

The European Parliament election in the treaty on a constitution for Europe: an electorate of degressive valencies

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Abstract

Electoral equality is considered of high constitutional value in all of the 25 member states of the European Union. When applied to Proportional Representation systems, electoral equality is generally understood in a way that the proportion of seats should fit the proportion of votes of a party, up to the inevitable rounding errors. We present a discussion which apportionment methods are more suitable to achieve the goal than others. A special emphasize is laid on biproportional apportionment methods archiving a two-way fit, namely relative to the vote distribution for the political parties, but also relative to the population distribution across various electoral districts. A biproportional apportionment method might also be considered suitable for the election of the European Parliament. However, the Treaty on a Constitution for Europe, signed by the government leaders on 29 October 2004, remains silent on the principle of electoral equality, and instead introduces the concept of "degressive proportionality" whose content remains nebulous to date.