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Edited by
Michael Gallagher
and Paul Mitchell

The Politics of Electoral Systems

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*In memory of Karen Anne Steinke-Mitchell,
who was not especially known to care a great
deal about electoral systems, but would have
wanted a copy anyway.*

And to 'One and All'

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Foreword

Arend Lijphart

In my critical survey of the field of electoral systems research published in 1985, I began by quoting the negative judgment that the late Stein Rokkan (1970: 166) had expressed fifteen years earlier. It is worth citing again: 'Given the crucial importance of the organization of legitimate elections in the development of the mass democracies of the twentieth century, it is ... astounding to discover how little serious effort has been invested in the comparative study of the wealth of information available.' In particular, Rokkan argued, the problem was one of quality rather than quantity: 'There is no dearth of literature, but exceedingly little of it stands up to scrutiny in the light of current standards of social science methodology.' This was indeed a surprising state of affairs because, when Rokkan wrote in 1970, most other fields and subfields in political science had progressed a great deal in the preceding decade and a half under the influence of the behavioural movement. It is even more surprising that in my own survey, written fifteen years later, I noted a few improvements but I still concluded that the study of electoral systems was 'undoubtedly the most underdeveloped subject in political science' (Lijphart 1985: 3).

Now, almost twenty years later, we can fortunately reach a much more favourable judgment. As Matthew Shugart writes in Chapter 2 of this volume, the field can be said to have caught up with the rest of political science: it has reached maturity with regard to several themes, like the impact of electoral systems on the number of parties and electoral disproportionality, although there are also still significant gaps and underdeveloped themes, like the internal organization of parties and the relationships of parties and candidates to their constituents. I agree with Shugart's analysis, and there is no need to elaborate on these points here.

I welcome the present volume, *The Politics of Electoral Systems*, as a further outstanding contribution to the electoral systems literature. Its publication actually entails one more surprise: the fact that a book of this nature, with detailed examinations of the electoral systems of a large number of democracies, has not appeared much earlier during the years of rapid scholarly progress since the mid-1980s. Its clearest predecessors were both published in 1983: *Democracy and Elections* edited by Vernon Bogdanor and David Butler and *Les modes de scrutin des dix-huit pays libres de l'Europe occidentale* edited by Jacques Cadart. The only partly comparable volumes are the series of books edited or co-edited by Dieter Nohlen (for instance, Nohlen 1993, and Nohlen, Krennerich, and Thibaut 1999), and the recent volumes edited by Josep Colomer (2004), by Bernard Grofman and myself (Grofman and Lijphart 2002), and by Matthew Shugart and Martin Wattenberg (2001). However,

the Nohlen volumes are primarily compilations of election statistics rather than studies of electoral systems, and the Colomer, Grofman–Lijphart, and Shugart–Wattenberg books have more specific foci: respectively, the origins of electoral systems, the Nordic countries, and mixed-member systems. *The Politics of Electoral Systems* is a most worthy successor to the old Bogdanor–Butler and Cadart volumes. The major difference is that the chapters of *The Politics of Electoral Systems* all reflect the greater theoretical sophistication that the study of electoral systems has achieved in recent years; another important contrast is between the almost exclusively west European focus of the two 1983 volumes and the worldwide coverage of *The Politics of Electoral Systems*, including, notably, non-west European countries such as Russia, Hungary, India, South Africa, and Chile.

The Politics of Electoral Systems and its predecessors are particularly helpful in providing and highlighting the details of electoral systems that comparative analytical studies are forced to neglect. I have become more and more impressed with how different each country's electoral system tends to be. This is true even of the plurality single-member districts systems—a category that Douglas W. Rae (1967: 40) described as 'by all odds the most homogeneous'. They differ very substantially, for instance, in the rules for drawing their election districts and in their efforts to promote the representation of minorities (like 'affirmative gerrymandering' in the United States and the reservation of seats for the 'scheduled' castes and tribes in India). But Rae was undoubtedly right that systems of proportional representation (PR) exhibit much greater variation.

Understanding the details of electoral systems is obviously vital for scholars and students interested in the subject, and they are likely to be the most frequent users of this book. In addition, I strongly recommend it to political practitioners and advisers engaged in electoral reform in established democracies and to those who are writing constitutions and electoral laws for newly democratizing countries. A great deal can be learned from both the successes and the weak points of existing systems. Because, as Richard Katz shows in Chapter 3, electoral reforms in established democracies tend to be infrequent and minor, these lessons do not have the greatest relevance there. But they can be of crucial importance to constitution-writers for new democracies.

Can one of the electoral systems of the established democracies, many of which are analysed in this book, serve as the 'optimal' model for new democracies? My own thinking on this question is that, first of all, since most countries that are not yet fully democratic have significant ethnic or religious divisions, the plurality model is clearly *not* advisable. I believe that there is a strong scholarly consensus on this point. Larry Diamond (1999: 104) expresses it in the following words: 'If any generalization about institutional design is sustainable ... it is that majoritarian systems are ill-advised for countries with deep ethnic, regional, religious, or other emotional and polarizing divisions. Where cleavage groups are sharply defined and group identities (and intergroup insecurities and suspicions) deeply felt, the overriding imperative is to avoid broad and indefinite exclusion from power of any significant group.' For the election of broadly representative bodies, PR is clearly

optimal. I would also discard semi-proportional and mixed systems (except for those in Germany and New Zealand that have completely compensatory PR components) because, while these may be able to secure minority representation, they can never do so as accurately and consistently as PR.

But which of the many PR systems that are currently in use is best? For new democracies, my recommendation would be to give the highest priority to the selection of a PR system that is simple to understand and operate and that has a high, but not necessarily perfect, degree of proportionality. From the simplicity criterion several further recommendations can be derived: multimember election districts that are not too large (roughly in the range of 7 to 10 seats), list PR instead of the single transferable vote, and closed or almost closed lists. These choices can also be defended on additional grounds. Election districts should not be too large in order to minimize the distance between voters and their representatives. And closed (or almost closed) lists can encourage the formation of strong and cohesive political parties. The question of whether or not to add a set of national compensatory seats presents a dilemma. They can obviously increase the overall proportionality of the system a great deal, but this advantage comes at the expense of simplicity. For new democracies in which nationwide parties have not yet developed, they make little sense. For other situations, however, I am on balance in favour of a system with compensatory seats, and, since their objective is to maximize proportionality, I also favour a relatively low threshold of about 2 or 3 per cent in order to give very small minorities that are not geographically concentrated a chance to be represented in the national legislature.

Of the electoral systems analyzed in this book, I nominate the Danish system as the closest approximation to my 'ideal' model. Its details are described very well by Jørgen Elklit in Chapter 22, so let me merely highlight its main features here: list PR, an average district magnitude of about eight seats, national compensatory seats with a low 2 per cent threshold, and highly proportional allocation formulas. My one misgiving concerns the high degree of openness of the list system and the complexity of how the partly open lists work. No system is perfect!

I began this foreword by mentioning several surprises. Let me conclude with two more surprises, both having to do with my nomination of the Danish electoral system as a model for new democracies. One is that I believe that Danish-style PR is especially suitable for ethnically and religiously divided countries—although Denmark itself is among the most homogeneous countries in the world. Second, as Elklit shows, while the Danish system has undergone several adjustments over the years, it was invented and first implemented as long ago as 1920—that is, at a time when there were very few examples of operating PR systems and when academic research on this subject was virtually non-existent. Those who designed the system almost a century ago clearly did a much better job than their contemporary counterparts: most of the recently designed systems—Italy, Russia, Hungary, Japan, and Chile—stray far from my ideal model, because they violate one or both of the basic criteria of simplicity and proportionality.

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Preface

The genesis for this book lay in the realization of the editors that despite the rapid expansion of the space on their shelves that was taken up by works on electoral systems, there remained a rather sizeable gap. The growth, it seemed to us, lay in two areas in particular. First, there were studies on single countries by authors who were not always familiar with the specialist electoral systems literature. Second, there were comparative works by electoral systems authorities who, while highly knowledgeable about the diversity of electoral systems, simply did not have the space to explore cross-national variation or specific countries' experiences in depth.

The gap, then, was waiting to be filled by a book combining the merits of both of these approaches. In other words, we would not be taking it as read that readers already know how particular methods work or that they are familiar with the impact of the electoral system in any specific country. Accordingly, we aim to ensure that the book explains how each electoral system has really worked in each country covered, examining the strategic incentives the system provides to voters, candidates, and parties. Although the standard 'performance criteria' are included (proportionality, effective number of parties, etc.), we also wanted the book to cover the politicization of electoral institutions and the issue of electoral reform. At the same time, we set out to put together more than merely a disconnected series of country studies. The country chapters are written to a common framework by authors who place their discussion within the context of the broader electoral systems literature. In this way, we believe, the finished product justifies its title by focusing on the 'politics', rather than just the 'political science', of electoral systems.

In Chapter 1 we present an overview of the book, so we will not repeat its points here, but, very briefly, the heart of the book consists of in-depth studies of the politics of electoral systems in twenty-two different countries. With such a wide range of close observations we are able to include countries exemplifying all the main 'families' of electoral systems: single-member plurality, the alternative vote, the two-round system, mixed systems, closed-list systems, open list systems, and PR-STV. In addition, two chapters tackle broad themes: Chapter 2 surveys the existing electoral systems literature and sets out a future research agenda, while Chapter 3 explores the question of electoral reform. Appendices explain in detail the mechanics of how electoral systems actually work, while a Glossary and List of Acronyms demystify the terms that are liberally sprinkled around most books on the subject. In addition, given the indispensability of the Internet these days to anyone conducting research that requires access to electoral data, Appendix E offers a list of useful sites.

All the chapters are, of course, original contributions prepared specifically for this book. The twenty-two country chapters adhere to a common format so that the same

important questions and themes are addressed for all the countries covered. The politics surrounding the initial choice of electoral system, the operation of that system, its impact on various aspects of the political process, and the extent and motivation of pressure for electoral system reform, are all examined. The final chapter synthesizes findings from the country chapters and not only validates our starting assumption—that electoral systems matter—but also helps to identify how and why they matter. The book takes account of developments to the end of 2004.

Our debts, inevitably, are many. The task of bringing together a book with thirty-one contributors needs to make allowance—to a greater extent than perhaps we initially realized—for the different levels of achievability that our deadlines would represent for different authors. However, we got there in the end, and it is only fair to record that the great majority of our contributors not only delivered on time but also responded patiently to our many requests for clarification, reconsideration, or a closer adherence to the common framework. We thank them all. We are particularly grateful to Arend Lijphart, whose scholarship over several decades has been a crucial factor in the development of systematic research into electoral systems, for contributing a Foreword and for identifying his own choice of ‘best’ electoral system. Among our other contributors, we would like to thank in particular David Farrell, who invariably and promptly replied to many requests for information or comments on our own contributions to the book, and Matthew Sørberg Shugart, who generously offered extensive comments on several chapters. And at OUP we have appreciated the support of Dominic Byatt, who was enthusiastic about our initial proposal and has remained supportive throughout, Claire Croft, who has helped to guide the book to publication, not least by periodically but politely reminding us that yet another promised date of delivery had slipped by and Lizzy Suffling, who oversaw the production process.

Michael Gallagher and Paul Mitchell
Dublin and London

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Notes on Contributors

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PART I

**INTRODUCTION: ELECTORAL
SYSTEMS AND ELECTORAL
SYSTEMS RESEARCH**

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1

Introduction to Electoral Systems

Michael Gallagher and Paul Mitchell

Electoral systems matter. They are a crucial link in the chain connecting the preferences of citizens to the policy choices made by governments. They are chosen by political actors and, once in existence, have political consequences for those actors. They are an important object of study for anyone interested in the political process, and in this book we subject them to systematic analysis.

In all but the smallest-scale societies, government is representative government, in which the people do not govern themselves directly but rather delegate the task of political decision-making to a smaller set of public officials. In democratic societies these representatives are elected, and it is the question of how they are elected that is the focus of this book. In particular, we are interested in exploring variations in these methods of election, and in knowing whether, and in what ways, it makes a difference how they are elected. The method of election is, quite obviously, a crucial link in the chain of representative democracy.

First, we need to start with a definition. By an *electoral system* we mean the set of rules that structure how votes are cast at elections for a representative assembly and how these votes are then converted into seats in that assembly. Given a set of votes, an electoral system determines the composition of the parliament (or assembly, council, and so on as the case may be). The electoral system is narrower than what we term *electoral regulations*, by which we mean the wider set of rules concerning elections. Such rules—concerning, for example, ease of access to the ballot for would-be candidates, the right to vote, the fairness of the administration of the election, the transparency of the counting of the votes—are all very important in determining the significance and legitimacy of an election. However, they should not be confused with the more narrowly defined concept of the electoral system itself.

Sceptical readers faced with a large book on electoral systems thus defined might wonder whether it really matters so much which electoral system a country adopts. Why should anyone care whether a country opts for the D'Hondt or the Sainte-Laguë method of allocating seats? What difference does it make if the weight of preference votes is increased or decreased? Would anyone other than a few electoral system fanatics with nothing better to do with their time even notice if a country moves from a parallel mixed system to a compensatory one or vice

versa?¹ Anecdotal evidence suggests that many practising politicians do, indeed, frequently react with bored indifference to what they see as trivial technicalities that can be left to the anoraks in the back room to sort out while they decide the really important questions. Ordinary citizens, too, might wonder whether the analysis in this book is really something they need to know. The choices might seem obscure, the terminology arcane, and the issues at stake unclear.

Needless to say, we believe these questions do matter—otherwise we and the authors of the following chapters would not have taken the trouble to put this book together. Moreover, even a little bit of reflection should be enough to convince anyone that electoral systems can make a difference. Even those who do not feel they need to understand the distinction between the highest averages and largest remainders methods of seat allocation realize that there is a big difference between single-member constituency systems (such as ‘first-past-the-post’) and proportional representation (PR) systems. That is one choice that very few politicians would be willing to leave to someone else to decide.

To illustrate this, consider the history of British government since the late 1970s. Throughout the 1980s, the Conservative Party under Margaret Thatcher enjoyed huge parliamentary majorities and implemented a series of radical right-wing changes to economic and social policy. In 1997 and 2001, the Labour Party under Tony Blair achieved equally large majorities in the House of Commons. Yet, each of these majority governments was elected on 41–43 per cent of the votes. If Britain had had a PR system then, even if there was no change in the way votes were cast, the pattern of government formation would have been very different. In 2001, for example, Labour, having won 41 per cent of the votes, would have had either to negotiate a coalition with the third-placed Liberal Democrats or to try to form a minority government on its own. Under either option, Tony Blair would not have been nearly as free to commit British troops to the war in Iraq in 2003. Individuals will have their own opinions as to whether this would have been a good thing or a bad thing—what cannot be disputed is that a different electoral system would have made a big difference to policy output.

Electoral systems matter in other ways too, as we shall see. They may make a big difference to the shape of the party system, to the nature of government (coalition or single-party), to the kind of choices facing voters at elections, to the ability of voters to hold their representative(s) personally accountable, to the behaviour of parliamentarians, to the degree to which a parliament contains people from all walks of life and backgrounds, to the extent of democracy and cohesion within political parties, and, of course, to the quality of government, and hence to the quality of life of the citizens ruled by that government.

In this book, we are looking at two kinds of issues. First, we are interested in the ‘political science of electoral systems’—this book aims to join the canon of works that have attempted to explore various relationships between electoral systems on

¹ Or, as David Farrell (2001: 1) puts it, ‘How many wars were fought over whether the electoral formula was “largest remainder” or “highest average”?’

the one hand and the kind of ‘outputs’ that we mentioned in the previous paragraph. We do not, though, see electoral systems merely as causal agents—we will also be examining the origins of those systems. Second, the book studies the ‘politics of electoral systems’. It treats each country’s electoral system as, potentially at least, constituting a political issue in its own right. We will be asking who supports an electoral system and who opposes it, who benefits from it and who loses out, and we will be focusing on the current debate in each country on the question of electoral reform. This will highlight issues relevant to normative debates about which electoral systems ‘work well’ and which ones do not, which ones operate uncontentionally and which ones are a focus of division in the countries employing them.

Shortly, we will elaborate on these points by outlining the structure of this book. First, we will present a brief overview of the various ‘families’ of electoral systems.

DIMENSIONS OF ELECTORAL SYSTEMS

‘It is the easiest thing in the world to get inextricably tangled among the complexities of electoral systems’, wrote Eckstein (1963: 249) in the middle of the last century. To avoid bogging the reader down in a morass of detail at this stage of the book, we refer readers to Appendix A for a discussion of the mechanics of electoral systems and an explanation of exactly how they work. Here, we outline some broad categories into which electoral systems fall. For the purposes of this book, we have assigned electoral systems to one of five categories, listed in Table 1.1, although in some cases there is considerable variation within these.

Table 1.1 Categories of electoral system

Broad category	Specific types	Country examples
Single-member constituency systems	Single-member plurality (SMP) Alternative vote (AV) Two-round system (2RS)	<i>Chapters 4–9</i> Australia, Canada, France, India, UK, USA
Mixed systems	Mixed compensatory Mixed parallel	<i>Chapters 10–15</i> Germany, Hungary, Italy, Japan, New Zealand, Russia
Closed-list systems	—	<i>Chapters 16–18</i> Israel, South Africa, Spain
Preferential list systems	Open list Flexible list	<i>Chapters 19–24</i> Austria, Belgium, Chile, Denmark, Finland, Netherlands
PR-STV	—	<i>Chapter 25</i> Ireland

The first category consists of those systems under which all seats are allocated within single-member constituencies (known in the USA as single-member districts and hence often abbreviated, even outside the USA, to SMDs). There are many different ways of allocating a single seat, and we will elaborate on these later in the chapter and in Appendix A, but since such systems have a lot in common in terms of their effects, it makes sense to treat them as a single broad category. As Table 1.1 shows, we will be looking in detail at six countries with such systems.

The second broad category is that of ‘mixed’ systems, in which some MPs are elected by a plurality or majority formula (usually from SMDs) and others are elected by PR. This type of system is growing in popularity, and six chapters examine the operation of mixed systems. List systems are based on the idea of parties presenting lists of candidates within each multimember constituency. They are conventionally divided into two types: those using closed lists, in which the voter cannot express a choice for individual candidates on the list, and those based on preferential lists, where voters can do so. We will be looking in depth at three countries with closed list systems and at six with preferential list systems. Finally, under PR-STV (proportional representation by the single transferable vote) voters are able to rank-order all candidates within each multimember constituency, and the final country chapter examines the record of this system in Ireland. Before we move on to the country studies in chapters 4–25, though, we need to outline more fully the main dimensions on which electoral systems differ, and these are set out in Table 1.2.

District magnitude

The first dimension is district magnitude, the number of seats per constituency. As we shall see throughout the book, this is not just a useful taxonomic aid but a factor that makes a big difference to the effects of an electoral system and thus to a country’s politics. Measuring average district magnitude is straightforward in countries where all constituencies are of the same size: single-member constituency systems such as Australia, Canada, France, India, the UK, and the USA, or those few other countries where all the constituencies are multimember and of uniform size such as Chile (2) and Malta (5). In a few countries there is only one (national) constituency, so the number of seats is the district magnitude in the Netherlands (150), Israel (120), and Slovakia (150).

In some other countries district magnitude varies, but we can easily work out an average value. For example, in Spain 350 members of parliament (MPs) are returned from 52 constituencies, so average district magnitude equals 6.7, while in Ireland there are 42 constituencies and 166 MPs and average district magnitude is 4.0. We might wonder, though, whether it matters how this mean is arrived at. In Ireland, as it happens, all constituencies return either three, four, or five MPs—but suppose its 166 MPs were instead returned from 40 two-seat constituencies and 2 forty-three-seat constituencies? Would this make any difference to the kind of outcomes we could expect? Simulations conducted by Taagepera and Shugart (1989: 264–6) suggest that in many ways it would not make a difference, but small parties can

expect to fare better if there are at least a few really large constituencies. More detailed study by Monroe and Rose (2002) of the consequences of this ‘magnitude variation’ concludes that this factor is more important than generally recognized and, because district magnitude in urban areas is usually larger than in rural areas, the effect is to disadvantage large parties with a predominantly urban base. We might also wonder whether the number of constituencies, as well as their average size, makes a difference. The simple answer is that it does, and this question is explored more fully in Appendix C.

Things become a bit trickier when there is more than one ‘tier’ of seat allocation, but since we have not discussed that dimension yet, we will postpone the full consideration of district magnitude until the end of this section.

Number of votes cast

Since ‘one person one vote’ is a hallmark of a democratic system, why would we encounter any variation here? The reason is simple: giving people more than one vote does not violate democratic principles provided everyone still has the same number of votes. Having just one vote is very much the norm, but in most cases within the family termed ‘mixed’ systems everyone has two votes. For example, when voters in Germany or New Zealand go to the polling station on election day they are confronted with a ballot paper that invites them to cast one vote for a candidate to represent their local single-member constituency, and another vote for a party in the contest for seats awarded at the national level (see Figure 10.1 or 14.1).

Ballot structure

Douglas Rae (1971: 17–18) was the first to make a distinction between ballot papers under which voters must cast a vote for one and only one party, which he termed ‘categorical’ or ‘nominal’, and those under which the voter can rank-order the parties or candidates, which he called ‘ordinal’. The significance of the distinction is explained by Rae (1971: 18) in this way: ‘Categorical systems channel each parcel of electoral strength into the grasp of a single party, while ordinal balloting may disperse each parcel of electoral strength among a number of competing parties’. Unfortunately, Rae seemingly did not realize that this ‘clarification’ goes beyond his initial definition and leaves considerable confusion about how we should classify ballot structures that allow the voter to ‘divide’ his or her vote between two or more parties but not to do any rank-ordering.

The first category, at least, is clear enough. It covers ballot papers in most countries. In these cases, the voter expresses support for the sole candidate of a party (under single-member plurality), for a party list (Spain, Israel), or for one candidate (Finland, the Netherlands, and others) or perhaps several candidates (pre-1994 Italy) on one party’s list.

Rae’s ‘ordinal’ category, as we have said, is a little confused, and does not cover all the systems in which the ballot structure is not categorical. Rae’s own treatment

Table 1.2 Dimensions on which electoral systems vary

Dimension of variation	Value	Examples
District magnitude (number of seats per constituency)	1	<i>Single-member plurality</i> (Canada, India, UK, USA) <i>Alternative vote</i> (Australia) <i>Two-round system</i> (France)
	More than 1	<i>PR-list systems</i> (Israel, Spain, South Africa, Austria, Belgium, Chile, Denmark, Finland, Netherlands) <i>Mixed systems</i> (Germany, Hungary, Italy, Japan, New Zealand, Russia) <i>PR-STV</i> (Ireland)
How many votes can a voter cast?	2	<i>Mixed systems</i> (Germany, Hungary, Italy, Japan, New Zealand, Russia)
	1	All other systems
Ballot structure	Categorical (also termed nominal or integral)	<i>Single-member plurality</i> (Canada, India, UK, USA) <i>Two-round system</i> (France) <i>Virtually all PR-list systems</i>
	Dividual: can 'divide' vote among different parties	<i>Mixed systems</i> (Germany, Hungary, Italy, Japan, New Zealand, Russia) <i>PR-list with panachage</i> (Luxembourg, Switzerland)
	Ordinal: can rank-order candidates	<i>Alternative vote</i> (Australia) <i>PR-STV</i> (Ireland)
How much choice does the voter have regarding individual candidates?	No choice of candidate within party	<i>Single-member constituency systems</i> (Australia, Canada, France, India, UK, USA) <i>Mixed systems</i> (Germany, Hungary, Italy, Japan, New Zealand, Russia) <i>Closed-list PR systems</i> (Israel, South Africa, Spain)
	Choice of candidate within party	<i>Preferential-list PR systems</i> (Austria, Belgium, Chile, Denmark, Finland, Netherlands)
	Choice of candidate within party and across party lines	<i>PR-STV</i> (Ireland)

(Continues)

Table 1.2 (Continued)

Dimension of variation	Value	Examples
How many levels of seat allocation does electoral system have?	1	<i>Single-member plurality</i> (Canada, India, UK, USA) <i>Alternative vote</i> (Australia) <i>Two-round system</i> (France) <i>Some PR-list systems</i> (Belgium, Chile, Finland, Israel, Netherlands, Spain) <i>PR-STV</i> (Ireland)
	2 (higher tier and lower tier)	<i>Compensatory mixed systems, also termed corrective or MMP</i> (Germany, Italy—partially compensatory, New Zealand) <i>Some PR-list systems</i> (Denmark, South Africa)
	2 (both allocations are at same level)	<i>Parallel mixed systems, also termed MMM</i> (Japan, Russia)
	3 (lowest, middle and highest levels)	<i>Some mixed systems</i> (Hungary—partially compensatory) <i>Some PR-list systems</i> (Austria)
Measures to limit the degree of proportionality	Small district magnitude (DM)	DM = 1 (Australia, Canada, France, India, UK, USA) DM = 2 (Chile), average 4 (Ireland) DM is in effect small in mixed systems when list seat allocation is separate from single-member seat outcomes (Japan, Russia)
	Significant vote thresholds that parties need to cross in order to get any (or ‘fair’) representation	Germany, Hungary, New Zealand, Russia
	Malapportionment	USA (Senate), Chile, Spain, Canada, France, India

Source: Chapters 4–25 of this book. The classification scheme draws in particular on the ideas and discussions of Blais and Massicotte (2002); Cox (1997: 37–68); Farrell (2001: 4–10); Lijphart (1994: 10–56); Taagepera and Shugart (1989: 19–37).

of such systems does not clear up the confusion, and Lijphart (1994: 119) has already called attention to Rae’s ‘errors of classification’ here. Rae (1971: 42–4) describes the German two-vote system as categorical (even though voters can cast their two votes for different parties, thus ‘dividing’ their vote, in his terms). Logically, then, we might expect him to deal similarly with those PR systems under which voters are

provided with the facility termed *panachage*, under which they have a number of preference votes at their disposal and can distribute these among candidates on more than one party's list. This is used in Luxembourg and Switzerland (countries not covered in this book). Inconsistently, though, Rae describes these as ordinal systems, even though the voter cannot rank the options.

In reality, Rae's classification would have been more useful with three categories, allowing us to distinguish systems permitting rank-ordering from those permitting simple vote-splitting. We term the latter 'dividual', since they enable votes to be 'divided' among more than one party.² This category includes mixed systems in which voters may, if they wish, cast their constituency vote for a candidate of one party and their list vote for a different party, an option exercised by many voters in New Zealand and by rather fewer in Germany. In a two-round system, voters may switch from one party at the first round to a different one at the second—though since voters cannot split their vote in any one round, and only one of their votes can contribute towards the election of a candidate, this is probably better classified as categorical. PR-list systems with the option of *panachage* belong in the dividual category.

Ordinal voting, correctly defined, permits voters to rank-order the candidates on the ballot paper. This is a central feature of both the alternative vote and PR-STV. In each case, voters are faced with a list of all candidates in the constituency and may rank all of them (or, at least, as many as they wish, depending on the specific electoral laws) in order of their choice.

Choice of candidate within parties

The structure of the ballot will also make clear whether voters have any power to choose among the candidates of their party. This facility is self-evidently unavailable under single-member constituency systems, when parties do not offer more than one candidate in the first place.³

PR-list systems differ on this dimension. Some, broadly termed preferential-list systems, enable the voter to indicate a preference for one candidate (or sometimes several candidates) on their party's list, and these preference votes then play a role in determining which candidates fill the seats that the party receives. Some preferential-list systems are more open than others, and in Chapter 2, where this dimension is explored fully (see pp. 41–4), a distinction is drawn between fully open lists, where the voters alone determine which candidates receive the seats, and flexible lists, where the party's initial ordering of the candidates determines the outcome unless sufficient numbers of voters combine to overturn this. How much of a role the preference votes play therefore varies from case to case. In some countries, under

² 'Dividual' is defined by the Oxford English Dictionary as meaning 'capable of being divided into parts, divisible, divided into parts, fragmentary, divided or distributed among a number'.

³ As so often, an exception can be found even to this apparently solid generalization: in Japan the LDP in safe seats sometimes allows two candidates to run and then admits the victor to its parliamentary party, treating the election in effect as a primary (see Chapter 13, p. 283 below).

fully open lists, they completely determine it (if the party wins three seats, for example, the seats go to the three candidates with the highest numbers of preference votes). In others, using flexible lists, the impact of preference votes is muffled by the details of the rules. Chile and Finland epitomize the former approach, Belgium and the Netherlands the latter. The sweeping generalization of Sartori (1997: 17–18), based on Italian experience, according to whom party ‘machine bosses’ can manipulate preference voting to ensure that they and their favoured candidates are elected no matter how apparently ‘open’ the lists are, does not stand up to empirical scrutiny as a broad proposition.

Other PR list systems, in contrast, employ ‘closed lists’, in which the voter can choose among parties but not among candidates within parties, and the order of candidates’ names that is decided by the party determines which of them receive its seats. As it happens, in most of the mixed systems used to elect national parliaments (and in all of those covered in this book) the list element employs closed lists, though this is not an essential feature of mixed systems and in principle the lists could be open, as they are in Lithuania. It is possible to see two different concepts of representation underlying the choice to be made between preferential list and closed list systems, a distinction that emerged when the question of which variant to adopt was discussed in Sweden in the 1990s. According to one concept, the purpose of elections is to enable the direct representation of the people, and consequently preferential list systems, allowing the people to choose their own representatives, are more appropriate. According to the other, representation takes place through the political parties and the purpose of elections is to enable the parties to secure their proper share of representation; consequently, closed lists are more appropriate than open ones because the parties’ candidate selectors are better judges than the voters of who is best able to realize the ideas and goals of the parties (Petersson et al. 1999: 117–23). In ‘principal–agent’ terms, MPs are the agents; closed list systems seem to assume that parties are the sole principals, while open list systems assume that MPs have two principals, parties and voters.

Finally, PR-STV gives voters a choice not only among their party’s candidates but also across party lines; voters are not constrained by party lines when deciding how to rank-order the names of all the candidates on the ballot paper.

Levels of seat allocation

Most of the dimensions that we have looked at so far are fairly straightforward, but, all too often, it is when we get on to levels of seat allocation that those not instinctively enthused by the subject of electoral systems find their eyes glazing over. This is a pity because, even though the details of specific systems can be complicated to master, the basic principles are easy enough to grasp.

In many countries there is only one level of seat allocation. In other words, each voter casts a vote in a constituency; seats in that constituency are awarded, in accordance with the rules, to parties (and candidates); and each party’s national total of seats is simply the sum of the seats it won in each of the constituencies. There

is, by definition, only one level of seat allocation in single-member constituency systems such as Australia, Canada, France, India, the UK, and the USA. There is also just one level in about half of the PR systems that we cover in detail in this book (see Table 1.2).

Why, then, complicate matters by having more than one level or ‘tier’ of seat allocation? There are various reasons for doing this, perhaps the most common of which is that it gets round the problem caused by one of the most robust findings in electoral systems research, namely that the smaller the average district magnitude, the greater the disproportionality. This relationship is unfortunate because it points to a trade-off between two desirable properties of electoral systems, namely ensuring a close correspondence between the overall levels of electoral support and seats in parliament for parties, and providing a local constituency representative for voters. With just one tier, the two poles are a single-member constituency system, which scores well on the local representation dimension but poorly on proportionality, and a PR system with just one constituency covering the whole country (as in Israel and the Netherlands), which gives excellent proportionality but no direct representation for localities. With only one level of seat allocation, we are forced to sacrifice a bit of one desirable property in order to get more of the other.

Having more than one level means that we might be able to have our cake and eat it. Archetypal mixed systems, such as that in Germany, illustrate this point. Here, half of the MPs are elected from single-member constituencies, while the other half are elected from party lists. The list seats are awarded to parties in such a way as to ensure that the total number of seats received by each party is proportional to its share of the list votes.⁴ Hence, the system delivers a high degree of overall proportionality, while at the same time each voter has a local constituency MP. Mixed systems have thus been described as ‘the best of both worlds’ (Shugart and Wattenberg 2003c: 595). While the details differ greatly, the same kind of thinking, i.e. supplying both proportionality and local representation, underlies the choice of a two-tiered or even three-tiered seat allocation in some other countries too: those using mixed systems, such as New Zealand, and single-vote systems such as Austria and Denmark.

Of course, in the real world, there are also less noble reasons to have higher tiers. Sometimes these tiers mainly have the effect of giving additional benefit to the larger parties, as in the ‘reinforced PR’ used in Cyprus and Greece in the past, because of the high threshold a party needed to pass in order to qualify for any of these seats. In Hungary, the existence of three tiers is not, as those confronted by the system might initially suppose, designed to confuse and to ensure that only a handful of initiators really understand what is going on but, as explained in Chapter 11, reflects the outcome of bargaining at the time of the transition to democracy in the late 1980s coupled with a degree of inertia.

⁴ This is a somewhat simplified account of the German system, omitting details such as the threshold and *Überhangmandate*, which are explained fully in Chapter 10.

In the above cases (other than Cyprus and Greece) the higher tier is conventionally⁵ termed *compensatory* or *corrective*, because the seats awarded at the higher tier(s) are used to compensate the parties that were underrepresented at the lower level and to correct disproportionalities that arose there (Shugart 2000). In Germany, for example, the smaller parties such as the Greens and the FDP win few, if any, of the single-member seats and so they are brought up to their ‘fair’ overall share by being given the appropriate number of list seats. In other cases, though, the two ‘tiers’ are *parallel*; really, each is on the same level and neither can be seen as higher or lower. In Japan and Russia, for example, voters have two votes just as in Germany, but the list seats are awarded in proportion to the list votes only, without any regard for the seats that the parties won in the single-member section of the election, so large parties retain the seat bonus that they usually achieve in the SMD component. Hungary and Italy are somewhere between the two, having elements of parallel allocation but also providing for a degree of compensation, so they can be seen as partly compensatory. In the terms of Shugart and Wattenberg (2003b: 14–15; see Chapters 11 and 12 for details), they provide for ‘vote linkage’ rather than ‘seat linkage’ between the PR and SMD components, in that parties’ list vote totals are in effect reduced for each SMD seat that they win. In parallel mixed systems, the over-representation of the large parties in the single-member seats is only partially ‘corrected’ by the list seats and proportionality is not particularly high.

Limitations on proportionality

Proportionality is generally regarded as a ‘good thing’—in moderation. Few electoral systems go for broke on the proportionality dimension; most have, in practice, some way of limiting it.

The most explicit entry barrier is the use of thresholds. Virtually every PR system employs some kind of threshold that prevents the smallest parties getting their ‘fair’ share of the seats. In Germany, for example, the only parties that qualify for any list seats are those that either win 5 per cent of the list votes, or win three single-member constituencies. In Russia, there is a threshold that has an initial value of 5 per cent (to be increased in future to 7 per cent) but can be adjusted downwards if this figure debar parties representing too many voters—a rare example of a floating threshold (see Chapter 15). In a number of other postcommunist countries (Czech Republic, Latvia, Poland, Slovakia) parties receive no seats at all unless they win 5 per cent of the national votes (Rose and Munro 2003). This discrimination against small parties and their supporters is usually justified in terms of preventing excessive fragmentation and thereby making it easier to form stable governments, a particular concern in postcommunist countries given their usually weakly structured party systems.

Non-PR systems generally do not have rules specifying a threshold, mainly because they do not need to. As has often been pointed out in the electoral systems

⁵ This is something of an overstatement given the terminological profusion in the field.

literature, in practice there is always an ‘effective threshold’ that makes it next to impossible for parties below a certain size to win a seat. This effective threshold is determined above all by the district magnitude, with the seat allocation formula also playing a part. While we cannot specify a formula that will tell us the effective threshold in all circumstances, Lijphart (1997: 74) and Taagepera (1998: 394) concur that it can best be estimated by the formula $(75/(m+1))$, where m refers to the district magnitude. In other words, in a constituency with 10 seats, for example, the effective threshold equals $75/(10+1)$, i.e. $75/11$ or 6.8—meaning that a party with fewer than 6.8 per cent of the votes in such a constituency is unlikely to win a seat.⁶ Hence, if there is a formal threshold that is fixed at a level lower than 6.8 per cent then it is likely to prove superfluous, while if it is higher than 6.8 per cent it may well prove meaningful. In a two-seat constituency the effective threshold is $75/3$, i.e. 25 per cent, meaning that only parties above this level of strength have a realistic chance of gaining representation. Thus the effective threshold imposed by small district magnitude is usually even more deadly to small parties than a legal threshold in a PR system. In single-member constituency systems, certainly, proportionality is already low enough to satisfy even its harshest critics, so there is no need for formal thresholds. Proportionality increases as district magnitude increases (when a PR formula is being used, that is), but even when district magnitude is in the 2–4 range we can expect a significant deviation from complete proportionality.

Another way of building in a limit to proportionality is through malapportionment: awarding some areas of a country more seats in relation to population than others (Katz 1998).⁷ This is not an important factor in most of the countries mentioned in this book, but it is in some. Both Chile and Spain feature in the ‘top twenty’ most malapportioned lower houses of parliaments, with Canada, France, and India not very far behind, and malapportionment in the US Senate is over twice as high as in Chile’s Chamber of Deputies (Samuels and Snyder 2001: 660–2). Malapportionment might be effected by the party in power for blatantly partisan reasons—obviously, it would then give more seats to the areas where it is strongest—but that is not always why it occurs. Small, peripheral, predominantly rural regions of a country where population density is lowest and contact between voters and MPs may be relatively difficult to bring about are the areas most likely to receive generous representation—although, of course, this usually has political consequences, with parties of the left typically losing out since they are weak in such regions. The constitution or laws in many countries place some constraints on how far the ratio of representation in each constituency can deviate from the national

⁶ It should be emphasized that this relationship applies only within an individual constituency. It does not purport to tell us the effective national threshold in a country whose parliament is elected from a large number of ten-seat constituencies. It is also worth noting that just as the effective threshold can be computed from a known district magnitude, so an effective magnitude can be computed from a known threshold. See Appendix C for a fuller discussion.

⁷ A related concept—in that both result in some parties paying a higher ‘price’ in terms of votes per seat than others—is gerrymandering (see Glossary).

average figure but, even so, the range of variation within a country is often surprising (see also Grofman and Lijphart 2002).

District magnitude revisited

As we noted earlier, it is easy to calculate average district magnitude in single-tier systems but more complicated when there are two or more tiers. For example, of the 598 MPs in Germany, 299 are elected in single-member constituencies, while the other 299 are returned from lists. The list seats are awarded in such a way as to ensure that the *total* number of seats (not the list seats) received by each party is proportional to the share of the list votes it received. So, should we regard district magnitude in Germany as being 1.99 (598 divided by 300, i.e. the 299 single-member constituencies plus the one national constituency), or as being 598 (on the ground that all 598 seats are shared out in a single allocation among the parties in proportion to their votes)? Or should we settle on a plausible-looking value somewhere in between?

Rae (1971: 20–1) adopts the first of these approaches, but, perhaps inevitably for a pioneering study, his work contained flaws that subsequent researchers were able to identify. Lijphart (1990: 486) observes that in many instances, his method produces a result that is simply logically impossible, being even smaller than the lower-tier district magnitude. The correct calculation of district magnitude in two-tiered systems (and, by extension, systems with more than two tiers) depends on which tier is decisive in determining seat allocations, and this depends on the specific rules in each case. A key factor is the relative number of seats awarded at the two levels. In a compensatory or corrective two-tiered system, the question is whether the number of higher-tier seats is sufficient to ‘correct’ the disproportionalities arising at the lower level. As Taagepera and Shugart (1989: 129) put it:

The magnitude of the basic district becomes irrelevant to the final votes-to-seats conversion, if sufficient numbers of remainder seats or compensatory seats are allocated at a second stage, so that they compensate for district-level deviation from PR.

In Germany, the 50 per cent of seats returned from lists have proved enough to correct these deviations, so if there were no legal thresholds restricting access to the share-out of these seats, we should treat Germany as having a district magnitude of 598. If, on the other hand, Germany had 588 single-member constituencies and just ten higher-tier seats, it is obvious that the district magnitude would in effect be very little different from 1.

How many higher-tier seats, then, do there need to be to overcome the disproportionalities arising at the lower level? Clearly, this depends on how much disproportionality was generated at the lower level, and that in turn depends heavily on average district magnitude (Taagepera and Shugart 1989: 131; Shugart and Wattenberg 2003*b*: 19–22). Whether it is possible to frame a precise relationship between the two is a question for future research. The aim would be to find the function of M (district magnitude at the lower tier) that generates an equation telling us what

proportion of seats need to be reserved for the higher tier if we are to reduce disproportionality to the bare minimum—an equation that would have the form:

$$\frac{\text{HTS}}{\text{TS}} = \frac{1}{f(M)}$$

where HTS is the number of higher-tier seats and TS the total number of seats. For example, the equation

$$\frac{\text{HTS}}{\text{TS}} = \frac{1}{M + 1}$$

would mean that when single-member constituencies are employed at the lower tier, half the total number of seats need to be allocated at the higher tier, while if the average district magnitude at the lower tier is 9, then only 10 per cent of seats need to be reserved for the higher tier. A refined version could start with an agreed ‘acceptable level’ of disproportionality and a predetermined average district magnitude at the lower tier, to establish how many higher-tier seats need to be provided to ensure that disproportionality is unlikely to exceed the set limit.

Preliminary investigation suggests that the number of higher-tier seats needed is probably lower than would be produced by the formula above. The biggest component in the total amount of disproportionality is usually generated by the over-representation of the largest party, so in practice the seats-to-votes ratio of the largest party is a key variable.⁸ Even under SMP systems, this is rarely significantly in excess of 3:2 (the approximate ratio seen in the example that we analyse in Appendix C, where in the SMD component of the 1998 German election the SPD won 65 per cent of the seats for 44 per cent of the votes). Hence, higher-tier seats would need to amount only to a third of the total number in order to ensure something close to full proportionality even when the lower-tier seats are filled in SMDs, since the largest party’s SMD seats would now amount to something very close to its ‘fair’ share of the total number of seats. This suggests that the equation

$$\frac{\text{HTS}}{\text{TS}} = \frac{1}{2M + 1}$$

⁸ To be precise, the important variable in achieving full proportionality is technically the highest seats-to-votes ratio achieved by any party. Of course, this might not be the largest party; a party with 0.6 per cent of the votes might win 1.2 per cent of the seats and thus achieve a ratio of 2, which would require there to be as many higher-tier seats as lower-tier seats, with this party receiving no higher-tier seats, to bring its lower-tier seats down to 0.6 per cent of the total seats. However, a small party can be left with a high seats-to-votes ratio without doing much damage to overall proportionality (because it has only a seat or two more than its entitlement) whereas a large party, even if its seats-to-votes ratio is ‘only’ 3:2, is likely to have tens or hundreds of seats more than its ‘fair’ share. Hence, in practical terms, the seats-to-votes ratio of the largest party is usually what matters.

might produce a reasonable estimate of the number of higher-tier seats needed to achieve near-complete proportionality in a compensatory mixed system.

Even in the absence (for the time being) of a more precise formula, it seems safe to say that in nearly all the countries covered in this book, district magnitude is determined by the higher tier. In New Zealand, as in Germany, there are enough higher-tier seats to ensure that (again leaving aside thresholds) the district magnitude is in effect equivalent to the number of seats in parliament. In Denmark, although the number of higher-tier seats is smaller (40 out of a total of 175), the lower tier itself does not generate much disproportionality (135 MPs elected in 17 constituencies, each with an average district magnitude of 7.9), so the 40 higher-tier seats are quite sufficient to ensure that the overall results are highly proportional. The exception is Italy, where only a quarter of the 630 seats are available at the higher tier, the rest being awarded by plurality in single-member constituencies—moreover, the higher-tier seats are only partially compensatory rather than fully compensatory, as we noted earlier.

