047212 | 47 | 1270024 | 41 | 1455881 |
| ES | 48063694 | 6932.798 | 61 | 787929 | 51 | 942425 | 43 | 1117760 | 37 | 1299019 |
| PL | 37723532 | 6141.949 | 53 | 711765 | 45 | 838301 | 38 | 992725 | 33 | 1143137 |
| RO | 19051562 | 4364.810 | 33 | 577320 | 32 | 595361 | 27 | 705613 | 23 | 828329 |
| NL | 17956453 | 4237.506 | 31 | 579240 | 31 | 579240 | 26 | 690633 | 22 | 816202 |
| BE | 11754004 | 3428.411 | 22 | 534273 | 25 | 470160 | 21 | 559714 | 18 | 653000 |
| CZ | 10833385 | 3291.411 | 21 | 515875 | 24 | 451391 | 20 | 541669 | 17 | 637258 |
| SE | 10541000 | 3246.691 | 21 | 501952 | 24 | 439208 | 20 | 527050 | 17 | 620059 |
| PT | 10516621 | 3242.934 | 21 | 500791 | 24 | 438193 | 20 | 525831 | 17 | 618625 |
| EL | 10415585 | 3227.319 | 21 | 495980 | 24 | 433983 | 20 | 520779 | 17 | 612681 |
| HU | 9599744 | 3098.345 | 21 | 457131 | 23 | 417380 | 19 | 505250 | 16 | 599984 |
| AT | 9087000 | 3014.465 | 20 | 454350 | 22 | 413045 | 18 | 504833 | 16 | 567938 |
| BG | 6498567 | 2549.229 | 17 | 382269 | 19 | 342030 | 16 | 406160 | 13 | 499890 |
| DK | 5921952 | 2433.506 | 15 | 394797 | 18 | 328997 | 15 | 394797 | 13 | 455535 |
| FI | 5593070 | 2364.967 | 15 | 372871 | 17 | 329004 | 15 | 372871 | 13 | 430236 |
| SK | 5454629 | 2335.515 | 15 | 363642 | 17 | 320861 | 14 | 389616 | 12 | 454552 |
| IE | 5194336 | 2279.109 | 14 | 371024 | 17 | 305549 | 14 | 371024 | 12 | 432861 |
| HR | 3850894 | 1962.369 | 12 | 320908 | 15 | 256726 | 12 | 320908 | 10 | 385089 |
| LT | 2857279 | 1690.349 | 11 | 259753 | 13 | 219791 | 10 | 285728 | 9 | 317475 |
| SI | 2116972 | 1454.982 | 9 | 235219 | 11 | 192452 | 9 | 235219 | 8 | 264622 |
| LV | 1883008 | 1372.227 | 9 | 209223 | 10 | 188301 | 8 | 235376 | 7 | 269001 |
| EE | 1365884 | 1168.710 | 7 | 195126 | 9 | 151765 | 7 | 195126 | 6 | 227647 |

A permanent system for seat allocation in the EP

| CY | 920701 | 959.532 | 6 | 153450 | 7 | 131529 | 6 | 153450 | 6 | 153450 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| LU | 658278 | 811.343 | 6 | 109713 | 6 | 109713 | 6 | 109713 | 6 | 109713 |
| MT | 542051 | 736.241 | 6 | 90342 | 6 | 90342 | 6 | 90342 | 6 | 90342 |
| UA | 41208208 | 9234.693 |  |  |  |  | 39 | 1056621 | 34 | 1212006 |
| RS | 6664449 | 6419.362 |  |  |  |  | 16 | 416528 | 14 | 476032 |
| GE | 3708610 | 2581.559 |  |  |  |  | 12 | 309051 | 10 | 370861 |
| BA | 3492018 | 1925.775 |  |  |  |  | 11 | 317456 | 10 | 349202 |
| AL | 2761785 | 1868.694 |  |  |  |  | 10 | 276179 | 9 | 306865 |
| MD | 2558244 | 1661.862 |  |  |  |  | 10 | 255824 | 8 | 319781 |
| MK | 1829954 | 1599.451 |  |  |  |  | 8 | 228744 | 7 | 261422 |
| ME | 616695 | 1352.758 |  |  |  |  | 6 | 102783 | 6 | 102783 |
| TR | 85279553 | 785.299 |  |  |  |  |  |  | 49 | 1740399 |
| CH | 8775760 | 2962.391 |  |  |  |  |  |  | 16 | 548485 |
| NO | 5457127 | 2336.049 |  |  |  |  |  |  | 12 | 454761 |
| XK | 1798188 | 1340.965 |  |  |  |  |  |  | 7 | 256884 |
| IS | 382003 | 618.064 |  |  |  |  |  |  | 6 | 63667 |

Source: Own calculation, based on most recent available population data by Eurostat (2023 "usually resident population" for EU-27, "total population" for other countries). Member states for which the 6 -seat minimum rule applies are coloured dark grey.