We should mention two further aspects of two-tier seat allocations. The first is that, as Lijphart (1994: 32) points out, higher-tier seats may be either adjustment seats or remainder-transfer systems. Those discussed above (Germany, New Zealand, Denmark) are adjustment seat cases in that the number of higher-tier seats is fixed and preset. In remainder-transfer systems, in contrast, all seats are in theory available to be awarded at the lowest tier, but in practice this never happens. Usually, in the lower-tier constituencies, each party receives a seat for each ‘quota’ of votes it wins, and any remaining votes the parties win over and above their full quotas, along with any seats not awarded, are transferred to the higher tier. What happens at the higher tier depends on the precise rules in a particular country. In Austria, for example, seats are awarded in such a way as to make the outcome proportional in terms of the *total* number of votes (not just the higher tier, or remainder, votes) won by each party, and so district magnitude, again leaving aside the thresholds in operation, is in effect the number of seats in parliament: 183.⁹

The second aspect concerns parallel mixed systems where, as we have said, the two components of the election—the single-member constituency section and the list section—are on the same level rather than constituting different tiers. In Japan, for example, 300 MPs are elected from single-member constituencies and the other 180 from 11 multimember constituencies. In analytic terms it makes perfect sense to treat this as if the country were divided into two, with single-member constituencies used in one part and a PR-list system in the other. Here, then, it is valid for once to employ Rae’s approach and to calculate district magnitude simply by dividing the total number of seats (480) by the total number of constituencies (311), giving a district magnitude of 1.5. Likewise, in Russia, the average district magnitude in the 2003 election equalled the number of seats (450) divided by the number of constituencies (226), i.e. 2.0.

⁹ For a detailed account see Chapter 19 on Austria. Another example is South Africa, for which see Chapter 17.

THE STRUCTURE OF THE BOOK

In order systematically to explore the questions outlined in the first section of this chapter, we have gathered together a large team of collaborators (thirty-one in all) with expertise in the field of electoral systems, in one country or in many. The plan of this book is straightforward. The core of the book is devoted to twenty-two country studies in Chapters 4–25. Table 1.3 indicates where the electoral system of each of these countries can be placed on the four most important of the dimensions that we have just discussed (Table 26.1 presents a more detailed summary of each country's electoral system). The country chapters are grouped according to the broad category into which their electoral systems can be placed.

In Chapters 4–9, contributors explore the dynamics of electoral systems in six countries employing single-member constituencies to elect all their MPs. Four of these use the simplest method of all of electing MPs, single-member plurality (commonly, if misleadingly, termed 'first-past-the-post'): Canada, India, the UK, and the USA. Australia uses the alternative vote, while in France, deputies are elected by the two-round system.

Chapters 10–15 focus on what are usually termed 'mixed' systems, under which some MPs are elected in single-member constituencies while others are returned from party lists. Of the six countries in this section, only Germany had such a system in 1989, indicating that systems in this mould hold attraction for those setting the rules in democratizing countries such as Hungary and Russia and for reformers in established democratic regimes such as Italy, Japan, and New Zealand. As the chapters make clear, even though these systems all look pretty similar at a superficial glance, some of the differences in the rules can make a really big difference to the outcomes.

The next nine chapters deal with countries employing some kind of list system to elect all their MPs. In the first three (Israel, South Africa, and Spain, covered in Chapters 16–18), voters merely cast their vote for a party list and have absolutely no say in which individual candidates get elected; the votes determine how many seats each party has, but which individuals get to fill those seats is a matter that is decided entirely by the political parties themselves. In the other six list system countries (Chapters 19–24), voters have some kind of choice as to which individual candidate they wish to see elected, because they can cast a vote for a specific candidate as well as (or instead of) just indicating which party they are voting for. The impact of these preference votes for individual candidates varies dramatically. Preference votes count for a lot in Chile, Denmark, and Finland, for somewhat less in Belgium, and for relatively little in Austria and the Netherlands.

The last of the country studies (Chapter 25) concerns Ireland, whose electoral system, PR-STV, cannot readily be placed in any of the above categories, although it might be seen as sharing more of the characteristics of open list systems than of any other type of system.

Table 1.3 Main features of electoral systems in 22 countries

Country	Average district magnitude	Ballot structure	Levels of seat allocation	Choice of candidates within party
<i>Single-member constituency systems</i>				
Australia	1	Ordinal	1	None
Canada	1	Categorical	1	None
France	1	Categorical	1	None
India	1	Categorical	1	None
UK	1	Categorical	1	None
USA	1	Categorical	1	None at election stage; choice provided by primaries
<i>Mixed systems</i>				
Germany	598	Dividual	2	None
Hungary	2.2	Dividual	3	None
Italy	1.3	Dividual	2	None
Japan	1.5	Dividual	2	None
New Zealand	120	Dividual	2	None
Russia	2.0	Dividual	2	None
<i>Closed-list systems</i>				
Israel	120	Categorical	1	None
South Africa	400	Categorical	2	None
Spain	6.7	Categorical	1	None
<i>Preferential list systems</i>				
Austria	183	Categorical	3	Within party
Belgium	13.6	Categorical	1	Within party
Chile	2	Categorical	1	Within party
Denmark	175	Categorical	2	Within party
Finland	13.3	Categorical	1	Within party
Netherlands	150	Categorical	1	Within party
<i>PR-STV</i>				
Ireland	4.0	Ordinal	1	Within and across parties

Note: The figures for average district magnitude here do not take any account of the legal thresholds that might be imposed, and are not necessarily the same as the 'effective magnitude', for which see discussion in Chapter 26 and Appendix C.

In Hungary and Italy the complex (partially compensatory) linkage between the two tiers makes it difficult to establish a precise average district magnitude. The figures given in the table are based on the simplifying assumption that both systems are parallel, i.e. have no linkages between the tiers.

The structure of the country chapters

Each of these twenty-two country chapters follows a common structure, with five main sections:

1. Background to the country's political system
2. Origins of the current electoral system
3. The electoral system as it stands today
4. Political consequences of the electoral system
 - Impact on the party system
 - Impact on the parties themselves
 - Impact on parliament
 - Impact on government
5. The politics of electoral reform

First, there is a brief overview of the country's political and party systems. Second, there is an explanation of the origins of the current electoral system, of which actors chose it, and why. Third, each chapter explains fully how the electoral system works. It does this not just in general terms but in sufficient detail, we hope, that no reader will feel the need to turn to other sources to find out exactly how the system functions. The chapters take this approach not to provide thoroughness for its own sake, but because it has occurred to us, as students of electoral systems, that it can be surprisingly difficult to obtain a complete picture of many PR systems in particular, and that as a result different comparative studies sometimes have rather different ideas of how exactly a given system operates. The country chapters, then, explain the options facing each voter when they cast a ballot, and exactly how votes are converted into seats: not just how it is determined how many seats each party wins, but also which individual candidates get to occupy those seats. These chapters might be read in conjunction with the Glossary and Appendix A. The former defines a number of terms that recur throughout the book, and the latter explains in detail many of the mechanics of the main electoral systems, in order to avoid repetition between chapters.

Each of the country chapters then explores the consequences of the electoral system.¹⁰ It looks at the impact on the party system. There is a lot of research to suggest that the shape of a party system will be strongly affected—though of course not absolutely determined—by the electoral system. Party systems vary a lot, with some countries having something close to a two-party system (USA, Malta, UK in the past), others having a dominant party faced with several smaller rivals (Canada, India, Ireland), and others again having several or many parties that either compete full-bloodedly with each other (Belgium, Denmark) or usually group into two large alliances (Chile, Germany, Italy, Japan). Some electoral systems give parties an incentive to build alliances or even to merge, while others facilitate the

¹⁰ Conventionally, the introductory chapter to a book such as this might be expected to review the existing literature on these points. In this case, to the considerable gratitude of the editors, that task is executed with great expertise by Matthew Søberg Shugart in Chapter 2.

splitting of existing parties or the formation of new ones. Two central features of party systems are readily open to quantitative analysis. One of these is disproportionality, that is the disparity between the distributions of votes and seats, which we measure throughout the book by the least squares index (explained in Appendix B). The other is fragmentation, for which we also use a standard indicator, namely the 'effective number of parties' measure (see Appendix B).

The electoral system might also have an impact on the internal life of the parties themselves. Aspects of the electoral system might generate intraparty conflict, or might enhance the power of specific actors within the party (such as the leader, MPs, or ordinary members). They might make for greater or lesser cohesion within parties, affecting those parties' ability to offer voters clear policy options. The candidate selection process, often seen as the key battleground within parties (Hazan 2002; Marsh 2000), is the most obvious place to look for evidence of this.

Another area of potential electoral system effect is on parliament. Quite apart from the allocation of seats, an electoral system might well make a difference to the backgrounds of MPs. It is often argued that PR systems lead to a parliament that is more representative in the microcosmic sense of the voters than non-PR systems, and the easiest aspect of this to measure is the proportion of women among MPs. Beyond this, electoral systems may affect the behaviour of MPs. Those that offer the voters a choice among candidates of the same party may engender constituency-oriented behaviour among MPs keen on cultivating a 'personal vote' (Carey and Shugart 1995); the same has been said about single-member constituency systems. Closed-list systems seem to give MPs an incentive to respond only to the demands of those who determine the list order, and this usually means being very loyal to the party line in parliament. Yet, it may be that the behaviour of MPs is decided more by other factors, such as voter demands and MPs' role expectations, than by the electoral system. Additionally, the electoral system may be responsible for a relatively high or low rate of turnover among MPs.

If electoral systems affect the shape of a country's party system, then, almost by definition, they will affect the process of government formation. In some countries a coalition government is nearly inevitable, while in others it is virtually unknown. At some elections voters have a good idea what kind of government their vote is making (marginally) more likely; at others, voters know only that their vote is helping a particular party, with little idea of whether that party might end up in government and, if it does, of who its coalition partners might be. This phenomenon, known as 'identifiability' (Powell 2000: 71–6), is likely to vary according to the electoral system.

The final substantive section of each chapter looks at the prospects for electoral reform. In some countries, the electoral system itself is a major political issue. The chapters address the question of how the main political actors view the electoral system. Who wants it changed, and why—and, conversely, who opposes change and why? In cases where there has recently been a significant change in the electoral rules, the chapter assesses the impact of these in the light of the hopes and expectations that motivated the reform.

Chapter 26 (Conclusion) reviews the patterns revealed by the evidence and discusses some of the normative issues underlying the question of electoral system choice. Before we reach that point, and indeed before the twenty-two country studies, there are two chapters in which contributors survey broad and important questions in the field of electoral systems research. In Chapter 3, Richard S. Katz looks specifically at the topic of electoral reform, asking why it sometimes takes place and, just as importantly, why it so often does not. Before that, in Chapter 2, Matthew Sjøberg Shugart reviews the extensive literature on electoral systems, assessing the most important findings, indicating the areas where existing research has made the greatest advances, and identifying those areas where future research is likely to prove most valuable.

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Comparative Electoral Systems Research: The Maturation of a Field and New Challenges Ahead

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In 1985, when Arend Lijphart undertook a survey of the literature, he concluded that the field of comparative electoral systems was underdeveloped. Now, I believe we can speak of a mature field. This maturity is reflected in the publication of several important books and the rapid increase in the number of journal articles published on the general topic of electoral systems. We have seen the rise to prominence of specialized journals that focus on elections, parties, or democracy more generally, and each of these has become a prominent venue for the publication of articles on electoral systems—examples include *Electoral Studies*, which began publication in 1982, *Representation* (1995),¹ and the somewhat more general *Journal of Democracy* (1990) and *Party Politics* (1995)—as well as the increasing presence of the field in the major mainstream journals of the discipline. In this chapter I shall review several strands of the literature, focusing mostly on the period after about 1990, and identify what I take to be both the major accomplishments of the field, as well as some areas in which its development is still lagging.

If we look back to the early years of the field of comparative electoral systems, we find that the earliest works were largely either descriptive or advocacy pieces. One example of a descriptive work is Seymour's *How the World Votes* (1918), which is a magisterial two-volume cataloguing of electoral systems then in existence, but which offers little in the way of generalizations about effects of different rules. In the category of advocacy works, several stand out. In 1859, Hare presented a proposal for a new electoral system for Great Britain and Ireland. Mill (1861), in

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¹ *Representation* previously existed in the form of an in-house newsletter for the Electoral Reform Society. The year 1995 marks its transition into a journal with an academic editorial board and a process of peer review.

his *Considerations on Representative Government*, promoted Hare's idea, which was essentially what we now know as the single transferable vote (STV), and which Ireland has used since its independence in 1922 (see Chapter 25). Mill argued against the idea of representation based solely on geography—as in plurality rule, particularly in single-seat districts, which is still the electoral system used today in Great Britain, as well as in Canada, India, the USA, and many other countries with British heritage (see also Chapters 5–9). Mill promoted the idea of representation based on voters' viewpoints on the issues of the day, that is, he provided an early rationale for proportional representation (PR), which would be adopted by a large number of countries in Europe over the subsequent decades. Interestingly, while Mill and other authors who advocated PR almost uniformly have favoured STV, it is party list PR that is by far the dominant form of PR in the world.

Mill's work was the spur for the 'first generation' of comparative electoral system research that includes Hoag and Hallett (1926), entitled *Proportional Representation*. Hoag and Hallett's book is a work of advocacy in that it makes the case that the 'worst' form of PR (list PR) is superior to the 'best' form of majority voting (held to be the alternative vote, which uses transferable votes like STV, but in pursuit of a single majority winner; see Chapter 4). The book is particularly interesting today for the way in which it traces the early history of electoral reform movements in a wide range of countries and in how it captures the almost missionary zeal of the reformers. Like Hoag and Hallett, Lakeman and Lambert (1955), in *Voting in Democracies*, explicitly favour STV. Lakeman and Lambert additionally offered a rejoinder to the view, commonly held at the time, that PR had been a contributing factor in the breakdown of democracy in Europe before the Second World War. The best known of the works to which Lakeman and Lambert were responding was Hermens (1941), *Democracy or Anarchy?* Hermens made the claim that PR leads to anarchy by causing a proliferation of parties. His principal case was the Weimar Republic of inter-war Germany, where, Hermens argued, PR (in a particularly 'pure' form) had propelled the rise of Adolf Hitler. He explicitly favoured the two-party system and stable one-party governments of the British single-seat district system.

The works just reviewed form the foundation upon which the field would later be built. That foundation consisted of both theoretical and empirical contributions. The theoretical contribution was in positing that there were systematic relations between electoral systems and political outcomes. The principal empirical contributions lay in advancing their arguments through case studies of real-world political developments. Although I cannot speak for other scholars in this field, I certainly suspect that many can tell a personal story similar to my own, which was a self-conscious entry into the field through observation of, and often misgivings about, the way electoral systems have worked in my own country and elsewhere. In this regard, of course, we share a lineage with Hermens and Lakeman and Lambert. More explicitly sharing this lineage are scholars who continue to produce works of advocacy while maintaining high standards of theoretical and empirical precision—a non-exhaustive list would include several recent books promoting electoral reform in the USA: Amy (2002), Barber (2000), Bowler et al. (2003).

If observations of, and concern about, outcomes in the ‘real world’ still propel many of us to study electoral systems, the more exacting scientific standards of contemporary research on comparative electoral systems of course largely reflects developments in political science as a whole. However, having said that, it still seems reasonable to credit the field of electoral systems research as having been one of the pioneers within political science—or at least within comparative politics—of the application of quantitative methods and the development of theoretical generalizations.

It is also probably not a stretch to claim credit for our field as being one of the portions of comparative politics that has been most consumed by real-world practitioners. Numerous scholars in the field have consulted with governments seeking advice on establishing competitive elections or reforming existing electoral rules, and some publications have reflected this nexus between the theoretical and the practical. Reynolds and Reilly’s handbook (1997), *The International IDEA Handbook of Electoral System Design*, is the best example of this nexus. It is a truly remarkable and wide-ranging compilation of essays on different electoral systems, written primarily with the goal of bringing current scholarly knowledge to practitioners in newly democratizing states. While the *IDEA Handbook* probably goes farthest towards synthesizing the academic and the practical, Norris’s book (2004), *Electoral Engineering*; my co-edited volume, *Mixed-Member Electoral Systems* (Shugart and Wattenberg 2001a), Colomer’s *Handbook of Electoral System Choice* (2004), as well as the present volume, all explicitly address the political process attendant in selecting and reforming electoral systems.

While the field is thus beginning to take greater note of the origins, or ‘engineering’ side, of the study of electoral systems, I shall focus the bulk of this review on those studies that have furthered our knowledge of the consequences of electoral systems, and established generalizations about those consequences. Of course, by far the most famous generalization in electoral studies (and perhaps in all political science) is Duverger’s law, which originated with the statement of Duverger (1954) that the single-ballot, single-member district system led to a two-party system, which Duverger said came closest of all his statements in the book *Political Parties* to being a ‘true sociological law’.

The question raised by Duverger’s Law—what is the relation between the electoral system and the number of parties?—lends itself extraordinarily well to quantitative analysis. In general, electoral systems research would lend itself to quantification more readily than many of the other areas of concern in comparative politics because of the availability of ‘hard’ data, such as number of votes and number of seats. It was this natural advantage to the scientific study of electoral systems that led Taagepera and me to suggest that electoral systems could even serve as a ‘Rosetta Stone’ in the sense of advancing the scientific and quantitative study of politics more generally (Taagepera and Shugart 1989: 5–6, 238–46).

Now, if the standard for maturity of the field is that it discover the equivalent of the Rosetta Stone, we remain short of the mark. However, if we accept as a standard having generated an accumulation of knowledge within the field and having much of

that knowledge recognized and incorporated into the larger discipline, then I believe we can speak of a mature field of study. Although there are many concerns of political science that do not centre around elections, the study of democratic practices—to which elections indisputably are central—is certainly one of the most crucial topics for the discipline as a whole. The study of elections is more than the study of electoral systems, and the study of electoral systems is more than ‘seats and votes’, but the numerical values of seats and votes for individual political parties and candidates are among the most important quantitative indicators that we, as political scientists, employ in our work.

Indeed, it seems fair to credit Duverger’s *Political Parties* (1954)² with being the first truly seminal work. Probably the vast majority of works on electoral systems that have been published since have continued in Duverger’s tradition, by asking questions such as: How does the electoral system shape the party system? To what extent are voters influenced by electoral systems? These continue to be central themes of the literature today. I will not pretend to offer a detailed review of the development of this Duvergerian agenda in modern political science. This task has already been admirably done by several earlier reviews by other authors (notably Riker 1982 and Cox 1997). What I want to do instead is to identify the areas in which the field has clearly generated significant and well understood knowledge, focusing on the most recent works—those published since around 1990. Then I shall turn to strands of the literature that have identified new research challenges that the field has yet to probe fully. I shall conclude that the field is unlikely to run out of questions to motivate it for years or decades to come, and that this is in many respects the very hallmark of a mature science: the ability to continue generating questions as knowledge about the subject matter accumulates.

I count seven authored volumes and five edited volumes (not including the present one) that have the comparative study of electoral systems as their primary subject and that have been published since 1990. The authored volumes with worldwide scope are Lijphart (1994), Cox (1997), Katz (1997), Farrell (2001), and Norris (2004). Jones (1995) and Reynolds (1999) offer theoretical and empirical coverage of the electoral systems of Latin America and southern Africa, respectively. Although they are not primarily works centred on electoral systems, Lijphart (1999, updating and extending the scope of his earlier 1984 book), Powell (2000), and Shugart and Carey (1992) also belong on this list. These books orient their analysis of whole political systems largely around the role that the electoral system plays in concentrating or dispersing political authority. All of these authored volumes have furthered our knowledge of what I would call the core of comparative electoral systems: the relation between various electoral system features and outcomes such as proportionality, number of parties, and other macrolevel attributes of political systems. To varying degrees, as well, each of these books extends the study of electoral systems to the broader concerns of political science, such as regime stability, democratic quality, and management of ethnic conflict.

² The work was originally published in French in 1951.

The edited volumes include a remarkable series growing out of several Irvine Conferences on Political Economy: Grofman et al. (1999) on the single non-transferable vote in East Asia; Bowler and Grofman (2000) on the single transferable vote in Australia, Ireland, and Malta; Shugart and Wattenberg (2001a) on mixed-member electoral systems; Grofman and Lijphart (2002) on proportional representation in the Nordic countries; and a forthcoming volume on variations in redistricting practices in various countries using single-seat districts.

No review of books on electoral systems would be complete without mentioning the great improvement in the accessibility of data. Without the raw data—seats and votes, as well as numbers of eligible voters and the dates of elections and electoral-law changes—the field simply cannot advance. As recently as the mid-1980s, finding data on all but the most advanced democracies was challenging, and sometimes even collecting data on the advanced democracies involved searching multiple sources. Now, there are multiple volumes and serials containing basic election data, including Nohlen et al. (1999, 2001), as well as the annual updates to Mackie and Rose (1991) found in the pages of the *European Journal of Political Research* and the regular election reports in *Electoral Studies*, *Representation*, and the *Journal of Democracy*. Additionally, the Colomer volume (2004) contains a wealth of basic data on the history of rules changes worldwide.

Among journal articles, the proliferation of studies can be demonstrated by the results of a search of the *Current Contents* online database for the term ‘electoral system’ (or its plural) in their titles or abstracts. Over 400 citations turn up, just for the period 1990–2003. Of course, a large percentage of these are single-country studies that do not attempt to generate or test general hypotheses, and a smaller number mean something other than the set of rules for seat allocation.³ Nonetheless, this rough count reveals a vibrant community of scholars interested in the mechanisms by which votes are translated into political power. In the reviews that follow, necessarily I take a selective view of journal articles, concentrating mainly on those that are explicitly comparative. I include as ‘comparative’ those that look at the effects of electoral reform in one country, as these are comparing two electoral systems even if they are not comparing two or more countries. In fact, such studies are outstanding examples of theoretically significant research inasmuch as they allow much to be held constant, and thus help us understand both the power of electoral rules and their limits to changing political behaviour.

CORE CONCERNS: SEATS–VOTES RELATIONSHIPS AMONG PARTIES

Most of the research over several decades of the development of the field has been concerned with how electoral systems affect the translation of votes into seats for competing political parties, and how electoral systems affect the overall nature of

³ For example, ‘electoral system’ may also refer to an institutionalized pattern of voting behaviour. However, in the comparative literature, this usage appears not to be common.

the party system—basically, the number of parties and how proportional the allocation is among them. I consider studies of these sorts of relationships to be at the core of electoral systems research, and to be firmly in the tradition of Duverger. The vast majority of works that I consulted in the preparation of this review continue in this tradition. However, as befits a mature scientific field, much of the research is now moving beyond these matters—because they are reasonably well understood—and on to other areas that I shall review separately, including the effects of electoral systems on how parties organize and how parties and their candidates relate to constituents. (These latter matters are not absent from earlier work, but have never been studied as systematically as the core concerns.)

Duverger's law

Of course, the core concerns of the field can be summed up by the words 'Duverger's law', the famous dictum that the single-member district, plurality rule, electoral system reduces the number of parties to two. This proposition is by no means universally accepted, and numerous works have tried to explain away exceptions to the general tendency. Again, this is typical of a mature science: seeking to find the limits of its 'law-like' propositions, and seeking theoretical justification for empirical trends in one's data.

Over the years, Duverger's law has been approached theoretically from both macro and micro levels. Macrolevel theories have sought to explain both the 'mechanical effect' (the conversion of votes into seats by the electoral system) and the 'psychological effect' (how the distribution of votes is itself affected by voters' anticipation of the mechanical effect). Both my collaborative work (Taagepera and Shugart 1989, 1993) and Lijphart's book (1994) fall into the macro category. For Taagepera and Shugart, the number of parties is a function both of issue dimensions, a term borrowed from Lijphart (1984) and developed by Taagepera and Grofman (1985), and of district magnitude, the effects of which are said to be interactive. Briefly, when there are few issues, the number of parties does not rise with magnitude, but when there are many issues, the effect of magnitude is felt more strongly: low district magnitude—including single-seat districts—has a reductive effect. Ordeshook and Shvetsova (1994) extend this logic further, using ethnic heterogeneity as a proxy for issues. This is an advancement, in that it reduces the risk of tautology inherent in using a measure such as issue dimensions—which is itself derived from the observed issues dividing existing parties. On the other hand, of course, it means that non-ethnic cleavages are not pulling any weight in their statistical model. Nonetheless, Ordeshook and Shvetsova find support for the Taagepera–Shugart notion of an interactive effect of issues (or cleavages) and magnitude on a polity's number of parties, as do Amorim Neto and Cox (1997), and Cox (1997: 208–21). Recently, Benoit (2002) has argued that each of these studies has overestimated the size of the mechanical effect, essentially because they have understood this effect as the observed disproportionality of the conversion from votes to seats. However, Benoit notes that the input (i.e. votes constellations)

into the electoral system has already been 'prefiltered' by electoral rules through the psychological effect, implying that this effect is the more important direct effect of electoral systems.

The macro dimension of Duverger's law has long been what I might call the 'core of the core' of electoral studies. That is, the field has been largely driven by the search for generalizations about the relations between electoral systems and the number of parties and proportionality. Taking the relationships a step further, the field has been concerned with the implications of electoral systems for the possibility of one-party or coalition governments. The pinnacle of the studies of the macro dimension remains Lijphart's *Electoral Systems and Party Systems* (1994), which is notable at once for its brevity and its thoroughness—a remarkable combination.

It has always been understood that there is also a micro dimension to Duverger's law—the calculations of presumably rational actors that stand behind the psychological effect. The psychological effect follows from voters' internalization of the maximum number of parties that can win seats at a given district magnitude (Benoit's 'prefiltering'). In this way, the psychological effect leads voters (or at least those who care about outcomes) not to vote for parties with paltry prospects for gaining representation. A major step forward in understanding this process is Cox's micro-theoretical model (1997) of how electoral systems affect what he calls 'strategic coordination'. Cox offers a microlevel rational choice model of how voters and other political actors—party leaders, campaign contributors, and so on—coordinate (or fail to coordinate) on a given number of candidates or party lists.

The other significant advancement represented by Cox's book is to generalize the relation between the district magnitude and the number of 'serious' contenders in various forms of multiseat districts. We meet here the ' $M + 1$ ' rule—already foreshadowed for the case of Japan by Reed (1991)—which states that the number of viable contenders (candidates or lists) is one more than the magnitude of the district (abbreviated M). Cox (1997: 99) refers to the $M + 1$ rule as a 'direct generalization' of Duverger's law, which states that the number of parties is equal to two when $M = 1$. The $M + 1$ rule states that the number of viable candidates or lists (depending on the electoral formula) cannot be greater than the magnitude, $+ 1$. Cox tests the $M + 1$ rule using a statistic he calls the SF ratio—the ratio of the second loser's votes to first loser's votes. The distribution of SF ratios, Cox hypothesizes, should be bimodal. Under a 'Duvergerian equilibrium', the SF ratio should be near zero (because all candidates or lists beyond $M + 1$ drop out), while under a 'non-Duvergerian equilibrium', the SF ratio should be near one (because it is unclear who is in the running and who is out). Cox indeed finds bimodality. Perhaps the most significant finding of his exercise for the broader field is that the height of the mode near zero declines with increasing district magnitude. Cox's interpretation, with which I agree, is that the quality of voter information declines with magnitude. The more seats at stake, and hence the more winners, the harder it is to estimate which contenders are out of the running. Thus high-magnitude systems exhibit less strategic coordination.

The studies just reviewed are not an exhaustive catalogue of the work on Duverger's law, but they are representative of an accumulation of knowledge on the core

concerns of the field. This accumulation of knowledge, in turn, is one of the key indicators of the maturation of the field. This body of literature also shows the increasing complexity of our models, which is both beneficial to scientific progress (by serving to isolate effects and understand limits) and detrimental (because it may cause us to lose sight of the most basic elements of what we seek to understand). In this light, it is refreshing that in a recent article Taagepera (2001) has shown that it is possible to estimate the vote and seat shares for parties at all size ranks using only district magnitude and assembly size, for simple electoral systems—those without national compensation tiers, to which I turn now.

Districted versus two-tier PR

An emerging research agenda on the effects of proportional representation is on the effects of variations in the districting arrangements of PR systems. Up until recently, little had been made of the distinction between PR systems that are based entirely on mechanically self-contained multiseat districts (Taagepera's 'simple' systems) and those that link allocation in separate districts with a national compensation tier.

Elklit and Roberts (1996) identify 'two-tier compensatory member electoral systems' as a distinct category. These are systems in which there are numerous electoral districts, but overlaying these districts is a single nationwide district, the purpose of which is to compensate parties for deviations from proportionality that may arise at the level of the basic districts. Due to the nationwide compensation, Elklit and Roberts note that it is unimportant to the votes–seats relationship how the basic districts are constructed. It should be noted here that the simple systems and those with national compensation are really two endpoints of a continuum of compensatory allocation in electoral systems. Intermediate levels of compensation may result from the use of multiple regional tiers rather than a single national tier, and the number of seats available for compensation can vary widely across systems. Either a large number of compensation districts or a small total number of compensation seats would imply a continued importance for overall seats–votes relationships in how the basic districts are constructed.

In the class of single-tier PR, on the other hand, Monroe and Rose (2002) have recently shown that the structure of districts is enormously important in a way that has heretofore been 'unimagined'. With rare exceptions, districts within PR systems differ widely in their magnitude. While this variation had been noted before, it has long been subsumed under a single numerical indicator such as average or 'effective' magnitude (Taagepera and Shugart 1989) or an effective threshold (Lijphart 1994). (See also Appendix C of this book for some discussion of the subject.) However, Monroe and Rose note that there is a partisan bias effect that results from variation in magnitude. Urban areas routinely have higher magnitudes than rural areas, and hence urban interests are likely to be fragmented among multiple parties while rural interests are more likely to be consolidated, due to the effect of smaller rural magnitudes. Moreover, rural parties will have success in the urban

districts, while the reverse is not true.⁴ It should be noted that this effect can exist independently of whether there is malapportionment, which is both possible and widespread in districted PR (Samuels and Snyder 2001). In fact, it is possible that the Monroe–Rose effect would actually be greater, the lower the malapportionment. In PR systems, malapportionment typically results from urban areas having lower-magnitude districts than they would have if the ratio of voters to seats were more uniform across districts. When urban magnitude is lower than it might otherwise be, the variance effect is lessened at the same time that urban interests obtain less representation owing to their higher voters-to-seats ratio compared to rural districts. The relationship between the variance effect and malapportionment—and implications of both for representation of social interests—could be an emerging agenda in electoral systems research.⁵

The implication of the literature on two-tier versus single-tier (districted) PR is that two systems with the same overall thresholds and proportionality indices might, in fact, have quite different political consequences on the shape of the party system and the representation of interests. A large national compensatory tier ensures that votes are effectively translated into the proportional allocation of political power wherever they are cast, eliminating the Monroe–Rose partisan biases and also reducing or eliminating malapportionment. At the same time, such a compensatory system maintains the potential benefits of local or regional representation through the lower tier (Elklit and Roberts 1996; Shugart and Wattenberg 2001a). The systematic comparison of PR systems of these two types, and how different types of parties fare under each, would be a valuable exercise for expanding our knowledge of the political consequences of electoral laws.

Electoral reform and crucial experiments

Much research in the 1990s, and immediately after the turn of the century, seized the opportunities provided by the wave of electoral reform in several established democracies and the increasing number of ‘mixed-member’ systems. A mixed-member system is one in which a portion of a legislative chamber is elected by candidate voting (usually in single-seat districts) while another portion is elected by party lists (in practice, nearly always by proportional representation). Key variables in mixed-member systems include the percentage elected by each method, and how,

⁴ Monroe and Rose do not entertain the possibility that a rural party might therefore become less rural as some part of its caucus owes its election to urban voters. This intraparty effect of varying magnitudes would be a useful extension of Monroe and Rose’s insights. Another extension is that a party with a large urban constituency may be able to beat out its urban competition if it establishes a toe-hold in the more majoritarian rural districts. See Calvo and Murillo (2004) for a case study built in part on Monroe and Rose’s ideas and applied to the Peronist party of Argentina.

⁵ The Calvo and Murrillo (2004) case study of Argentina emphasizes the reinforcement of malapportionment and small-magnitude rural districts, as both being factors that favour a specific party. However, more generally, if malapportionment were reduced, rural magnitudes would be even smaller, making any party with rural strongholds yet more dominant in these areas. Clearly, more case studies of, and comparative work on, malapportionment and varying magnitude are in order.

if at all, outcomes in the plurality tier are taken into account as the list-PR seats are allocated (Shugart and Wattenberg 2001*b*). If the list-tier seats are allocated in a compensatory fashion, then the mixed-member system belongs to the family of two-tier PR systems discussed above. Alternatively, the PR seats may be allocated in ‘parallel’, that is, without regard for the distribution of seats in the single-seat tier.

The recent wave of countries adopting mixed-member systems has afforded researchers opportunities for ‘crucial experiments’—case studies in which the effects of specific electoral rules can be isolated from other variables. In cases of electoral reform—whether the system being adopted is mixed-member or not—we have the possibility of a crucial experiment, in the sense that many factors affecting the party system (or other outcomes) aside from the electoral system can be held constant. More generally, a crucial experiment in electoral systems can be carried out where there are two tiers of a single electoral system, where there are different houses of the legislature elected under different rules, or when subnational assemblies use varying rules.

Crucial experiments can lead to accumulation of knowledge, and I will take such a study that I did (Shugart 1985) as an example. I analysed the Venezuelan electoral system, which at the time contained a ‘fused vote’—a single vote elected senators in two-seat districts and deputies and state legislators in districts of widely varying magnitude. This electoral system allows one theoretically to isolate the mechanical and psychological effects of magnitude, as the psychological effect can exert itself in only one of the three offices. For the other offices, one observes either exceptionally high or low deviations from proportionality, as the mechanical effect of magnitude is not being ‘corrected’ by the psychological effect (a form of Benoit’s ‘pre-filtering’, again). This study led Taagepera and Shugart (1989) to the notion of the ‘law of conservation of D [deviation from proportionality]’—a tendency to maintain D at moderate levels. This notion was given further support by Cox (1997), who amplified on the effect of anticipated D on electoral strategy, and found empirical support from Japanese district level data. Cox used D from past elections as his proxy for anticipated D , and found that where D was high previously, fewer candidates entered the next election.

In the case of electoral reform, the crucial experiment is that we can see in one country how electoral politics responds to changes in the electoral system. Thus we can hold constant numerous other factors that might confound the relationship being tested for when we are using observations from separate countries with distinct political histories, cultures, and so on. Of course, it is not a perfect control, as other factors—for example, demographic changes, or the rise or decline of issue cleavages—may have been the underlying cause of the change of electoral system in the first place. Nonetheless, electoral reform offers a more controlled environment than we normally confront. The cases of New Zealand and Italy have proven especially fruitful for this type of controlled experiment.

New Zealand in 1996 held its first election under a highly proportional variant of a mixed-member system after a decades-long series of elections under plurality. Italy in 1993 held its first election under a relatively majoritarian mixed-member system

after decades of elections under a highly proportional electoral system based on large-magnitude districts. Around the same time, Japan converted from a single non-transferable vote (SNTV) system to a 'parallel' mixed-member system. The growing body of literature on these reforms has confirmed some basic propositions from the electoral systems literature, but also pointed out some limitations on the extent of change that electoral systems can produce. For instance, the introduction of PR in New Zealand has resulted in a rise in the number of parties represented in parliament and a dramatic reduction of disproportionality (Gallagher 1998; see also Chapter 14). On the other hand, Barker and McLeay (2000) claim that politics has remained more adversarial than proponents of the reform had expected. The legacy of two-party politics has continued to structure post-reform New Zealand politics.

In Italy and Japan, effects appear to have been less substantial—or at least less rapidly manifested—than in New Zealand. Barker and McLeay's reservations about the impacts of the new system in New Zealand notwithstanding, there is no denying that a change from single-party to coalition cabinets represents one of the most dramatic changes to the overall political system that an electoral system could be expected to produce (Lijphart 1984, 1999; Powell 2000). On the other hand, Japan has continued to be dominated by the same Liberal Democratic Party (LDP) as before the reform and Italy has continued to have multiparty coalition governments that often do not last a full term, just as under the old system. In fact, the advantage to the LDP is less than surprising given that the new system is actually more disproportional than the former one (Gallagher 1998).⁶ In spite of the LDP's advantage as a large established party, the elections since electoral reform have seen a steady consolidation of the opposition, such that a more bipolar party system seems to be emerging (see also Chapter 13). In the Italian case, the parties have regrouped into blocs to contest the single-seat districts (Katz 1996), and the number of competitors per district was reduced between the first and second post-reform elections, leading Reed (2001) to declare that Duverger's law is working in Italy (see also Chapter 12).

These cases of electoral reform have provided researchers with unusual opportunities to vary the electoral system while holding much else constant. Tentatively, I would conclude from this literature that the impact of a switch from majoritarian to proportional is greater than the impact of a switch in the opposite direction. In a case like New Zealand, where the former majoritarian system was regularly 'manufacturing' parliamentary majorities in the absence of a majority party in the electorate, the injection of proportionality cannot help but transform the polity immediately into a system requiring coalitions.⁷ On the other hand, a shift in the opposite

⁶ There has been a debate on how proportional the SNTV system is. A short list of the literature in this debate would include Lijphart et al. (1986), Taagepera and Shugart (1989: 170), Lijphart (1994: 42), and most especially Cox (1996).

⁷ I am less impressed by Barker and McLeay's (2000) caveat that the legacy of adversarial politics has endured despite PR. Because the new system is mixed-member PR, rather than 'pure' PR (i.e. a PR system lacking a tier of single-seat districts), the retention of a party system dominated by two large parties might be expected, as the plurality-voting tier of the system continues to influence partisan competition, notwithstanding the fully compensatory allocation of the PR tier (Shugart and Wattenberg 2001c).

direction is likely to take longer to produce an impact, as multiple parties continue to jockey for advantage in the new system. By this reasoning, the immediate emergence of two blocs of parties in Italy is arguably greater testament to the strategic imperative of electoral systems than the continued high number of separate parties is testament to the legacy of old practices. While the extent of post-reform effect has varied from case to case, we should not overlook the fact that each case of reform from pure plurality or PR to a mixed variant of the two has produced a moderating effect on the party system, much as we would expect and as reformers intended (Shugart and Wattenberg 2001*c*).

The mixed-member systems that have been adopted in these reforms, as well as in many newly democratizing cases (notably Russia), have also provided researchers with crucial experiments in the form of side-by-side employment within one electoral system of both plurality and PR electoral rules. Formerly, students of mixed-member rules had only the German case. Examples of the surge of interest in mixed-member systems aside from my co-edited volume (Shugart and Wattenberg 2001*a*) include Moser (1999, 2001), studying the number of parties in Russia and other postcommunist systems; and Gallagher (2001) on vote-splitting between the plurality and PR tiers in Japan's upper house, compared with other mixed-member systems. Herron and Nishikawa (2001) offer a caution on studies of these types: one tier may 'contaminate' the other, obscuring the effects of each. Additionally, Haspel et al. (1998) have found that the mix of members from each tier in a given parliamentary faction affects its level of cohesion, and Stratmann and Baur (2002) have considered the differential effects of the two tiers on German parliamentarians' committee service. These last two studies speak more to the intraparty dimension of electoral systems.

INTRAPARTY EFFECTS

In Lijphart's earlier review of the field (1985), he noted that one of the overlooked areas of electoral systems research was the effects of electoral rules on what I shall call the intraparty dimension. That is, how do variations in electoral rules affect the internal organization of parties and the ways in which individual legislators (or legislative candidates) relate to constituents? If we take Lijphart's observation to mean that this effect of electoral systems had been almost neglected at that time, when we take a sweep of the literature since then, we can see this as one of the areas of most profound progress in the field. That is, it has gone from almost complete neglect to an ongoing agenda of several scholars. Research on the intraparty dimension has shown how electoral systems affect the representation of women, and has begun to enlighten us on variations in the 'personal vote', including constituency service and specialized committee assignments of legislators. Nonetheless, there are many questions that have only begun to be asked. The study of the intraparty dimension has been hampered by a sometimes nebulous characterization of the dependent variables, a lack of data, and even worse, a lack of clear understanding of what the rules being investigated across countries are.

Conventional classifications of electoral systems, by focusing on the dimension of proportionality (or the ‘interparty’ dimension), assume away the intraparty dimension of seat allocation. Nonetheless, as Grofman (1999) advises us in a self-declared heresy, the distinction between systems in which voters select parties and those in which voters select candidates is at least as important as PR versus plurality/majority. This becomes clear if we think of electoral systems as working on two dimensions:

- (a) Interparty (the allocation of seats to parties) and
- (b) Intraparty (the allocation of seats to candidates).⁸

For an electoral system to allocate seats to parties directly, there must be party lists, which reflect the party’s collective decision over which candidates will bear its label. If there are no party lists, then allocation on the interparty dimension is incidental to allocation to candidates. Intraparty allocation rules require the use of nominal votes, by which I mean simply votes given to candidates by name. Only with such votes can the rules specify which individual candidates obtain seats. Some electoral systems, as we shall see, provide for both lists and nominal voting, but the most commonly understood systems each operate on only one dimension.

These dimensions are illustrated in Table 2.1, which classifies electoral rules on the two dimensions by asking whether they specify an allocation process for converting votes into seats either among parties or among candidates. Interestingly, if we take the two systems that the conventional classification of electoral systems—plurality versus PR—would consider ‘purest’, we find that for each of these systems one of the dimensions of seat allocation is merely incidental. That is, the allocation rules work directly on just one dimension. In plurality in single-seat districts, with rare exceptions, each party nominates a single candidate. So, the process of assigning a seat to a party is incidental to the process of allocating a seat to a candidate, which is the only thing the plurality rule does. Even in the rare case of parties having multiple nominees in a general (interparty) election,⁹ plurality electoral rules do not consider party affiliations—rather than necessarily coming from the largest party,

Table 2.1 Effect of different electoral systems on interparty and intraparty dimensions

		Allocation to parties (interparty dimension)	
		Incidental to rules ($M \geq 1$)	Specified by rules ($M > 1$)
Allocation to candidates	Incidental to rules	None	Closed list
	Specified by rules	Nominal (non-list)	Preferential list

⁸ Obviously, this distinction does not apply to systems that lack parties, such as municipalities in some states of the USA. In such cases, what I am calling the intraparty dimension is the only aspect of an electoral system, which reduces to the rules for determining which *candidates* are elected.

⁹ Sometimes in the Philippines, or in the USA before the adoption of primaries, for example.

the winner of a single-seat district race containing multiple candidates from any given party is simply the candidate with the most nominal votes, regardless of party.

Similarly, because by far the largest portion of the literature on electoral systems has studied PR only as it relates to allocations on the interparty dimension (i.e. thresholds of inclusion/exclusion, degrees of proportionality, numbers of parties winning votes and seats), we have to conclude that the literature implicitly has equated PR with *closed lists*. In closed-list PR (CLPR), parties present ranked ballots and voters simply select one party list over another. Because the order of seats is determined by a ranked list prepared before the election and submitted by the party, the allocation of seats to candidates is incidental to the electoral rules under CLPR—the exact opposite case to that of plurality. Just as it makes no difference to the functioning of a plurality system whether or not the candidates are nominated by parties or whether party labels even appear on the ballot, it makes no difference to CLPR whether the candidates are nominated before an election or simply appointed afterwards by parties once they know how many candidates they have slots for.

Closed-list systems are the only family of systems in which there is no role for the electoral rules in allocating seats to candidates. And that family is populated almost exclusively by PR systems, and hence by multiseat district systems. However, there are cases of closed-list plurality or majority systems, including the rules used for the parliament of Mali, the electoral college in American presidential elections,¹⁰ and the senate elections of Argentina, Bolivia, and Mexico.¹¹

The category of non-list systems—those in which there are no allocation rules related to the interparty dimension—contains several subdivisions. These are illustrated in Table 2.2. The formulae listed on the left side of Table 2.2 are mostly on the order of ‘first-*M*-past-the-post’ systems, where *M* is the magnitude. In the case of

Table 2.2 A typology of non-list electoral systems

		Type of vote	
		Non-transferable	Transferable
Magnitude (<i>M</i>)	$M = 1$	Plurality Two-round majority	Alternative vote
	$M > 1$	Single non-transferable vote Limited vote Unlimited vote (block vote)	Single transferable vote

¹⁰ In both Mali and the American electoral college, parties submit lists of candidates (or electors) in multiseat districts and the list with the most votes in the district wins all the seats. It should be noted that a few US states have used other systems for allocating electors (see Chapter 9).

¹¹ These countries have a variant of limited-nominations list plurality. Typically districts elect three seats, and parties submit lists of two candidates each. Voters vote only for the (closed) list. The party with the plurality elects both its candidates, and the runner-up party elects the first candidate on its list.

single-seat districts, this reduces to ‘first-past-the-post’, another name for the plurality rule. In multiseat districts, if the voter continues to have one vote, this is the *single non-transferable vote*, in which the M candidates with the highest vote totals are elected, regardless of party affiliation. The same principle applies to the *limited vote*, where the voter has more than one, but fewer than M votes, or to the *unlimited vote* (also known as block vote) where the voter has M votes (these are explained more fully in Appendix A). These systems are all subtypes of the plurality rule; however, the same basic ‘first- M -past-the-post’ principle also applies to runoff systems, if we think of M in the first round as the number of candidates (usually two) who advance to the runoff in the event no candidate obtains the threshold (usually 50% + 1, but sometimes 40% or some other level) required to win the seat outright without a runoff.

On the right side of Table 2.2, we have systems that employ ordinal ballots, such that voters indicate their first, second, third choices and so on among the candidates.¹² These systems determine the winners as the M candidates who obtain a quota of votes, where the quota itself is defined in relation to M . Typically (though not necessarily), under the *single transferable vote* (STV) the quota is the Droop quota:

$$Q_{\text{DROOP}} = [V/(M + 1)] + 1,$$

where V is the number of valid votes, and M is the magnitude.¹³ The candidates who obtain the quota are determined by transferring votes from candidates with too few votes to be elected and transferring the surplus votes from candidates who have already been elected (see Appendix A for a full explanation). When $M=1$, this quota is 50% + 1, and the winner is likewise the candidate who surpasses the majority threshold owing to transfers from eliminated candidates (assuming no candidate has a majority of first preferences). This is the *alternative vote*, also known as instant runoff.

Conventional classifications of electoral systems, ironically, have very little to say about what might be the most common electoral system: preferential-list (PL) systems. If we turn our attention back to Table 2.1, these systems, indicated in the lower right of the table, belong to the only family of electoral rules that must specify allocation criteria on both interparty and intraparty dimensions. In a preferential list, individual candidates compete for votes, as in nominal systems, but these votes are aggregated at the level of a party list, as in closed-list systems. The rules must sort out not only how seats are allocated amongst competing party lists, but also how preference votes are counted and allocated to determine which of the candidates on each list takes the seats allocated to it. For many years, Uruguay was the one national level example of the use of a PL system in a single-seat district. Presidential

¹² Rae (1967) applied the term, ordinal ballots, to a wide range of formulae that permit cross-party or intraparty voting. However, I am using this term to refer only to ballots that permit voters to give their own preferred rank order to candidates (see Chapter 1, pp. 9–10).

¹³ So defined, the quota is the smallest number of votes that ensures that only M candidates can obtain it.

elections were conducted by competing party slates, which usually contained more than one candidate. Voters voted for a candidate, but the winner was defined as the candidate with the most votes within the party with the most votes. In this way, uniquely among single-seat district systems, a party could present multiple candidates without fear of dividing its vote and throwing the seat to another party.

In practice, all PL systems used in multi-seat districts are PR systems,¹⁴ and hence may be studied on the interparty dimension as no different from CLPR—and, indeed, that is how most of the literature has dealt with them, by simply collapsing them into one unified family of PR systems (that then vary in district magnitude, interparty allocation formula, thresholds, and so on). However, these rules differ a great deal in how they allocate seats to candidates—and in the set of options available to the voter—yet these distinctions have barely been mentioned in the literature on electoral systems.

Marsh (1985) may represent the first comparative work to note systematically the range of variation within list PR systems. Katz (1986) further categorized rules regarding the allocation of preference votes. The principal contributions of Marsh and Katz were to separate those systems in which preference voting alone determines the order of election within a party from those in which a party rank prevails unless some share of voters coordinate to elevate a lower-ranked candidate above co-partisans who had a higher rank on the (pre-election) list.

Understanding of the role of preference voting remains underdeveloped, as even today systems are often misclassified. And we lack the kind of ready access to basic information on intraparty allocation rules that we have for the interparty dimension. Katz (1986) still remains the most comprehensive source, but obviously some countries have changed their rules in the intervening years. Cox (1997) provides ‘formulaic structures’ for electoral rules, including useful summaries of intraparty allocation for some systems, but not systematically, given the author’s primary focus on the interparty dimension of PR systems.¹⁵

Perhaps it could serve to spur the development of research into the large category of preferential-list PR (PLPR) systems if we orient them clearly with respect to other systems that can be termed ‘preferential’. A preferential-list electoral system is one in which interparty allocation takes place across party lists, but voters are permitted (or sometimes required, as we shall see) to indicate a preference for one or more candidates within one list, or, rarely, across more than one list. Thus a preferential-list system should not be confused with the ordinal ballots of STV or the alternative vote, which are also sometimes termed ‘preferential’ but are not list systems.

¹⁴ That need not be the case, however. For instance, list plurality systems could employ open lists if parties were permitted to nominate more than M candidates, with preference voting determining which M candidates would be elected by the plurality party. (We could substitute for M the maximum number of seats a party is permitted under rules of interparty allocation that limit parties to less than M seats, such as Mexican senate rules dictate.)

¹⁵ It is a positive development that the authors of chapters of this volume concerned with PLPR systems (Chapters 19–24) provide details about the allocation of seats to candidates.

I am advocating the same distinction that Cox (1997) makes between a transferable vote and a pooling vote. Under a transferable vote, the voter decides on a rank-ordering of candidates, which need not follow party lines. The voter thus controls the set of candidates over which her vote can be used to elevate one candidate over another. Under a pooling vote, the set of candidates over which a vote may be used is determined by those actors who prepare and submit lists. Thus, *a preference vote within a list is always a pooling vote*, and it makes sense to refer to electoral systems in which voters cast preference votes that pool over a set of candidates nominated by a given party (or electoral movement or alliance of parties, as the case may be) as preferential-list systems. Assuming the interparty allocation process is proportional, then we have a PLPR.

It is possible for electoral systems with preferential voting to combine both transferable votes and pooling votes, although such combinations are rare. For instance, since 1983, Australia's senate electoral system has allowed voters the option of: (1) ordering candidates on their own ballot as they prefer or (2) accepting a party-provided ranking. As shown in Chapter 4, a very high percentage of voters chooses what I have called option 2 (known as an 'above the line' vote). These voters are effectively casting a pooling vote, in that they are voting for their party and accepting the party's preferred ranking of candidates.¹⁶ The minority of voters who rank candidates on their own are casting a transferable vote, in that they determine to which candidate their vote will transfer if their first (or second, etc.) choice candidate is either eliminated or already declared elected.

Pooling and transferable votes could also be combined by using list PR on the interparty vote (such that a vote pools over the entire list), but using STV for intraparty allocation. Apparently, this option has never been used, but is an obvious—if complex—hybrid system that could be employed to maximize in one system both party level proportionality and voter choice of candidates.

Variations in preferential-list PR

Within the category of PLPR systems, the primary dimension of variation is whether preference votes alone determine the order of election. That is, how are ballots ranked—by the voters, or by the party, or by both? Of course, if the rank order of candidates on the list is determined exclusively by the party, we are outside the family of PLPR. Such systems are closed lists. However, PLPR systems vary in whether the preference votes are the sole criterion in determining the rank of

¹⁶ While closely akin to a closed-list vote in its effects, an above-the-line vote is different in that it continues to be effective for electing candidates of other parties if all candidates of the party for which it was cast have either been eliminated or elected. An additional distinction from closed-list PR is that a party could decide, as a product of a deal with another party, to rank specific candidates of another party ahead of some of its own—unlikely, but possible—whereas under a closed-list system this would be possible only by the creation of a joint list.

candidates on the party list.¹⁷ I believe it is misleading to refer to all systems in which voters may give preference votes as ‘open lists’, because the list is not very open in practice if voters may indicate a choice of candidate but such choices seldom have any impact on which candidates are elected. Thus Table 2.3 identifies as *open-list* those systems in which the ballots provided by parties are unranked and preference votes alone determine the order of election from a party’s list. In many of these systems, the voter may give only one preference vote; however, some permit the voter to favour multiple candidates.

Systems in which preference votes are not the sole criterion for determining candidates’ ranks should be termed *flexible lists*, a term I borrow from Marsh (1985). In these systems, allocation of candidates takes into account both the party-provided rank order and preference votes. Typically, some quota is defined—for example, it might be half the electoral quotient. Obtaining a quota of preference votes guarantees a candidate will be elected regardless of his or her rank on the list (assuming the party has won sufficient seats to elect these candidates).¹⁸ Once seats have been allocated by preference-vote quotas, the rest of the party’s seats are allocated according to list rank. Flexible lists vary widely in the degree and method by which preference votes may change the party-provided ranking. In some,

Table 2.3 A typology of preferential-list allocation methods

	Preference votes are sole determinant of candidates’ rank on the list?	
	Yes; ballots provided by parties are unranked	No; party-provided rank also taken into account
	<i>Open list</i>	<i>Flexible list</i>
	Brazil	Austria
	Italy (before 1993)	Belgium
	Peru	Czech Republic
		Sri Lanka
Subtype:	<i>Quasi-list</i>	<i>Latent list</i>
Voter indicates preference vote only	Chile	Estonia
	Finland	The Netherlands
	Poland	

¹⁷ In most PLPR systems, the voter’s opportunity for giving preference votes is confined to a single list. However, PLPR also admits the possibility of *panachage*, as in the open-list systems of Luxembourg and Switzerland, whereby the list imposes no boundary on the candidates to whom a voter may choose to give preference votes.

¹⁸ For instance, suppose a party wins 1.1 quotas, split equally among two candidates, with 0.55 a quota each, but that is only enough for one seat. Then, even if the law says that half a quota’s worth of preference votes is sufficient for election regardless of rank on the party list, in this case, only one of the candidates is elected (presumably the one with the higher list rank, given the tie in votes). In other words, intraparty allocation rules cannot trump the interparty ones in preferential-list PR.

such as Austria, the hurdle is quite high, and so most seats are allocated by party rank—although as shown in Chapter 19 by Müller, the threshold for guaranteeing a seat via preference votes has recently been lowered. As De Winter shows in Chapter 20, the threshold for election via preference votes has been lowered recently in Belgium as well, allowing some candidates to be elected who would not have made it on the basis of their original rank on the party list.

The distinction between open and flexible lists is subtle but crucial. In effect, in the flexible list the voter who opts not to cast a preference vote is *delegating to the party* the task of deciding the order in which candidates will be elected, while in the open list, the voter is *delegating this decision to other voters* (those who cast preference votes). This distinction is not always acknowledged in the literature, and I have been guilty myself of not making it in the past: Taagepera and Shugart (1989: 25) conflate the systems, suggesting that the official party rank may prevail more often than not in open-list PR. In fact, while this is true of flexible lists, it is emphatically not so for open lists, which by definition do not have a party-provided rank order. More recently, Colomer (2004) does not differentiate these types of PLPR, referring to flexible lists—and even some that are almost closed¹⁹—as ‘open lists’.

In Table 2.3, I also identify subtypes of open and flexible lists. In some of these systems the voter is not given the option of simply favouring a party list, but must cast a preference vote. Because there is no list vote, Taagepera and Shugart (1989: 25) proposed calling the Chilean and Finnish examples of such an electoral system *quasi-list* PR. Without either a possibility of a list vote or a party-provided ranking of candidates, this system is a list system only in the (interparty) sense that all candidate votes are pooled at the party level to determine the allocation of seats among parties. Preference votes are the only kinds of votes provided for in this system; if such votes exclusively determine the ranking of party candidates, it is a subtype of the open list.

Finally, in two systems of which I am aware—the Netherlands and more recently Estonia—a preference vote is mandatory, but preference votes are not solely determinative of list rank. Just as quasi-list systems are a subtype of open list systems, these represent a subtype of the flexible list systems. Because the list itself has no bearing on the voter (who cannot give a vote to it alone), yet the list is likely to determine the order of election for most candidates, it seems sensible to call this a *latent list*.

Little is currently known about the effects of these different types of PLPR systems. In fact, even country specialists are often hazy on important details of the systems in the country whose elections they study. Yet the details that separate one type from another may have important political consequences. At times, the seemingly arcane details may become fodder for quite divisive political debate. For

¹⁹ For example, in Norway, where voters have the option of striking names from a list, few do so; moreover, only a very substantial percentage of voters acting in concert could actually bring about a change in the list order (which apparently has never happened).

instance, in Colombia between 1998 and 2003, at various times a political reform proposal called for closed lists, then open lists, then flexible lists. The argument was so intense over whether open lists represented sufficiently serious reform away from the personalization of the existing SNTV system, that in the end it was resolved only by allowing parties the option of presenting either an open or a closed list (Shugart, Moreno, and Fajardo forthcoming). Andeweg shows in Chapter 24 that there has been considerable debate about the merits of various ways of allocating preference votes in the Netherlands as well. At a purely normative level, I would propose that the quasi-list and the flexible list may be the most appealing types of PLPR.

The advantages of quasi-list PR are as follows. If preference votes alone are to determine the rank order of candidate election, then ensuring that all voters are participating in the ranking of candidates lowers the possibility of candidates winning with very small personal followings. Under open-list PR with an optional preference vote, unless nearly all voters cast preference votes, some candidates may have extremely small personal networks that ensure their election. This may be conducive to clientelistic strategies, because the 'price' per vote is smaller as the number of votes a specific candidate must woo to ensure election is smaller. Quasi-list PR potentially raises the number of votes required to win a seat, compared to conventional open lists (for given values of district magnitude, number of candidates running, and number of votes cast).

The advantage of flexible lists with an optional preference vote is that these systems give voters the option of delegating to their party the order of election of candidates (by casting a party-list vote) or of attempting to elevate a popular candidate over listmates who enjoy a higher party-provided rank. Other types of lists may contain an element of deception. Open lists may give voters the impression that they are delegating to their party the ranking of candidates, but in reality a list vote means accepting other voters' preferences. Latent lists give the appearance of a popularity contest among candidates, notwithstanding that the party's rank is likely to prevail in many or most cases. As Andeweg notes (Chapter 24) for the case of the Netherlands, this is a 'misleading' element of the Dutch electoral system.²⁰ One avenue for research on these systems would be to incorporate questions about them in national election surveys so that we would know the extent to which voters understand (if at all!) the relative effects of list and preference votes, and how far voters view them as legitimate.

²⁰ I do not mean to imply that there are no potential benefits to open lists or latent lists relative to the other two types. For example, the open list may facilitate a party's efforts to cultivate a party label, compared to the quasi-list, because the party can ask voters to 'vote for the list', as is the case in Brazil's Workers Party (Samuels 1999). However, only under the implausible assumption that the candidates of the party are undifferentiated is this really a party vote, given that the remaining voters who vote for candidates are still solely responsible for ordering the list. As for the latent list, it may have the beneficial effect of encouraging candidates to be recognizable (because voters are voting for candidates), while also reining in personalism (because the party can privilege certain candidates over others). Nonetheless, as Andeweg notes in Chapter 24, Dutch parties have at times devised clever strategies for *discouraging* their candidates from cultivating a personal vote.

Empirical research on the intraparty dimension

Quite apart from the normative arguments in favour of one type of PLPR or another (and versus closed list or non-list systems), we simply know too little at this stage about their empirical effects to provide meaningful answers to many of the trade-offs confronting electoral reformers who may seek our advice as ‘experts’. This is in stark contrast to the interparty dimension, where we can provide technical detail to reformers regarding the probable effects of different allocation rules, magnitudes, thresholds, and so on. Although the literature on the intraparty dimension lags behind that on the interparty dimension, some significant findings have emerged in several discrete areas. I shall subdivide these areas into *socio-demographic representation* and the *personal vote*.

Socio-demographic effects. The impact of electoral rules on the representation of social and demographic groups in the electorate can be conceptualized on both the interparty and intraparty dimensions. If an electoral system promotes the establishment and representation of specific parties to represent groups of voters, obviously we are speaking of an interparty effect; however, there are groups in the electorate that may not form separate political parties, either because the effective threshold to forming such a party is too high, or because the group in question has diverse programmatic preferences that span the existing party spectrum and thus seeks to be integrated within existing parties. Prominent among the latter socio-demographic groups is that of women. Whereas ethnic and religious groups frequently gain representation through distinct political parties where either the electoral threshold or the group’s own geographic concentration permits them to win representation, rarely are there distinct ‘women’s’ political parties. Rather, variation in the representation of women across political systems is a matter that belongs to the intraparty dimension, as parties vary widely in the extent to which they recruit women as viable candidates.

The literature on the representation of women deserves its own review, but a short summary of the findings would start with the observation that levels of representation of women tend to be higher under proportional representation than in single-member districts (Duverger 1955; Rule 1981; Norris 1985; Matland and Studlar 1996). Several scholars have noted that the multimember districts of PR promote higher intraparty turnover, which favours non-incumbent politicians, including those from traditionally under-represented groups such as women (Norris 2004; Darcy et al. 1994; Henig and Henig 2001; Matland and Brown 1992). These latter studies have specifically considered the role of district magnitude, as higher magnitude reduces the all-or-nothing game of party nominations, whereby in a very-low-magnitude district in which the party may win at most one seat, the party tends to play it ‘safe’ by nominating experienced male candidates. It has also been established that parties are more likely to adopt quotas of gender representation in PR systems. The establishment of quotas is aided by a list system in which parties can

ensure representation of women by admitting a certain number on to a list. If the list is closed, they can fine-tune representation by estimating the number of seats they will win and ensuring that some proportion of the candidates in electable list positions are women. The same logic would apply to other socio-demographic groups as well.

The personal vote. Electoral systems also have been found to impact the ‘personal vote’, typically defined as that part of a candidate’s vote that results from his or her own individual characteristics or actions, rather than from his or her party label (see Cain et al. 1987). Electoral systems in which candidates run as a distinct representative of a geographic district promote a personal vote, by putting a ‘face’ on the party. So do electoral systems that promote intraparty competition for preference votes.

Because we usually lack direct evidence of a personal vote, empirical studies of the effect of electoral systems have employed various proxies. One proxy is the frequency with which members engage in constituency service. For example, Bowler and Farrell (1993) surveyed members of the European Parliament (MEPs), who are elected under a wide variety of national electoral rules. They found that just over half of those elected from party lists in national districts maintained constituency offices. MEPs elected from regional lists—in other words from districts of smaller magnitude, though not as small as single-seat districts—were more likely to do so, and nearly all of those elected from small districts did so. Bowler and Farrell also took advantage of the considerable variation within EP electoral rules in the use of preference votes, finding that systems with preference votes increased MEPs’ reported contacts with constituents.

Carey and Shugart (1995) suggested how different electoral formulae affect the incentive to cultivate a personal vote, considering the interaction of preference voting and district magnitude. A simplified form of the Carey–Shugart hypothesis is depicted in Figure 2.1, where we see that the incentive to cultivate a personal vote is posited to decrease with district magnitude when there is no intraparty competition, and increase with magnitude when there is such competition.

In closed-list systems, because voters are not able to favour some of a party’s candidates over others, the value of the personal vote decreases as the magnitude increases. In such systems, any effort made by a candidate on the list to emphasize his or her personal attributes or record of service has an imperceptible effect on the probability that the candidate will be elected to office. Rather, that probability was largely determined prior to the election, when the party, following its internal procedures, settled on a rank order on its list. On the other hand, within closed lists, as the magnitude decreases, the incentive to cultivate a personal vote increases, because a small shift in votes is much more likely to affect the electability of at least the marginal candidates on the list. In this context, candidates who cultivate a personal vote may draw additional votes to the party, and this may enhance their prospects for election.

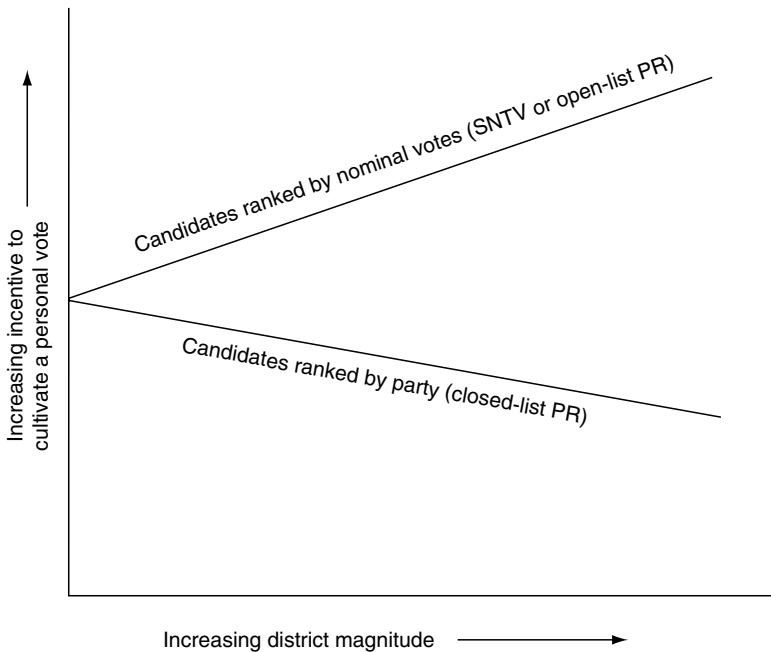


Figure 2.1 The differential effect of district magnitude on the intraparty dimension

In systems that provide the voter with an intraparty choice among multiple candidates—such as SNTV or open-list or quasi-list PR²¹—the relation between magnitude and the incentive to cultivate a personal vote is reversed. When preference votes determine candidates' order of election, the higher the magnitude, the more co-partisans they are in competition with, and thus the higher the premium on emphasizing connections with groups of constituents. In such a context, a candidate's emphasis on his or her personal attributes or record of service may attract preference votes away from co-partisans, or even from voters who might otherwise favour another party but are available to be won over because of the attractiveness of a specific candidate.

The study of the effects of variations in electoral systems on the intraparty dimension has gone farthest in the literature that deals with purely nominal-vote systems in which rules governing allocations between parties are incidental (see Table 2.1). We have a now-rich literature on SNTV, best represented by the various contributions to the Grofman et al. volume (1999), as well as burgeoning single-country literatures on Japan and Taiwan.²² This impressive body of literature has

²¹ Owing to the lack of empirical studies on them, it is utterly unclear whether flexible and latent list PR should behave more like a nominal-vote system, or more like CLPR. More probably, they fall somewhere in between in their aggregate effects.

²² See the chapters in Grofman et al. (1999), as well as the references to the literature contained therein.

generated certain propositions about the effects of SNTV, many of them tied to the practices parties must employ to ‘manage’ the system. For instance, because inter-party allocation is incidental to the rules of SNTV, parties are not rewarded for their aggregate level of support in an electoral district, but for having fielded an optimal number of candidates and having divided the votes optimally among them. Managing the system often implies heavy use of pork-barrel politics and clientelism (or even outright corruption) as well as policy specialization by members of the same party in a district (for instance via committee service) as means to ensure the loyalty of specific voters or voting blocs to one candidate rather than another.

If the study of the effects of SNTV is well developed, we know a good deal less about the workings of PLPR, and how it relates to SNTV as a member of a family of systems that entail intraparty competition. I am aware of two cross-national tests of the effects of preference voting (or its absence) and magnitude. Crisp et al. (2004) use as their proxy for the personal vote, the type of bills that legislators initiate. They reason that if a legislator seeks to cultivate a personal vote, he will seek to claim credit for looking after local interests by initiating bills with a local character. Using data from several Latin American cases, Crisp et al. (2004) find that the probability of initiating a local bill rises with magnitude in list-vote systems, but declines with magnitude in nominal-vote systems.

Shugart, Valdini, and Suominen (2005) posit that the birthplaces of candidates and their prior experience in elective office are proxies for the personal vote, as these are attributes that candidates can highlight to voters if the electoral system promotes a personal vote. We find that the probabilities that a member is a district native and that a member is experienced in elective office rise with magnitude in open-list PR and decline with magnitude in CLPR. Thus there is preliminary evidence from at least two studies that the interaction of list versus nominal votes with district magnitude affects the behaviour and characteristics of legislators.

Closely related to the personal vote and to constituency service is the assignment of legislators to committees. Cain et al. (1987) posited that committees can be expected to be a venue in which members can specialize in policy matters of interest to their own segment of their party’s constituency. In this vein, the aforementioned paper by Stratmann and Baur (2002) makes a promising beginning. It considers committee assignments according to the tier (nominal or list) by which a member was elected in Germany. Their data support a hypothesis that suggests that members with the higher personal vote incentive (those elected by plurality) have systematically different committee service from those elected by PR. Members elected by plurality are more likely to be on committees with influence over allocation of benefits to geographic constituencies, whereas members elected by PR are more likely to be on committees that control benefits to a party constituency or to interest groups that influence the ranking of the party list.

An implication of Stratmann and Baur’s work—as yet untested, to my knowledge—is that committee assignments in systems of CLPR should entail little effort to match voter interests with the committee system. CLPR, especially with large district magnitudes, provides the least incentive for members to cultivate a personal

vote, so the expectation would be that in countries using such an electoral system the entire process of legislative committees, from assignment of members to the role of the committees in modifying government bills, should be least reflective of local interests or other interests that can mobilize relatively small blocs of voters.

This speculation on closed-list systems leaves open the question of just what parties (understood narrowly as collections of elected legislators) in such systems do represent. Herein lies an evolving tension that I see in the literature between those who see electoral systems that emphasize party-vote incentives as favouring the representation of unorganized voters and those who see the opposite effect. For those who emphasize the particularistic nature of the personal vote, electoral rules that strengthen the party at the expense of the individual legislator are understood to reduce particularism (i.e. the targeting of policy to favour narrow interests). The logic is that intraparty competition for personal votes or the cultivation of a reputation for serving a geographically defined constituency encourage legislators to forge close relations with organized 'special' interests that can mobilize reliable voters or that can finance their individual campaigns. The result is recourse to the pork barrel (Ramseyer and Rosenbluth 1994; Carey and Shugart 1995; Ames 1995*a*, 1995*b*; Samuels 2002)—i.e. sponsoring legislation that targets spending on the interest groups or voter constituencies that members need for their personal vote—or outright corruption (Reed 1994; Golden and Chang 2001). On the other hand, this perspective at least implicitly sees parties as encompassing organizations that are capable of overcoming the influence of special interests that competition for personal votes breeds.

However, an alternative perspective sees party leaders, not individual candidates, as the 'villains' distorting popular sovereignty in favour of narrow interests. When party leaders control the prospects for the election of rank-and-file legislators, according to this view, they can shield members and themselves from electoral accountability and provide favours to interest groups that lack a popular constituency (Bawn and Thies 2003; Kunicova and Rose-Ackerman 2005). Disentangling the conditions under which one electoral system or another advances general over narrow interests should be a high priority item on the agenda of electoral systems researchers. However, before this research agenda can advance, progress must be made in basic data availability.

Furthering research on the intraparty dimension

As a possible measure of the extent of the incentive to cultivate a personal vote (the dependent variable), Grofman (1999) offers the concept of electoral constituency size, which, for systems of nominal voting, is the number of voters who voted for a given candidate, denoted by e , and the mean value of constituency size in a legislative body, E . The implication would be that a legislator responds to a smaller subset of the electorate, the smaller his e value; and that a nation's politics is more personalistic, the smaller its E value. These are promising directions for the comparative study of the intraparty dimension, but at this point carrying out such

research requires a heavy investment in data collection, as, with some exceptions, the needed data are, to my knowledge, available only by going to original publications of national electoral agencies or to individual country specialists.

The relative absence of basic comparative data on the intraparty dimension hinders our development and testing of theory. The various studies of the intraparty dimension that I reviewed above, we may hope, represent the early stages in the accumulation of knowledge about this aspect of electoral systems, but their usefulness to general theory-building about intraparty effects is limited. Studies of such topics as committee assignments, pork-barrelling, or corruption are looking at a dependent variable that is at least once removed from the proximal effect of the electoral system. Going directly from electoral system to pork-barrelling, for example, is a bit like going directly from electoral system to cabinet durability on the interparty dimension. It misses the theoretical link of how the mechanical effects of the electoral system generate incentives for politicians to behave in certain ways, once elected. And it largely misses how the electoral system structures choices for voters, and with what consequences. On the interparty dimension, we have votes and seats won by parties. However, on the intraparty dimension, we are still largely lacking data on votes and seats by candidates and candidates' list ranks and various personal attributes, which would be the relevant data for most basic research on the intraparty dimension. For instance, while we have comparative data on the effective number of parties and proportionality under different electoral systems, we generally lack data on the effective number of candidates, which could offer clues about how competitive different electoral systems are inside parties. Without such data, we cannot build the theoretical links between intraparty competition and patterns of behaviour. Thus, redressing the relative absence of systematic intraparty data for those electoral systems that entail intraparty competition should be high on the agenda in coming years.

I have now discussed the intraparty dimension as a subject of comparative electoral systems research that is considerably less developed than that of the interparty dimension. Nonetheless, I hope my review of the literature has made clear that there are several active research agendas under way, suggesting that progress may come rapidly.

CONCLUDING REFLECTIONS AND PROJECTIONS

In the span of less than twenty years, the field of comparative electoral systems research has gone from being 'underdeveloped' (Lijphart 1985) to being a mature field of study. This does not mean that all of our questions have been answered—or even asked yet. What it means is that we now have a large number of scholars who make the study of electoral systems one of their principal areas of work, and many more who include electoral system variables as an element in research on broader topics. It also means that we have largely settled some of the core questions of the field—notably the relation between various electoral system variables and the number of parties and proportionality—and that these findings have been, to a

significant degree, incorporated into mainstream political science. In fact, I will go so far as to say that the agenda of proportionality and number of parties is largely closed, though some will view that as heretical, as Grofman (1999) put it. Presumably there will continue to be fine-tuning, and the possibility of a theoretical breakthrough that we cannot now anticipate always remains. However, I would urge scholars of electoral systems to pursue new agendas. In fact, it is even possible that by pursuing these other agendas we will indeed uncover new relations on the interparty dimension that we had not noticed before.²³

Among the new agendas that I have stressed are several themes centring on the intraparty dimension, which remains underdeveloped. The field would benefit from an increased availability of raw data such as candidate shares of preference votes for preferential-list PR systems. Such data would assist the ongoing agenda of many scholars in relating electoral systems to the breadth of political interests represented under different institutions—an agenda that sits at the intersections not only of the interparty and intraparty dimension, but also of electoral systems with constitutional structure and other variables.

I have not even begun to sketch the other side of electoral systems research—the study of origins of electoral systems. In his earlier review, Lijphart (1985) noted that there was a shortage of such studies, and that is still the case today—which is not to say there has been no progress. Most notable among recent work on origins is Boix (1999). In some of my own research I have attempted to generalize about the origins of electoral systems (Shugart 1998; Shugart and Wattenberg 2001*c*). There are also many case studies of specific country experiences with electoral system choice; in fact, these are too numerous to list here. The chapters of the present volume add much to our knowledge of electoral system origin and the politics behind selection. To my knowledge, however, there is not really a body of theoretically driven comparative work on why one electoral system is chosen over another, and that is why I have confined my review to the literature on consequences of electoral systems.

Perhaps part of the reason we have so much more literature on consequences than on origins is that the study of the effects of an institution lends itself better to systematic theory (and quantification) than does the study of its origins. Electoral systems are initially designed only once and then occasionally reformed, limiting our number of observations drastically compared to consequences, where we have an observation at least with every election; if our unit of analysis is districts, parties, or candidates, we have vastly more. Nonetheless, clearly the study of origins—and of reciprocal effects between the correlates of electoral-system selection and sub-sequent effects of the chosen system—is a research frontier for the twenty-first century. This research frontier is made all the more urgent, and also more feasible, by the recent boom in recognition, among international organizations, NGOs, and

²³ For instance, knowing more about partisan bias towards specific types of parties (such as in Monroe and Rose 2002) and about the closely related topic of malapportionment (Samuels and Snyder 2001) might refine our understanding of how electoral systems affect the number of parties and proportionality.

others, of the importance of 'governance' institutions, of which electoral systems are increasingly recognized as a crucial part (Norris 2004). Fortunately, these world developments promise to continue to bring new scholars into the field of comparative electoral systems research, which has now become a mature field of inquiry within comparative politics.

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Why Are There So Many (or So Few) Electoral Reforms?

Richard S. Katz

The vast majority of the literature on electoral systems has been concerned, in the words of the title of Rae's seminal book (1967), with 'the political consequences of electoral laws'. Based primarily on cross-sectional data, analysts have tried to explain outcomes of proportional representation (PR), majority status and stability of governments, and the nature of parties and party systems, with reference to such dimensions of electoral laws as electoral formula, district magnitude, or the possibility of intraparty choice. Electoral systems, as the *explanans*, have been taken as fixed—or, when a change in a country's electoral system has been noted, this has simply been taken to define a new case, rather than to be a phenomenon that itself requires explanation.

One exception to the taking of electoral systems as given has been the debate concerning the adoption of PR in Europe. Originally, this debate focused on the direction of causation underlying the correlation between PR and multiparty systems, generally identified as Duverger's law. Typical of one side of this debate was Grumm's (1958) observation that multipartism preceded the adoption of PR, and that, therefore, 'PR is a result rather than a cause of the party system'. The other side (e.g. Riker 1982: 758; Sartori 1986: 65) took issue with the relevance of the test, observing that most of the changes to PR were from two-ballot majority systems, for which Duverger's law does not predict a two-party system, rather than single-member plurality (SMP), for which it does. Both sides, however, appeared to accept that there is a natural correspondence between the electoral system and party system, which would be more or less naturally established, and once established would be relatively stable.

This equilibrium approach is, however, incapable of explaining change except with reference to an external shock. The shock most often cited was the political mobilization and enfranchisement of large numbers of people who had been excluded from legitimate political participation under the *régimes censitaires* of the nineteenth century. The classic statement of this position is that of Rokkan (1970: 157): 'The rising working class wanted to gain access to the legislatures, and the most threatened of the old-established parties demanded PR to protect their position

against the waves of mobilized voters created by universal suffrage.’ More recently, Boix (1999) has employed multivariate techniques and data unavailable to Rokkan both to confirm, and to refine, the hypothesis that electoral system change is brought about by the attempts of ruling parties to maximize their representation in a changed electoral arena. This self-interest-driven account of the adopting of PR has been challenged by an idea-based account asserting that PR was introduced because the ruling parties recognized that ‘proportional representation is the only means of assuring power to the real majority of the country, an effective voice to minorities, and exact representation to all significant groups of the electorate’ (Carstairs 1980: 3, translating a resolution of the international conference on PR convened in 1885 by the *Association Réformiste Belge*, cited in Blais and Dobrzynska 2000). Both sides, however, appear to imply that substantial changes in electoral systems are to be expected only in response to ‘deep-rooted ruptures in the historical and political development’ (Nohlen 1984: 217) of the countries involved.

In the 1990s, however, Italy, Japan, and New Zealand substantially altered their electoral systems under conditions that fell far short of being ‘deep-rooted ruptures’. Although starting with electoral systems that were very different (respectively, PR, SNTV, and SMP), they all adopted variants of what came to be called (adopting the phrase applied in New Zealand) mixed member systems. In trying to account for these reforms, and on the presumption that these, in fact, represent some kind of intermediate position between the ‘extremes’ of SMP and PR,¹ Shugart (2001: 25) proposed ‘that much of the appeal of mixed-member systems derives from how they appear to balance the extremes on [both the interparty and intraparty] dimension[s]’. Moreover, he implies that dissatisfaction with extreme performance on one or both of these dimensions may be adequate to lead to reform, even if the dissatisfaction is not sufficiently profound to be characterized as constituting a crisis.

THE PARADOXES OF ELECTORAL REFORMS

Notwithstanding the spate of reforms in the early 1990s, major reforms of national electoral systems remain quite rare, as Nohlen (1984: 218) observed some twenty years ago (see also Norris 1995). If one limits attention to the established democracies (roughly, democratic since the 1950s), and limits the meaning of ‘major reforms of national electoral systems’ to the wholesale replacement of the electoral formula through which a strong president, or the chamber of parliament to which the national government is responsible, is elected, the list of major reforms since 1950 numbers only fourteen. Three of these concern the adoption of mixed member systems in the early 1990s: in New Zealand in 1993 (first applied in the 1996 election), where mixed member proportional (MMP) replaced SMP for the election of the only chamber of parliament; in Italy in 1993 (first applied in the 1994

¹ Running counter to this presumption is the observation that before the start of the reform process in New Zealand, the German system now commonly classified as MMP was virtually universally identified simply as being PR.

election), where MMP replaced PR for the election of both chambers of the parliament; and in Japan in 1994 (first applied in the 1996 election), where MMP replaced SNTV for the election of the House of Representatives. Five major reforms took place in France: the replacement of D'Hondt formula PR with a complex system that varied between Paris and the rest of the country before the 1951 election; the wholesale replacement of that system by two-ballot majority that accompanied the advent of the Fifth Republic in 1958; the adoption of direct election of the president of the republic in 1962 (first election, 1965); the replacement of two-ballot majority election of the National Assembly with PR in 1985 in anticipation of the 1986 parliamentary election; and then the reinstatement of two-ballot majority election within months of the 1986 election (first applied in 1988). A similar pair of reforms (adoption and then abandonment) occurred in Israel, with the introduction of direct election of the prime minister in 1992, and its repeal in 2001. An additional major reform might be the introduction of direct election of the president in Finland in two stages in 1988 and 1994,² although the electoral reform was accompanied by reductions in the powers of the Finnish presidency, sufficient to move it out of the category of strong presidents. To these, one might also add the amendment of the Maltese electoral system in 1987 to guarantee that a party whose candidates receive a majority of the first-preference votes will also have a majority in parliament, regardless of the allocation of seats by single transferable vote (STV) at the constituency level. Finally, although it never came into operation, one might also add the enactment and then the repeal of the Italian *legge truffa* ('swindle law') that would have given 380 of 590 seats in the Chamber of Deputies to any alliance of parties that won 50 per cent of the votes.

If, however, one takes a slightly more expansive view of electoral reform, then reforms of national electoral systems are far more common. Within the general category of proportional representation, there have been changes in the specific method/formula employed; introduction or modification of statutory thresholds (*Sparklauseln*); reapportionments of seats in ways that do (or do not) significantly affect district magnitudes; introduction or modification of multitiered methods of seat distribution; modification of systems of intraparty preference voting. While changes in formula or magnitude are impossible while staying within the category of SMP systems, redistricting decisions—as well as changes in the way in which those decisions are made—can have an impact on elections that is as profound as any of those listed in the previous sentence.³

In addition to changes such as these, there may be changes to the systems employed for elections of local or regional governments, a possibility rendered a virtual certainty if the structure of subnational government itself were changed (e.g. the (re-)creation of a Scottish parliament, a Welsh assembly, and a London metropolitan mayor and council in the UK). The advent of direct election to the European

² For details of this reform, see Chapter 23 in this volume.

³ Given their demonstrably large impact on the translation of votes into seats, it is thus surprising that Lijphart (1994) does not consider the wholesale redistricting that follows every decennial census in the USA to define a new electoral system.

Parliament forced all the member states to adopt new electoral systems; even if these were copied from the systems in use for national parliamentary elections, they necessarily differed from the existing systems in at least one aspect of district magnitude (either number of members per district, or number of voters per district, or both). And, of course, there are the wholesale revisions of electoral systems that have accompanied the transitions from communist to democratic rule in the former Soviet empire, from white to multiracial rule in South Africa, and so on—but these are unexceptional precisely because they did not occur in established democracies and did accompany regime changes.

Depending on how one understands the term ‘electoral reform’, this phenomenon presents two apparent, and apparently contradictory, puzzles. If electoral reform is understood to apply only to such major changes in the electoral system as the replacement of SMP with PR, or of PR with MMP, then the question is why such reforms occur at all. In democratic countries, electoral reform generally can take place only with the approval, or indeed at the initiative, of the party or coalition of parties that have won the previous election. Why, it is often asked, would politicians change the rules of a game they have been winning? While the fact that the fourteen reforms listed above are the only such major changes to take place in the ‘canonical’ list of more than two dozen democracies over more than half a century (especially with five of those reforms taking place in a single country) certainly supports the claim that major reforms are rare, there are far too many such reforms to be dismissed simply as aberrations.

On the other hand, if electoral reform is understood to include such apparently more minor changes in the electoral system as the alteration of ballot access requirements (e.g. the British increase in electoral deposit from £150 to £500 in 1985) or a change from one PR formula to another, then the question is why reforms remain relatively infrequent. There are rarely, if ever, legal barriers to redrawing district lines after every election with the majority gerrymandering to its own advantage on the basis of the latest figures, but such frequent opportunistic reapportionments are virtually unheard of. On the basis of moderately strict counting rules (but far weaker than those used above to define a ‘major reform’), Lijphart (1994: 160–2) counts thirty electoral reforms in twenty-seven countries between 1945 and 1990; with less stringent rules, or more dimensions to be considered, the list would undoubtedly have been much longer. Nonetheless, while it would be a major undertaking to list all the ‘minor’ electoral reforms that have been implemented since 1950, the normal expectation remains that two successive elections in a country will be held under the same electoral arrangements. If the parties in power could give themselves an advantage, why do they not do so more often?

MAJOR REFORMS IN PRINCIPLE

With only fourteen major reforms in the last half-century, a statistical analysis of the circumstances under which parties in power change the rules of the game that put them there is not likely to be productive. Nonetheless, it is possible to posit a number

of generalizations based on these cases, the most significant of which is that the initial premise, that major electoral reforms are unlikely because they would have to be adopted by parties that have been winning under the old rules, and thus must be counter to the interests of those parties, is, if not simply false, then at least incomplete and misleading. As a review of the fourteen cases of major reforms that were enacted, as well as several reforms that were proposed—often by the parties in power at the time—but not enacted, reveals, this is so in virtually each particular.

First, the fact that a coalition is in office does not mean that it will not (possibly with good reason) perceive itself to be vulnerable. With hindsight, the fears of communist takeovers or fascist resurgence in Western Europe in the decades after the Second World War may appear the products of hysteria, but that does not mean that they were not significant influences on the decisions of European governments. Particularly, a first-term government may understand its victory to have been the product of a fortuitous combination of circumstances that is unlikely to persist—in effect, to believe itself to have won in spite of, rather than because of, the electoral system in place. Public opinion is not a constant, and a coalition that won election a few years before may expect that it would lose, in the phrasing of a common survey question, ‘if there were a General Election tomorrow’. And, even if a coalition is relatively secure in office, that does not mean that it could not hope to win an even bigger or more secure victory in the future.