## REFERENCES

- European Parliament (2007): Resolution of 11 October 2007 on the composition of the European Parliament (2007/2169(INI)).
- European Parliament (2022): Proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision (76/787/ECSC, EEC, Euratom) and the Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that decision (2020/2220(INL)).
- Federal Constitutional Court (2009): Judgment of the Second Senateof 30 June 2009 - 2 BvE 2/08, URL: https://www.bverfg.de/e/es20090630 2bve000208en.html.
- Grimmett, Geoffrey/ Laslier, Jean-François / Pukelsheim, Friedrich / Ramírez González, Victoriano / Rose, Richard / Słomczyński, Wojciech / Zachariasen, Martin / Życzkowski, Karol (2011): The Allocation Between EU Member States of the Seats in the European Parliament: Cambridge Compromise, European Parliament, Brussels.
- Habermas, Jürgen (2017): Citizen and State Equality in a Supranational Political Community: Degressive Proportionality and the Pouvoir Constituant Mixte, Journal of Common Market Studies 55.2, pp. 171-182.
- Leinen, Jo / Pukelsheim, Friedrich (2021): The tandem system. A new electoral frame for the European Parliament, MIP - Zeitschrift für Parteienwissenschaften 27.2, pp. 115-124.
- Leinen, Jo / Pukelsheim, Friedrich (2022): Europäisierung der Wahlen zum Europäischen Parlament: Das Tandemsystem, integration45.1, pp.60-73.
- Leinen, Jo / Pukelsheim, Friedrich (2023): Double Proportionality for the European Parliament: The Tandem System, in: In: Kurz, Sascha / Maaser, Nicola / Mayer, Alexander (eds.), Advances in Collective Decision Making: Studies in Choice and Welfare, Cham, pp.289-300.
- Müller, Manuel (2014): Warum die Sozialdemokraten bei der Europawahl die meisten Stimmen holten, aber nicht die stärkste Fraktion wurden, Der (europäische) Föderalist, URL: https://www.foederalist.eu/2014/10/warum-die-sozialdemokraten-bei-der.html.
- Manuel Müller (2021): Making the Most of Transnational Lists: Electoral Equality at EU Level Through Proportional Compensation,Friedrich-Ebert-Stiftung, Brussels.
- Manuel Müller (2022): Wahlgleichheit und degressive Proportionalität versöhnen: ein europäischer Verhältnisausgleich durch transnationale Listen, integration 45.2, pp. 153-160.
- Tailor, Anish / Véron, Nicholas (19 May 2014): How unequal is the European Parliament's representation?, Bruegel Blog, URL: https://www.bruegel.org/2014/05/how-unequal-is-the-european-parliaments-representation/.
- Von Achenbach, Jelena (2017): The European Parliament as a Forum of National Interest? A Transnationalist Critique of Jürgen Habermas' Reconstruction of Degressive Proportionality, Journal of Common Market Studies 55.2, pp. 193-202.
- Winkler, Heinrich August (2019): Das Europaparlament erhebt einen Machtanspruch, der inm nicht zusteht, Neue Zürcher Zeitung, URL: https://www.nzz.ch/meinung/heinrich-august-winkler-lehnt-das-projekt-spitzenkandidatur-fuer-europa-als-irrweg-ab-Id. 1495522

This paper, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the AFCO Committee, proposes a permanent system for the allocation of seats in the European Parliament that ensures transnational electoral equality even under the conditions of increasing degressivity of national quotas. This is achieved through a system of proportional completion using a new EU-wide seat quota.

PE 759.467
IP/C/AFCO/IC/2024-020
Print ISBN 978-92-848-1604-0 | doi: 10.2861/44390 |QA-02-24-210-EN-C
PDF ISBN 978-92-848-1605-7 | doi: 10.2861/495597 |QA-02-24-210-EN-N


[^0]:    1 For example, this argument was used explicitly by the German Federal Constitutional Court in its Lisbon judgment (2009): Due to degressive proportionality, "the European Union lacks a political decision-making body [...] with the ability to uniformly represent the will of the people. [...] If a narrow decision between opposing political groupings is taken in the European Parliament, there is no guarantee of [sic] the majority of votes cast also represents a majority of Union citizens". From this, the court drew the conclusion that the EU cannot develop into a full parliamentary democracy and that Germany must always retain a national veto on key policies.
    2 The EP itself has described degressive proportionality as an expression of "the principle of plurality, by allowing the main constituents of the spectrum of political opinion in each Member State - particularly the majority and the opposition - to be represented, and the principle of solidarity, whereby the more populous States agree to be under-represented in order to allow the less populous States to be represented better" (European Parliament 2007).

[^1]:    3 An alternative system that combines degressive proportionality with transnational electoral equality is the so-called "tandem model" (Leinen/Pukelsheim 2021,2022, 2023). However, in this system transnational equality comes at the price of potentially far-reaching distortions in the seat allocation at the national level. This contradicts a central purpose of degressive proportionality, namely that the EP should adequately reflect the national party systems of the smaller member states (Müller 2022).

[^2]:    4 National stand-alone parties will not be included inthe proportional completion. This seems acceptable given theirlimited number and relevance for majority formation in the EP. Moreover, it incentivises national parties to join a European party, thereby strengthening the European party system.