Second, the ‘winners will not change the rules of the game they are winning’ hypothesis implicitly assumes that whether an electoral reform is adopted is entirely at the discretion of those winners. In some cases, however, the winners of the last election are not completely in control of events. Many of the conditions associated with Lijphart’s model of consensus democracy—an independent legislative branch that gives significant power to opposition MPs (e.g. by giving all parties a share of committee chairmanships), bicameralism, federalism, judicial review, referendum—may mean that the ‘government’ will not be able to prevent the enactment of reforms it opposes (or secure the enactment of reforms it wants), except perhaps at prohibitive cost.

Third, the simple above-mentioned hypothesis implies a bright line dividing winners and losers, such that all the members of the winning coalition share a single common interest with regard to possible electoral reform. In fact, this may be untrue for a variety of reasons. The primary incentive for the party (or person) of a would-be prime minister is probably to be heading a winning coalition rather than maximizing its own (or his or her own party’s) seat share, while for coalition partners (and individual MPs) increased seat shares may be more important than ‘winning’ the overall race to control the government. Some coalition members may have a wider choice of potential partners than others. An electoral reform that would benefit a small (or regional) coalition member might harm its larger (or more national) partner. In each case, there may be pressure from within a governing coalition to reform the electoral system, even though reform might not appear to be in the interest of the coalition if it were a unitary actor. Conversely, even if reform

would be in the aggregate interest of the governing coalition (e.g. the ‘centre right’ as a political family), it may be derailed by the opposition of some individual members of the coalition whose interests it would not serve.

Fourth, the hypothesis, like all hypotheses in the rational choice paradigm, assumes that the participants know their interests, know the consequences of their alternative courses of action for those interests, and act accordingly.⁴ Looking at the drafting of new electoral laws in postcommunist Europe suggests that this line of reasoning is highly problematic. On the one hand, there appears to have been a strong tendency among those drafting these laws to misread the relative strengths of the likely competitors, but on the other, a very simplistic understanding of the political consequences of electoral laws. The result was often to make these exercises look (at least with hindsight) like ‘amateur night at the constitutional convention’. While these problems certainly are more likely to afflict new democracies than those with decades of experience, both with voter preferences and with the operation of the electoral system *from* which it is proposed to change, that does not mean that parties in established democracies are immune to misperceptions and miscalculations concerning an electoral system *to* which it is proposed to change.

Fifth, the implication that governing coalitions are motivated by considerations of short-term advantage in a game played by a fixed cast of characters may be defective in either or both of these aspects. On the one hand, parties may be concerned more with long-term positioning than they are with securing possibly temporary advantage in the next general election, but on the other hand, and at least in part for long-term advantage, they may want to change the whole format of the party system, including both the identity or number of the parties and the patterns of competition among them, not just the relative strengths of a constant menu of parties.

Sixth, although electoral systems are of great potential importance in altering the translation of votes into seats and thus into political power, and although the increased power that might be achieved by an electoral reform (or the decreased power that might be avoided by blocking a reform) could be deployed in many policy areas, still, maximizing their electoral advantage is only one goal that parties pursue (Strøm 1990). Under the right circumstances, both proponents and opponents of electoral reform may be prepared to trade their preferences or interests on this dimension for support on other questions.

These reasons why electoral systems might be changed, notwithstanding the conventional expectation that major reforms cannot occur without the consent of the current winners, are not mutually exclusive, and indeed in some cases, as will be seen below, can be mutually reinforcing. They are summarized in Table 3.1. Some suggest reasons why reforms might be adopted over the initial opposition of the government in office; some suggest reasons why a government in office might countenance electoral reforms, including reforms that are not in their own apparent

⁴ It is possible that the consequences of actions will be stochastic rather than determinate (that is, changing the probabilities of outcomes rather than directly determining them), but as the probability distributions of the outcome of alternative actions increasingly overlap, the analytic purchase of the rational model vanishes.

Table 3.1 Reasons why parties might change, or allow to be changed, the rules of a game they are winning

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1. The winners may believe that their continued victory is seriously threatened under the existing rules.
 2. The winners are not entirely in control of the situation, and can have reforms imposed upon them.
 3. There is division of interests among the members of the winning coalition.
 4. Those able to adopt electoral reforms are overly optimistic about their own prospects under the new system, or misperceive its probable consequences.
 5. Parties may value long-term change in the competitive system over short-term electoral advantage.
 6. Parties may be willing to trade electoral advantage for other goals.
-

interest. All suggest that the equation of incumbency with preference for the status quo, and preference of the incumbents for the status quo with no change, is too simple. Turning to the fourteen cases of major reforms enacted since 1950, and taking into consideration examples of reforms of comparable magnitude that were proposed by incumbent governments and yet not adopted, illustrates these points.

MAJOR REFORMS IN PRACTICE

The first of the reasons just listed why a sitting government might change the rules under which it was elected—insecurity in, or dissatisfaction with, the status quo—is implicated in seven of the fourteen major reforms, as well as contributing to the explanation of why sitting governments would propose a number of major changes that were not enacted. In the decade after the Second World War, the stimulus for reform was the insecurity of the governing coalitions of the centre, stimulated by the strength of parties on both left (communists) and right (Gaullists in France and neofascists in Italy) that were believed to be subversive of democratic, or at least of parliamentary, government. Both the French reform enacted for the 1951 election and the Italian reform enacted for the 1953 election were designed to favour the centrist parties that would be able to form electoral alliances, while penalizing the extremes who presumably would be isolated. In the French case, a uniform system of PR that favoured the larger parties was replaced by a dual system: in Paris, where the communists and Gaullists were strong, the system was a version of PR favourable to small parties; in the rest of the country, the system was a form of PR favourable to large parties or alliances, with the additional provision that if any party or alliance won an absolute majority of the votes in a constituency (generally a *département*), it would win *all* the seats for the constituency (Carstairs 1980: 180–1). In the Italian case, the basic system of large district PR with a national distribution of remainders was retained, but with the addition of a provision that would award 380 (64 per cent) of the 590 seats in the Chamber of Deputies to any party or alliance that obtained an absolute majority of the votes.

Beyond reducing the representation of 'anti-democratic' forces, these reforms were also intended to increase the stability, and hence the influence, of the executive. In slightly different form, this stimulated the French change to a directly elected president in 1962. De Gaulle was hostile to the idea of political parties, and wanted to govern 'above the parties'. Initially, he could do this simply on the basis of his personal charisma and the support of MPs who had been elected pledging to support him. As time progressed, he renewed his charisma by the plebiscitary use of the referendum—ultimately using the referendum in a manner contrary to the letter of the constitution in order to institutionalize a direct and personal mandate for the president by replacing an electoral college with a direct popular vote. A similar combination of a desire to maximize the advantage of the ruling party and a desire to increase government stability is evident in the failed attempts at introducing SMP into Ireland in 1959 and 1968 (both attempts being defeated by referendum) and into Japan in 1956 (defeated by a combination of popular outcry and disunity within the Liberal Democratic Party (LDP)). The same combination also underlay the earlier and successful, although, in the terms employed in this paper, minor, attempt to reduce the average district magnitude in Ireland in order to make it 'easier for a party which may be called upon to shoulder the responsibility of government to get sufficient seats to enable them to undertake that task with adequate parliamentary support' (Minister for Local Government Seán MacEntee, *Dáil Debates* 108: 924, 23 October 1947).

Two more reforms can at least partially be ascribed to damage control. This is most obviously so in the case of the decision by the French Socialists (PS) to replace single member districts with PR for the 1986 election. Although the PS had been big winners in the 1981 election of the National Assembly (with 38 per cent of the popular vote and 56 per cent of the seats in the Assembly), the 1985 cantonal elections were a disaster for the socialists, and, coupled with polling data, they made it clear that the PS could expect to be routed in 1986, a result that they hoped to minimize by avoiding the majority-enhancing consequence of the old system. Damage control also played a role in the Italian and Japanese moves to mixed member systems. While some Italian reform was forced by the referendum of 1993, the only thing that was constitutionally barred was a return to the old system; the government could have reacted with a quite minimal reform, but it was widely recognized that its popularity, such as it was, had collapsed, and that to be seen as evincing the referendum result would be even more costly than accepting it.

Finally, two additional French reforms that were made possible by the collapse of the coalition that had implemented the previous electoral system fit under this general rubric. In 1958, with the country on the verge of a civil war, the government of the Fourth Republic invited de Gaulle to assume power and to revise the constitution; as a part of this transformation to the Fifth Republic, de Gaulle, by decree, replaced the 1951 electoral system with the two-ballot majority system. In 1986, after its victory in the legislative election held under the socialist-imposed PR system, the Chirac government quickly restored the two-ballot majority system.

Several of these reforms, as well as the reforms in New Zealand and Malta, illustrate the second of the inadequacies of the 'major electoral reforms should not happen' hypothesis: that electoral systems can be changed (or prevented from changing) despite the wishes of the government nominally in power. The most obvious cases are those in which popular referendums played a prominent role. The major Italian reform in 1993 (as was true of earlier 'minor' reforms) initially was forced by a popular referendum, which most immediately imposed a change to the electoral system for the Senate, but which indirectly forced the reform of the system for the Chamber of Deputies as well, both by indicating that failure to reform would be electorally devastating and because, with the cabinet being equally responsible to both chambers, to have the chambers elected by systems that were likely to produce different majorities would have been untenable. New Zealand's 1993 move to MMP began in 1986 with the appointment of a Royal Commission by the Labour government that had been elected in 1984, inspired in part by the presence of 'an electoral reform zealot' as deputy prime minister (Denemark 2001: 85) and in part by the fact that in both 1978 and 1981 Labour had won a plurality of the votes and yet National had won a majority of the seats. It was ultimately brought to fruition, however, by the passage of a referendum that both major parties had committed to accept as binding, although both hoped, and initially expected, that it would be defeated. On the negative side, as cited above, government-supported replacement of STV in Ireland was twice rejected by referendum, while a series of government-backed reforms were defeated in Japan when the government responsible to the House of Representatives was unable to control the House of Councilors. In another case, the Maltese Labour Party (MLP) government was forced to accept a constitutional amendment guaranteeing a parliamentary majority to any party with the majority of the first-preference votes, thereby undoing the advantage it presumably had obtained through gerrymandering by the MLP-dominated electoral commission (Hirczy de Miño and Lane 2000: 199),⁵ by a combination of obstructionist/abstentionist tactics by the Nationalist Party and the MLP's need for Nationalist votes for a constitutional amendment that the MLP wanted.⁶ Finally, although I have not listed it as one of the major reforms to have taken place in the established democracies, one can observe that the 'reapportionment revolution' in the USA was imposed on the parties by the courts.

The lack of common interest in the governing majority (one aspect of the third qualification to the 'electoral reforms should not occur' hypothesis) is significant here primarily as an explanation of why governments sometimes are unable to enact

⁵ Hirczy de Miño and Lane observe (2000: 204, note 11) that complaints of gerrymandering were raised only after the 1981 election, not when the new boundaries were being considered in Parliament.

⁶ The original amendment prevented a recurrence in 1987 of the 1981 situation (in which one party had an absolute majority of the first-preference votes and yet the other had a majority of the seats in parliament) by giving the Nationalist Party four extra seats. The constitution was subsequently amended again so that bonus seats would be given to the party with the most first-preference votes, even if it were less than half, if required to give that party a parliamentary majority as well, provided that no third party won any seats at all.

minor reforms, or reforms that would be less damaging to their aggregate interest, and thus leave themselves vulnerable to major reforms. That internal disunity contributed to the inability of the LDP to introduce SMP into Japan in 1956 has already been mentioned. Disunity within the LDP also contributed to the inability of Prime Minister Miki in 1974 or Prime Minister Kaifu in 1990 or Prime Minister Miyazawa in 1993 to enact reforms in the face of mounting scandal-driven public demand for fundamental change (Reed and Thies 2001: 161–5).⁷

There were many reasons why the pressure for electoral reform in Israel had become irresistible by 1992. As Doron and Harris (2000: 79) observe, however, one question is why the two large parties, even when they were in government together from 1984 to 1990 (with other parties but between them with an overwhelming majority in the Knesset), could not enact a reform that would have solved many of the problems militating for reform and aided them both, at the expense of the small parties. The answer is a variant of the Prisoners' Dilemma: while both would gain by working together, each would gain more if it could prove to the small parties that the other was trying to hurt them. Hence, neither was willing to cooperate with the other.

The fourth problem with the expectation that major electoral reforms should not happen, the role that lack of knowledge, lack of forethought, wishful thinking, and plain mistakes can play in bringing about electoral reforms, is illustrated with particular clarity in at least four of these reforms. When the New Zealand Royal Commission (which was itself, in part, the result of promises that appeared electorally advantageous to the Labour Party while they were 'unfairly' kept out of office, but which seemed far less attractive once they had won the 1984 election) made its report, one recommendation was that a referendum be held on the issue. Although a referendum was opposed by a majority of the Labour cabinet, during the 1987 campaign Prime Minister David Lange promised that Labour would hold such a referendum; this was apparently a mistake in reading his notes (Jackson 1993: 18). Since the promise was not repudiated, and no referendum was held, the issue could be raised by National to embarrass the government, and this they did by making their own pledge of a referendum, secure in the belief that the status quo would be supported, notwithstanding polls that showed large and growing support for PR. This pledge came home to roost when National won an overwhelming victory in 1990. In 1992, National held an advisory referendum with a promise that if reform were endorsed by the electorate, there would be a binding referendum in conjunction with the 1993 general election, pitting the status quo against the most popular alternative.⁸ Vowles (1995: 104) suggests two explanations for the decision to hold the referendum: the government's failure to honour other electoral commitments, and the continued belief by politicians that the reform effort ultimately would lose. In fact, 85 per cent of those voting (45 per cent of the total electorate) opted for

⁷ The public demand for reform was not, however, specifically a demand for change in the electoral system.

⁸ The 1992 referendum asked two questions. First, did the voter prefer the status quo or an unspecified change. Second (and asked of all voters, including those who had chosen the status quo on the first question), if there were to be change, which of four alternatives did the voter prefer.

change and 71 per cent chose MMP as their preferred option (Vowles 1993: 506). Promises made for short-term advantage, without concern about the consequences of being called upon to honour those promises; misreading of public opinion and overestimation of their own ability to control it; and a simple mistake in speaking combined to leave the leaders of both major parties committed to a binding referendum that neither party wanted.

The introduction of direct election of the prime minister in Israel reflected a different kind of miscalculation. One set of claims (generally supported by constitutional lawyers and opposed by political scientists, according to Rahat and Hazan in this volume) was that direct election would curtail the excessive blackmail power held by small and extreme parties while encouraging coalition-building by prime-ministerial candidates which would ultimately lead to a simpler party system (even to a two-party system). Moreover, the fact that the new system would be a mix, combining presidentialism with parliamentarism and majoritarianism with proportionality, meant that it could be perceived by parties and groups with contradictory interests to be to their own benefit (Rahat 2001: 140–1). In the event, of course, the results were far from those touted by the reform's supporters. Prime-ministerial candidates built coalitions, but they did so at the expense of their own parties, trading representation in the Knesset for support in the prime-ministerial race; the number of parties, and the strength of the small, extreme, and sectarian parties, all increased; the prime minister had greater security of tenure, but lesser ability to govern. And in this sense, miscalculation was also reflected in Israel's return to the *status quo ante*: the politicians (and the public) recognized their earlier mistake and tried to correct it.

Similar miscalculations also played a role in the Italian reform. Faced with uncertainty, parties with opposing interests convinced themselves that the same reforms would be advantageous; straightforwardly (or simple-mindedly) applying Duverger's law, reformers claimed that a system in which single-member districts predominated would lead to a reduction in the number of parties and in the power of party bosses—neither of which materialized—although the promised *alternanza* and a clear move towards bipolarity have occurred (see Chapter 12).

Qualification five, that the game may be seen to be about long-term system change rather than short-term advantage, is illustrated first by two otherwise inexplicable cases of parties advocating reforms that ought to have been seen to be to the advantage of their opponents. The first is the support in Ireland by some leaders of both Fine Gael and Labour in the 1950s and 1960s for a move from STV to first-past-the-post (FPTP) (Chubb 1970: 75), even though such a change clearly should have aided Fianna Fáil.⁹ By the time it came to a referendum on this change, however, both parties were united in opposition. The other is the initial support by the Japan Socialist Party for the 1956 proposal to move from SNTV to a single-member

⁹ Naively applying the 'cube law' (the then current 'state of the art') to the 1954 distribution of first preference votes (the low point for Fianna Fáil during these decades) suggests that Fianna Fáil would have won a better-than-two-thirds majority in each parliamentary election.

district system even though the LDP outpolled them by nearly two-to-one. In both cases, the explanation is the expectation that FPTP would produce, more or less automatically, not just a two-party system, but one with regular alternation in office, so that, ultimately, the immediate losers would come into power. The same desire for bipolar alternation contributed to the support of the 1992 Israeli reform and the 1993 Italian reform.

The French reformers in 1958 wanted to shift power from the left to the right, but they also wanted a system that would weaken parties altogether. At the extremes, one of the reform activists in Italy (Marco Pannella) claimed a similar objective: ‘to close down the parties’ (*‘chiudere i partiti’*, *La Repubblica*, 20 May 1993, p. 4).

The sixth qualification, that a governing coalition may be prepared to trade away its apparent electoral advantage in order to secure other objectives, most clearly and directly explains the case of Malta. Although the Labour Party had little desire to surrender the advantage it gained through the distorted translation of first preference votes into seats, it did want to entrench Maltese neutrality and a ban on the stationing of foreign troops on Maltese territory in the constitution. This would require a two-thirds majority, which Labour did not have. In the end, the Labour and Nationalist parties struck a deal, in which the Nationalists supported Labour’s neutrality amendment in exchange for Labour’s support of the reform of the electoral system.

The converse scenario helps explain why the Japan Socialist Party ultimately retreated from its support of FPTP in 1956. Although it apparently assumed that the tremendous advantage the change was expected to give the LDP would be short-lived, it was afraid that it would be sufficient to give the LDP the extraordinary majority required to amend the constitution, and that given that majority the LDP would use it to remove the renunciation of the right to wage war or maintain military forces (Reed and Thies 2001: 158).

Finally, although this analysis has been structured primarily in the cynical terms of the rational choice paradigm (the claim has been that the equation of the electoral status quo with the interest of the coalition that won the last election is too simplistic, not that partisan interest is irrelevant), it does appear that parties sometimes simply want to do the right, or the democratic, thing. This possibility is the basis for the long-standing debate cited above about whether PR was introduced in Europe because the ruling parties recognized it to be required by standards of fairness, or because it offered protection to bourgeois parties that perceived themselves about to become minorities with the enfranchisement of the working class (see Blais and Dobrzynska 2000; Boix 1999).¹⁰ Without taking a position in this debate and recognizing that a ‘democratic’ justification can be constructed for self-interested proposals, however, it is clear that the desire to be more democratic played a major role in the decision to have direct election of the Finnish president. While perhaps reflecting rather less credit on the ‘reformers’, the explanation of the repeal of the Italian *legge truffa* after its failure to come into effect in 1953 (rather than trying

¹⁰ Those making the self-interest argument must then also explain why the bourgeois parties allowed suffrage expansion in the first place.

again at the next election) has at least an element of democratic justification; recognition that the law differed only in detail from a 1923 law enacted by the fascist regime clearly branded it as undemocratic, and not merely self-interested.

This review of the fourteen cases of major reforms to electoral systems since 1950 suggests three more substantive generalizations that explain why such reforms occur, even when they appear to be contrary to the interests of the parties in power at the time. The first is the importance of public outrage. Significantly, this is rarely, if ever, outrage about the electoral system itself, although the electoral system may come to be blamed for, or to be seen as symptomatic of, more deep-seated problems. In Italy and Japan, the real concern was corruption; in New Zealand, it was the high-handed imposition of policies that were contrary to the wishes of the people, the electoral manifesto of the government in office, and the preferences of the government's backbench supporters; in Israel and France, it was the instability and incapacity of fragile coalitions to address the literally vital challenges confronting the country. On one hand, even the government may find reform of electoral institutions easier and politically less threatening than resolving the underlying problems. On the other hand, in a context of public insistence that 'something must be done', to block any proposed electoral reform may be seen as supporting the insupportable.

The second generalization is that the institutional context is important. While constitutional provisions or institutional arrangements that require super-majorities for some kinds of action may appear to militate against electoral reforms, when they apply to other policy areas they may force the government to compromise with its opponents with regard to electoral policy, in order to gain their support for government proposals on other questions. Even more directly, the government may be forced to take action it would have rather avoided when citizens have recourse to binding referendums.

The third generalization is that democratic values are important. While reference to the norms of democracy may in some cases or by some observers be interpreted primarily as rationalization and window-dressing, in other cases it appears that reforms really have been motivated by a desire to enhance democracy.

MINOR REFORMS THAT NEVER WERE

The converse of the question, 'Why would parties change the rules of a game they are winning,' is 'Since they could gain partisan advantage by changing the rules of the game, why do parties not do so more often?' As the consideration of the Maltese and Finnish reforms cited above as 'major' shows, there is no clear dividing line between major and minor reforms; even more, there is no clear dividing line between reforms that might be considered minor, and those that might instead be called trivial, technical, or no reform at all. Once attention shifts to minor reforms, it is apparent that short lists of dimensions, for example Lijphart's list (1994: 10–12) of four dimensions—formula, district magnitude, legal threshold, and assembly size—are inadequate to encompass all the aspects of elections that might be manipulated

for partisan advantage. While, if only for these reasons, it is unlikely to be productive to try to construct a full listing of minor reforms, it is nonetheless apparent that any list of actual reforms would be much shorter than the list of reforms that might have advantaged the parties in power but which were not made.

That said, it is instructive to consider the seventeen changes in electoral systems listed by Lijphart that took place in the countries, and during the time period, considered in the previous section, but that did not qualify as major in the terms used here. Of these, twelve included one or more of the following types of change: from a less proportional to a more proportional PR formula; an increase in district magnitude; the addition of a second tier for the distribution of compensation seats; the reduction of a statutory threshold. All these could have been anticipated to increase the proportionality of the outcome, and according to Lijphart's calculations, all did so. One additional change (in the Netherlands between 1952 and 1956—an increase in assembly size which was accompanied by a reduction in threshold) might have been expected to increase proportionality, and in fact did so in the next election; ultimately, however, the number of minor parties increased so much that the average proportionality for that electoral system decreased. Two more changes involved only changes in assembly size: Australia 1983–4, with the alternative vote and a decrease in proportionality; and Malta 1955–62, with STV and an increase in proportionality. This leaves only two—both Israeli—changes of PR formula that might have been expected to decrease proportionality (one did so and the other did not).¹¹ The reform in 1973, which restored the Hagenbach–Bischoff formula (the D'Hondt method) and decreased proportionality, was agreed by the two large parties in order to benefit themselves at the expense of the small parties—or put more charitably, in order to reduce the fragmentation of the Knesset (see Chapter 16). Of the thirteen changes to increase proportionality (including the Dutch case), four were enacted under minority governments and two under surplus majority governments; the others were enacted under four minimum winning coalitions (including one Italian government that controlled exactly one-half of the seats) and three single-party majority governments. In other words, given a choice of interpretation between the model of a minimum winning coalition manipulating the electoral system to its own advantage and a model of consensual reform to 'improve' elections according to an agreed standard, the second interpretation of these 'technical' reforms appears at least as plausible as the first. This is an important point, to which I will return.

Other reforms were not included in Lijphart's list because they either occurred after the period or related to dimensions other than those with which he was concerned. In Italy, the reforms included reduction of the number of personal

¹¹ According to Gideon Rahat (personal communication), the change in 1951 increased the electoral threshold from 0.83 per cent to 1 per cent, instead of the 2 per cent that had previously been agreed, because it served the interest of the largest party (Mapai) to maintain the blackmail potential of a small orthodox faction. In 'revenge' for adopting the lower threshold, the medium-sized parties, which held a majority in the Knesset, imposed a change from the Hagenbach–Bischoff formula (from which only Mapai benefited) to the Hare quota system, which benefited them. The result was increased proportionality.

preference votes allowed in elections to the Chamber of Deputies and the elimination of public subsidies to the parties, both imposed by referendum supported by those opposed to the Italian *partitocrazia*. In the Netherlands, there was the repeal of compulsory voting, intended to reduce the vote of fringe parties, in the mistaken belief that their votes came primarily from citizens who would stay home if they were given a choice (Schmidt 1974), and presumed to be to the advantage of mainstream parties of the opposition as well as the government. A reform in Belgium in 2000, decreasing the weight given to list votes in determining which particular candidates will be elected, represented a compromise within the government (Rihoux et al. 2001: 255–6), and was seen as part of a general move to ‘improve’ Belgian democracy.¹² None of these reforms represents an attempt by the governing majority to advantage itself at the expense of the minority.

There is an additional set of ‘minor’ reforms that are enacted with some frequency: those concerning periodic redistributions of seats among constituencies. These may be divided into three categories. The first are the more-or-less mechanical application of a previously agreed formula to allocate seats among multimember constituencies, the boundaries of which are not subject to change, or the more-or-less automatic enactment of redistricting decisions made by ‘non-political’ boundary commissions. While legislative action may be required, political discretion is not. The second involve affirmative legislative decisions to alter constituency boundaries. In the absence of a neutral boundary commission, these reforms are unavoidable in single-member-district systems unless gross disparities of population are to be tolerated,¹³ but they may also be necessary in PR or STV systems (with prominent examples from both Ireland and Malta) if the boundaries of constituencies are not regarded as immutable. While it may be possible to imagine these decisions being made on neutral or objective grounds (but see Grofman 1985), such decisions are nearly always identified by opponents as ‘gerrymanders’, a term that is meant to imply illegitimate manipulation for partisan advantage. The third type of district-related reform is to eliminate the need for the second type of reform by creating a boundary commission.

Turning to the problem of minor reforms that might have been enacted but were not, there are, in general terms, two types of minor non-reforms. On the one hand, there are proposals for minor reforms that are introduced, but which failed to be adopted. While the Japanese and Irish failures to adopt FPTP would be examples of this type of non-reform with regard to a major question, the 2003 attempt by the Republican majority in Texas to redraw that state’s congressional districts (delayed,

¹² Reforms to increase the role of personal preference votes have also been adopted in Austria and Sweden (see Chapters 19 and 20).

¹³ Significantly, the disparities of district populations that ultimately led to the ‘reapportionment revolution’ in the USA were generally the result of inaction rather than manipulation. While the Constitution required periodic reapportionment of Congressional seats among the states, a state often would respond to the gain of a seat simply by dividing one of its existing districts in two, or to the loss of a seat by combining two contiguous districts. With regard to state legislatures, inaction might be even more complete. When the Supreme Court ruled in the case of *Baker v. Carr* (369 US 186) in 1962, Tennessee had not reapportioned its state legislature since 1901.

at least temporarily, by the minority Democrats' fleeing the state to deny a quorum) would be an example of a minor reform proposed by the party in power but not adopted. Non-reforms of this type appear to be quite uncommon—perhaps because parliamentary majorities are rarely defeated once they have decided to take action (or alternatively, do not decide to take public action unless they are confident of success). On the other hand, there are ideas for changes that might have been made and adopted, but which were never proposed in the first place. The real question is why these (potentially quite numerous) ideas are not proposed. As with any counterfactual, the answer to this question must be speculative, but the cases described above offer some basis for speculation.

The key, indirectly suggested above, is to ask why a party would want to win an election in the first place. One obvious answer is to achieve power; but why achieve power through free elections rather than by force or fraud? One likely answer is that winning an election confers legitimacy, and legitimacy is itself a valuable political resource. In the twentieth century, even authoritarian and totalitarian dictators attempted to assert their own legitimacy through the holding of ritual elections, albeit with obviously limited success. The point is that not just election, but victory in a contested election that is widely regarded as free and fair, is required for the successful assertion of democratic legitimacy. But this means that being seen to have won office by manipulating the rules devalues the victory.

Some credence is lent to this idea by the British experience with redistricting. If parties took every opportunity to change the rules to their own advantage, one would expect, first, that they would not give up the opportunity to redistrict and, second, that so long as they could redistrict, they would do so moderately frequently. In fact, the British experience is exactly the reverse. Before permanent boundary commissions were established in 1944, constituency boundaries were changed by ordinary legislation, and quite infrequently. There were, for example, no changes between the enactment of the Representation of the People Act in 1918 (which also included the enfranchisement of women over thirty, the establishment of a single uniform polling day, and the requirement that candidates pay a deposit of £150) and 1944 (six general elections with the same boundaries). Since the commissions were established, boundary changes are made by Order in Council on their recommendation, and therefore with far less risk that the party in power will be accused of unfair manipulation.¹⁴ Between 1945 and 1987 there were twelve general elections, only three held with precisely the same boundaries as the election before.

Charges of gerrymandering, although, as observed, raised only after the fact, undermined the legitimacy of the Maltese government elected in 1981 and contributed to its acceptance of the substantial reform discussed earlier. Similar charges were raised regarding the 1974 'Tullymander' of the Dublin constituencies in Ireland,¹⁵ except that in the Irish case the gerrymandering coalition of Fine Gael

¹⁴ The recommendations can be modified with explanation by the minister, but the draft order can only be rejected, not amended, in parliament.

¹⁵ The 'Tullymander' was named for James Tully, the minister in charge of drawing the new constituency boundaries.

and Labour apparently overreached, with the result that Fianna Fáil won more Dublin seats than the coalition at the next election even though it had fewer votes. Of greater significance here, however, is that, as Mair (1986: 304) observes: ‘the sheer partisanship of this particular gerrymander led to the first independent electoral commission’.

There is, of course, a complementary explanation for the apparent reluctance of parliamentary majorities to redistrict, even if it could improve the expected seat shares of the parties that comprise the majority. In particular terms, that is the natural conservatism of individual MPs with regard to their own constituencies; having built a constituency organization and developed a relationship with their constituents, MPs are unlikely to look favourably on changes, even if those changes might make their districts safer—but, of course, a gerrymander that increases a party’s expected share of the total number of seats is likely to be able to do so only by making the seats of its already incumbent MPs less safe. Put more generally, this re-emphasizes a point already made with regard to major reforms: that there may not be a harmony of interest within the majority coalition. Just as each Israeli prime-ministerial candidate was more interested in the size of his coalition than he was in his own party’s particular strength within it, so individual MPs are likely to be more concerned with their own, individual, re-election than they are with the total seat shares of their parties. Similarly, the Israeli government that adopted the Hare quota method of PR was made up of parties with quite different interests regarding the treatment of small, medium, and large parties.

As with the paradox of major reforms that are enacted even though one might naively think governments would not change the rules of the game that put them into office, it appears that the paradox of minor reforms not being enacted even though they would be to the advantage of the government in office rests on a fallacious premise. It is not necessarily the case that parties in power fail to pursue their self-interest, but rather that, paradoxically (perhaps the true paradox), it is not in their self-interest to pursue their self-interest because other actors in the political process—including many voters—react badly to excessive partisanship. In other words, even if parties are simply motivated by self-interest, and unrestrained by any normative commitment to democratic principles, they might still find abstaining from even the appearance of electoral manipulation to be to their advantage.

CONCLUSIONS

The explanation of electoral reform involves three interrelated questions. First, why do reforms happen, especially given the assumption that parties will not want to change the rules of a game they are winning? Second, when do they happen? Third, what form do they take—which aspects of the electoral system are reformed, and in which direction? This chapter has been concerned primarily with the first of these questions, but addressing it raises suggestions about the nature, if not necessarily the substance, of answers to the other two.

As Shugart (2001: 26–7) suggests, electoral reforms must be analysed in terms of both contingent and inherent factors. While inherent factors may play a role in creating the preconditions for reform and in determining the direction of reform once the process begins, the cases examined here suggest that the timing of reform is very much contingent. While factors like the instability of governments or disproportionality of electoral results may contribute to the possibility of electoral reform, at any particular time the likelihood of reform is quite small. To turn a vague possibility into a substantial probability requires a catalyst or trigger, the presence of which is unlikely to be predictable from systemic characteristics. The cases considered here suggest what such triggers might be. As has always been recognized, reform may be triggered by a real crisis such as the French crisis over Algeria and the threat of civil war; reform may also be triggered by an imagined crisis such as the communist threat in early 1950s Italy.¹⁶ Even when endemic corruption is widely recognized, a particular scandal may be ‘the straw that breaks the camel’s back’ which could lead to reform. Other triggers may be even more unpredictable: someone suddenly figures out how the striking out of a few words by means of an abrogative referendum will leave a technically admissible but politically untenable electoral law (Italy in 1993); a leading politician makes a slip of the tongue and then confirms it, rather than admit that he misspoke (New Zealand in 1993); some extraneous issue forces the government to seek compromise with the opposition (Malta in 1987). While it may be possible statistically to estimate the probability of reform in any particular year, it would appear that even the ‘peaks’ in predicted probability will be so low as to leave accounting for specific instances in the realm of historical reconstruction rather than statistical prediction.

As for the content or direction of reforms, there appear to be two related lessons. The first is that there are fashions in electoral reform. Two such fashions were evident in the 1990s and early 2000s. One was mixed-member electoral systems, adopted in Italy, Japan, and New Zealand among the cases reviewed in this chapter, but also first used in Venezuela in 1993, Bolivia in 1997, Hungary in 1990, and Russia in 1993. The other fashion was to increase the direct role of voters—in determining which particular candidates from their parties’ lists would be elected in Belgium, Sweden, and Austria, and in the switch to direct election of the president in Finland. The second lesson is that democratic values matter. While the specific motivations of specific politicians in advancing reforms will always be subject to debate, the vast majority of the reforms enacted can be seen not just as ‘pro-democratic’ (which would not be saying much, although it would explain the reform of systems like New Zealand or Malta that produced the perverse result of a majority government formed by a party that had won fewer votes than its principal opponent), but as supporting one particular view of democracy. This view values the direct popular choice of representatives and the representation of diversity over

¹⁶ With specific regard to the question of the timing of reform, it is significant that the 1953 Italian election was only the second election of the Republic—that is, the first election for which the electoral system could be changed by a coalition that had won under the ‘old’ rules.

choice of representatives mediated by party and the popular accountability of governments.

Finally, returning to the original question, there is again a two-part lesson. On one hand, the governments, even of highly centralized democracies, are not always in secure control of events; the idea that a majority government can simply prevent changes to the rules of the game it has just won is sometimes false. On the other hand, because electoral reform can itself be a political issue, the outcome of an election is likely to be influenced not just by the mechanics of the electoral system in place, but also by the process through which it came to be, or remained, in place. Even when a reform would clearly be costly to the parties in power, they may expect resistance to be even more costly; even when parties have the capacity to tweak the rules to their advantage, the expected benefits may be outweighed by the potential backlash.

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PART II

**SINGLE-MEMBER
CONSTITUENCY SYSTEMS**

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Australia: The Alternative Vote in a Compliant Political Culture

*David M. Farrell and Ian McAllister**

In the pantheon of representative democracy, Australia has its name stamped on many of the major advances in electoral system design as well as being in the forefront of democratizing electoral laws. Most of its contributions are well known and have already been closely documented (most recently, see Sawyer 2001). It was a trailblazer in terms of the expanding the franchise. As early as 1859 all the Australian colonies had established systems of parliamentary government with adult male suffrage. In 1894, South Australia was second only to New Zealand in extending voting rights to women for its lower house elections. The secret ballot (known as the ‘Australian ballot’) was also an Australian invention, first used in South Australia and Victoria in the mid-1850s.

Australia is also of international significance as the home of two prominent forms of preferential electoral systems: the alternative vote (AV) and the single transferable vote (STV).¹ It was the first place to use these systems (AV in Queensland in 1892; STV in Tasmania in 1896; AV for House of Representative elections in the Australian Commonwealth in 1918–19; and STV for Senate elections in 1949), and today it is the largest of only three established democracies—the others being Malta (since 1921) and Ireland (1922)—to use these electoral systems widely for all levels of elections (see Chapter 25).² The reasons for this lie in nineteenth-century British debates about electoral reform that heavily influenced the early electoral

* Much of the research for this chapter was carried out in 2000, when David Farrell held a visiting fellowship at the Research School of Social Sciences at the ANU. We are grateful to the editors for their helpful feedback. The usual disclaimer applies.

¹ The term ‘preferential’ is used in this chapter to denote the voter’s ability to rank-order the candidates on the ballot paper (an example, in the terminology employed in Chapter 1, of an ordinal ballot structure).

² This chapter will focus on AV for the most part, but where relevant, reference will also be made to STV in Australia (for more details on STV, see Chapter 25 in this volume). There is some cross-national variation in the titles used for these systems. AV is known as preferential voting in Australia, and as instant run-off voting in the USA (where confusingly the abbreviation ‘AV’ generally stands for Approval Voting [Brams and Fishburn 1984]). Similarly, STV has a range of different titles including Hare–Clark in parts of Australia; the Senate system in other parts of Australia; and choice voting in the USA.

system designers as well as the activities of a small number of electoral reform advocates who exercised considerable sway over the early Commonwealth parliamentarians.

The AV system is quintessentially Australian: to date, apart from its use in Ireland (where it is used for presidential elections and parliamentary by-elections) and Sri Lanka (for presidential elections), and on various occasions at local or regional level in parts of the USA, Canada, and most recently, the UK (a variant known as the supplementary vote is used for electing the London mayor), the only significant sign of this system taking root outside of Australia has been in fledgling democracies in the Oceania region, suggesting strong indications of diffusion of 'best practice' by Australian international non-government organizations (Reilly 1997; Reilly and Reynolds 1999).

THE POLITICAL BACKGROUND

The Australian political system, which was established in 1901, was modelled on the Westminster parliament, departing mainly in establishing a federal system and a directly elected upper house, the Senate. The lower House of Representatives was initially composed of seventy-five members elected from all states and territories for a three-year term (now expanded to 150 members), while the Senate—initially composed of thirty-six members (now seventy-five) elected for a six-year term—was intended to protect the smaller states from the numerical dominance of the larger states in the House of Representatives. The role of interpreting the constitution is reserved for the High Court. Since the purpose of the constitution was limited to binding the states together, there is no bill of rights and, as in the UK, a great many conventions are assumed rather than explicitly stated.

In the 1880s and 1890s, the salient political division was a rural–urban cleavage, with the rural areas opposing the economic policies of the rapidly industrializing cities. This regional conflict was gradually overtaken in the early years of federation by conflicts between industrial owners and workers. In the first decade of the twentieth century, three parties dominated federal politics: the Labor Party, which was formed in 1901 from the various colonial Labor parties, the Protectionists, and the Free Traders (Loveday 1977; McMullin 1995). In 1909, the Protectionists and the Free Traders settled their differences and combined to form the Liberal Party (later the United Australia Party, and later again readopting the Liberal Party title), thereby establishing the pattern of two-party competition that has been the basis of the Australian party system ever since.

Despite the dominance of the owner–worker cleavage, reflected in Labor–Liberal party competition, the rural–urban division has remained politically salient through the Country (later National) Party. Between 1914 and 1919, a sustained period of low prices for agricultural produce stimulated the rise of country parties dedicated to defending agricultural interests, and they combined to form a single party in 1920, shortly after entering into a coalition with the Liberal Party. The coalition has remained in existence since then, except for two short periods in 1973–4 and

1987. Despite the permanent nature of the arrangement, there has been little pressure for a merger; the existence of two conservative parties, one catering for urban dwellers and the other appealing to farmers living in the 'bush', has suited those on the anti-Labor side of politics.

Several smaller parties have enjoyed some success in Australian politics. In 1955 the issue of communist influence within the trade union movement and Labor's response to this resulted in the formation of the anti-communist, largely clerical Democratic Labor Party (Reynolds 1974). The party enjoyed some electoral success, but by 1974 it had no federal parliamentary representation and was effectively moribund. The Australian Democrats, although formed by a disaffected Liberal in 1977, has largely attracted its support from ex-Labor voters and activists (Warhurst 1997). It has never won a lower house federal seat, but the STV electoral system in the Senate means that it has had a consistent presence there since its formation, often holding the balance of power between the two major parties. Since the 1980s, the Greens have also had consistent representation in the Senate.

In April 1997 Pauline Hanson's One Nation Party was formed. Hanson was a former Liberal candidate who had been 'disendorsed' by the party following her comments in a local newspaper concerning aborigines. Notwithstanding the absence of a party affiliation, she was elected as an independent with a substantial swing. Following a series of much publicized launches across the country, the new party won almost a quarter of the vote in the Queensland state election in June 1998, on a populist platform that combined opposition to Asian migrants and aborigines with support for gun ownership. In the 1998 federal election the party secured 8 per cent of Lower House votes nationally, making it the third largest party in votes, although no candidate secured a Lower House seat. By the 2001 election, however, the party had suffered several splits and personality disputes and gained just 4 per cent of the Lower House vote (Gibson et al. 2002).

Despite these minor incursions into the votes of the major parties, the long-term stability of the Australian party system over the course of the twentieth century is notable. The parties that compete for electoral support at the start of the twenty-first century are very much the descendants of the parties that competed at the beginning of the previous century. Moreover, with the exception of some comparatively minor splits and fissures, parties outside the major Labor-Liberal/National division have gained little electoral success. Of the forty federal elections that have been conducted since 1901, only eight have produced a combined non-major party vote that has exceeded 10 per cent of the first preference vote and in only one federal election—held in 1990—has a single minor party gained more than 10 per cent of the vote.³ It is this Labor versus Liberal/National competition that Lipson (1959) has characterized as 'a trio in form and a duet in function'.

³ In the 1990 federal election the Australian Democrats won 11 per cent of the first preference vote.

ORIGINS OF THE ELECTORAL SYSTEM

Before federation, four of the six colonial parliaments used single-member plurality (SMP); of the remaining two parliaments Queensland used a form of AV (that was referred to then as ‘the contingent vote’) and Tasmania, STV (where it was referred to as ‘Hare–Clark’). As a consequence of these differing state electoral systems, the methods of voting and counting used for the first federal election in 1901 were determined by the state parliaments. The Commonwealth Electoral Act 1902 put an end to this diversity (Table 4.1).

Australia’s fixation with preferential systems has its origins in two main factors. First, during the nineteenth century, Australia was heavily influenced by British debates over preferential electoral systems, particularly the multimember variant, STV. For the most part credited as a British ‘invention’⁴—and therefore as *the* British system of proportional representation (PR) (Lijphart 1987)—the merits of STV began to be debated from the 1850s onwards, most notably after the publication of Thomas Hare’s *Treatise on the Election of Representatives, Parliamentary and Municipal* (1859) and the active and enthusiastic promotion of his system by John Stuart Mill (Hart 1992). From the 1880s onwards, the British Proportional Representation Society also featured prominently in efforts to promote STV. Although not adopted in Britain, a period of colonial experimentation followed, with STV being introduced for all-Ireland elections in 1920 (subsequently retained by the Irish Free State in 1922), in Malta in 1921, and in parts of India in the 1930s (Farrell 2001). British debates over preferential electoral systems undoubtedly influenced Austra-

Table 4.1 House of Representatives and Senate electoral systems since 1901

	State	Electoral System
House of Representatives		
1901	NSW, Vic., WA	SMP
	Qld	AV; using contingent vote
	SA	Block vote
	Tasmania	STV
1903	All states	SMP
1918	All states	AV
Senate		
1901	All states, except Tasmania in 1901	Block vote (STV in Tasmania)
1919	All states	Preferential block
1949	All states	STV
1983	All states	STV with ticket-voting

⁴ Although, in truth, it was also ‘invented’ independently and at around the same time by Carl Andrae in Denmark.

lian electoral designers. For example, STV was introduced in Tasmania's two urban areas, Hobart and Launceston, in 1896.⁵

The second influence on Australian electoral system design was the role of key actors, most notably a campaigner, Catherine Helen Spence; a legislator, Inglis Clark; and a theorist, Edward Nanson, each of whom promoted the adoption of preferential systems.⁶ Spence and Clark had a huge influence on the 1902 debate, but arguably, when it came to the specifics of electoral system design, the major role was played by Nanson and the systems that were proposed in 1902 were largely of his design. Nanson 'was the man of the moment when federal politicians needed ideas and ideals to incorporate in the new electoral law' (Reid and Forrest 1989: 88). Guided in large part by him, the Barton government proposed the use of STV for the Senate and AV for the House of Representatives. But after protracted debate (for the most part focused on the STV system rather than on AV; for details, see Uhr 1999), the government's proposals were defeated and in consequence SMP was adopted for House of Representatives elections, and multimember block voting for the Senate.

There are a range of reasons why this first push for preferential voting systems failed. One major factor was the balance of party political forces in the new parliament that were ranged against the government, making it clear from the outset that there was going to be a tough battle. Barton's party did not have a majority of seats in either house, and the support for the proposed electoral systems that it initially received from Labor was half-hearted and fragile. Added to the party-political arithmetic was the fact that many New South Wales and Victorian legislators (who, between them, comprised two-thirds of the membership of the House and one-third of the Senate) were unfamiliar with the AV and STV systems, and 'were disinclined to try them' (Hughes 2000: 161).

The use of plurality electoral systems (SMP and block) continued until 1918, when preferential voting was finally adopted. Labor's better discipline enabled it to benefit from the disproportional tendencies of the plurality systems and it was not until the election of the Nationalist government in 1917 that a non-Labor government was in a position to implement a major overhaul of the federal electoral systems. The Commonwealth Electoral Bill, introduced in October 1918, proposed AV for the House of Representatives; this had come about as a result of an agreement between the anti-Labor parties to field one candidate in a by-election in the Flinders constituency in May 1918. The imminence of another by-election made the issue even more pressing, and the legislation was passed after a brief, ill-tempered, debate.

As Table 4.1 shows, it was to take a number of more tries at reform before the Senate was to end up with the STV system used today. In 1919 the block vote system

⁵ The introduction of AV several years earlier, in 1892, for electing Queensland's Legislative Assembly was probably influenced more by the French second ballot system (Reilly 1997).

⁶ Mention should also be made of the contribution by the Ashworth brothers, particularly by the publication of their book, *Proportional Representation Applied to Party Government*, in 1900. This was an influential study, although their proposed hybrid system (somewhat akin to a list system) was not taken very seriously.

was replaced by a preferential block voting system.⁷ Then, in 1949 STV was introduced. The most recent change was in 1983, when voters were given the option of expressing just one preference for a party ‘ticket’, in effect transforming STV into a form of closed-list system (Farrell and McAllister 2000).

HOW THE ELECTORAL SYSTEM WORKS

The idea behind preferential systems such as AV is that voters are able to rank-order the candidates on the ballot paper (see Figure 4.1), thereby potentially having a say in the election of successful candidates. For instance, if a voter’s most preferred candidate does not attract sufficient votes to be elected, the voter may still have an opportunity to determine the fate of the other candidates in the race.

AV is a majoritarian electoral system operating with single-seat constituencies in which, to be elected, a candidate requires at least 50 per cent of the vote. On the basis of counting the first preferences on the ballot papers, if no candidate achieves an overall majority, the candidate with the fewest votes is excluded, and his or her ballot papers are distributed among the remaining candidates based on the next preferences indicated on the ballot papers. The process continues until one candidate emerges with an overall majority.

AV is a non-proportional system, as shown by the poor match that often materializes between vote proportions and seat proportions, as in 2004 (see Table 4.2). What distinguishes it from plurality electoral systems is the expectation that a candidate should have an overall majority of the vote to be elected (Farrell 2001). While for the most part (and certainly in all the Australian cases today) the system is characterized by single-member constituencies, this need not be the case. There have been various occasions throughout the evolution of Australia’s electoral systems when AV was applied in multimember constituencies—the most bizarre case being the system used to elect the Senate from 1919 to 1948 (see note 7 and Table 4.1).

As we discuss below, Australian electoral law tends to place a considerable burden on voters, and this is particularly true with regard to the strong element of compulsion that pervades the vote process. The most obvious manifestation of compulsion is the system of compulsory voting, in which not only are voters required by law to register to vote, but they are also compelled to attend the polling place (though not necessarily to vote). This system was introduced in Commonwealth elections in 1924, and by 1941 had been extended to all the states and territories.

⁷ The stated rationale behind the decision to adopt this bizarre preferential block voting system was so as to minimize the risk of voter confusion, enabling voters to rank-order candidates in the elections for both houses. The preferential block voting system was a majoritarian multiseat system: its distinguishing features were, first, the electoral quota (which was a majority formula; $[v/(1+1) + 1]$) and, second, the transfer of all votes at full value. In effect, what this produced was a series of mini-elections, one for the election of each candidate. All the votes of the winning candidate were transferred to the remaining candidates, based on the next preferences and then there was a fresh count to see which of the remaining candidates had an overall majority of the vote. The process continued until the required numbers of candidates were elected.


BALLOT PAPER
HOUSE OF REPRESENTATIVES
VICTORIA
 ELECTORAL DIVISION OF WILLS

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from 1 to 22
in the order of your choice

<input type="checkbox"/>	SAVAGE, Katheryne INDEPENDENT
<input type="checkbox"/>	KARDAMITSIS, Bill AUSTRALIAN LABOR PARTY (ALP)
<input type="checkbox"/>	KUHNE, Otto Ernest
<input type="checkbox"/>	PHILLIPS, Richard
<input type="checkbox"/>	KAPPHAN, Will INDEPENDENT
<input type="checkbox"/>	RAWSON, Geraldine INDEPENDENT
<input type="checkbox"/>	DELACRETAZ, John LIBERAL
<input type="checkbox"/>	POULOS, Patricia
<input type="checkbox"/>	DROULERS, Julien Paul INDEPENDENT
<input type="checkbox"/>	FRENCH, Bill INDEPENDENT
<input type="checkbox"/>	POTTER, F. C. INDEPENDENT
<input type="checkbox"/>	MURRAY, John INDEPENDENT
<input type="checkbox"/>	VASSIS, Chris INDEPENDENT
<input type="checkbox"/>	CLEARY, Philip INDEPENDENT
<input type="checkbox"/>	FERRARO, Salvatore INDEPENDENT
<input type="checkbox"/>	GERMAINE, Stan THE FEDERAL PARTY OF AUSTRALIA
<input type="checkbox"/>	WALKER, Angela AUSTRALIANS AGAINST FURTHER IMMIGRATION
<input type="checkbox"/>	MACKAY, David DEMOCRATS
<input type="checkbox"/>	LEWIS, Bob INDEPENDENT
<input type="checkbox"/>	SYKES, Ian Grant INDEPENDENT
<input type="checkbox"/>	KYROU, Kon INDEPENDENT
<input type="checkbox"/>	MURGATROYD

Remember ... number
every box
to make your vote count.

Australian Electoral Commission **AEC**

Figure 4.1 An Australian AV ballot paper from Wills constituency

Table 4.2 The Australian federal election of 2004 (House of Representatives)

	Votes	Votes (%)	Seats	seats (%)
Liberal Party	4,741,458	40.5	74	49.3
National Party	690,275	5.9	12	8.0
Country Liberal Party (Northern Territory)	39,855	0.3	1	0.7
Australian Labor Party	4,409,117	37.6	60	40.0
Australian Greens	841,734	7.2	0	0.0
Family First	235,315	2.0	0	0.0
Australian Democrats	144,832	1.2	0	0.0
Pauline Hanson's One Nation Party	139,956	1.2	0	0.0
Others	472,590	4.0	3	2.0
Total	11,715,132	100.0	150	100.0

Source: Australian Electoral Commission.

Although it is an offence not to vote without a valid reason, there is strong public support for the system, and relatively few non-voters are ever fined. Another reason for the low level of non-compliance is the design of the system to be as user-friendly as possible. There are few restrictions on acquiring an absentee or postal ballot, and voters may cast a ballot outside the constituency in which they are registered.

Another aspect of compulsion is that in order that a vote count as valid (or 'formal') a voter must complete all the preferences on the ballot paper: in the example given in Figure 4.1, the voter was required to rank-order all twenty-two candidates.⁸ 'Optional preferential voting', where voters can express as many preferences as they like, is currently in use in just two states (New South Wales and Queensland) for their state parliamentary elections, and in the past was briefly used in just two others (Victoria and Western Australia). It was introduced by a Labor government in New South Wales in 1980; and in Queensland, its introduction in 1992 was due to the recommendations of a government commission which expressed strong objections to the compulsory expression of preferences, requiring voters to express preferences for candidates they neither knew nor supported. Outside of these two states, the tendency is to favour the compulsory expression of preferences. This peculiarly Australian practice reflects at one level a general political culture that promotes regulation and efficiency, and an emphasis on citizens' duty (McAllister 2002). At another level, it reflects the legislators' view that the compulsory expression of preferences reinforces the system of compulsory turnout, for '[I]f it were to be conceded that voters have the right to be indifferent in regard to a subset of candidates, it would seem to follow that voters have the right to be indifferent in regard to all candidates' (Reilly and Maley 2000: 44).

Based on the evidence from New South Wales and Queensland there would appear to be good reason for the politicians in other parts of Australia to prefer to

⁸ This is in the case of AV elections; for Senate elections, there is the option of 'ticket-voting' (see Farrell and McAllister 2000 and p. 93, note 15).

keep compulsory preference voting. According to their analysis of the trends, Reilly and Maley (2000: 46) find evidence that the rate of plumping (i.e. expressing just one preference, and thereby turning an AV election into an SMP election) is on the increase in both states. Their research is buttressed by a more recent analysis of trends in the 2003 New South Wales legislative assembly election, which shows that one in nine (11 per cent) of the ballots were exhausted before the end of the count.⁹ And, in the case of the preceding 1999 election, according to the New South Wales Liberal Party, optional preferential voting cost it seats because large proportions of Liberal and National supporters plumped for the candidates of their respective parties; the coalition parties lost out from a lack of crossover support (Humphries 1999).

The compulsory expression of preferences helps to facilitate the virtual institutionalization of the Liberal–National coalition, avoiding the dangers (for them) of vote splitting, allowing them both to field candidates in the same constituency, and increasing the likelihood that one or the other will succeed in having a candidate elected. While these trends tend to produce a greater sympathy for optional preferential voting among Australian Labor Party (ALP) politicians, this is by no means universal, however. For instance, after the 2001 Western Australian state election, which resulted in a new Labor government, the Liberal Party brought forward proposals for a switch to optional preferential voting for future state elections, this move in part reflecting the growing difficulty the larger parties are having in controlling the full spread of preferences at a time when preferences count more and more towards the final result.

Optional versus compulsory preferential voting has also featured prominently in debates at the federal level, with attention centred on issues relating to the effects of compulsory voting on smaller parties. There were a range of complaints after the 1998 election over the degree to which compulsory preferential voting is used by the larger parties as a means of discriminating against smaller parties. In particular, attention was focused on the fact that Pauline Hanson's One Nation Party failed to win any seats in the House of Representatives, despite attracting 8.5 per cent of the national vote. In a wide-ranging review of the evidence, the Joint Standing Committee on Electoral Matters received a large number of submissions from One Nation supporters, complaining that the larger parties had 'ganged up' on One Nation candidates. But the Committee was not persuaded of the arguments in favour of a shift to optional preferential voting (Joint Standing Committee on Electoral Matters 2000: 113).¹⁰

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Electoral systems have a wide range of political consequences, some of which are at the macro level, affecting electoral outcomes and the fate of governments (Farrell 2001). Chief among these are the proportionality that the system produces for the

⁹ Authors' calculations based on raw data in Green (2003).

¹⁰ The committee took precisely the same position in its report relating to the 2001 election (Joint Standing Committee on Electoral Matters 2003).

parties and candidates that engage in electoral competition. Other consequences are at the micro level, affecting the particular behaviour of individuals and parties, often in response to the strategic choices that a system presents to them.

Impact on the party system

The major macrolevel consideration in any electoral system is the degree of proportionality in the result, and Table 4.3 summarizes the electoral record of AV in post-war federal House of Representatives elections. Following Lijphart's rule (1994: 13) that an electoral system change is caused by a 20 per cent shift in the size of the assembly,¹¹ Table 4.3 shows two sets of figures: one covering the fifteen elections from 1949 to 1983, the other reporting trends since the increase in the number of parliamentary representatives in 1984. The first column of data summarizes the disproportionality trends across the period, revealing high levels of disproportionality, which are comparable with patterns among other non-proportional systems at the same time such as SMP (Farrell 2001; Lijphart 1994).

The increase in the size of the index in more recent elections reflects the growing numbers of parties fielding candidates (and growing numbers of independents) in recent elections (Sharman et al. 2002).¹² AV has also produced some notably perverse results, such as the systematic bias in favour of the Liberal Party in nine elections (1949, 1955, 1958, 1963, 1975, 1977, 1980, 1996, and 2001) in which it was awarded more seats than Labor despite having won fewer votes. Even when we exclude the inevitable bias against smaller parties and simply deal with the share of the vote between the two largest parties, the trends are not dissimilar. The final column in Table 4.3 reports the differences between the share of the two-party preferred vote and share of the seats in post-war elections,¹³ revealing high levels of

Table 4.3 Disproportionality in post-war House of Representatives elections

Period (<i>N</i> elections)	Disproportionality (GI)	Two-party preferred vote share minus seat share
1949–83 (15)	8.55	6.95
1984–2001 (7)	10.13	6.12

Notes: GI: Gallagher index. The last column gives two-party preferred votes and seat shares for the ALP. *Sources:* Disproportionality trends supplied by Arend Lijphart, updated from the Australian Electoral Commission (AEC) website (<http://www.aec.gov.au/>); two-party preferred vote data from the AEC website.

¹¹ This is the only aspect in which AV has varied over time; in all its other features (district magnitude, electoral formula, ballot structure), AV has remained unchanged across the post-war period.

¹² The increased number of candidates in part may reflect the fact that the increase in the size of the deposit required to be a candidate has not kept pace with inflation (see Bowler et al. 2003).

¹³ The two-party preferred vote is calculated by allocating all remaining preferences in a constituency count to either the ALP or coalition candidates, thereby providing a final record of the share of the vote to

distortion between the proportions of the votes won by one of the two larger political groupings and their share of seats: once again, the trends reveal a systematic bias against Labor.

One consequence of AV is that the parties—major and minor, as well as independents—seek to redirect preferences to maximize their vote. Every election is preceded by an intense period of bargaining between the parties as to how they will advise their supporters to rank the competing candidates. In some cases such bargaining can be controversial; in the 1998 federal election, for example, the Liberals refused to reach an accommodation with Pauline Hanson's One Nation Party, a decision that arguably harmed their coalition partners, the National Party. In practice, voters' preferences are redirected through the use of 'how to vote' cards which are distributed by the parties to their supporters at polling places—in effect voter 'prompts' that advise voters how to rank order the candidates.¹⁴ Recent surveys show that about half of voters use the 'how to vote' cards in making their electoral choice, although the (albeit limited) trend suggests that the proportion is gradually declining (Figure 4.2). In the Senate, the vast majority of voters do not even try to navigate around the ballot paper, opting instead for a vote 'above the line' (see p. 93, note 15).

As a majoritarian system, AV may produce levels of distortion in the electoral result comparable with (or, indeed, worse than) the SMP system, but to what extent does it actually produce different election results from those produced by the simpler, less-demanding system? To put it another way, what evidence is there that the use of preferential voting actually makes a difference to the result? The common perception is that AV 'behaves in all its particulars' like SMP (Rae 1967: 108), that what difference it makes to the election result is 'less . . . than most people suppose' (Butler 1973: 96). In the first large-scale analysis of trends, Joan Rydon (1956) found little evidence of preferential voting affecting the overall result; for the most part, its only effect tended to be on the distribution of seats between the National/Country and Liberal parties. There was also evidence in the 1960s of preferences from the Democratic Labor Party (DLP)—a breakaway from Labor—favouring the coalition parties (Goot 1985). Apart from these instances, preferences were seen to matter little, and certainly had hardly any bearing on the overall election result.

According to Table 4.4 and Figure 4.3, this pattern has changed considerably in recent elections, and there are signs that preferential voting can make a difference: preferences can matter, and in recent elections they seem to matter even more (also

either of the two main political groupings. Given that we are now dealing with just two parties, by simply subtracting the difference between vote and seat shares for one of the parties (in this case, the ALP), we have the equivalent of a disproportionality score.

¹⁴ The Liberal and National parties have the closest arrangements for the exchange of preferences, though in practice there are relatively few instances in which the two parties compete with one another, since they are in permanent coalition. The next closest arrangement is between the ALP and the Australian Democrats, which have usually redirected preferences to one another.

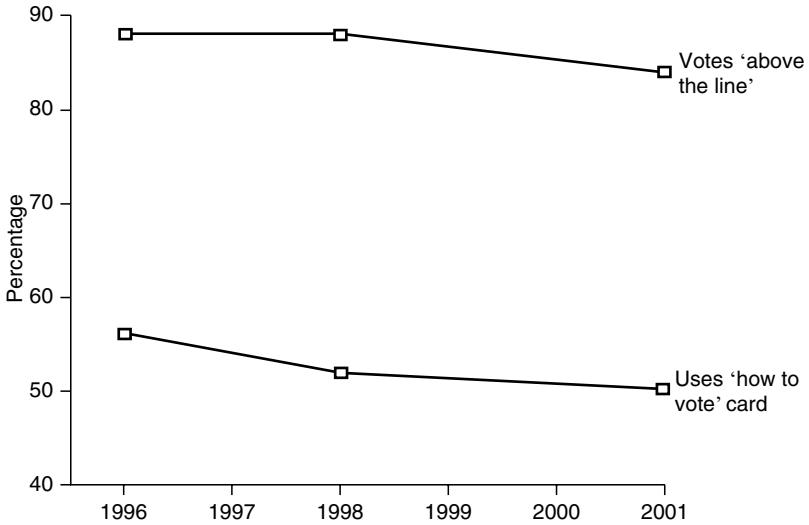


Figure 4.2 Use of voter 'prompts'^a, Senate and House of Representatives elections, 1996–2001.

^a Question wordings are: 'In voting for the House of Representatives, did you follow a party "how to vote" card or did you decide your own preferences?'; 'And in voting for the Senate, did you vote by placing a "1" in a party box or did you decide your own preferences by voting below the line?'

Sources: 1996–2001 Australian Election Studies.

Table 4.4 Effective number of parties and number of counts, House of Representatives elections, 1983–2001

	1983	1984	1987	1990	1993	1996	1998	2001
<i>Effective number of electoral parties (N_v)</i>								
	2.67	2.77	2.90	3.37	2.91	3.21	3.46	3.42
<i>Number of counts (%)</i>								
1	73.6	69.6	63.2	39.9	56.5	56.1	33.8	42.0
2	7.2	5.4	8.1	12.8	2.0	2.0	2.0	2.7
3	10.4	12.8	15.6	12.1	4.7	3.4	3.4	5.3
4	7.2	8.1	10.2	12.8	7.4	7.4	5.4	13.3
5	0.8	3.3	2.7	9.4	6.1	12.2	18.2	10.7
6	0.8	0.7		6.0	6.1	7.4	12.8	8.7
7				5.4	9.5	4.1	10.8	8.7
8				1.3	3.4	4.1	4.7	3.3
9					2.0	3.4	4.7	2.0
10					2.0		3.4	2.0
11							0.7	1.3

Sources: N_v data supplied by Arend Lijphart, updated by authors; for data on numbers of counts, 1983–93 (calculations by Shaun Bowler); 1996–2001 (authors' calculations).

Reilly 2001). Figure 4.3 shows how over the post-war period (1949–2001) there has been a growing number of cases in which preferences were required before the result was known (or, to put this another way, a declining number of cases in which the election was determined, as it would be under SMP, on the first count). The rise has been consistent over the decades, with a noticeable acceleration in the 1990s: in the 1950s there were an average of 12 per cent of cases where preferences were used to determine the result; in the 1960s this more than doubled to 27 per cent; it increased gradually in the 1970s (30 per cent) and 1980s (31 per cent); before jumping in the 1990s to 54 per cent and in 2001 to 58 per cent.

The sudden increase over the past decade is also reflected, in Table 4.4, by a rise in total number of counts (including a few cases in which ten or more counts were required before the final result was determined). Clearly, the increased significance of preferential voting is related to the growing numbers of parties fielding candidates (as shown in Table 4.3 by the effective number of electoral parties; see also Sharman et al. 2002), but it also reflects a growing willingness of voters to make use of their preferences in voting strategically, as well as growing attention by the parties to the strategic potential offered by the AV system.

Preferences may matter more in the election count (in the sense that more lower preferences are being used), as Figure 4.3 illustrates, but there is no evidence that the preferences actually make all that much difference to the final outcome. The results in Figure 4.3 show that preferential voting tends to make only a small difference to the final outcome, and this has not been on the increase. For the most part, the proportions remain firmly in single figures, and the level of variations across the half-century is relatively minor.

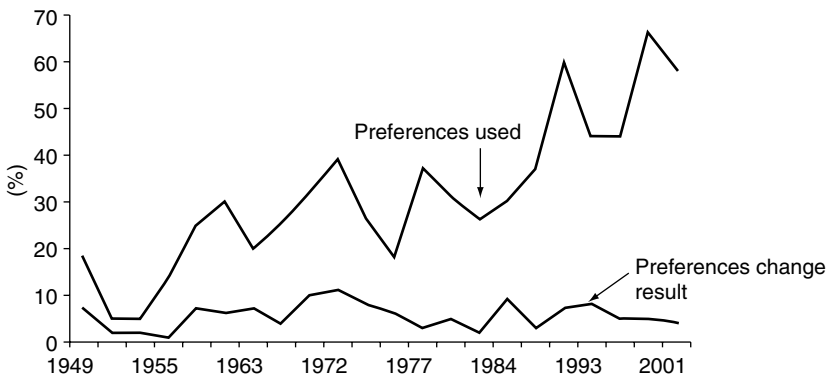


Figure 4.3 Proportions of seats affected by the distribution of preferences, House of Representatives elections, 1949–2001.

Sources: 1949–77 (Rydon 1986); 1980–2001 (authors' calculations).

Impact on the parties

The political parties have responded to the electoral system by, not unnaturally, seeking to use it to maximize their vote and, occasionally, to change it to gain an advantage over their competitors. The first challenge was to make the system as efficient as possible, and this was accomplished by the Commonwealth in 1911 by making registration compulsory; the states quickly followed suit, starting with Queensland in 1914. The low levels of voter participation that were characteristic of elections immediately after the First World War (the Commonwealth election of 1924, the last under voluntary voting, produced a turnout of just 58 per cent) provided the stimulus for the introduction of compulsory voting so as to eradicate any biases due to low turnout (Mackerras and McAllister 1999).

The complexity and compulsory elements of the electoral system have resulted in a high level of party discipline and cohesion. Frequent, compulsory attendance at the polls and the associated profile enjoyed by the major parties has generated a high level of party identification. While there has been some degree of partisan de-alignment in Australia, it has not been nearly as extensive as in Britain or the USA (Dalton 2000). The strength of the parties translates into strong party cohesion in parliament, with parliamentary dissent being almost unknown. To the extent that differing opinions on policy issues exist within the parties, they are expressed in factionalism, most notably within the Labor Party (McAllister 1991). At the same time, those aspiring to a parliamentary candidacy must display strong party credentials, so that having worked full-time for a minister or an elected representative has become virtually a precondition for selection (by party selectorates; the input of grassroots members in the selection process remains small). The net effect is that each party's elected representatives are strongly partisan and, at least in their parliamentary behaviour, highly disciplined.

Impact on parliament

In terms of social background, Australia's elected representatives share the same characteristics as parliamentary elites in other non-proportional systems (McAllister and Boldiston 1994). For instance, the representation of women in the House of Representatives is low by international standards; although the trends are better in recent elections, and in 2004, 25 per cent of the House of Representatives were women.

The main difference from other countries, as noted above, is the tendency for representatives to be recruited through the ranks of the political parties, with party employment representing an important criterion for selection for a winnable seat. This is aided by the system of candidate selection, which generally places the responsibility for selection on the local party branch and the state party organization, with limited (and occasionally no) central oversight (Norris et al. 1990). As a consequence, elected representatives are usually oriented more to satisfying the wishes of their party than to the needs of their constituents (Bowler et al. 1996).

Government formation

The AV system that has been used for House of Representatives elections since 1919 has meant that party stability has been translated into secure majorities in the Lower House for either Labor or the Liberal–National coalition. From 1960 to 2004, the Liberal–Nationals governed for a total of twenty-eight years and Labor for sixteen. Indeed, the Liberals were in government continuously from 1949 until 1972, a period of twenty-three years, one of the longest periods of unbroken rule in any established democracy. Robert Menzies was prime minister for sixteen years of that period, making him the longest serving Australian prime minister, enjoying office for almost twice that of his nearest competitor for the honour, Robert Hawke.

SATISFACTION WITH THE ELECTORAL SYSTEM AND THE POLITICS OF ELECTORAL REFORM

The complexity of Australia's electoral systems, at state as well as federal level, together with its—at least in international terms—idiosyncratic features, means that debates about electoral reform are invariably conducted among the party elites. There has tended to be no public reaction against the compulsory elements of the electoral system (registration, voting, and expression of preferences). Even the change to the Senate system in 1983 (bringing in 'ticket-voting'),¹⁵ in effect creating a closed list system, did not generate any organized public opposition. Those who are most familiar with the workings of Australia's electoral systems—in effect, the party elites—are therefore those who are most likely to debate its reform. But even here, debates about change tend to focus on technicalities, rather than on fundamental principles.

Despite the absence of any popular debate about electoral reform, in general voters are evenly split on whether elections ensure proper popular representation. Table 4.5 shows that while 48 per cent think that elections perform this role 'very' or 'quite' well, slightly more—52 per cent—take the opposite view. As we would expect, these views are strongly associated with the general level of satisfaction with Australian democracy. Among those who see elections as working very well, 53 per cent say that they are 'very satisfied' with Australian democracy; among those at the other end of the scale, just 5 per cent of those who see elections as working 'not at all well' take the same view.¹⁶

The compulsory aspects of Australian elections have received relatively little attention in debates over electoral reform. Compulsory registration has rarely been

¹⁵ 'Above the line voting' or 'ticket-voting' was introduced in 1983 to simplify the STV ballot structure for the voters, who, as in AV elections, are required to rank-order all the candidates on the ballot paper. By voting for a party ticket, the voter accepts the candidate rank-order that is set by the party in question. Needless to say, the vast bulk of voters opt for this shortcut (Farrell and McAllister 2000, 2003).

¹⁶ The correlation (Pearson's r) between the two items is 0.439 (significant at $p < 0.001$).

Table 4.5 Attitudes towards elections and Australian democracy^a

Elections ensure voters represented	Satisfaction with Australian democracy					(N)
	Total	Very satisfied	Satisfied	Not very satisfied	Not at all satisfied	
Very well	5	53	35	10	2	(94)
Quite well	43	23	67	10	1	(844)
Not very well	40	8	58	31	3	(772)
Not at all well	12	5	32	40	23	(237)
	(1,878)	(14)	(57)	(23)	(6)	(1,870)

^a Question wordings are: 'Thinking about how elections in Australia work in practice, how well do elections ensure that the views of all voters are represented by MPs?'; 'On the whole, are you very satisfied, fairly satisfied, not very satisfied, or not at all satisfied with the way democracy works in Australia?'

Source: 2001 Australian Election Study survey.

questioned or debated as a principal component of Australian elections. There has been limited debate about compulsory preferences. The consequence of compulsory preferences in Commonwealth elections is that for House of Representatives AV elections, in order to cast a valid vote, voters have to rank-order the entire list (which is often quite long) of candidates, many of whom they know little about.

There has been rather more debate about compulsory voting. During the 1980s some Liberal politicians began to advocate the abandonment of the system and the party's highest forum, the Federal Council, passed motions in 1988 and 1993 calling for a repeal of the current system (Jackman 1999). One of the arguments used was that because the law forces people to vote, minimal barriers to registration and voting exist, thus increasing the possibility of fraud. More recently, a minority report (consisting mainly of Liberal and National members) of a parliamentary committee charged with examining all aspects of the conduct of the March 1993 federal elections argued that compulsion did encourage electoral fraud: 'in practice compulsory voting underpins a system which has very few checks in place to prevent and detect fraudulent enrolment [registration] and voting' (Joint Standing Committee on Electoral Matters 1994: 157). Despite such arguments, compulsory voting is popular among voters, and has remained so for the six decades for which survey data are available (Mackerras and McAllister 1999).

CONCLUSION

Over the course of the late nineteenth and twentieth centuries, Australia has represented a vast, democratic experiment, ranging from the franchise and the methods to weigh votes, to the use of compulsory voting to increase turnout. As Goot (1985: 179) puts it, 'in no other liberal democracy, it seems safe to say, have the permutations and combinations of electoral reform been as great'. Australia's electoral experimentation is most associated with preferential voting; while it remains the

largest country to use the AV and STV systems, it also sustains a wide array of permutations, at the state and federal levels (Farrell and McAllister 2003), all of which loosely share their origins in the debate about electoral system design at the turn of the twentieth century.

How has Australia remained at the forefront of electoral design and innovation for such a prolonged period? And why has a relatively conservative electorate acquiesced in such radical innovation? The explanation rests in the unique Australian political culture, with its roots in the nineteenth century utilitarianism of Jeremy Bentham and John Stuart Mill. As a 'fragment' of nineteenth-century British culture, the new colony absorbed utilitarian ideas as its core culture (Collins 1985). In this view, the state has assumed the role of arbitrating in disputes, rather than being a defender of individual liberty, as is the case in the Lockean view of culture that took root in North America. In Hancock's famous words (1930: 69): 'Australian democracy has come to look upon the state as a vast public utility, whose duty is to provide the greatest happiness for the greatest number.'

Political culture explains the origins of the electoral system in the early twentieth century but not, of course, the relative absence of radical innovation since then. To achieve a complete picture we must add the increasingly strong role of the major political parties, and the inheritance and transmission of party loyalties from generation to generation. In general, the parties have seen no reason to change the basic system, and while there have been arguments about how the system has operated in particular elections, one or other party has been content to try and redress the problem by modest change. There has, then, been no debate about electoral reform, as has occurred in Britain and New Zealand. The absence of any manifest dissatisfaction with AV, among either the public or the elite, is the main reason why it is likely to remain the chosen electoral system in Australia for many years to come.

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Canada: Sticking to First-Past-the-Post, for the Time Being

Louis Massicotte

Canada is a federal country that employs the single-member plurality (SMP) system at both national and provincial levels, though this system is now under sustained challenge, especially at the provincial level. Before examining the place of the electoral system in Canadian political life, we will present a brief overview of the political context.

POLITICAL BACKGROUND

Canada has a parliamentary system patterned on the Westminster model, under a constitution adopted in 1867 that now ranks as the fifth oldest among the national constitutions still in force. The federation started with four provinces and now has ten, plus three self-governing territories in the north.

At the federal level, there is a parliament composed of two houses, the directly elected House of Commons (308 members since the 2004 election) and the appointed Senate (105 members). The number of seats for each province and territory in the Senate is specified in the constitution and is not subject to periodic alteration. Smaller provinces are overrepresented, and uneven population growth has produced striking imbalances: for example, New Brunswick has ten senators for a population of 729,000, while fast-growing British Columbia has only six for a population of 3.9 million! In principle, the Senate has a veto over every bill brought from the House of Commons, but in practice it has refrained from using this power, due to its nature as an appointed body.

The procedure used for readjusting the number of seats for each province in the House of Commons has, revealingly, attracted more attention from Canadian political scientists in the past than the electoral system itself (Ward 1963, 1967; Courtney 2001*a*). Every constituency, informally known as a riding in English and as a *comité* in French, is represented by a single member. In principle, seats are distributed according to population, subject to two provisos: no province is to have fewer seats in the House of Commons than in the Senate (the ‘senatorial floor rule’); and no province can lose seats at a redistribution (the so-called ‘grandfather clause’)

(Courtney 2001a). The latter rule may sound odd, but stems from a belief that declining provinces, most of them small, should not lose seats, and that instead the total number of seats should be increased. Both rules purport to protect smaller and declining provinces, at the expense of the faster-growing provinces of Ontario, British Columbia, and Alberta. With an aggregate 61 per cent of the Canadian population, these three provinces have 55 per cent of the seats. Such distortions are higher than those found in the first chambers of most federations. Under the constitution, seats in the House of Commons are redistributed every ten years on the basis of the census conducted at the beginning of each decade.

Each province has a unicameral legislature, styled the House of Assembly in Nova Scotia and Newfoundland, the *Assemblée Nationale* in French-speaking Québec, and the Legislative Assembly everywhere else. The size of provincial legislatures ranges from 27 in Prince Edward Island to 125 in Québec. Throughout the 1990s, many provinces reduced the size of their legislature. The most spectacular downsizing occurred in Ontario, where under the *Fewer Politicians Act*, the number of members dwindled from 130 to 103 in order to square with federal electoral boundaries. Each of the three Northern territories also has a directly elected Legislative Assembly of eighteen members (Yukon) or nineteen members (Nunavut and the Northwest Territories). The latter both have a so-called 'consensus style of government' whereby all members are elected on a non-party basis as independents.

The federal House of Commons is elected for a five-year term that can be abridged by the executive through dissolution. Recommending dissolution to the Governor-General is a personal prerogative of the prime minister. In theory, such a request could be refused by the Crown, but the latest precedent dates back to 1926. Minority parliaments have lasted an average of eighteen months, against more than four years for majority parliaments. Elections tend to take place at a moment that the executive deems best for its own re-election prospects. The same is true for all but two provincial legislatures; British Columbia decided in 2001 that its Legislative Assembly would henceforth be elected at a fixed date for a four-year term, and Ontario adopted a measure to the same effect in 2005.

Four parties are currently represented in the House of Commons. The Liberal Party stands first and foremost for a strong activist central government, and is widely perceived as a centrist party leaning more to the left than to the right, as exemplified by its empathy with figures such as Bill Clinton and Tony Blair, but it also includes so-called 'business Liberals' who at times have convinced their fellow 'welfare Liberals' that spending cuts were necessary to preserve the country's fiscal balance. Liberals have been in power for most of the time and are usually given credit (or blamed) for Canada's social programmes such as health insurance and social security. They also traditionally bridge the cultural divide by selecting bilingual and federalist francophones as their leaders, while drawing heavy support from older and recent immigrants thanks to their emphasis on multiculturalism. In recent decades, the party has been led by Pierre Trudeau (1968–84), John Turner (1984–90), Jean Chrétien (1990–2003), and Paul Martin (2003–). In 2004, they remained in government, but in a minority position.

New Democrats are Canada's social democratic party, also supporting a strong central government, drawing support from labour unions but also being increasingly sensitive to women's issues. Most of the social programmes that contribute to distinguish Canada from its US neighbour originated within the New Democratic Party (NDP), though the party has never been in office, and is sometimes lauded (or derided) as the think tank of the Liberal Party. The 1990s were a very bad decade for the NDP, which got nineteen seats in 2004 under the leadership of Jack Layton.

The Conservative Party of Canada, led by Steven Harper, now stands as the official opposition to the incumbent Liberals since the merger of the Canadian Alliance Party with the Progressive Conservative Party, and won ninety-nine seats in 2004, although the party's popular vote (30 per cent) is less than the combined support of its two components in 2000 (37 per cent). In view of the fact that the merger was a shotgun marriage made in anticipation of a Liberal landslide that, ironically, did not materialize, a look at the two forebears of the party is still instructive.

Until their electoral defeat in 1993, the Progressive Conservatives had been the standard alternative to Liberal rule. Like the Liberals, they were nationally oriented, but were more inclined to respect and to increase the autonomy of provinces, and, in recent decades at least, were more favourably disposed towards the USA, especially as a trading partner. Under Brian Mulroney (1984–93), they won two successive elections in the 1980s, thanks to Mulroney's talents for keeping together the hard right (US Republican Party style) within English Canada and nationalist francophones in Québec. This unholy alliance fell apart in the early 1990s when the failure of the Meech Lake Accord drove Québec nationalists to Lucien Bouchard's Bloc Québécois, and when the adoption of the Goods and Services Tax (GST), as well as a few decisions by Mulroney that were interpreted as adverse to the western provinces, led to the rise of the Reform Party under Preston Manning. The latter supported a far less strong and activist central government and was opposed to the emphasis put on bilingualism by Ottawa. Its support was highest in the western provinces, where almost all its members of parliament (MPs) came from. In the hope of expanding from this stronghold, the party was renamed the Canadian Alliance in 2000 and got sixty seats, but made no breakthrough in the central and eastern provinces. Debates about the creation of a united party of the right that could compete plausibly in Ontario came to a conclusion in December 2003 when the Alliance merged with the Progressive Conservative Party.

The Bloc Québécois is the voice of the supporters of Québec sovereignty in Ottawa and otherwise stands on the left on most issues. It does not field candidates outside Québec. Though supporters of sovereignty had been a force in provincial politics from 1970, they initially refrained from contesting federal seats. This changed in 1990 when a few Progressive Conservative and Liberal MPs became supporters of sovereignty and found a popular leader in renegade Conservative minister, Lucien Bouchard. The new party was an immediate success in French Québec, winning fifty-four seats in 1993 as well as official opposition status. Bloc Québécois's performances were not as good afterwards, but in 2004 the party defied all odds and belied recent trends, winning 49 per cent of the Québec vote.

In contrast with many European countries, Canadian Greens are not a force at present, with no representation in the House. Nevertheless, they won 4 per cent of the vote in 2004 (up from 1 per cent in 2000). None of the other seven parties that stood in 2004 won more than 0.3 per cent of the vote.

The Canadian party system has gradually become confederal over recent decades, as the connection between federal and provincial wings of the same party has been weakened. In Ontario, supporters of the right provincially voted for Mike Harris's Progressive Conservatives in the 1990s, while federally they split equally between the Progressive Conservatives and the Alliance. British Columbia Liberals sit squarely on the right, in contrast to their federal cousins. Squabbles between federal and provincial Liberals in Québec have been endemic for decades. Though federal Progressive Conservatives merged with the Canadian Alliance in 2003 and disappeared as a distinct brand, provincial members of the Legislative Assembly (MLAs) elected under that label still call themselves Progressive Conservatives.

ORIGINS OF THE ELECTORAL SYSTEM

The first-past-the post (FPTP) system has been used right from the start in all jurisdictions and still prevails today, though a few provinces experimented with the alternative vote (AV) and the single transferable vote (STV) between the 1920s and 1950s. No other method appears to have been envisaged initially than the system then prevailing in Britain. Early decisions as to which electoral system would be used were made by the British parliament or government, but no attempt was made by local legislators to alter that rule once they were empowered to do so (Garner 1969). Even under the French regime, when *syndics* were for a while elected by the population to serve as a channel of communication between the colonial authorities and the population, elections were made *à la pluralité des voix avec liberté de suffrages* (Lanctôt 1962: 280).

The only major change in the initial arrangements had to do with the number of members to be returned from each constituency. Following the British model, dual-member districts were the rule in Upper Canada (now Ontario) and Lower Canada (now Québec) from 1792, until the two provinces were united into a single Province of Canada (1840), with single-member districts (SMDs) then becoming the rule, forty-five years before Britain made the same move. The prevalence of SMDs survived in the legislative assemblies of the two provinces of Ontario and Québec after 1867. In the House of Commons from 1867, all but a few districts also elected a single member, and the last few dual-member districts, which allowed some areas to be represented by both a Protestant and a Roman Catholic, disappeared in 1968. In the Atlantic provinces, multimember districts were frequent in the earliest provincial assemblies and survived well into the twentieth century. Only since 1933 and 1974, respectively, have SMDs become prevalent in Nova Scotia and New Brunswick. Before those dates, all or most members were returned from two-, three-, four-, or even five-member districts. All western provinces had a few multimember districts at some point in their history, often to allow for the operation of proportional repre-

sensation by the single transferable vote (PR-STV). The last provinces to abolish multimember districts were British Columbia (1991) and Prince Edward Island (1994). In such districts, voters had as many votes as there were members to be elected, and these votes were cast individually for each candidate rather than a single vote being expressed for a slate of candidates. This feature allowed for a few seats to go occasionally to the weaker party, provided that some voters split their vote.

Before the 1920s, there appears to have been no serious challenge to the FPTP system, although Ontario had a brief experience with limited voting in a few provincial urban districts in the 1890s (Pilon 1999). The post-war surge of new political forces generated pressure for reform. In 1920, following a bitter strike that split the city of Winnipeg, Manitoba introduced STV for electing the ten members representing Winnipeg in the provincial assembly, and from 1927 onwards the remaining forty-five members representing rural districts were elected under AV. This mixed system of the coexistence type (Massicotte and Blais 1999) disappeared in 1957. A similar hybrid was introduced in Alberta in 1926: STV prevailed in the cities of Calgary and Edmonton, while AV was introduced in rural single-member constituencies. It was abolished in 1955 when FPTP was restored (Jansen 1998). Both moves comforted supporters of FPTP and were cited as evidence that no convincing alternative existed, though it appears that the abolition of AV and STV in Alberta resulted, in no small measure, from their tendency to return more opposition members than the incumbent government wished. In order to prevent the socialist CCF party from winning power with less than a majority of the popular vote, British Columbia substituted the AV province-wide for FPTP in 1951, but after two elections returned to the *status quo ante*. In Ontario, shortly before the 1923 election, a Progressive premier attempted to introduce the same kind of mix that later existed in Alberta and Manitoba, but obstruction by the Conservative opposition prevented him from doing so before the ensuing election, which he lost. Eighteen Canadian municipalities, all located in the western provinces, adopted STV for municipal elections between 1916 and 1928, but these experiences were short-lived except in Calgary, Vancouver, and St James, where STV survived until the 1970s (Johnston and Koene 2000). At a referendum held in 1921, the voters of Montreal rejected the introduction of STV.

Rather than challenging the electoral system, electoral reformers until recently focused on the malapportionment of electoral districts. Huge imbalances in population existed among electoral districts in most jurisdictions throughout the first half of the twentieth century and beyond (Pasis 1972, 1983) and, despite improvements (Carty 1985), malapportionment still persists in a few jurisdictions (Blake 2001). For federal elections, the constitution mandates that seats be redistributed among provinces every ten years, which necessitates adjustments to district boundaries whenever the number of seats allotted to a province varies (Ward 1963, 1967). The Electoral Boundary Readjustment Act of 1964 established the principle that boundary readjustment for the House of Commons would be done by independent boundary commissions in each province rather than by legislators. The legislation further established that within each province, districts should have an equal

population, and that deviations from that rule should not exceed plus or minus 25 per cent of the provincial quota (Canada, Chief Electoral Officer 2002). Deviations of that size have traditionally been accepted by most in view of Canadian tradition and geography and, in contrast with the US Supreme Court, Canadian courts have been inclined to share that view (Courtney, Mackinnon, and Smith 1992). Redistribution in every province is now carried out by boundary commissions (Blake 2001).

Although other chapters in the book have a section at this point explaining in detail how the electoral system works, that is hardly necessary in the Canadian case. All 308 seats in the House of Commons are filled by single-member plurality SMP. (Those readers who require an explanation of this system are referred to Appendix A.). A specimen ballot paper is shown in Figure 5.1.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

The most obvious impact of SMP on the Canadian party system has been to generate important distortions in the parliamentary representation of the parties. Disproportionality between votes and seats, measured by the least squares index (see Appendix B), amounted to 8.0 in 2004, compared with 13.8 in 2000, 13.2 in 1997, and an average of 11.7 for elections held from 1945 to 1993 inclusive (Lijphart 1999). Such outcomes are typical of FPTP systems. Distortions in Canada are lower than in Caribbean countries, but higher than in the USA. Parties are not even always returned in the order they were preferred by the electorate. In 1993, the Bloc Québécois came second in the House of Commons, but fourth in the popular vote. In 2004, the NDP got more votes than the Bloc Québécois, but had only nineteen seats against fifty-four for the Bloc (see Table 5.1).

Occasionally, the party that was able to form a government received a smaller number of votes than its main challenger. This ‘perverse’ outcome has occurred more frequently at the provincial level; examples include Québec (1944, 1966, and 1998), Ontario (1985), British Columbia (1996), New Brunswick (1974), and Saskatchewan (1986 and 1999), to quote only the most recent cases. This phenomenon may be due either to malapportionment of electoral districts, with a party systematically winning the constituencies with small populations, or to the leading party wasting votes in huge majorities in some districts. In Québec, it was computed following the 1998 election that the Liberals needed a 7.5-point lead over their opponents in order to get just the same number of seats (Massicotte 2002). Though they may appear obscene to some, none of these results generated a serious uproar, and many a loser simply chose to wait for happier times, though there is ground for believing that the 1998 experience was a major factor in convincing Québec Liberals that an electoral system change was needed.

Another obvious impact has been to keep the number of parties represented in the legislatures fairly low. Until the end of the First World War, an almost perfect two-

Form of Ballot Paper, Front

<p>FORM 3 (Subsections 116(1) and 138(1))</p> <p>FORM OF BALLOT PAPER</p> <p><i>Front</i></p>	<p>FORMULAIRE 3 (paragraphe 116(1) et 138(1))</p> <p>FORMULAIRE DU BULLETIN DE VOTE</p> <p><i>Recto</i></p>
--	--

<p>.....DOE, John.....</p> <p>.....Independent / Indépendant.....</p>	<input type="radio"/>
<p>.....DOE, Sandra.....</p> <p>.....Political Affiliation / Appartenance politique.....</p>	<input type="radio"/>
<p>.....UNETELLE, Anne.....</p> <p>.....</p>	<input type="radio"/>
<p>.....UNTEL, Pierre.....</p> <p>.....Political Affiliation / Appartenance politique.....</p>	<input type="radio"/>

Figure 5.1 Specimen Canadian ballot paper

Note: A facsimile of the ballot paper used for elections to the House of Commons (form No. 3 in Schedule 1 to the *Canada Elections Act*) can be found on the Elections Canada website at the following address: <http://www.elections.ca/content.asp?section=loi&document=form03&dir=leg/fel/cea&lang=e&textonly=false>

party system was prevailing in all jurisdictions, with Conservatives and Liberals trading office from time to time. Since then, with the emergence of new parties, the picture has become more complex and fragmented. The number of parties represented in the House of Commons has been three, four, or five since 1921, 3.9 being the average. Over the past ten years, about eleven parties have been officially registered with the Chief Electoral Officer and five have been represented in the House of Commons. As noted earlier, this was reduced to four when the Canadian Alliance merged with the Progressive Conservatives. The impact of the electoral system on this development is unmistakable. Opinion polls conducted at that time

Table 5.1 Results of the Canadian election, 2004

	% Votes	Seats	% Seats
Liberals	36.7	135	43.8
Conservatives	29.6	99	32.1
New Democratic Party	15.7	19	6.2
Bloc Québécois	12.4	54	17.5
Greens	4.3	0	—
Christian Heritage Party	0.3	0	—
Marijuana Party	0.3	0	—
PC Party	0.1	0	—
Marxist–Leninist	0.1	0	—
Independents/no affiliation	0.5	1	0.3
Total	100.0	308	100.0

suggested that the Liberals, with Paul Martin at the helm, were poised to sweep the country and to wreck the right if the two parties stood separately. Though voting figures suggest that many Tories ultimately preferred to stay away from the new party, the merger can be cited as a perfect example that under FPTP, it is better for parties to hang together than to be hanged separately.

The electoral system has hampered, but not prevented, new parties from emerging. In 1921, the Progressives made a spectacular breakthrough in the House of Commons, winning sixty-five seats and earning the privilege (which they declined) of sitting as the official opposition, having displaced the Conservatives to third rank. Their support quickly eroded and by the end of the decade, they had been more or less swallowed up by the Liberals. The depression of the 1930s led to the birth of two longer-lasting new forces. A socialist party, known initially as the Cooperative Commonwealth Federation (CCF) and since 1961 as the New Democratic Party (NDP), was founded in Regina in 1932 and won modest representation in the House of Commons. So did the Social Credit Movement, the Canadian offspring of Major Douglas's theories. Both remained third parties and never reached office federally, though each won a few provincial elections. Social democracy has been represented in the Commons since then, while Social Credit vanished from the House in 1980. Neither was able to break the two-party mould, though the CCF in 1943, and the NDP in 1987, briefly led in the polls, inspiring dreams of success that did not materialize on election day. However, they held the balance of power in minority parliaments. With 4 per cent of the vote, the Greens might expect to get a few seats under proportional representation (PR), and it does not come as a surprise that many calls for reform have come from this side.

As mentioned earlier, the traditional party system broke down at the 1993 election with the irruption of two new forces. The secessionist Bloc Québécois fielded candidates in Québec seats only, winning 49 per cent of the vote in that province (14 per cent of the national vote) and fifty-four of the seventy-five seats. Though it was ranked fourth in terms of popular vote, it carried enough seats to earn the status

of official opposition. The other newcomer, the Reform Party, with candidates everywhere except in Québec, made a strong showing with 19 per cent of the vote and fifty-two seats. Among the three nationally oriented incumbent parties, only the Liberals escaped the wrath of the electorate with 41 per cent of the vote and 177 seats. The incumbent Progressive Conservatives had the worst performance of their long history, with 16 per cent of the vote and only two seats. So did the New Democrats with 7 per cent of the vote and nine seats.

With the benefit of hindsight, the 1993 election was a realigning one, as its consequences have been long-lasting. At the two ensuing elections (1997 and 2000), Progressive Conservatives and New Democrats recovered their status as recognized parties (twelve seats are needed for that purpose), but remained well behind the other two opposition parties. Support for the Bloc Québécois declined somewhat after its 1993 breakthrough, but following its recovery in 2004 it remains a force to be reckoned with. The Reform Party tried to reposition itself as a national force by changing its name in 2000 to the Canadian Alliance, with mixed results: it won 25 per cent of the vote and sixty-six seats, but again proved unable to expand beyond its western bailiwick. Only by merging with the Progressive Conservatives was it able to carry seats in Ontario, to dispel its image as a regional party, and to establish itself as a credible alternative to the ruling Liberals.

The poor performance of the nationally oriented Progressive Conservatives and New Democrats in terms of seats since 1993, contrasting with the relative success of the regionally based Canadian Alliance and Bloc Québécois, illustrates that among medium-sized parties, SMP rewards those with a geographically concentrated vote. In 1997, for example, Progressive Conservatives and Reformers were almost tied in the popular vote (18.8 and 19.4 per cent respectively), yet the latter got sixty seats and the former only twenty.

The working of the FPTP system at provincial elections is also instructive. While the traditional two-party system mostly survives in the Atlantic provinces (except Nova Scotia), third parties have been able to break the mould in all other provinces. Indeed, the plurality system has accelerated the demise of some of the traditional parties whose support had come to falter. SMP has most of the time allowed the largest party to win a legislative majority, even with less than half of the popular vote.

Another alleged consequence of the existing system is that of aggravating regional cleavages at federal elections (Cairns 1968; Massicotte 2001*b*). Variations in party support among provinces are accentuated by the electoral system, with the result that the country appears more divided than it really is. This was true even before the success of regional parties in the 1990s. For example, the ruling Progressive Conservatives had only a handful of seats in Québec in 1979, and had to appoint senators from that province to the cabinet. Conversely, the Liberals after 1980 had only two seats out of the eighty west of Ontario (based on 20 per cent of the vote), and had to rely on the same expedient. Following the 1997 election, each of the parties represented in the House of Commons was leading in at least one province and territory, while two-thirds of the Liberal members came from Ontario. It has

been argued that such discrepancies made ruling party caucuses and federal cabinets regionally unrepresentative and encouraged sectionalism, with parties capitalizing on their regional strongholds rather than trying to come up with policies acceptable to the country as a whole.

Not everyone has been convinced by these considerations (Courtney 1980, 1999, 2001*b*; Lovink 1968, 2001; Katz 1999). Critics have pointed out that regional polarization was high in the early 1920s, late 1970s, and early 1980s, but abated later, and that in 1984 the Progressive Conservatives were able to secure a majority of votes and of seats in every province and territory. Regional polarization, however, resurfaced in the 1990s, though to a lesser extent. Having strong representation for a region in the federal cabinet is no guarantee against regional alienation, as evidenced by the rise of separatism in Québec despite the most durable prime ministers since 1968 having been returned from that province.

Impact on the parties

As the plurality system operates today in SMDs, this means that political warfare is fought in small constituencies. This may be seen as an asset in a huge country, second only to Russia in size, with a dispersed population stretching from the Pacific Ocean to the Atlantic on a relatively thin line alongside the border with the USA. Constituency parties usually select candidates themselves, with minimal interference from national party headquarters. Intervention from the centre remains possible, but leads to fierce resistance. For example, in 2004, Prime Minister Martin imposed a candidate of his own in the riding of Saint-Maurice, which had the effect of lowering turnout significantly among Liberal supporters of the Chrétien brand at the ensuing election. Martin was also able to eliminate his former leadership opponent, Sheila Copps, from her Hamilton seat, but this move became a national issue, was interpreted as a purge, and aroused much resentment.

Since 1970, the Canada Elections Act provides that in order to be officially recognized on the ballot paper as a party's official candidate in a district, a candidate needs a letter to that effect from the leader of the party. Otherwise, a candidate may not use the party label, even if he or she has been duly selected by a constituency convention. While the leader's letters are normally delivered on a routine basis to party candidates, there have been a few instances of formal refusals. In 1974, Progressive Conservative leader Robert Stanfield refused to endorse the candidacy of the mayor of Moncton, Leonard Jones, due to the latter's opposition to bilingualism. Jones was nevertheless elected against the party's official candidate, and sat as an independent for a term. In 1988, Prime Minister Mulroney did the same in relation to former cabinet minister, Sinclair Stevens, whose record had been marred by serious allegations. Stevens did not run. Confronted in recent years with grumbling within his caucus, Prime Minister Chrétien was on record as having threatened rebels with an early election where he would not endorse them as party candidates.

Impact on parliament

We can examine three aspects of this: the constituency connection, turnover rates among MPs, and female representation.

On the first of these, though there is no legal requirement for candidates to be residents of the district—or, indeed, of the province—they are standing in, most candidates are local residents, and this is even truer for members elected. Among candidates standing at the 2000 federal election, 31 per cent were non-residents, the vast majority of whom resided in another district in the same metropolitan area. Among members elected, non-residents were 17 per cent of the total, with the same proviso (Massicotte 2001c). While it is not uncommon for a candidate to stand in another district within the same metropolitan area, parachuting a candidate having no connection at all with the constituency is rare and remains a privilege usually reserved for star candidates of ministerial calibre and for newly elected party leaders in search of a constituency. Such candidates have a rather good record of being elected, their national stature or their credentials as future cabinet ministers presumably compensating for their lack of local roots (Massicotte and Blais 2001).

Once elected, members tend to nurture their constituency, and to devote much of their efforts to local surgeries. Services are dispensed irrespective of the known or suspected political sympathies of electors, in part because those who benefit from their member's interventions can be expected to reciprocate later through support at the next election. The constituency connection is strong in Canadian politics, and the disappearance of SMDs is one of the chief arguments raised by members against proportional representation. One member is on record as having said that members felt important not on Parliament Hill, but when they came back to their constituencies. However, there is little evidence that dedicated members of parliament gain increased electoral support through their efforts: in contrast to the USA, the individual candidate usually makes little difference (Irvine 1982).

Regarding turnover, the relationship between the plurality system and the average turnover among members of parliament is complex and defies simple generalizations. On average, Canada has a rather high legislative turnover (two-thirds of the members elected in 1993 were newcomers), while in the USA the corresponding figures for the House of Representatives are small enough to generate calls for term limits for legislators. Yet both countries use the SMP system, which makes it difficult to indict the electoral system on that count. This may explain why a very strong legislative turnover (by international standards) does not rank high among the criticisms adduced against the electoral system in Canada. Part of the difference between these two countries may have to do with the fact that, unlike Canada, legislative campaigns in the USA are quite candidate-centred rather than party-centred, and that legislative districts drawn by state legislatures in the USA very often provide the incumbents with massive majorities that can hardly be overturned.

Turning to female representation, women were enfranchised in 1918 and a woman was first elected to the House of Commons in 1921. As in most other Western

democracies, female representation was very weak throughout the ensuing decades, and the House elected in 1968 included no women at all. Since then, the percentage of women in the House has increased steadily, reaching 5 per cent in 1980, 10 per cent in 1984, 13 per cent in 1988, 18 per cent in 1993, and 21 per cent both in 1997 and 2000. During the first half of 2004, thirty-three countries belonging to the Inter-Parliamentary Union had more women in their national legislature than Canada, while 143 had fewer. The 2004 election, where the number of women elected fell to fifty-six (18 per cent of the total), did nothing to improve that performance. In the provinces, the percentage of women in the legislatures by mid-2004 ranged from a low of 10 per cent in New Brunswick to a high of 30 per cent in Québec.

Many scholars argue that the single-member constituency system is largely responsible for the under-representation of women, and this argument is tirelessly cited by PR activists. This did not entirely convince the Royal Commission on Electoral Reform and Party Financing, which concluded in its 1992 report that PR might lead to higher female representation in legislatures, but only if parties adopted policies tailored to that purpose. In 2004, the percentage of women candidates ranged from 11 per cent among the Conservatives to 35 per cent for the NDP, with the Liberals, the Bloc Québécois, and the Greens standing in between with 25 per cent each. Such figures confirm that increasing female representation is not at present an overriding concern within parties, though it may be used at times as a convenient justification for imposing on a reluctant constituency association a candidate preferred by the party leadership.

Government formation

The vast majority of elections held under SMP in Canada have resulted in single-party majority governments. This was the case in twenty-nine out of thirty-eight elections to the House of Commons since Confederation (1867), and the rule at all elections held before 1921. However, no party had a majority of seats following nine elections (most recently 2004). The first eight of these resulted in single-party minority administrations that dissolved parliament after an average of eighteen months, either because the government had been defeated in the House (which happened on four occasions) or because the ruling party, assuming it had a real chance of securing a majority, called a snap election.

Coalitions were contemplated in 1921 and in 1980, but the offer made by the government party was refused in both cases. The only coalition in Canadian federal history was formed in 1917, when Prime Minister Borden, in order to secure a strong wartime administration, and though his Conservative Party already had a majority in the House, formed a so-called 'Unionist' government including English Canadian Liberals and Conservatives. The experience split the country on ethno-linguistic lines and was not repeated; when the Conservatives campaigned at the 1940 election in favour of doing so, they lost heavily.

When an election provides no majority for any party, Canadian politicians, both federal and provincial, mostly opt for a minority single-party government that plays

for time, relying on the support of minor parties, waiting for the earliest opportunity to gain a majority through an early election. This is facilitated by the fact that though the representative of the Crown is theoretically entitled to refuse a request for dissolution, refusals have been exceedingly rare and have never occurred in recent history.

Ontario created an interesting precedent in 1985, when the Liberals formed a minority administration relying on the support of the New Democrats, under a formal accord whereby New Democratic support was guaranteed for some policies in exchange for an undertaking that no snap election would be called within the next two years. This has remained an exception, as minority governments tend to govern on a more ad hoc basis.

Since 1921, more than two parties have been represented in the House of Commons, reflecting higher fragmentation in the electorate. Ruling parties could claim support from more than half of voters following the 1940, 1958, and 1984 elections. Other majority governments since the end of the First World War have rested on the support of at best a plurality of voters. In all these cases, therefore, one can speak of legislative majorities manufactured by the plurality system. For example, following the 1997 election, Prime Minister Chrétien's Liberal Party had 155 seats in a House of 301, but had secured only 38.5 per cent of the vote. Following the elections of 1896, 1957, and 1979, the ruling party did not even have a plurality of the popular vote, but was in power, either as a majority or as a minority administration, most often because electoral support for the other main party was too heavily concentrated in some areas or because of malapportionment.

Cohesion within Canadian parliamentary parties was low in the nineteenth century and has been high throughout the twentieth, which suggests that SMP has not been a major causal factor. Nowadays, legislative defeats are exceedingly rare whenever the government has a majority of seats (Massicotte 1997, 1998; Wearing 1998) and power tends to be concentrated in the hands of the cabinet. Recent books have argued that within cabinet, the prime minister has become all-powerful (Savoie 1999; Simpson 2001). This view is probably in need of some qualification, considering that opposition from the Liberal Party caucus and rank-and-file obliged a reluctant Prime Minister Chrétien, in August 2002, to announce he would relinquish his position by February 2004 (this occurred in December 2003). Together with responsible government and party discipline, the FPTP system ranks among the three major factors that have produced the kind of centralized governance, hailed by its supporters as 'strong and effective government' and vilified by critics as 'elective dictatorship', that is the hallmark of the Canadian parliamentary system.

In the provinces, the picture is more varied, but the pattern is mostly the same. About one in twelve elections since the First World War resulted in minority legislatures (the comparable ratio for federal elections is one in three). In Québec, Alberta, and Prince Edward Island, there are no minority or coalition governments on record. In the other provinces, there have been a few minority legislatures that resulted either in minority single-party governments or in coalitions. Typically, the former have been more frequent but short-lived, and the latter more durable but less

frequent. Multiparty coalitions have been formed in Ontario (1919–23), British Columbia (1941–52), Manitoba (from the 1930s to the 1950s), and Saskatchewan (1929–34) (Smith 1999). Recent minority governments include the Hamm Conservative government (2003–) and the MacLellan Liberal government (1997–9) in Nova Scotia, the Filmon Conservative government in Manitoba (1988–90), and the Peterson Liberal government in Ontario (1985–7). Following the 1999 election, Saskatchewan was ruled by a coalition of New Democrats and Liberals that lasted a full four years.

The FPTP system sometimes results in a very weak opposition. In British Columbia, the ruling party secured seventy-seven seats out of seventy-nine at the 2001 election. In neighbouring Alberta, the government party won an aggregate 81 per cent of all seats (526 districts out of 648) at elections held between 1975 and 2001 inclusive. Québec Liberals won 102 seats out of 110 in 1973. Twice in Canadian history a government party has held *all* the seats in a provincial legislature (Prince Edward Island in 1935, New Brunswick in 1987). Prince Edward Island came close to repeating this feat again in 2000, when the government party failed by only 157 votes to carry the single seat it did not win.

THE POLITICS OF ELECTORAL REFORM

Though reformers have had more success in the provinces and municipalities, electoral reform has been considered at various times in Ottawa as well. So far, nothing has been achieved, nor indeed seriously attempted (Seidle 1996). The alternative vote was advocated frequently but unsuccessfully in the 1920s. In 1979, the PÉpin–Robarts Task Force on Canadian Unity recommended that a minority of members be elected by a proportional system (Canada, Task Force on Canadian Unity 1979). This recommendation reflected concern that the tendency for the government party to be wiped out in some provinces, preventing the appointment of elected members as cabinet ministers from these provinces, might in the long run shatter the cohesion of the federation. No action followed. Reformers redirected their efforts towards introducing PR for a directly elected Senate, but a joint parliamentary committee, while supporting direct election, rejected PR in 1984. Prime Ministers Trudeau and Chrétien are on record as having supported a mixed system at some point in their careers, but seemingly changed their minds thereafter (O'Neill 1984).

The prospects for reform have improved at an accelerated pace in recent years, and at the time of writing this subject appears very much a work in progress (Milner 2004). A new organization called Fair Vote Canada was created in 2001. The Law Commission of Canada issued a discussion paper supporting PR and commissioned research on the issue (Law Commission of Canada 2002). Later the Commission advocated a mixed member proportional-type (MMP-type) system for Canada, whereby one-third of the seats would be distributed so as to correct the imbalances generated by FPTP in constituencies (Law Commission of Canada 2004). Before the 2004 election, NDP leader Jack Layton chose to prioritize the

issue by making PR a precondition for NDP support for a future minority administration, though the outcome of the election does not allow him to dictate the priorities of the Liberal government alone. On 18 October 2004, following negotiations with the opposition parties, the Liberal government accepted that the 'Address in Reply to the Speech from the Throne' be amended so as to request the government to consider the advisability of 'an Order of Reference to the Standing Committee on Procedure and House Affairs instructing the Committee to recommend a process that engages citizens and parliamentarians in an examination of our electoral system with a review of all options'.

Mixed or proportional systems have been advocated in Québec since the 1970s (Massicotte and Bernard 1985). Debates were held on the issue in the early and late 1970s and in 1982–4, to no avail. The debate was ignited by the results of the 1970 election, where the Parti Québécois, a newly created party advocating secession of the province from Canada, which had come second in the popular vote with 23 per cent, got only seven seats out of 108. The subsequent rise of the party and its accession to office dampened its enthusiasm for reform, and while Premier Lévesque pressed for the introduction of a proportional system, his cabinet and caucus rejected the idea. In 2001, the issue re-emerged, fuelled by staggering defeats at by-elections of the ruling party and by a petition signed by 125 individuals at the initiative of the *Mouvement pour une Démocratie Nouvelle*, a pressure group dedicated to PR. A committee of the legislature decided to consider the issue, but found time to hold only a single sitting on that topic over the next fifteen months. Meanwhile, the government decided to launch a wide-ranging debate (*États généraux*) on the governance of the province, and public hearings confirmed that a mixed system, the option advocated in the manifestos of the three parties represented in the Assembly, was by far the most favoured option. In March 2003, a committee appointed by the government nevertheless recommended that a referendum be held on the introduction of a proportional system with members being elected in multimember regional constituencies. The Liberal government elected in April 2003 is committed to introducing a mixed compensatory electoral system (MMP-type), a commitment that was reaffirmed several times following the election, though it was later hinted that the introduction of the new system might be postponed until after the next election (Massicotte 2004a). This writer has provided detailed proposals on the topic for the government's consideration (Massicotte 2004b). In December 2004, the Liberal government tabled a draft bill outlining a new electoral system whereby the number of SMDs would be reduced to seventy-seven, to which would be added fifty compensation seats allocated within some twenty-six districts. Public consultations will take place throughout 2005 on this proposal before a final decision is made.

There is pressure for reforming the system in other provinces as well (Seidle 2002). The leader of the Green Party of British Columbia circulated, in 2002, a petition for a bill creating a mixed electoral system. The petition was endorsed by about half the number of people required for the bill to be presented to the legislature. British Columbia made history in 2003 by creating a randomly selected 'Citizens' Assembly' of 160 members that was empowered to decide on an electoral

system to be submitted directly to the voters without the intervention of the legislature. By mid-2004, the Assembly had conducted fifty public hearings throughout the province and received more than 1,000 submissions. In October, a huge majority of members selected PR-STV, with districts electing between two and seven members, as the best alternative to the existing plurality system they had earlier rejected. In May 2005, at a referendum conducted simultaneously with a general election, the voters answered the question: 'Should British Columbia change to the BC-STV electoral system as recommended by the Citizens' Assembly in its final report? Yes/No'. (PR-STV was dubbed 'BC-STV' in British Columbia, seemingly for reasons of local pride.) The Yes vote, at 57 per cent, fell just short of the 60 per cent that was needed to make the result binding, leaving it up to the legislature to decide whether to proceed with the reform.

In Prince Edward Island, Premier Binns announced in May 2002 that a referendum could be held on the electoral system at the next provincial election (Cousins 2000; Bricker 2002; Elections Prince Edward Island 2002), and this promise was formally repeated following the release in December 2003 by Justice Carruthers, acting as a one-person royal commission, of a report suggesting MMP as the alternative to be voted on. A commission was appointed in May 2004 to come up with a prospective new electoral model for the province, to teach voters about it, and to draft the referendum question to be put. In Ontario, the Liberal government elected in 2003 includes a Minister for Democratic Renewal backed by a secretariat. Premier McGuinty announced in November 2004 that a Citizens' Assembly would be empowered to re-examine the current electoral system and recommend possible changes. New Brunswick created a Commission on Legislative Democracy in 2003 and has been conducting public hearings and education exercises since then. The Commission recommended widespread reforms of the legislative and electoral processes, including the introduction of an MMP-style system, with a 67:33 ratio between constituency and list seats within four large regions, and a 5 per cent threshold.

Among reform options, mixed systems and the alternative vote have been the favourites of reformers in recent years. A fairly broad range of mixed systems combining in different ways single-member constituencies and party lists have been proposed (Irvine 1979, 1980–1, 1985; Elton and Gibbins 1980; Dobell 1981; Weaver 1997). The alternative vote has the support of those who would like a more minimalist reform and was put forward (at the time it mattered) as a greater incentive for Progressive Conservative and Canadian Alliance voters to join hands when indicating their second preferences (Flanagan 1999, 2001). However, doubts have been expressed as to the capacity of that formula to eliminate the defects of FPTP, or indeed to increase the representation of right-wing parties (Bilodeau 1999; Massicotte 2001a).

Incumbent members of the federal House of Commons are fairly hostile to any of the alternatives advocated by reformers, as evidenced by the debate that took place in the House in February 2001, and the possibility that they could be persuaded to introduce a new system on their own initiative seems remote (Milner 1994; Massicotte 2001b). Assuming that incumbent governments are opposed to PR, reformers

have instead focused on two possible strategies for reform. One is pressing for a binding referendum on the issue, as occurred in New Zealand and Italy. This approach appears to have worked in British Columbia and Prince Edward Island, though ultimate endorsement of a specific formula by the people remains uncertain. Public opinion is divided on the issue, and surveys indicate that while many Canadians are disenchanted with the existing system, there is no overwhelming feeling so far that a change is essential (Bricker and Redfern 2001). In September 2003, the ruling Liberals ensured the rejection in the House of Commons of a motion calling for the holding of a referendum on PR, though this stance might be reconsidered following the humbling of the incumbent government at the 2004 election. The other strategy is asking the courts to strike down the plurality system as a breach of the Canadian voters' right to equality, which would compel parliament to adopt a different system (Beatty 2001; Knight 1999). Actions to that effect were launched in court in Ontario (2001) and Québec (2004).

CONCLUSION

FPTP in single-member constituencies now prevails everywhere in Canada, federally and provincially, and remains a key ingredient of a centralized power structure that for long was considered to be one of the best systems of government in the world. There are increasing signs of disenchantment that might lead to changes in the future towards some form of PR. It may be hypothesized that PR will one day be implemented in a province and, if found positive, spread gradually to other jurisdictions. In view of the historical entrenchment of FPTP in Canada, that is unlikely to be a smooth process.

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France: Stacking the Deck

Robert Elgie

This chapter examines the two-ballot electoral system in France. The main focus is on the system used for elections to the lower house of the French parliament, the National Assembly. These elections are contested on the basis of a specific type of two-ballot system, namely a single-member, semi-closed, majority-plurality system. At the same time, France has a rather unusual political system in which the President of the Republic is a major political actor. Therefore, this chapter also refers in passing to the system used for presidential elections. This is a variant of the above system. There are four sections in the chapter: the first identifies the origins of the two electoral systems; the second outlines the mechanics of the French two-ballot system; the third discusses the political consequences of the system; and the fourth addresses the seemingly perennial issue of electoral reform.

ORIGINS OF THE ELECTORAL SYSTEMS

In June 1958, the French political system collapsed. To save the regime from the imminent prospect of martial law, General Charles de Gaulle was called upon to form a government. He agreed on condition that there would be a new constitution. In October 1958, after being approved in a referendum, the constitution of the Fifth French Republic came into force. In December 1958 de Gaulle was elected as the first President of the Fifth Republic, winning a landslide victory in the electoral college. In January 1959 he appointed Michel Debré as prime minister.

The origins of the electoral system for the National Assembly date back to the foundation of the Fifth Republic in 1958. A two-ballot system was used for much of the period 1870–1940 during the Third Republic. However, during the Fourth Republic (1946–58) a proportional representation (PR) highest-average list-based system was used. The collapse of the Fourth Republic undermined the credibility of virtually all the institutions associated with it. As a result, when de Gaulle returned to power in 1958 electoral reform was inevitable. At this time, Michel Debré was the gaullists' main spokesperson on institutional reform. He had long been in favour of a majority system. He believed that such systems were based on the conception of the state as an independent actor in its own right, one that could shape the party system. By contrast, he believed that proportional systems were based on a political

philosophy that viewed the state as merely the sum total of the interests and groups that existed in society as a whole (Harmsen 1988: 283). The former was entirely consistent with gaullist political philosophy. The latter was totally repugnant to it. As a result, even though Debré failed to gain support for the inclusion of either the details or the principles of the new electoral system in the constitution (Wahl 1959: 366–7), a shift to a majority system was inevitable. Indeed, the communists were the only major force that objected. That said, there was little support among either the public or the political class for a UK-style single-member plurality (SMP) system. By contrast, there was more general support for the reintroduction of a two-ballot system. Here, though, a choice had to be made between a single-member constituency-based system and a department-based majority-list system. In the end, the General himself arbitrated in favour of the former (Duverger 1960: 226). This decision meant that in the first election the gains made by the gaullists were likely to be considerably less than they would otherwise have been. However, it also meant that the General would not have the ‘problem’ of dealing with a very large right-wing majority in the National Assembly that would most probably have been in favour of Algeria remaining French (Duverger 1960). The new system was passed by decree as a piece of emergency legislation on 13 October 1958 and the first elections were held a month later.

That said, the current system has operated uninterrupted only since 1988. The failure to constitutionalize the electoral system in 1958, or subsequently, has meant that electoral reform is almost permanently on the political agenda in France (see the following sections). Article 34 of the constitution states that the system of election to the National Assembly is determined by law; thus, it can be reformed simply by passing a new law. From 1958 to 1981 inclusive, National Assembly elections were contested on the basis of the two-ballot system. However, in 1985 a department-based list system of PR was introduced (Knapp 1987). This was an extremely controversial reform (Favier and Martin-Roland 1991: 306–15). It was one of François Mitterrand’s election promises at the 1981 presidential election. However, the reform was introduced, at Mitterrand’s behest, just before the 1986 National Assembly, at which the left was predicted to lose very badly. In the end, the left still lost, but the size of the defeat was greatly reduced. What is more, the extreme-right Front National party (FN) won thirty-five seats, whereas most probably it would not have won any under the old system. Immediately following the 1986 election, the right-wing majority reverted to the two-ballot system. This reform was itself controversial because the right seemed to stand to gain the most from a return to the previous system. It was also controversial because the Minister of the Interior was accused of wanting to gerrymander the constituency boundaries to favour the right even more. In fact, the Constitutional Council limited the minister’s right to redraw the constituency boundaries, and as public opinion changed, the socialists won the 1988 election. As we shall see later in the chapter, the issue of electoral reform has remained politically salient. Since then, there have been no further reforms to the system of election to the National Assembly.

The situation with regard to presidential elections is more straightforward. In 1958, the time was not considered to be right for the direct election of the president. At least in part, this was because citizens in Algeria would have been able to vote. As a result, the president was indirectly elected by an electoral college, mainly comprising local *notables*. However, in September 1962, once the Algerian issue had been resolved, a decision was taken to amend the constitution and to introduce the direct election of the president. At this time, there appears to have been little or no discussion about whether or not to adopt a two-ballot system for presidential elections. Instead, the main element of the discussion centred on the number of sponsors required to contest the election and the rules determining participation in the second ballot (Rudelle 1984: 705). Even then, these issues were resolved quite quickly. Moreover, since 1962, with the exception of an increase in the required number of sponsors, the system has remained largely unaltered. In part, this is because the basic details of the system were constitutionalized at the time of the 1962 reform, including the rules for participation in the second ballot. Thus, a constitutional reform would be needed to change the details of the system. More generally, the system has enjoyed widespread popular and political support. Indeed, the 1993 Vedel (1993) committee on constitutional reform made no mention of reforming the basic mechanics of the system of election of the president, even though it did address a wide range of other issues.

HOW THE ELECTORAL SYSTEMS WORK

Elections to the National Assembly are contested on the basis of single-member constituencies. At the 2002 election, there were 577 constituencies, 555 of which were situated in metropolitan France and the remainder in France's overseas departments and territories. In metropolitan France, the department (the equivalent of the county in the UK or USA) is the basic territorial area within which constituency boundaries are drawn. The number of constituencies per department varies according to the population of the department, but there must be a minimum of two. Moreover, in any one constituency the size of the electorate should not vary by more than 20 per cent from the average size of the electorate in all the constituencies in the department. In other words, there are rules to guarantee some equality of representation, but discrepancies still remain. So, at the 2002 election, fifteen departments contained just two constituencies each. By contrast, one department, Nord, contained twenty-four constituencies and the Paris department had twenty-one. The number of inhabitants per constituency in metropolitan France ranged from a high of 188,200 in the second constituency of the Val d'Oise department in the Paris suburbs to a low of 34,374 in the second constituency of the Lozère department, which is in a highly rural and sparsely populated area. The 1986 electoral law specified that constituency boundaries should be redrawn after every other census, in practice meaning every twenty years or so. The boundaries are proposed by the government, specifically by the Minister of the Interior, and submitted to the highest administrative courts in the land for their

advice (Council of State, Court of Accounts, and Court of Cassation). The changes are then voted by the National Assembly.

In each constituency, elections, which are always held on a Sunday, take place according to what can be called a two-ballot majority–plurality system (Elgie 1997). In basic terms, a candidate is elected by virtue of winning either a majority of votes at the first ballot or, failing that, a plurality of votes at the second ballot, hence majority–plurality. The candidates' names are printed on separate pieces of paper and voters vote by dropping the name of their preferred candidate into the ballot box. At the first round, a candidate is elected if he or she wins more than 50 per cent of the valid votes cast and the number of votes cast for that candidate amounts to more than 25 per cent of the registered electorate. The number of candidates elected at the first ballot has ranged from a high of 166 at the 1968 election to a low of twelve in 1997.¹ In the constituencies where no candidate has been elected at the first ballot, there is a second ballot one week later. At the second ballot, only candidates who stood at the first ballot are allowed to stand again. Moreover, only those candidates who received the votes of more than 12.5 per cent of the registered electorate at the first ballot are allowed to proceed to the second. This is the sense in which the two-ballot system used for National Assembly elections is semi-closed. The contest at the second ballot is not simply a repeat of the first. If fewer than two candidates have crossed the 12.5 per cent threshold, the top two candidates may go through. In some cases, only one candidate contests the second ballot. This happens where there are only two eligible candidates and one of them drops out immediately after the first round; invariably it involves a situation where the two qualifying candidates are from allied parties, and the second-placed candidate is usually the one who steps down. Whatever the situation, in the event that there are more than two candidates at the second ballot a simple plurality of votes is required to secure election. (For the results of the 2002 National Assembly election, see Table 6.1.)

The mechanics of the presidential election system are similar to but slightly different from the system used for National Assembly elections. Again, elections are held on Sundays. In order to be elected at the first ballot, a candidate must win more than 50 per cent of the valid votes cast. If no candidate does so, and none has in the history of the Fifth Republic to date, then a second ballot is held two weeks later. The presidential system differs from the National Assembly system because it is a closed run-off system. In other words, at the second ballot only the top two candidates at the first ballot are allowed to stand. Whatever the terminology, if one of these candidates decides not to contest the second ballot, and this has never happened so far, the next-highest-placed candidate is allowed to stand. At the second ballot, the candidate who wins the plurality of votes (which will necessarily be more than 50 per cent of the valid votes cast) is elected. (For the results of the 2002 presidential election, see Table 6.2.)

¹ www.assemblee-nationale.fr/elections/historique-3.asp

THE POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEMS

Impact on the party system

In France, the two-ballot system has encouraged multiparty competition. The multiparty logic is associated with the first ballot of the election and is neatly captured by one writer:

Given that the first round does not count . . . every political group—and none more so than the smallest and newest ones—can take advantage of the situation to ‘stand and be counted’, and, in so doing, they may be able to influence the largest groups. (Parodi 1978: 193)

In short, smaller parties may feel that they have nothing to lose by contesting the first ballot. On the contrary, they may stand to gain by doing so, because if they can register a sufficiently large degree of support, then they can ensure that they are indispensable to the second-round process of alliance building (see the following sections).

The multiparty nature of the Fifth Republic’s party system is very clearly demonstrated in Tables 6.1 and 6.2. In elections from 1959–97 inclusive, the effective number of legislative parties ranged from a low of 3.3 in 1981 to a high of 5.4 in 1959, with the next highest being 5.3 in 1973 (Thiébault 2000: 499). It is important to note that in recent years multiparty competition has been encouraged by the relatively generous form of state funding for political parties that was introduced in 1990, whereby public monies are made available to all groups that run fifty or more candidates at a given National Assembly election. All the same, well before this date, multiparty competition was an established aspect of the Fifth Republic’s political system. This is true even for the 1978 parliamentary election, which is often cited as the one where party competition was at its simplest. Here, fourteen groups won more than 0.5 per cent of the vote at the first ballot and five won more than 5 per cent.²

One factor that has affected the multiparty nature of the French two-ballot system is the threshold that candidates need to pass in order to be eligible to contest the second ballot. In 1958, the threshold was 5 per cent of the electorate. It was increased to 10 per cent in 1966 and was further raised to the current level of 12.5 per cent in 1976. The raising of the threshold has penalized small parties and encouraged calls for a *vote utile* (see the following sections). As Bartolini notes, it meant ‘the *automatic* exclusion from the second ballot of most non-left or non-majority candidates, and reduced to almost nil the blackmail potential of the minor formations’ (Bartolini 1984: 107—emphasis his). A similar point applies to presidential elections, but in a slightly different way. In 1976, the required number of sponsors was increased in an attempt to reduce the number of candidates standing at

² See figures in Frears and Parodi (1979: 64). These figures assume that the Christian Democrats and Republicans were separate groups.

Table 6.1 Votes at the first round of the 2002 French National Assembly election and seats following second-round results

Party/political affiliation	First-round votes		Seats after second round	
	Number	(%)	Number	(%)
Union pour la Majorité Présidentielle (Union for the Presidential Majority—since renamed Union for a Popular Majority—centre-right)	8,408,023	33.3	355	61.5
Parti Socialiste (Socialist Party)	6,086,599	24.1	140	24.3
Front National (National Front— extreme right)	2,862,960	11.3	0	0.0
Union pour la Démocratie française (Union for French Democracy— centre-right)	1,226,462	4.9	29	5.0
Parti Communiste (Communist Party)	1,216,178	4.8	21	3.6
Verts (Greens)	1,138,222	4.5	3	0.5
Divers droite (right)	921,973	3.7	9	1.6
Chasse Pêche Nature Traditions (Hunting Fishing Nature Traditions)	422,448	1.7	0	0.0
Parti Radical de Gauche (Left-Radical Party)	388,891	1.5	7	1.2
Ligue Communiste révolutionnaire (Revolutionary Communist League, extreme left)	320,467	1.3	0	0.0
Lutte Ouvrière (Workers' Struggle— extreme left)	301,984	1.2	0	0.0
Pôle Républicain (Republican Pole)	299,897	1.2	0	0.0
Other ecologists	295,899	1.2	0	0.0
Mouvement National Républicain (National Republican Movement— extreme right)	276,376	1.1	0	0.0
Divers Gauche (general left)	275,553	1.1	6	1.0
Mouvement pour la France (Movement for France—right)	202,831	0.9	1	0.2
Divers (Other)	194,946	0.8	0	0.0
Démocratie Libérale (Liberal Democracy—centre-right)	104,767	0.4	2	0.4
Rassemblement pour la France (Rally for France—right)	94,222	0.4	2	0.4
Extreme left	81,588	0.3	0	0.0
Regionalists	66,240	0.3	1	0.2
Extreme right	59,549	0.2	0	0.0
Total	25,246,075	100.0	576	100.0

Source: adapted from www.assemblee-nationale.fr/elections/resultats.asp—accessed 28 April 2003.

Table 6.2 The results of the 2002 French presidential election

Candidate (Party/political affiliation)	First-round Number	votes (%)	Second round (%)
Jacques Chirac (Union for the Presidential Majority)	5,665,855	19.9	82.2
Jean-Marie Le Pen (Front National)	4,804,713	16.9	17.8
Lionel Jospin (Socialist Party)	4,610,113	16.2	
François Bayrou (Union for French Democracy)	1,949,170	6.8	
Arlette Laguiller (Workers' Struggle)	1,630,045	5.7	
Jean-Pierre Chevènement (Republican Pole)	1,518,528	5.3	
Noël Mamère (Greens)	1,495,724	5.3	
Olivier Besancenot (Revolutionary Communist League)	1,210,562	4.3	
Jean Saint-Josse (Hunting Fishing Nature Traditions)	1,204,689	4.2	
Alain Madelin (Liberal Democracy)	1,113,484	3.9	
Robert Hue (Communist)	960,480	3.4	
Bruno Mégret (National Republican Movement)	667,026	2.3	
Christiane Taubira (Left-Radicals)	660,447	2.3	
Corinne Lepage (Right-Wing Ecologist)	535,837	1.9	
Christine Boutin (Pro-life)	339,112	1.2	
Daniel Gluckstein (Extreme-Left)	132,686	0.5	
Total	28,498,471	100.0	100.0

Source: Adapted from www.elysee.fr/pres/elecpr1_.htm—accessed 29 April 2003.

the first ballot. This change had an immediate effect. There were six first-round presidential candidates in 1965, seven in 1969, and twelve in 1974. However, in 1981, there were only ten candidates, while in 1988 and 1995 there were nine candidates on each occasion. Overall, these figures confirm that the two-ballot system encourages multiparty politics. For example, despite the reforms, there are still a large number of first-round presidential candidates. Indeed, in 2002 there were no fewer than sixteen. Even so, the multiparty effects of the two-ballot system can still be tempered somewhat by the introduction of seemingly innocuous institutional amendments that alter the rules of the game at the first and/or second ballot.

In addition to the basic multiparty logic of the French two-ballot system, there is a separate and somewhat counterbalancing alliance-building logic. This logic is associated with the second round of the contest. At the second ballot the remaining candidates usually need to increase their first-round vote in order to win. Therefore, they have an incentive to build alliances. The alliance-building imperative of the two-ballot system has been clearly demonstrated since 1958. For example, one of the paradoxes of the early years of the Fifth Republic was that the Communist Party became a more important political actor than it had been under the Fourth Republic,

despite the fact that it would most probably have won more parliamentary seats had the electoral system not been changed. This is because during the Fourth Republic the non-communist left had little incentive to ally with the communists, because it was always likely to be able to form a government with the centre and/or centre-right. In the Fifth Republic, this logic did not apply. The centre-right, in the form of the gaullists, emerged as the dominant political party and was able to form a government with the support of non-gaullist centre-right groups such as Giscard d'Estaing's Independent Republicans. In this context and in isolation from each other, the two basic elements of the left, communist and non-communist, were condemned to opposition. Gradually, though, the left accepted the logic of the system (Duhamel 1980). In order to stand any chance of winning, they needed to cooperate. As a result, by the early 1970s the communists and the socialists had formed an electoral alliance, the union of the left. This union was based on a common programme for government and led to a reciprocal electoral agreement. In general terms, the two parties agreed not to compete against each other at the second ballot. In other words, if both a socialist and a communist found themselves in a position to contest the second ballot against the right, the candidate from the party which was less well-placed would voluntarily stand down. This arrangement maximized the opportunity for the left-wing candidate to be elected. Indeed, it was taken one step further in 1974 when François Mitterrand stood as the candidate of the united left at the first ballot of the presidential election. He was unsuccessful, but only just, and the benefits of an electoral agreement were clear. In fact, the programmatic agreement between the two parties collapsed in 1976. However, the electoral arrangement survived and has remained more or less intact ever since.

The alliance-building imperative of the two-ballot system has had a further aspect during the Fifth Republic. It has encouraged binary competition, meaning competition between just two alliances. In short, the two-ballot system punishes stand-alone parties or groups, particularly small ones. It does so as a result of a simple mechanical effect. Unless stand-alone and small parties have a strong geographical concentration, such as the regionalist parties in France's overseas departments and territories, they will find that they are unable to win through to the second ballot, or that, if they do so, they are likely to be defeated there by candidates and parties who have been able to build wide-ranging alliances. As a result, stand-alone parties and small parties are encouraged to join such alliances, unless they see a strategic reason for not doing so. More than that, the two-ballot system gives a certain encouragement to voters not to waste their vote. In this regard, it is common to hear senior politicians from large parties talking about *le vote utile*—literally 'a useful vote'. Indeed, this call is often made before the first ballot and not just at the second in the cases where more than two candidates are standing. The net effect is that the inherent multiparty logic of the two-ballot system is counterbalanced by the binary alliance-building logic that is also present. Whatever the interaction between these two strategic incentives, there has been little room for a successful independent force under the Fifth Republic.

This point can be illustrated very clearly in the case of the centre. In the 1960s, the Christian Democrats tried to steer a third way between the right and the left. In the end, they chose to join the right-wing majority because by remaining outside they risked losing their remaining parliamentary seats and all chance of entering government (Elgie 1994). The FN illustrates the point in a different way. Since the 1980s the extreme right has refused to contemplate any alliance with the mainstream right (an attitude that, for the most part, the mainstream right has reciprocated). As a result, while the extreme right's first-ballot performance has often been very impressive (or alarming), the failure to be part of an electoral alliance has meant that its parliamentary representation has been virtually non-existent. Unlike the situation with the centrists in the 1960s, this situation has suited the FN's strategy. The party believes that all the major forces are corrupt, including the mainstream right. More than that, elements of its electorate, and most notably its leader, Jean-Marie Le Pen, still harbour resentment against the gaullists because of de Gaulle's decision to negotiate Algeria's independence. Thus, any alliance with the mainstream right, including the gaullists, is impossible to contemplate. In this regard, though, as in so many others, the FN is a case apart. Most parties that have aspired to be independent have sooner or later succumbed to the binary logic of the two-ballot system.

A further consequence of the two-ballot system is that not only has it encouraged binary competition in general terms, it has also encouraged binary competition specifically between the left and the right. As Bartolini has put it: 'the party must select its political and electoral alliances...in a way which is congruent with the second-party preference of the bulk of its electorate' (Bartolini 1984: 117). In the Third Republic there were indeed two cross-cutting cleavages: the left-right cleavage and the confessional-secular cleavage. In this context, the two-ballot system led to complex sets of often locally centred alliances (Elgie 1997: 92-3). However, by 1958 the confessional-secular cleavage had disappeared. The net result is that from the very early years of the Fifth Republic the alliance-building process encouraged right-wing parties to work together and left-wing parties to do the same.

The logic of the left-right cleavage alliance-building process can be seen in the examples of both the union of the left and the disappearance of the centrists as an independent force, both of which were discussed above. A more recent example concerns the Greens. In the late 1980s and early 1990s, the Greens, under the leadership of Antoine Waechter, shunned any alliance with the left, refusing to accept any programmatic agreement or even a reciprocal electoral arrangement. As far as Waechter was concerned, the Greens were on neither the left nor the right. The result, though, was that the party stood no chance of winning any seats in the National Assembly or of influencing government policy. In the mid-1990s the situation changed when the party elected a new leader, Dominique Voynet. In the run-up to the 1997 parliamentary election, the Greens struck a deal with the socialists which led to a reciprocal electoral arrangement. At the 1997 National Assembly election the Greens won seven seats, their first ever,

and Voynet was appointed as Minister for the Environment in the socialist-led government.

The final consequence of the electoral system on the party system is that it has encouraged centripetal left–right competition. As the old French political adage has it, at the first ballot voters select, whereas at the second they elect. To put it another way, at the first ballot voters choose, while at the second they eliminate. What both aphorisms capture is the notion that voters are motivated by different factors at the two ballots. At the first, they vote according to their basic party preference. At the second, their favoured party may be absent, so they may have to vote for the second-preference party. The net effect is that the two-ballot system has tended to reduce the support for extremes (Sartori 1997: 65). There is no a priori reason why a large number of voters cannot have an extreme party as their second preference, but in France since 1958 there has tended to be a fairly normal distribution (in the statistical sense) of preferences along the left–right axis. Thus, both left-wing and right-wing alliances have tended to move towards the centre in order to maximize their electorate.

The evidence for this point is neatly demonstrated by the contrasting experiences of the communists and the extreme right. By the early 1970s, the communists embraced the alliance-building logic of the system and were willing to form a pact with the socialists (as discussed earlier). However, as early as 1974, François Mitterrand, the candidate of the united left at the presidential election, had already begun the process of distancing himself from the programmatic element of the union of the left in order to win over centrist voters. Seven years later, he adopted the same strategy and on this occasion he succeeded. In other words, Mitterrand, the *de jure* or *de facto* leader of the left-wing alliance, soon came to realize that elections were won at the centre rather than at the extremes. Paradoxically, the recent success of the FN reinforces this point. Since 1974 the FN has regularly won 10–15 per cent at presidential and legislative elections. More than that, the great surprise of the 2002 presidential election was that the leader of the FN, Jean-Marie Le Pen, beat the main left-wing candidate, Lionel Jospin, into second place and thus went through to the second ballot. Despite its support, the FN has not been successful under the two-ballot system. The party has returned scarcely any deputies and at the second round of the 2002 presidential election Le Pen hardly improved his first-round score (see Table 6.2). In this context, the key point is not that extreme parties have consistently won a large number of votes under the two-ballot system. After all, the electoral system is only one determinant of the reason why people vote the way they do. Instead, the point is that under such a system extreme parties have to choose either to remain marginalized and risk winning no seats or join an alliance that will fight elections at the centre and risk compromising their principles. In both cases, the threat they pose to the system is diminished. This is one of the main reasons why Sartori supports two-ballot systems generally. As he puts it, the two-ballot system ‘eminently facilitates governability under adverse conditions’ (Sartori 1997: 69). The Fifth Republic is a good case in point.

Impact on the parties

In France, political parties have four main characteristics (Elgie and Griggs 2000: 99–102). Many have long-standing historical antecedents, but most have been formed relatively recently; they tend to have low membership levels and powerful local *notables*; they are highly personalized leader-centred institutions; and they are highly factionalized. In addition, French parliamentary parties exhibit two further features. Individually, they are highly disciplined; but there can be high levels of within-block competition. These characteristics are best explained by the wider institutional structures of the Fifth Republic and by the dominance of the left–right cleavage, rather than by the two-ballot system per se. In particular, the personality-centred aspect of political parties and the factionalized nature of party organization are direct consequences of the presidentialized nature of the Fifth Republic. That said, the two-ballot electoral system does relate in various ways to the other basic characteristics of French parties and their parliamentary counterparts.

The ideological and organizational origins of most French political parties date back to the nineteenth century or before (the classic account of right-wing parties in this regard is by Rémond (1982)). That said, most parties have been formed fairly recently: for example, the Union for a Popular Majority (UMP) in 2002; the Greens in 1984; the centre-right Union for French Democracy (UDF) in 1978; the FN in 1972; and the Socialist Party (PS) in 1969. The main reason for the seemingly continual decline and rebirth of French political parties during the Fifth Republic is the presidentialization of the political system. The presidential contest is highly personalized. All the same, serious presidential candidates need the backing of some form of organizational structure. Thus, parties have been created as vehicles for either a movement's or an individual's presidential ambitions. For example, the PS was formed in the aftermath of the disastrous left-wing showing at the 1968 presidential election and the UMP was set up around the time of the 2002 presidential election. That said, the two-ballot process is not completely divorced from this phenomenon because it provides at least some inherent incentive for parties to split. A newly formed party knows that even the threat that it may do fairly well at the first ballot means that it will have to be included in the general alliance-building process. Thus, the two-ballot system makes the cost of party fragmentation relatively low.

The organizational weakness of French political parties and the presence of powerful local *notables* are well-established features of French political life. These features predate the introduction of the two-ballot system in the Third Republic, never mind its reintroduction in 1958. Thus, the electoral system cannot be seen as a cause of these enduring political practices. All the same, this feature of French political parties does have an effect on the operation of the two-ballot system. During the Fifth Republic, the alliance-building logic of the electoral system has been elite-centred, meaning that alliances have been negotiated by party hierarchies in Paris and imposed on the party organizations in local electoral constituencies. In this context, the power of local *notables* has sometimes made

the alliance-building process more complex. For example, there may be competition between two mayors for the same parliamentary seat. If they are from different parties, one may be reluctant to stand down and risk letting the other consolidate his or her influence within the local area. In this context, dissident candidates (often classed as *divers gauche* or *divers droite*) are not unheard of. It is apparent, therefore, that the presence of local *notables* can make the elite nature of the alliance-building process more difficult.

In the main, French parliamentary parties are quite well-disciplined. Governments rarely lose votes as a function of dissent within the ranks of their own supporters. That said, on occasions there has been a considerable amount of within-block competition in parliament. The two-ballot system accounts for at least part of the reason why such competition occurs. In short, on occasions the multiparty logic of the system has prevailed over the alliance-building logic. For example, in the period 1976–1981, there was fierce competition between the gaullists and President Giscard d'Estaing's party, the UDF. Even though both parties were represented in government, the rivalry between Giscard and the gaullist party leader, Jacques Chirac, was intense. On this occasion, the within-block competition was so fierce because the support for both parties was approximately the same and both leaders intended to stand at the 1981 presidential election. So, while the multiparty logic of the two-ballot system means that both right-wing and left-wing alliances are often fractious, on this occasion the level of within-block competition was even greater than usual because the stakes were so high. Indeed, a similar situation occurred in the period 1997–2002. On this occasion, the PS was the dominant party in the government and the socialist prime minister, Lionel Jospin, was assured of being the leading left-wing candidate at the 2002 presidential election. Even so, the relationship between the various parties in the government was sometimes fraught. On the assumption that the government would be returned after the 2002 electoral cycle, it was vital for each of the smaller parties to maximize its post-electoral bargaining power. Given that the presidential election came before the legislative election, this meant that each of the governing parties had an incentive to field a candidate at the first round. Moreover, in the run-up to the election the parties needed to differentiate themselves from each other in the hope of maximizing their core electorate and winning over as many uncommitted voters and voters from within the general left-wing block. The result is well known. The plethora of left-wing candidates harmed Jospin's first-round campaign and he was beaten into third place by Jean-Marie Le Pen. The two-ballot system did not cause this situation, but it did provide a strategic context within which it occurred.

Impact on parliament

The direct effect of the two-ballot system on the background of French deputies has been minimal, or at least there is little to distinguish the effect of this system from the effect of similar majoritarian systems. In this regard, the two most noticeable elements of the French system of representation at the National Assembly level are

the interpenetration of local and national officeholders and the low level of female representation. The electoral system has little effect on the former but some effect on the latter.

In the 1997–2002 legislature, 97 per cent of all deputies simultaneously held some sort of elected office at the local level. The entrenched system of local *notables* has already been mentioned and this figure is merely another manifestation of it. In France, there has long been the expectation that powerful figures at the local level need to win representation in the National Assembly in order to maximize their influence over the political process generally. At the same time, there has been an equivalent expectation that people who are elected to the National Assembly without first having a local base need to be ‘parachuted’ into a position of responsibility at the local level as soon as possible. The two-ballot electoral system plays no part in creating these expectations. In this way, it is certainly true that French deputies pay perhaps more attention to constituency affairs, or more accurately to the affairs of that part of their local constituency in which they hold elected office, than their counterparts elsewhere. However, this situation is not so much a function of the electoral system as the result of more long-standing systemic features.

The area where the electoral system has had some effect is in the under-representation of women. As with most majoritarian electoral systems, the two-ballot system tends to encourage most parties to select white, middle-class, male candidates. As a result, in France the level of female representation has been relatively low. During the course of the 1997–2002 legislature, the left-wing government introduced the so-called ‘parity’ reform that was designed to increase the representation of women by encouraging parties to increase the number of women selected to contest winnable seats. However, at the 2002 National Assembly level it had little effect. At the outset of the 1997 legislature, 11 per cent of all deputies were women. Immediately following the 2002 election, this figure had risen to only 12 per cent.³ This figure contrasts with the relatively high level of female representation in the European Parliament, elections to which are held under a system of PR and where in the 1999–2004 legislature 43 per cent of France’s Members of the European Parliament (MEPs) were female. That said, the blame for the consistently low level of female representation in the National Assembly does not lie solely with the electoral system. As in other countries, a series of social norms and institutionalized practices means that the level of female representation is lower than it should be. Even so, the two-ballot system can be counted as one of the factors that has kept the level of female representation in the National Assembly so low for such a long time.

Government formation

In stark contrast to the Fourth Republic, one of the so-called ‘divine surprises’ of the Fifth Republic was the emergence of *le fait majoritaire*, or majoritarianism. For most of the Fifth Republic either the left-wing or the right-wing alliance has enjoyed

³ www.assemblee.nationale.fr/12/tribun/gs2.asp#P-1_0

majority support in the National Assembly. The reason for this situation is complex and is linked to deep-rooted social and ideological change. All the same, the two-ballot system has played a not inconsiderable part in this process. The system has produced highly disproportional electoral results, over-representing larger parties or electoral groupings and under-representing smaller ones. This has helped to create majority governments. That said, for the most part the system has returned coalition governments. This is a direct effect of the alliance-building logic that was discussed in the previous subsection.

In France, the first-round result is taken as the standard indicator of party support. This is because not all seats are contested at the second round and not all candidates are allowed to stand even when there is a contest. In this context, the two-ballot system in France has produced a relatively high deviation from proportionality at virtually all National Assembly elections since 1958 (see Table 6.3). In recent times, the main victim of the system has been the Front National. At the last four elections (1988, 1993, 1997, and 2002), the party has won 10, 13, 15, and 11 per cent of the total votes cast respectively. However, it has returned only one deputy throughout this period. This is not a coincidence. In 1986, the newly elected right-wing government justified a swift return to the two-ballot system at least partly on the basis that the PR system had resulted in the election of a considerable number of FN deputies and that this was a blow to the democratic foundations of the parliamentary system. Whatever the particularities of this situation, the fact remains that the two-ballot system has always tended to produce highly disproportional results at National Assembly elections and majority governments. Indeed, since 1962, there has

Table 6.3 Deviations from proportionality in National Assembly elections, 1958–97 (least squares index)

Election	Disproportionality
1958	21.2
1962	15.0
1967	10.0
1968	19.2
1973	11.0
1978	6.6
1981	16.0
(1986 PR)	7.2
1988	11.8
1993	25.0
1997	17.8
2002	21.9

Source: Communications from Arend Lijphart and Michael Gallagher.

been only one minority government (1988–93). In short, there is a strong majoritarian logic to the two-ballot system.

At the same time, though, the two-ballot system has tended to produce majority coalition governments. There was a single-party majority in the National Assembly for ten years in the period 1958–2002—the gaullists from 1968–73 and the socialists from 1981–86. (It should be noted that the right-wing UMP has enjoyed this eponymous status since the 2002 legislative election.) Even so, there was only one single-party majority government in the same period (1958–2002) and then for only two years—the socialist government from 1984–6. (There was also a single-party minority socialist government from 1988–93 and, again, it should be noted that the UMP has governed alone since 2002.) In 1968, the gaullists won an outright parliamentary majority, but they did so at least partly as a result of the support they gained from their centre-right colleagues at the second ballot. Thus, they agreed to form a coalition government, albeit an imbalanced one in their own favour. The same situation occurred in 1981, when the socialists won with support from the communists. (This coalition collapsed in 1984, leaving the socialists in office on their own.) In other words, the two-ballot system has established coalition governments as the norm, even when arithmetically they have not been necessary. What is more, for the most part these coalitions have, in effect, been agreed before the election. On occasions, voters have been presented with the equivalent of coalition manifestos before the first ballot (Thiébaud 2000: 508–12). More often than not, parties have fought the election merely on the basis of a reciprocal electoral arrangement (see earlier discussion), or process of *désistement*. Whatever the situation, following the election, governments have usually been formed in a matter of days rather than weeks with discussions focusing on the details of portfolio allocation (Thiébaud 2000: 504).

THE POLITICS OF ELECTORAL REFORM

In France, as elsewhere, the electoral system helps to shape the process of political competition. At the same time, the choice of electoral system is itself the product of a process of political competition and nowhere is this point illustrated more clearly than in France. Since the beginning of modern-day French politics in 1871, the electoral system has been changed on eleven occasions. Moreover, this figure refers only to major changes to the system of election to the National Assembly. Even here, it excludes less substantive but not necessarily insignificant reforms, such as the changes to the second-ballot eligibility threshold in 1966 and 1976 (see earlier). All in all, since 1871 there has been a new electoral system after every three elections on average!

In this context, it will hardly come as a surprise to learn that governing parties have introduced reforms to suit their own interests. The switch to PR in 1985 is the most recent and one of the most blatant cases in point. Even then, the absence of any reform since the return to the two-ballot system in 1986 should not be taken as a sign that political actors have become more disinterested in this regard. For example,

in autumn 1991 the socialist government prepared a new electoral bill that would have introduced a mixed system. Once again, the fact that the socialists' popularity had slumped was at least part of the motivation for addressing the issue at this time. The reform would have limited the party's losses at the upcoming contest. In the end, the absence of a parliamentary majority and divisions within the party itself meant that the reform was dropped. In addition, the right-wing majority is currently considering another reform. This time there is some discussion as to whether a maximum of only two candidates should be allowed to contest the second ballot.⁴ On the face of it, this is a relatively innocent proposal. However, it has a very political motivation. In 1997, there were seventy-six so-called 'triangular' second-round contests, or ones where there was a candidate each from the left, the right, and the extreme right. On this occasion, the left won forty-six of these contests and the right won thirty. The right, though, would have gained had only two candidates been allowed to stand. In this case, the left would probably have won just twenty-one of these seats and the right would have won the rest (Dolez 2002: 585). Thus, the suggestion that the second-round competition should be limited to only two candidates is merely another potential example of the way in which governments of the day have tried to stack the deck in their own favour. In this case, the electoral prospects of the mainstream right would most probably be enhanced because the anti-left vote would no longer be split.

Overall, the evidence suggests that the issue of electoral reform will remain politically salient. This is partly because such changes have become almost routine in French political life. There is always an outcry when governments propose any such reform, but the electorate never seems to punish the government when a reform is introduced. The government's popularity is much more closely linked to economic issues than to institutional engineering. It is also partly because there are few obstacles to electoral reform. There is no constitutional limitation and only a parliamentary majority is required. That said, in the foreseeable future at least, the issue of substantive electoral reform is more likely to exercise the minds of the left than the right. This is because the right is now dominated by one large party. This party stands to gain from the two-ballot system, so there is little incentive for it to support any major change. By contrast, the left is divided. The Socialist Party is poorly placed to win an outright majority by itself. Thus, it needs partners. This is the ineluctable logic of the Fifth Republic. In particular, it needs the support of the Greens and the communist parties, even if the latter is a wasting asset. These parties, most notably the Greens, would benefit from the introduction of even a dose of proportionality. Thus, a commitment to electoral reform may be part of any left-wing alliance in the coming years. More than that, given that there is now what amounts to a single large party on the right, the socialists have more of an incentive to agree to such a demand than before because it may serve as a way of reducing the long-term prospects of right-wing dominance. Once again, though, the issue of electoral reform needs to be placed in a wider context. The socialists may prefer to propose a more general reform of the Fifth Republic's political system. Indeed, the idea of a

⁴ <http://www.tf1/news/france/0,,935103,00.html>

Sixth Republic has more support on the left now than at any point for thirty years or more. In this scenario, a reform of the system of election to the National Assembly may not necessarily be part of the package. Alternatively, the socialists may propose electoral reform, but only for second-round elections. There is plenty of room to reform the system of election to the Senate in a way that would benefit potential allies. What is more, the right has only just changed the system of election to regional councils, decreasing the level of proportionality. This creates a new bargaining space on the left in this regard. Whatever the scenario, when it comes to electoral reform in France, the bottom line is 'watch this space'.

CONCLUSION

The two-ballot majority–plurality system has helped to shape the political system of the Fifth Republic as we know it today. The regime's predecessor, the Fourth Republic, was beset by weak coalition governments that changed on average every six months. The situation under the Fifth Republic has been very different. The tendency towards coalition government has been maintained. More importantly, though, the Fifth Republic has seen the emergence and institutionalization of the so-called *fait majoritaire*, or majoritarianism. The two-ballot electoral system has been instrumental in this development. True, the multiparty logic of the first ballot has meant that the composition of the majority has sometimes been quite heterogeneous. For example, certain right-wing governments have been conglomerations of groups that, while ideologically consistent, have been organizationally competitive. Even so, in the French context the very existence of stable majority governments is a significant development and, furthermore, one that the gaullist architects of the 1958 constitution were determined to achieve. It must be remembered, though, that the introduction of the two-ballot majority–plurality electoral system in 1958 was only one of a series of institutional reforms. Moreover, the introduction of the new electoral system took place in the context of fundamental social change. At that time, these changes reinforced the effects of the two-ballot system and accelerated the tendency towards majoritarianism. Overall, since 1958 the French experience has confirmed the basic insight that the two-ballot system belongs to the family of majority systems. All the same, it has also suggested that the impact of the system is sensitive to wider institutional and social factors and perhaps to a greater degree than other electoral systems.

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India: Two-Party Contests within a Multiparty System

Anthony Heath, Siana Glouharova, and Oliver Heath

POLITICAL BACKGROUND

India is one of the world's most remarkable democracies, perhaps the most remarkable. It is by far the largest with an electorate of just over 671 million at the most recent elections in 2004, around one-third of whom were illiterate. India is also extraordinarily diverse. It encompasses a greater range of social and linguistic groups than the whole of the European Union and yet it has also been unusually stable and effective. Since the first election in 1951/2 (following independence from Britain in 1947), democracy has operated, with only a brief intermission for the state of emergency declared by Indira Gandhi in 1975–7.¹

Over this fifty-year period India has seen the peaceful transition of power from one ruling party to another. There may well be widespread corruption (although whether it is greater than that found in some European countries is a moot point), elections have been suspended in certain states such as Jammu and Kashmir from time to time because of civil unrest, and there are polling irregularities such as the capture of polling booths by rival groups of overenthusiastic activists. But most observers agree that this has not prevented the system from largely reflecting the people's will.

To give a brief overview of the political system, India has a parliamentary system based on the Westminster model. There are two houses of parliament, the *Lok Sabha* (lower house) and the *Rajya Sabha* (upper house). For elections to the lower house, which is the major legislative body, there are single-member constituencies and a first-past-the-post (FPTP) (single-member plurality—SMP) system exactly as in the UK. As with the UK, general elections are held every five years, or earlier if the *Lok Sabha* has been dissolved by the president. There are a total of 543 seats in the *Lok Sabha*. For elections to the upper house there is an indirect system. *Rajya Sabha* members are elected by each state *Vidhan Sabha* (legislative assembly) using

¹ A constitutional amendment passed in 1975, as part of the government-declared emergency, postponed the election due to be held in 1976. This amendment was later rescinded, and regular elections resumed in 1977.

proportional representation by the single transferable vote (PR-STV) system. Unlike most federal systems, the number of members returned by each state is roughly in proportion to their population. At present there are 233 elected members of the *Rajya Sabha* and a further twelve are nominated by the president as representatives of literature, science, art, and social services. *Rajya Sabha* members can serve for six years and elections are staggered, with one-third of the assembly elected every two years.

Despite being based on the Westminster model, India deviates from the UK in two important ways. First, it is a federal system, with substantial powers given to the state legislative assemblies. The *Vidhan Sabhas* are directly elected bodies set up to carry out the administration of the government in the twenty-eight states of India. In some states there is a bicameral organization of legislatures, with both an upper and lower house. Two of the seven union territories, the national capital territory of Delhi and Pondicherry, also have legislative assemblies. Elections to the *Vidhan Sabhas* are carried out in the same manner as the *Lok Sabha* elections, with the states and union territories divided into single-member constituencies and the SMP system used. The assemblies range in size, according to population. The largest *Vidhan Sabha* is for Uttar Pradesh, with 403 members; the smallest Pondicherry, with thirty members.

Second, India has a remarkable system of 'reservation' in which some constituencies are reserved for candidates from the scheduled tribes or from the scheduled castes (see the next section). This essentially was a system devised to secure representation for the 'depressed classes'. It was originally introduced as a temporary measure but has continued to this day.

The Indian party system has gone through a number of phases. First there was a long period of dominance by the Congress Party. Congress, which was founded in 1885 and had a long and distinguished record in the struggle for independence, dominated Indian politics up until 1967 and was in office for the whole period from independence until 1977. Congress was a secular, catch-all party that drew its support from across the social spectrum, although it would be wrong to think of it as equivalent to a contemporary European catch-all party. Congress set out to be an inclusive movement that unified the Indian people in the struggle for independence. So while it drew support both from high-caste and low-caste Hindus and from Muslims, it did so not simply as an electoral strategy to maximize its share of the vote but out of a positive commitment to national integration (Kothari 1964).

Following the period of Congress dominance, from 1967 to 1993 there was what Yadav (1996) has termed the Congress–Opposition system. Under Indira Gandhi, Congress split and, after the state of emergency, the Janata Party, a coalition of opposition parties, took office in 1977. In its turn, the Janata Party split and Congress returned to power only to be defeated once more by a new coalition of the National Front/Janata Dal in 1989.

From 1993 India has seen 'a move towards a competitive multiparty system which can no longer be defined with reference to Congress' (Yadav 1996: 99). In particular we have seen the rise of the Bharatiya Janata Party, a Hindu nationalist party, which

was in office for much of the time from 1996 to 2004 either as a minority government or in coalition with regional parties.

One of the key aspects of the Indian party system as it is today (although not originally) is that there are a small number of national parties and a larger number of regional parties. Moreover, even the national parties tend to have distinctive regional bases. The pattern of party competition varies greatly from one state to another, reflecting the social and geographical diversity of India (Heath and Yadav 1999). National parties currently need to form alliances with regional parties in order to have a realistic chance of securing office. These alliances often take the form of pre-election pacts, with one member of the alliance standing down in specified constituencies in order to allow its ally a clear run.

ORIGINS OF THE ELECTORAL SYSTEM

The Indian constitution of 1950 was built on the previous limited system of electoral representation introduced by the British before independence. There was thus considerable continuity with the pre-war period and a close similarity to the Westminster model. However, the simple imposition of the Westminster model on a country as diverse as India was unrealistic, and from the beginning of the twentieth century there were pressures to take more formal account of the diversity of Indian society. The primary issues were those of representation for Muslims and other minority groups and for what were called the depressed classes (i.e. the 'untouchables' as they were termed at the time by Westerners). Proportional representation (PR) was considered a possible solution to the problem but it was not well understood and instead the British were inclined to introduce a system of separate electorates that had already been tried out in local elections in the nineteenth century. This was agreed in principle for Muslims, who were able to vote both in separate Muslim seats and in general seats.

The issue of representation for the depressed classes came to the fore somewhat later than the issue of Muslim representation. By this time Mahatma Gandhi had become the leader of the independence movement and, while he was a leading campaigner for rights for the untouchables, he was strenuously opposed to the principle of separate electorates on the grounds that this would undermine Indian unity and institutionalize communal divisions. He did accept the principle of separate electorates for Muslims (possibly on the pragmatic grounds that this was the only way to keep Muslims within the Congress movement) but he vigorously opposed the extension of separate electorates to the depressed classes, which is what their leader, Ambedkar, argued for. The eventual compromise (reached in the Poona Pact of 1932) proposed a system of reserved seats for members of the depressed classes. First, there would be primary elections at which only members of depressed classes were able to vote. These primaries would select four candidates to go forward to the general electorate, who would then choose among the four candidates using the SMP system. Essentially, then, this system meant that members of the depressed classes would be elected to the legislative assembly but they would not be there specifically

as representatives of the depressed classes but as general constituency representatives. The Poona Pact was then implemented through the 1935 Government of India Act and provided the basis for the eventual Indian constitution of 1950. (For a detailed account of the history of reservation, see Galanter 1984.)

The 1935 Act also established elections (on a limited franchise) to the provincial legislatures and these elections were held in 1937 and 1946. In total there were 817 general constituencies (151 reserved for candidates from the depressed classes) and a further 764 were assigned to a number of special electorates, of which the Muslims had by far the largest number (482). Despite the system of separate electorates, Congress fared very well in these elections and formed the government in seven of the eleven British Indian provinces in 1937. (See Chiriyankandath (1992) for a detailed account of these elections under the British Raj.)

Partition of India in one sense took the idea of separate electorates to its logical extreme. After partition the practice of separate electorates was dropped but other features of the British system, such as SMP, were continued. B. K. Nehru wrote that the Indian mind 'was completely conditioned to believing that whatever was British was best' and described the 1950 Indian constitution as only an 'amended version' of the 1935 Government of India Act (Nehru 1986: 74, quoted in Lijphart 1996). However, it should also be recognized that Congress, as the major force in drawing up the constitution, had come out of the provincial assembly elections rather well and perhaps had no great incentive to modify the electoral system.

The system of reservation for depressed classes continued, albeit without the primaries. For the first two elections after independence reservation involved multi-member constituencies using the Distributive Vote system (more widely known as the block vote—see Section 2.3 of Appendix A): in this system each voter was allowed as many votes as there were seats but could not give more than one vote to the same candidate) (see McMillan 2003). Reservation was also extended to the non-Hindu tribal groups, the *adivasi*. Separate treatment for the *adivasi* had again been foreshadowed in the 1935 Act, the British believing that the tribals, many of whom had been converted by Christian missionaries, should not be represented by Hindus. The constitution also provided for job reservation of up to 22.5 per cent of the total in government departments, the removal of social disabilities and taboos such as untouchability, and the prohibition of bonded labour contracts. Schedules to the constitution specified the groups to which reservation would apply, hence the use of the terms Scheduled Castes (SC) and Scheduled Tribes (ST).

Some of these provisions, specifically those relating to government employment and education, were subsequently extended in 1990, following the recommendations of the Mandal Commission,² to other backward classes (the OBC) but, while discussed, reservation for the OBC has not been extended to elections. 'Mandalization' has however had political implications (of exactly the sort Gandhi feared),

² The Mandal Commission had reported ten years earlier, in 1980, but partial implementation of the recommendations had to wait until the election of the Janata Dal government in 1989. For a detailed discussion of the Mandal recommendations, see Yadav (1994).

creating distinct interest groups and political organizations based on the OBC. There has also been an attempt to extend reservation to women and to pass legislation to reserve one-third of the seats for female candidates, but the dissolution of the *Lok Sabha* for the 1998 election occurred before the bill had completed its passage through parliament.

One other important feature of the 1950 constitution, of which Indira Gandhi made great use when she was in power, was a device known as ‘president’s rule’, whereby the centre could fairly easily dismiss state governments. This gives the Indian political system a much more centralized potential (and under Indira Gandhi a centralized reality) than other federal systems.

Finally, the most important change since the 1950 constitution has been the increase in the number of states and their reorganization along linguistic lines. Following the 1953 States Reorganization Commission, Madras State was reorganized into the Tamil-speaking Tamil Nadu, Kannada-speaking Karnataka, Telugu-speaking Andhra Pradesh, and Malayalam-speaking Kerala. Reorganizations along similar lines took place in 1960 and 1966 and three further new states have recently been created. These changes have been important for the rise of regional–linguistic parties, which are a major feature of contemporary Indian politics.

HOW THE ELECTORAL SYSTEM WORKS

India is divided into 543 parliamentary constituencies, each of which returns one MP to the *Lok Sabha*. In theory the size and shape of the constituencies are determined by an independent Delimitation Commission, which aims to create constituencies that have roughly the same population, subject to geographical considerations and the boundaries of the states and administrative areas. The boundaries are meant to be examined after the ten-yearly census to reflect changes in population, but delimitation was suspended in 1976 until after the census of 2001, ‘ostensibly so that states’ family-planning programmes would not affect their political representation in the *Lok Sabha* and *Vidhan Sabhas*.³ Family-planning policies were a highly controversial aspect of central government policy at the time. The current boundaries are therefore the ones based on the 1971 census. This has led to wide discrepancies in the size of constituencies. At the 2004 general election the Outer Delhi constituency had the highest number of registered voters with over 3.3 million electors. In contrast Lakshadweep had the lowest number—only 39,033.

As described above there are two sorts of reserved constituencies: those for scheduled castes (broadly speaking the depressed classes of pre-war terminology but now termed *dalits*) and those for scheduled tribes (the *adivasi*, non-Hindu tribes typically in rural areas). There are currently seventy-nine seats reserved for the SC and forty-one reserved for the ST in the *Lok Sabha*. The number of these reserved seats is meant to be approximately in proportion to the number of people from SC or ST in each state and they tend to be in areas of greater concentration of the groups

³ http://www.hindustantimes.com/news/6560_326746,001600290005.htm

concerned. However, the SC never constitute an actual majority of a reserved constituency, given their geographical dispersion. The modal proportion of SC in a reserved SC constituency is 15–20 per cent. The ST are more concentrated geographically and the modal proportion in a reserved ST constituency is 50–60 per cent (McMillan 2003).

Because of the high rate of illiteracy in India, a key element of the ballot papers is the use of symbols to represent the parties (see Figure 7.1). Symbols are allotted by the Election Commission, which distinguishes between national, state, and unrecognized parties. A party must be represented in at least four states or Union territories to qualify as a national party; the symbol of a national party cannot be used by any other party anywhere in India, even if the national party is not standing in that constituency.

The six national parties are the Bahujan Samaj Party (BSP) which has been allocated the elephant; the Bharatiya Janata Party (BJP) with the lotus; the Communist Party of India (CPI) with ears of corn and sickle; the Communist Party of India (Marxist) (CPM) with the hammer, sickle, and star; the Indian National Congress (INC) with the hand; and the Nationalist Congress Party (NCP) with the clock.









Then there are the state parties, which are given certain symbols that no other party can use in that particular state, but which two different parties in different

नमूने का मत पत्र

विधान सभा चुनाव - 2003

धोद विधान सभा क्षेत्र

Ballot No. ० ५ ९ १

01 ओम प्रकाश जांगिड़ कांग्रेस 	08 जालूराम निर्दलीय 
02 रामेश्वर लाल भारतीय जनता पार्टी 	08 भागीरथ सिंह खारटे निर्दलीय 
06 घासीराम बहुजन समाज पार्टी 	08 जेस राम बुगालिया निर्दलीय 
65 राजकुमार शर्मा सामाजिक न्याय मंच 	08 रनीश निर्दलीय 
05 अमराराम भारतीय कम्युनिस्ट पार्टी (मार्क्सवादी) 	08 रामदेव सिंह मेहरा निर्दलीय 
08 सूरज प्रकाश खौंची निर्दलीय 	08 सलग राम बलाई निर्दलीय 

यह नमूने का मत पत्र है। जिसका प्रयोग केवल सर्वेक्षण के लिए किया जाएगा
C.S.D.S., 29, Rajpur Road, New Delhi

Figure 7.1 Replica Indian ballot paper

Note: This is not an actual ballot paper but a replica used in a survey conducted by the CSDS.

states can use. Thus, both the Shiv Sena in Maharashtra and the Jharkhand Mukti Morcha in Bihar use the ‘bow and arrow’ symbol. This can of course lead to difficulty when a new party emerges or moves from being a state to a national party, as happened with the BSP. Two other state parties, the Asom Gana Parishad and Sikkim Sangram Parishad⁴ also had the ‘elephant’ symbol. The Electoral Commission resolved that should the BSP contest in Assam and/or Sikkim, it would have to use another symbol and not the ‘elephant’.

One other important feature of general elections in India is that they are staggered over a period of weeks or indeed months. For example, the first general election took place from 25 October 1951 to 21 February 1952. From 1967 onwards the elections have been staggered over days rather than weeks and in 2004 the election was conducted over the period from 20 April to 10 May. This is partly for administrative reasons but also to ensure public order.

The 2004 elections

The most recent elections, held in 2004, show the vitality and complexity of Indian electoral politics, with Congress and its allies replacing the BJP in office and forming a minority government. The 2004 elections were also notable for being the first in which electronic voting machines were used throughout the country. Overall just over 387 million electors cast their ballots, with a turnout rate of just under 60 per cent. The largest single party in the *Lok Sabha* was the Congress, with 145 of the 543 seats and 27 per cent of the votes nationally. The BJP came next with 138 seats from its 22 per cent of the vote. Many regional parties with tiny fractions of the national vote secured representation in the *Lok Sabha*. The Congress had secured pre-election alliances with a considerable number of these smaller parties or regional parties and with their support was able to take office.

Table 7.1 shows the main national and state parties that contested the election and the number of states in which they won seats. Table 7.1 demonstrates clearly the geographic diversity of the main Indian parties. Only four parties—the BJP, INC, CPM, and CPI—won seats in more than a handful of states, and even these four have distinctive patterns of geographical support. The BJP, for example, tends to be considerably stronger in the Hindi heartland of north-central India than it is in the south or in the geographically peripheral regions. The CPM is also distinctive with its strong support in West Bengal and in Kerala and does not secure anything like the same support, even among the working classes, elsewhere in India. This has important implications, as we shall see below, for the relationship between votes and seats. Likewise the BSP, a recent party that strives to represent the SC, tends to be stronger in north-central India and in 1999 and 2004 won seats only in Uttar Pradesh, even though the SC are spread throughout most of the Indian states. Table 7.2 then shows the votes and seats won by these main parties.

⁴ In 2004 the Sikkim Sangram Parishad became a registered unrecognized party, not a state party any more.

Table 7.1 Indian parties in 2004 (all national and state parties)

Party	Number of constituencies contested	Number of states/UTs in which party stood	Number of states/UTs in which party won seats
Bahujan Samaj Party (BSP)	435	25	1
Indian National Congress (INC)	417	33	26
Bharatiya Janata Party (BJP)	364	31	18
Samajwadi Party (SP)	237	23	2
Janata Dal (United) (JD(U)) BJP ally	73	16	3
Communist Party of India (Marxist) (CPM) Left Front	69	19	5
Communist Party of India (Marxist–Leninist) (Liberation) CPI(ML)(L)	65	18	0
Shiv Sena (SHS) BJP ally	56	14	1
Janata Dal (Secular) (JD(S))	43	12	2
Rashtriya Janata Dal (RJD) Congress ally	41	5	2
Communist Party of India (CPI) Left Front	34	15	5
All India Anna Dravida Munnetra Kazhagam (AIADMK) BJP ally	33	1	0
All India Trinamool Congress (AITC)	33	5	2
Rashtriya Lok Dal (RLD)	33	12	1
Telegu Desam (TDP) BJP ally	33	1	1
Nationalist Congress Party (NCP) Congress ally	32	11	1
Indian National Lok Dal (INLD)	20	4	0
Dravida Munnetra Kazhagam (DMK) Congress ally	16	1	1
Revolutionary Socialist Party (RSP) Left Front	16	4	1
Asom Gana Parishad (AGP)	12	1	1
Biju Janata Dal (BJD) BJP ally	12	1	1
All India Forward Bloc (AIFB) Left Front	10	5	1
Muslim League Kerala State Committee (MUL) Congress ally	10	6	1
Shiromani Akali Dal (SAD) BJP ally	10	1	1
Jharkhand Mukti Morcha (JMM) Congress ally	9	4	2
Jammu & Kashmir National Panthers Party (JKNPP)	7	3	0
Jammu & Kashmir National Conference (JKN)	6	1	1
Pattali Makkal Katchi (PMK) Congress ally	6	2	2
Shiromani Akali Dal (Simranjit Singh Mann) (SAD(M))	6	1	0
Marumalarchi Dravida Munnetra Kazhagam (MDMK) Congress ally	4	1	1
Uttarakhand Kranti Dal (UKKD)	4	1	0

(Continues)

Table 7.1 (Continued)

Jammu & Kashmir Peoples Democratic Party (JKPDP) Congress ally	3	1	1
Nagaland Peoples Front (NPF)	3	2	1
Maharashtrawadi Gomantak (MAG)	2	1	0
Arunachal Congress (AC)	1	1	0
Federal Party of Manipur (FPM)	1	1	0
Kerala Congress (KEC) Left Front	1	1	1
Kerala Congress (M) (KEC(M))	1	1	0
Manipur People's Party (MPP)	1	1	0
Mizo National Front (MNF) BJP ally	1	1	1
Sikkim Democratic Front (SDF) BJP ally	1	1	1
United Goans Democratic Party (UGDP)	1	1	0
Independents (IND)	494	32	5
Total number of constituencies/states and UTs	543	35	35

Note: For this and subsequent tables, details are not available for the following state parties: Zoram Nationalist Party, Hill State People's Democratic Party, Himachal Vikas Congress, Indigenous Nationalist Party of Twipra, Janadhipathya Samrakshana Samithi, Meghalaya Democratic Party, Mizoram People's Conference, Nationalist Democratic Movement, United Democratic Party.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

In 2004 the Indian electoral system produced a reasonably proportional outcome. As we can see from Table 7.2, Congress secured 27 per cent of the votes and also 27 per cent of the seats. The BJP and CPM received rather larger shares of seats than of votes, while the BSP won fewer seats than would have been expected in a completely proportional system. These patterns follow fairly closely from the degree of geographical concentration of the parties' vote.

The 2004 election was, however, somewhat unusual in its degree of proportionality. In the past the system has often been highly disproportional, as is to be expected in an SMP system, with Congress being a notable beneficiary. In the early years, when Congress was electorally more dominant and before distinctive regional parties had developed to the same extent, Congress secured the seats bonus that SMP is usually supposed to give to large parties. Using Gallagher's least squares index of disproportionality we find that, throughout most of the period since independence, India has been towards the higher end of the usual range of disproportionality. As can be seen from Table 7.3, disproportionality was at its maximum during the years of Congress dominance. It oscillated wildly in the years of the Congress–Opposition system, and has since been relatively low (at least by Indian standards) during the recent period of the multiparty system.

There are several different factors involved in understanding the changing seats–votes relationship. One, of course, is simply the share of the votes that Congress received. It has always received a hefty seats bonus when it has secured more than

Table 7.2 Result of the 2004 all-India elections—all parties that won at least one seat

Party	Votes	% votes	Seats	% seats
INC	103,408,444	26.5	145	26.7
BJP	86,372,039	22.2	138	25.4
CPM	22,070,614	5.7	43	7.9
BSP	20,765,949	5.3	19	3.5
SP	16,824,072	4.3	36	6.6
TDP	11,844,811	3.0	5	0.9
RJD	9,382,819	2.4	24	4.2
JD(U)	9,144,963	2.4	8	1.5
AITC	8,071,867	2.1	2	0.4
DMK	7,064,393	1.8	16	2.9
SHS	7,056,255	1.8	12	2.2
NCP	7,023,175	1.8	9	1.7
JD(S)	5,732,296	1.5	3	0.5
CPI	5,484,111	1.4	10	1.8
BJD	5,082,849	1.3	11	2.0
SAD	3,506,681	0.9	8	1.5
LJNSP	2,771,427	0.7	4	0.7
RLD	2,464,935	0.6	3	0.5
TRS	2,441,405	0.6	5	0.9
PMK	2,169,020	0.6	6	1.1
AGP	2,069,600	0.5	2	0.4
JMM	1,846,843	0.5	5	0.9
RSP	1,714,212	0.4	3	0.5
MDMK	1,679,870	0.4	4	0.7
AIFB	1,365,055	0.4	3	0.5
MUL	770,098	0.2	1	0.2
NPF	715,366	0.2	1	0.2
JKN	493,067	0.1	2	0.4
AIMIM	417,248	0.1	1	0.2
RPI(A)	367,510	0.1	1	0.2
NLP	367,049	0.1	1	0.2
KEC	353,905	0.1	1	0.2
SJP(R)	337,386	0.1	1	0.2
JKPDP	267,457	0.1	1	0.2
IFDP	256,411	0.1	1	0.2
MNF	182,864	0.05	1	0.2
BNP	171,080	0.04	1	0.2
SDF	153,409	0.04	1	0.2
Independents	16,549,325	4.2	5	0.9
Others	21,020,090	5.4	0	0
Total	389,779,970	100.0	543	100.0

Table 7.3 Congress' share of seats and votes, 1952–2004

Year	INC % votes	INC % seats	Index of disproportionality
1952	45.0	74.4	21.8
1957	47.8	75.1	20.3
1962	44.7	73.1	20.9
1967	40.8	54.4	9.9
1971	43.7	67.9	18.1
1977	34.5	28.4	10.3
1980	42.7	66.7	19.4
1984	48.1	76.6	21.4
1989	39.5	37.3	7.5
1991	36.5	44.5	6.3
1996	28.8	25.8	7.0
1998	25.9	26.0	6.2
1999	28.3	21.0	8.7
2004	26.5	26.7	4.5

Source: Butler et al. (1995), Election Commission of India reports, authors' own calculations.

40 per cent of the votes. The second is the extent of opposition unity. Thus in the post-Emergency election of 1977 the opposition united and fought the election as a single party, Congress obtaining a smaller percentage of seats than of votes. But in 1991 the opposition was at its most divided and Congress won a substantial seats bonus despite a similar share of the vote to 1977. Thirdly, there is the degree to which the individual opposition parties are geographically concentrated and able to turn their individual vote shares into seats. This has worked in favour of the BJP (and its predecessors such as the Jana Sangh).

We can also see from Table 7.2 that the Indian electoral system has produced a highly fractionalized party system, one that has become markedly more fractionalized over time. Table 7.4 shows the number of parties contesting the elections, the number winning seats, and measures of the effective number of parties from 1952 to 2004.

Frequent party splits, mergers, and counter-splits have dramatically increased the number of parties that now contest elections. In 1952, seventy-four parties contested the election but by 2004 this number had grown to 233. The number of parties contesting elections jumped in 1989, and has remained historically high ever since. Similarly, the indices of the effective number of parties also leapt in 1989 and have since increased somewhat further. In the early part of the period, when Congress was dominant, India looked to be something akin to the two-party system that the SMP system is usually supposed to generate (although in fact there was no single opposition party in these years). In the most recent elections, however, India appears to have become extraordinarily fragmented, at least when looked at from an all-India

Table 7.4 Number of parties, *Lok Sabha* elections, 1952–2004

Year	Number of parties contesting the election	Number of parties winning seats	Effective number of parties (seats)	Effective number of parties (votes)
1952	74	21	1.7	4.1
1957	21	13	1.7	3.5
1962	30	21	1.9	4.2
1967	26	19	3.1	4.7
1971	53	25	2.1	4.4
1977	57	19	2.6	3.4
1980	37	18	2.3	4.2
1984	44	22	1.7	3.9
1989	122	25	4.1	4.7
1991	146	25	3.6	5.1
1996	210	29	5.8	6.9
1998	177	40	5.4	6.9
1999	169	38	6.1	6.9
2004	233	38	6.5	7.6

Source: CSDS Data Unit, Heath (1999a), authors' own calculations.

perspective, and is clearly a multiparty system. On the surface it provides a major challenge to Duverger's law.

However, as Chhibber and Kollman (1998) and Heath (1999a) have shown, changes at the all-India level drastically misrepresent the nature and type of political contests that actually take place in India. Instead of viewing India as a multiparty system, it makes more sense to describe it as a collection of state-level two-party systems. Table 7.5 looks at the trends within states.

The first thing to notice from Table 7.5 is that the effective number of parties is much lower at the state level than it is at the national level. This is true for both measures of the effective number of parties. Indeed, it is not just lower, which in itself is not surprising, but it actually conforms fairly closely to the classic picture of a two-party system.

Figure 7.2 shows that the sharp rise in the effective number of parties when measured at the all-India level is not paralleled at the state and constituency level. The effective number of parties at these lower levels of aggregation has remained fairly stable over time, following almost identical patterns: the state level to a large degree reflects what is happening in the constituencies. As Sridharan (2002) has pointed out, this is exactly what we would expect from the standard theory of Duverger's law.⁵ Sridharan goes on to consider the detailed explanations for these

⁵ India is often seen as an exception to Duverger's law because SMP fails in India to produce a two-party system at the national level. Sartori (1997: 42–3) suggests that this is because India lacks a structured

Table 7.5 Effective number of political parties, state averages for *Lok Sabha* elections, 1952–1998

Year	Effective number of parties (seats) N_s	Effective number of parties (votes) N_v
1952	1.7	3.6
1957	1.7	3.0
1962	2.0	3.5
1967	2.2	3.2
1971	1.9	3.0
1977	1.7	2.5
1980	1.8	3.0
1984	1.6	2.7
1989	2.2	3.0
1991	2.0	3.1
1996	2.5	3.4
1998	2.8	3.4
1999	2.5	3.3
2004	2.4	3.6

Source: CSDS Data Unit, Heath 1999a.

Notes: For N_s , states with one or two constituencies have been excluded from the calculation. As it is not possible for them to have more than two effective parties, even the most fragmented vote would still paint a picture of relative consensus. The states and union territories concerned are Mizoram, Nagaland, Pondicherry, Andaman and Nicobar Islands, Chandigarh, Daman and Diu, Dadra and Nagar Haveli, Lakshadweep, and Sikkim, with one seat each, and Arunachal Pradesh, Goa, Manipur, Meghalaya, and Tripura, with two seats each. For N_v the above-mentioned have been included, as their presence does not distort the overall picture.

trends, but the crucial point is that, whereas at the beginning of the period most states saw a competition between Congress and a variety of opposition parties, India is now characterized by different patterns of party competition in different states (Heath and Yadav 1999).

Impact on the parties

The combination of the electoral system, the federal structure of the Indian political system, and the social diversity of the Indian electorate has had important consequences for the parties, although the consequences have been different during the different stages of Indian politics. In the first period, that of Congress dominance, a great deal of conflict and mediation took place within the Congress party itself.

party system. While the continual splits in many of India's parties support Sartori's contention that the Indian system is only semi-structured, the more fundamental issue is that the structuring that is present is largely state-specific.

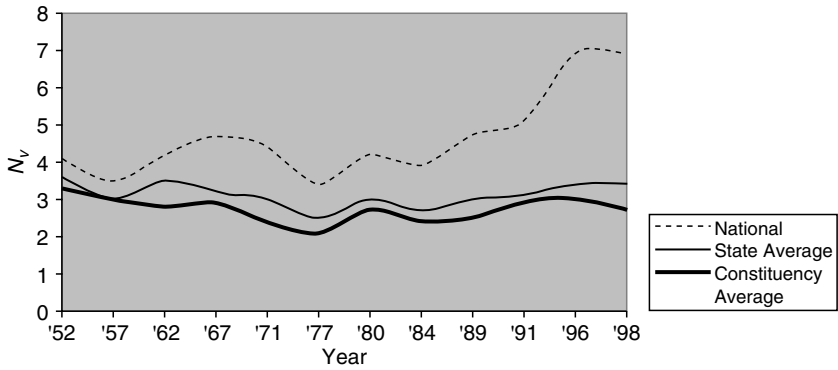


Figure 7.2 Effective number of political parties (votes), 1952–98

In a classic paper Kothari (1964) has described the nature of the Congress system (see also Morris-Jones 1964 for a similar account formulated independently). As Kothari explained:

[p]olitical competition was internalized and carried on within the Congress. There developed an elaborate system of factions at every level of political and governmental activity, and a system of coordination between the various levels through various ‘faction chains’. Originating on the basis of individual competition between leaders, these factions were then built around a functional network consisting of various social groups and leader–client relationships . . . an intricate structure of conflict, mediation, bargaining, and consensus was developed within the framework of the Congress. (Kothari 1964: 42)

One of the key aspects of the Congress system in this period was its inclusive nature and in particular the willingness of Jawaharlal Nehru, the prime minister from independence until his death in 1964, to allow compromise and bargaining between centre and state-level factions (Manor 1988). His daughter, Indira Gandhi, followed a different path when she became prime minister. Under her leadership power was centralized and in consequence party splits (and amalgamations) became common.

Congress first split in 1969 into pro- and anti-Mrs Gandhi factions that contested the 1971 elections as separate parties, and after its defeat in 1977 Congress split again. Splits and amalgamations were not unique to Congress, however, in this period. In 1977 all the main opposition parties united to fight the election as a common front in the form of the Janata Party (although this was not recognized as a single legal party by the Election Commission). At this point India did have a two-party system at the national level. However, the Janata Party rapidly disintegrated and split into a variety of competing parties (see Butler et al 1995: 22–3 for details of the splits in Congress and the Janata Party).

The factions of the earlier period and the splits of the middle period both probably had the same underlying cause—the distinct regional power bases of state politi-

cians—and can be seen as two sides of the same coin. In the third period these regional power bases have become institutionalized as enduring regional parties, leading to a shift from intraparty conflict and negotiation to interparty relations (see further below).

Impact on parliament

While the inclusivity of Congress meant that it was able to obtain the support of Muslims as well as Hindus, of upper castes as well as the scheduled castes and tribes, in social terms members of the *Lok Sabha* were very different from those of the electorate, perhaps more so than in any other democracy. In a survey of members of the eighth *Lok Sabha* in 1983–4, Flather found that 75 per cent of the members of parliament (MPs) were university graduates, compared with less than 2 per cent of the Indian electorate at that time. Correspondingly MPs were much more likely to be fluent in English than the Indian electorate. Thirteen per cent of the MPs in Flather's survey put English down as their first language, and 77 per cent were fluent in English. 'Given the fact that only some 2 per cent of the Indian population actually speak English, knowledge of English is very clearly a powerful weapon for exclusion, a method of social closure that excludes the vast majority from entry into the political elite—except through the "reserved seat" route' (Flather 1991: 119). The MPs were also much more likely to have held white-collar jobs than the electorate as a whole, and much less likely to come from agricultural backgrounds (the single largest category in the Indian electorate at that time). Women have also been heavily under-represented. In 2004 women made up only 6 per cent of candidates and 8 per cent of MPs.

On the other hand, MPs did match the electorate much more closely in terms of religion, first language (other than English), and caste. These factors, rather than occupation or education, are the crucial social cleavages that are politically relevant in India (Heath 1999b). In this respect MPs are representative of the electorate.

Reservation has clearly played a part in ensuring that members of the SC and ST were able to enter the *Lok Sabha*. Since all major parties had to put forward candidates from the SC or ST in order to stand in the reserved constituencies, this ensured that a substantial number of members of these groups were indeed present in the lower house. However, it would be a mistake to suppose that these MPs were representative of their constituents in their other social characteristics. Not perhaps surprisingly, studies of the social characteristics of MPs from reserved seats suggests that they were much more likely to be literate and educated than were the rank and file STs and SCs. Flather's survey of MPs in the eighth *Lok Sabha* found that all the MPs from reserved seats were literate, whereas at the time of the survey only 36 per cent of the rank and file STs and SCs were literate (Flather 1991). Moreover a half or more of the SC/ST MPs were graduates, compared with only 1 per cent of the SC/ST population. To be sure, the SC/ST MPs were less educated than the other MPs from general constituencies and less likely to be fluent in English, but they were nonetheless a very select group.

It has also been suggested that the MPs from reserved constituencies have not voiced the concerns and interests of the rank and file SCs and STs: they have been 'Puppets in the hands of the Upper Castes' (Singh and Roy 1987: 95–7). It has further been argued that with the increased cost of contesting elections, candidates must be willing to comply with any terms dictated by the leading parties in order to gain the party's nomination (Flather 1991). Moreover, the fact that the SCs never have the voting power to dominate the election means that re-election depends on reaching out to a broader social constituency. 'The legislators from reserved constituencies face the same electoral pressures as those from non-reserved seats in seeking to maximize their chances of re-election, and this does not necessarily involve advocating the sectional interests of the Scheduled Castes or Scheduled Tribes' (McMillan 2003: 197).

Turning to the voters, recent evidence from the Indian National Election Studies suggests that much the same factors influence voting in reserved seats as in general constituencies: thus the upper castes are more likely to support the BJP than are the scheduled castes or the Muslims. The same pattern holds in the reserved constituencies, but is if anything slightly more marked. That is, the reserved constituencies are even more polarized by caste than are the general constituencies. The fact that the BJP has to field scheduled caste candidates in the reserved constituencies does not appear to increase its popularity among SC voters, but if anything the reverse. Of course, since all the other parties in these constituencies also have to field SC candidates, any effect is likely to cancel out. But the crucial point is that it does not serve to diminish the perception of the BJP as an essentially upper caste party. As it happens, the BJP actually won many of the reserved constituencies in its areas of traditional strength in the 1990s, but it did so on the basis of its traditional upper caste support, not because of converts from the SC (Heath 1999b; McMillan 2003). The same processes appear to operate in scheduled tribe constituencies.

This can be contrasted with support for the BSP, a party which has specifically campaigned on an SC platform. Not surprisingly there is a powerful effect of caste on the voter's choice in constituencies where the BSP stands. Members of the SC are indeed attracted to a SC platform, not to an SC candidate. Similarly, although not quite as strongly, recent elections have seen parties, particularly at the state level, campaigning on OBC platforms, and again this has been reflected in the voters' choice.

Government formation

In the most recent period we have had a situation where the structure of party competition varies from state to state, and the major issue facing any party that hopes to form a government at the centre is not how to win an overall majority (which now appears to be out of reach), but how to form strong and secure interstate alliances. The BJP learned this the hard way in 1996. It was the largest single party in the *Lok Sabha* with 161 seats and formed a minority government for thirteen days. However, it was not able to acquire sufficient post-election coalition

partners, partly because of its communally polarizing *hindutva* agenda. A key part of its programme, for example, was to institute a common civil code (in effect a secular code) to replace the separate codes currently available for minority religions.

The BJP therefore modified its strategy, downplaying some of the communally divisive parts of its agenda such as the construction of a Rama temple on the site of the demolished Babri Masjid, repeal of Article 370 (special autonomous status for Kashmir), and promulgation of a common civil code. Simultaneously the BJP sought a wide range of alliances in its non-stronghold states (Sridharan 2002). Thus in 1998 the BJP contested the elections with thirteen pre-election alliances, with seat-sharing arrangements in nine states. In 1999 there was a twenty-four-party BJP-led alliance and in 2004 Congress responded with a long list of alliances of its own. Congress' greater success in constructing alliances in 2004 played a major role in its election victory (McMillan 2004).

The arrangements for seat-sharing tend to be the subject of detailed negotiation between the state parties involved and the central party leadership. In 1999, for example, decisions taken by the BJP's central organization were frequently challenged by the state organizations (Venkatesan 1999). While the BJP's central organization was perhaps the dominant force, particular leaders in individual states could also wield considerable power and influence in these negotiations.

Some of these alliances have an ideological character while others have a more pragmatic purpose. For example, Shiv Sena is a Hindu fundamentalist party with a base in Maharashtra. Ideologically it is close to the BJP; they make natural allies and an alliance enables them to avoid splitting the votes of their supporters in Maharashtra. Ideological alliances of this kind have had some stability but have been relatively rare. The other major examples are those involving the Left Front in Kerala and West Bengal. In Kerala, there are two dominant fronts—the United Democratic Front, which consists of Congress, the Muslim League, and the Kerala Congress, and the Left Democratic Front, which consists of the CPI, CPM, Revolutionary Socialist Party (RSP), and Kerala Congress (Māni). In West Bengal, the Left Front is composed of four main parties—the CPM, CPI, RSP, and the Forward Bloc. In these two states the fronts are based on ideological affinity and have been enduring features of the state-level political system.

Most of the other alliances, however, have been pragmatic ones and tend to be unstable. For example, in 1998 the BJP allied with the AIADMK in Tamil Nadu, switched in 1999 to the DMK, a rival regional party to the AIADMK, and then switched back to the AIADMK in 2004. The driving force of many of these alliances was the principle that 'my enemy's enemy is my friend'. Sridharan concludes that 'in the whole history of alliances since the 1960s, with the exception of the Left Front, alliances have been driven by the imperative to aggregate votes to win and not by ideology, programme, or social cleavage' (Sridharan 2002: 502).

Nevertheless, these pre-election alliances have been crucial in integrating a multitude of different state competitions into an effective coalition at the centre. In a sense they have been the functional equivalent of the integrative faction-chains

that Kothari described under the Congress system. Moreover the imperative to aggregate votes to win has led the BJP to modify the more divisive elements of its programme. While the BJP-led alliance cannot be described as a consensual secular force in the way that Congress was under Nehru, it was sufficiently consensual to give a period of stable government.

THE POLITICS OF ELECTORAL REFORM

There has been relatively little demand for fundamental constitutional reform in India. The most pressing reform issues have been those involved in the operation of the current system, especially political corruption, constituency boundaries (updating the current 1971 boundaries), the formation of additional states (either from subdividing existing states or giving current union territories statehood), and the problem of separatist movements in Kashmir and parts of the north-east.

The constitutional reform that has perhaps seen most public discussion is the replacement of the existing Westminster model with a presidential system on the American or French models. The political instability of the 1990s, with frequent elections and minority governments, has been one of the major concerns lying behind the proposals. Some of the impetus has also had a more partisan basis. The BJP in particular has advocated presidentialism in order to provide a stronger centre and to overcome the problem of forming minority governments (a problem from which the BJP suffered in 1996). In addition the standing of Atal Behari Vajpayee, the BJP leader, was widely thought to be greater than that of his party and the chances of his gaining office in a presidential system were thought to be greater than that of the BJP in a Westminster system. Jaffrelot (2000) argues convincingly that this preference for presidentialism also reflects longer-standing authoritarian tendencies within the BJP and the Hindu nationalist movement.

However, the replacement of the Westminster model with a presidential system no longer appears to be high on the political agenda. This was not one of the recommendations of the recent Commission to Review the Constitution, and the BJP's ability (through its regional alliances) to maintain an effective and stable government from 1999 to 2004 saw a decline of interest in introducing a presidential system.

Not surprisingly, there has also been considerable support, especially from academics, for a move towards PR. However, once again, the ability of the Indian system to adapt and establish a multiparty system with coalition government based on pre-election alliances has removed the impetus for introducing PR for the moment. This may change if the instability of the 1990s is repeated; following the results of the 2004 election, Congress and its allies have formed a minority government and are dependent on the support of the Left Front to continue in office. But India has successfully adapted to previous problems of this sort and the most likely future is one of further evolution within the present framework rather than a radical change of framework.

CONCLUSION

India represents a challenge to much Western thinking about electoral systems. It is a rare example of a highly diverse developing country that has maintained a stable democracy, with one brief intermission, for over fifty years. It has confounded predictions of the demise of democracy and the disintegration of the state. While keeping the SMP system throughout, it has moved from a dominant party system to a multiparty system without the usual buttresses that are held by consociational theory to be essential.

Lijphart (1996) makes a valiant effort to rescue India for consociational theory, and indeed there are some modest power-sharing arrangements and the like, but the point that Lijphart misses is that the integrative tasks required of Indian democracy are, given the vast diversities of the world's largest democracy, far greater than those of consociational democracies such as the Netherlands or Switzerland. To fit the theory, India ought to exhibit unusually strong and deep consociational arrangements, not weak and modest ones.

It may well be that an alternative theory might be required (or at the very least a supplementary theory). Such an account might rely more on democratic political culture, entrenched in Indian life through the democratic character of Congress before and after independence. The unifying role of nationalism and national identity, forged both in the struggle for independence from the British and in successive wars with Pakistan, might not be unimportant, too.

India is a truly remarkable democracy. Harrison predicted: 'The odds are almost wholly against the survival of freedom and... the issue is, in fact, whether any Indian state can survive at all' (Harrison 1960: 338). Over four decades later the Indian state still survives and in 2004 it saw once again the peaceful transfer of power. While many challenges for Indian democracy persist, the record shows that Indian democracy has continued to evolve to cope with the challenges it faces.

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The United Kingdom: Plurality Rule Under Siege

Paul Mitchell

The key features of the Westminster model of democracy are well known, not least as the antithesis of Arend Lijphart's recommendation of consociational and consensus models of democracy. All but two of Lijphart's ten principal features of the Westminster model are still in place: for example, executive power is concentrated in the hands of single-party cabinets that dominate parliament, and these majority governments themselves are normally manufactured by the disproportional single-member plurality (SMP) system of election.

While it is tempting to portray Britain in the past as a country in which electoral reform was often talked about but nothing much ever happened, by contrast the contemporary UK has become a very active laboratory for electoral system design and implementation. Before 1997, all elections were by plurality rule, with the exception of Northern Ireland. Following a veritable burst of devolution and institutional engineering since 1997, the UK now uses a formidable array of different electoral systems. The House of Commons still uses SMP. But the Scottish Parliament and the Welsh and London Assemblies use various versions of mixed-member systems. The Northern Ireland Assembly uses proportional representation by the single transferable vote (PR-STV), as will the Scottish local government elections in 2007. And Britain's elections to the European Parliament have changed from SMP to closed-list proportional representation (CLPR). Thus, the typical voting experience for many parts of the UK electorate is no longer a plurality election. To take one example, Scottish voters use SMP to elect their Westminster MPs, a mixed-member proportional (MMP) system to elect their representatives in the devolved Scottish Parliament, list-PR for their members of the European Parliament (MEPs), and in future PR-STV to elect their local councillors.

It is beyond the scope and main purpose of this chapter to subject all of these new substate systems to a thorough analysis. While we will examine some of them further in the final section on the politics of electoral reform, the principal focus will be on the electoral system for the primary 'national' parliament, in this case the House of Commons.

ORIGINS OF THE ELECTORAL SYSTEM

To the extent that SMP was ever 'chosen' as Britain's electoral system, it is difficult to identify precisely who did the choosing and when. David Butler has noted (Butler 1963: 2–3) that 'the simple plurality system of election has hardly been tampered with since the Middle Ages', an observation that remains true more than forty years after it was made (at least for elections to the Westminster parliament). However, the longevity of the plurality decision rule (or electoral 'formula'), seemingly trailing back into the mists of time, tends to give the impression that the SMP system 'has always been the British system of election'. In reality, it was only in 1885 that single-member districts became the norm, and in 1948 that they became the only type of district. Before 1885 the typical pattern in England was for each constituency to elect two members, though there were also some constituencies with district magnitudes of three and four. The seats in the multimember constituencies were allocated by the block vote system, in which the elector has as many votes as there are seats to be filled (see Section 2.3 of Appendix A).

While electoral laws were much debated during the periods surrounding the great Reform Acts from 1832 to 1918, this mostly concerned not the voting rules per se but rather related matters, such as: franchise extension; plural voting; redistribution ('apportionment'); and the elimination, or at least reduction, of corrupt practices such as the infamous 'rotten boroughs' (in effect, malapportionment), in which some seats were effectively in the gift of landed aristocrats (see Butler 1953/1963; O'Leary 1962; Carstairs 1980; Bogdanor 1981). The pattern that emerges is that successive attempts to extend the franchise and hence allow gradual democratization are associated with established politicians attempting to protect their positions by means of seat redistributions and/or attempts to alter the voting rules.

After a failed attempt to introduce the cumulative vote as an amendment to the 1867 (or 'second') Reform Act, the same act introduced the limited vote. Each voter was provided with a number of votes equal to one less than the district magnitude, thus lowering the threshold compared with the *status quo ante*. Thus, for example, each elector would be entitled to vote for no more than two candidates in the thirteen three-member districts created by the Act. Most early attempts or proposals for electoral reform were motivated by the defensive need for 'minority protection', the 'minority' in question being the propertied educated elite, many of whom feared the enfranchisement of the masses (Hart 1992: 76). The limited vote, however, did not easily achieve the 'minority representation' aims of its supporters, not least since it soon proved to be prone to strategic manipulation, most famously in Birmingham, where Joseph Chamberlain's Liberal caucus demonstrated that it could win all three seats by what these days would be called careful vote management. Thus, highly majoritarian outcomes were possible and the system was prone to being wildly disproportional, and even perverse.

The 1885 Reform Act abolished the limited vote and with it most of the multiseat constituencies. By this time the electoral system of choice for most British advocates

of reform was the more sophisticated system that has subsequently become known as PR-STV. Again, most of the reformers appear to have been motivated by defensive rather than purely democratic considerations: it has been said that the aim of Thomas Hare (one of the inventors of a forerunner of the system) 'was to make universal suffrage tolerable' by facilitating the continued representation of the educated elite (Bogdanor 1981: 107). Be that as it may, the negative experience of the limited vote weakened the case of those who argued for more far-reaching electoral reform.

For a variety of partisan and constitutional reasons the leaders of the largest parties did not see PR as being in their interests. However, the birth of the new Labour Party led to some revision of partisan calculations that had direct significance for electoral reform. For example, as long as the Liberals believed that the threat from Labour was not too severe (essentially before the First World War), the Lib-Lab strategy¹ of 'containing' Labour by restricting their candidatures might seem preferable to adopting the alternative vote (AV), which would have allowed Labour to organize throughout the country without electoral penalty. On the other hand, if Labour broke the pact and proved stronger than the Liberals anticipated, then the Liberals might fare better under AV or ultimately a form of PR, by reason of logic similar to the adoption of PR in many other European countries around this period. In comparative terms it is surprising that the nascent Labour Party, like its European sister parties, did not advocate PR. While Labour was also internally divided on electoral reform, it decisively rejected PR at its 1914 conference, mainly due to the forceful views of its leader Ramsay McDonald, who believed (correctly) that Labour would eventually benefit from the SMP system.

The wartime coalition government composed of the Liberals, Conservatives, and Labour, realizing that a post-war government would need to be based on a new electoral register, agreed to set up a 'Speaker's Conference' to consider matters of registration, franchise extension, and the electoral system. In addition to proposals to extend the franchise, the Speaker's Conference recommended PR-STV for urban districts (about one-third of constituencies) and AV for all other districts.² However, the leaders of the Conservative and Liberal parties were not in favour of reforming the electoral system, and withdrew their support for the proposal by allowing a free vote. The House of Commons rejected PR-STV on five occasions during 1917-18, on the first occasion by only seven votes, but subsequently by larger margins. While all parties were internally divided on the adoption of PR, across the five votes in the House of Commons, on average 72 per cent of Conservatives (of those voting) cast their vote against PR, whereas the Liberals and Labour were evenly divided (51 per cent and 50 per cent, respectively, voted against PR) (calculated from figures in Bogdanor 1981: 130-1).

¹ In 1903 the Liberals and Labour had agreed to a 'Lib-Lab' pact; this was designed to avoid splitting the 'progressive' vote by means of reciprocal candidate withdrawals in selected constituencies.

² In a sense this would have been an early forebear of a mixed-member system with simultaneous use of both majoritarian and proportional electoral formulae.

Thus, the plurality system was retained.³ Unlike its sister parties in other European countries, the British Conservative Party calculated that it could continue to compete successfully with its rivals even under a regime of universal suffrage. Indeed given that the proposal to introduce AV was also defeated, the Conservatives could look forward to profiting from divisions between the Liberals and Labour. By contrast, the position of the Liberal Party proved less far-sighted: if the party's members of parliament (MPs) had voted more consistently for PR in the divisions of 1917–18 it may well have been introduced. However, when they were in government successive leaders of the Liberal Party tended to equate democracy with majority rule and opposed the introduction of PR. Bogdanor (1981: 134) describes this opposition as the Liberal Party's 'most disastrous' decision of the twentieth century, since shortly afterwards the Liberals became the main losers of the decision to retain plurality rule, and were transformed from being a leading party of government to a minor party in the 1920s. Thereafter, Labour and the Conservatives defended the plurality electoral system from which they mutually benefited.

THE WESTMINSTER ELECTORAL SYSTEM

While the proportionality of votes cast to seats awarded to parties is a common performance indicator of the functioning of electoral systems, there is a fundamental sense in which the SMP electoral system is in no sense designed to be 'proportional'. At the 2005 election, for example, there were 646 separate constituencies. Voters cast a single 'X' vote against the name of one candidate in the single constituency in which they were entitled to be registered. The candidate with the most votes wins, irrespective of the percentage of the vote that this constitutes.⁴ Thus votes cast for losing candidates and votes for the winning candidate that are 'surplus' to the bare amount needed to win, are 'wasted votes' in the sense that they cannot contribute to the election of a party colleague. The SMP system has no mechanisms (for example, transferring 'wasted' votes, or higher-tier compensatory seat allocations) to ensure that there is a predictable relationship between votes cast and seats won across the country. A proportional national outcome would be fortuitous rather than part of the system's design.

In addition to the under-representation of non-geographically concentrated third and minor parties, and the over-representation of the two leading parties, the SMP system can have other exaggerative effects. In the UK the most noted of these in recent decades have been territorial disparities in the vote distributions of the two main parties. Back in the 1950s the UK had a much more accurately labelled two-party system⁵: indeed, part of the predictability of the vote–seat relationship

³ One irony of the 1918–1922 period is that the House of Commons did vote for PR-STV *but* only for other places, such as Ireland, India, and Malta.

⁴ British MPs are increasingly plurality rather than majority winners. Since 1974, 48 per cent of MPs have been elected without achieving a majority in their constituency; the corresponding figure in the 1950s was 13 per cent. And extreme results are possible: in 1992 the winning candidate in Inverness had 26 per cent of the vote. Thus 74 per cent of those who voted did not vote for the 'winner' (Farrell 2001a: 25–7).

⁵ Collectively Labour and the Conservatives attracted, on average, 94 per cent of the votes and won 98 per cent of the seats at the four elections held during the 1950s.

stemmed from the fact that Britain had a two-party system, in which the entire country tended to move from one major party to the other to a fairly similar extent—the postulate of ‘uniform swing’. By the 1960s the leading parties were clearly losing this geographically aggregative character, as the ‘north’ and urban constituencies became progressively more likely to be won by Labour, and the ‘south’ and rural areas more likely to be represented by Conservative MPs. Part of this trend reflected changes in voting behaviour as a result of socio-economic and territorial cleavages, but ‘the greater part of the difference in the composition of the Conservative and Labour parliamentary parties is an artificial product of the electoral system’ (Curtice and Steed 1982: 285). The regional distribution of seats was most dramatically highlighted at the 1997 election, in which the Conservative Party failed to win a single seat in either Scotland or Wales, despite attracting 18 per cent and 20 per cent respectively of the votes in those countries. In characteristically colourful language, the Jenkins Commission described such outcomes as a form of geographical ‘apartheid in electoral outcome’ (Independent Commission on the Voting System 1998: 8). Thus, the SMP electoral system can have the disadvantage of creating ‘electoral deserts’ for parties in particular areas.⁶

Part of the traditional normative defence of the operation of SMP in Britain has been, that even if one discounts the inflated seat shares of the two leading parties (and the ‘punishment’ of the third party), each of the ‘big two’ should have an equal chance of forming a government. This in a sense allows voters to choose between two alternative governing teams and then subsequently to hold them accountable. However, research in recent years has highlighted a matter that had mostly been overlooked: the operation of SMP in Britain has produced lengthy periods in which the ‘electoral system’ has seemed to be systematically ‘biased’ against one or other of the major parties.

SMP districting and electoral bias

How many seats a party wins depends not only, and sometimes not primarily, on how many votes it attracts, but crucially on where these votes are located. Recent findings suggest that due to the interaction of the geography of party support and the geography of constituency boundaries, UK electoral outcomes are biased, not only in the traditional sense of being disproportional against all third and minor parties, but also biased in the sense that the same share of the vote for each of two main parties can translate into dramatically different seat totals (see Johnston et al. 2001; Rossiter et al., ‘Changing Biases’ 1999).

Electoral bias⁷ is defined as the difference in the number of seats that the two main parties would receive if they had had the same share of the vote at a particular

⁶ Thus disproportionality in certain regions can be much higher than the average figure. For example Dunleavy et al. (1998: 12) calculate that in 1997 UK disproportionality was 21 per cent (Loosemore–Hanby index), yet it was 42 in Central Scotland and 35 in South Wales (see also Appendix C).

⁷ Literature on the USA usually refers to it as ‘partisan bias’ (for example, Grofman et al. 1997).

election.⁸ Figure 8.1 reproduces the findings of Johnston and his colleagues; in the graph a negative number indicates a pro-Conservative bias and a positive figure a pro-Labour bias.

In the 1950s and early 1960s the Conservatives benefited by around 40–50 seats, whereas from 1966 to 1987 there was some oscillation but no major advantage to one party over the other. Since 1992, however, Labour's advantage has increased at a very steep rate: on an equal national share of the vote, Labour would have won 38 extra seats in 1992, 82 in 1997, and a massive 141 in 2001. This has led to many commentators and leading psephologists concluding that, for example, Labour's 'landslide' victory in 2001 occurred because 'the system is now significantly biased in its favour' (Curtice 2001: 807).

The principal sources of partisan bias in two-party systems using SMP are malapportionment, turnout differences or third party interventions that alter the number of votes needed for victory, and systematic differences in the distribution of party votes shares (the 'efficiency' of a party's vote) (Grofman et al. 1997). Johnston and his colleagues have decomposed bias into these three main categories, though they have

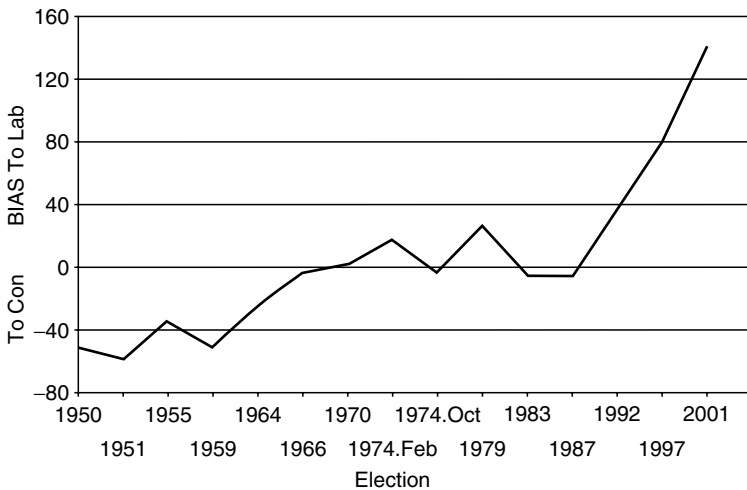


Figure 8.1 Bias with equal vote shares, 1950–2001

Source: Reproduced based on data in Rossiter et al. (1999), Johnston et al. (2001), and Johnston et al. (2002).

⁸ It is a counterfactual procedure that focuses only on the two leading parties and calculates what would have happened had there been a uniform swing, with the votes of all other parties remaining the same. For example, if Labour won 43.3 per cent of the votes and the Conservatives 30.7 per cent, then an equal national vote share (37 per cent) involves Labour losing 6.3 per cent, and the Conservatives gaining the same amount in each constituency. Having applied these uniform additions and subtractions it is straightforward to calculate which party would have won each constituency. If there is no partisan bias the parties should win the same number of seats. Thus bias is measured by a convenient metric: the number of extra seats won on an equal national vote share (Rossiter et al., 'Changing Biases' 1999: 138).

sometimes used different labels. In the UK context there are two main types of malapportionment. First, some 'size'-related bias has been deliberately built into the system through the over-representation at Westminster of Scotland and Wales. Thus, the average seat in these two countries has only about 80 per cent of the number of electors that the average English constituency has. Given that Scotland and Wales have increasingly become areas of strength for the Labour Party, this malapportionment at recent elections has been worth ten to twelve seats to Labour (Johnston et al. 2001: 96).⁹ The second constituency size component of bias results from the inevitably imperfect districting performed by the Boundary Commissions and the 'ageing' of constituencies between reviews ('creeping malapportionment', in Johnston et al.'s evocative label). Essentially, the urban constituencies in which Labour has traditionally been strongest tend to lose electors, and the rural constituencies get larger, thus requiring the Conservatives to win more votes in their stronger constituencies. Putting these size elements together, in 2001 the average seat won by Labour contained 65,748 electors, whereas the average seat won by the Conservatives had 72,140 (Curtice 2001: 808–9). In other words, Labour-won seats contained on average 9 per cent fewer electors than Conservative seats, a clear advantage to Labour.

Of course, to win seats it is the number of votes rather than electors that is crucial, and since 1955 Labour has benefited from differential turnout. Since turnout is usually lower in the more urban constituencies in which Labour has been strongest, Labour wins these seats with fewer votes (and higher turnouts would mostly lead to more 'wasted' surplus votes).¹⁰ To be more accurate, under SMP it is both the number of votes and their location that is decisive. One of the principal sources of partisan bias is differences in the distribution of each party's voting strength across constituencies that may result in their having different proportions of 'wasted' votes. This relates to the efficiency of a party's vote distribution—a party will tend to win more seats if higher proportions of its votes are 'effective' votes. In other words, a party can receive a better 'return on its votes' if they are concentrated in the marginal constituencies where they are needed most, and less concentrated in constituencies in which it is certain to either lose or win.

The 'efficiency' of party vote distributions has often been the largest single component of overall partisan bias, and traditionally Labour has suffered because it tended to pile up large surplus votes in safe constituencies. Thus before 1997 the Conservatives almost always benefited from a more efficient vote distribution. However, this began to change in 1992, and subsequently more dramatically, so that by 2001 Labour's more efficient management of its vote was projected to be worth seventy-two seats (Johnston et al. 2002: 150). Labour achieved this more efficient outcome by means of carefully targeted campaigning, and tactical anti-Conservative voting with the Liberal Democrats, matters to which we turn in subsequent sections.

⁹ This form of malapportionment will be less important in the future since, for example, the number of Scottish seats at Westminster was reduced from seventy-two in 2001 to fifty-nine in 2005.

¹⁰ The intervention of third and minor parties also changes the number of votes that are required for victory by one of the two major parties. For details see Johnston et al. (2001).

For now, one final note of qualification is in order. Presentation of this type of evidence needs to be careful, since otherwise there is a temptation to conclude that the electoral system per se is biased.¹¹ The point though is that such ‘biases’ are contingent and reversible, and in any case are mostly not a direct mechanical effect of the SMP electoral system. While malapportionment is a fairly integral component of most SMP electoral systems, most of the other sources of partisan bias—differential turnout and the efficiency of party vote distributions (influenced by targeted party campaigning and tactical voting)—are not so much direct mechanical effects of the electoral system as political variables, components of ongoing party competition. For example, whether or not extensive tactical voting occurs at any given election depends on the desire and ability of parties to organize it. These are largely behavioural rather than mechanical matters, so that it is more accurate to say that SMP, rather than directly creating these biases, facilitates this kind of strategic behaviour.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

The search for a direct, obvious, and substantial mechanical effect of the SMP system need go no further than the size of the party system. It is well known that SMP tends to produce a two-party system in parliament. The UK largely conforms to this supposition, even though, for example in 2001, nine parties won seats (see Table 8.1). However, six of these parties are specific to the local party systems in Northern Ireland, Scotland, and Wales. Only three parties, the Conservatives, Labour, and the Liberal Democrats,¹² contest seats throughout Great Britain.

It has become conventional to divide discussion of the British party system into the periods before and after 1974, and one can easily see why from Figure 8.2. While the precise definition of what counts as ‘a two-party system’ has varied, few would dispute that Britain in the earlier period (1945–70) had a classic two-party system. The top two lines in Figure 8.2 show the combined two-party vote and seat shares. In the earlier period the Conservatives and Labour combined attracted an average of 91 per cent of all votes cast and won almost all the seats (98 per cent on average). The election of February 1974 was a genuine watershed for the UK party system since it can be seen that the dominance of the ‘big two’ was seriously challenged by a surge in support for the third party, the Liberals. In 1974 the two-party vote suddenly dropped to 75 per cent and never really recovered (the average for 1974–2001 is 74.6 per cent). The cause of the change is clearly the resurgence of the Liberal vote, which

¹¹ For example in an article entitled ‘The Electoral System: Biased to Blair?’ John Curtice (2001: 811) concludes: ‘So the electoral system was so heavily biased in Labour’s favour in 2001 because the party benefited from both potential sources of bias’ (the relative size of constituencies and efficiency).

¹² For ease of exposition the third party will be referred to by its current name of the Liberal Democrats (or occasionally just as the ‘Liberals’), even though in the 1980s it was known as the Liberal–SDP Alliance, and prior to that as the Liberal Party. All figures for the ‘Liberal Democrats’ refer to the 1945–2001 period, unless specified otherwise.

Table 8.1 UK election results—Westminster parliament

Party	2001				1997			
	Votes	Vote %	Seats	Seats %	Votes	Vote %	Seats	Seats %
Labour	10,724,953	40.7	412	62.5	13,517,911	43.2	418	63.4
Conservative	8,357,615	31.7	166	25.2	9,600,940	30.7	165	25.0
Liberal Democrat	4,814,321	18.3	52	7.9	5,243,440	16.8	46	7.0
Scottish National Party	464,314	1.8	5	0.8	622,260	2.0	6	0.9
UK Independence Party	390,910	1.5	—	—	106,001	0.3	—	—
Ulster Unionist Party	216,839	0.8	6	0.9	258,349	0.8	10	1.5
Plaid Cymru	195,893	0.7	4	0.6	161,030	0.5	4	0.6
Democratic Unionist Party	181,999	0.7	5	0.8	107,348	0.3	2	0.3
Sinn Fein	175,933	0.7	4	0.6	127,144	0.4	2	0.3
Social Democratic and Labour Party	169,865	0.6	3	0.5	190,814	0.6	3	0.5
Green Party	161,926	0.6	—	—	64,452	0.2	—	—
Referendum Party	—	—	—	—	811,829	2.6	—	—
Others	512,815	1.9	2	0.3	476,590	1.5	3	0.5
Total	26,367,383		659		31,288,108		659	
Turnout (%)	59.4				71.5			
Disproportionality (GI)	17.7				16.5			
Effective number of elective parties	3.33				3.22			
Effective number of legislative parties	2.17				2.13			

Note: ‘Others’ aggregates forty-six other small parties and independents (in 2001) and thirty-nine (in 1997), none of which secured more than 0.5% of the vote. Given that the ‘others’ at both elections accounted for less than 2% of the vote total, they are excluded from the calculations of the effective number of parties and disproportionality.

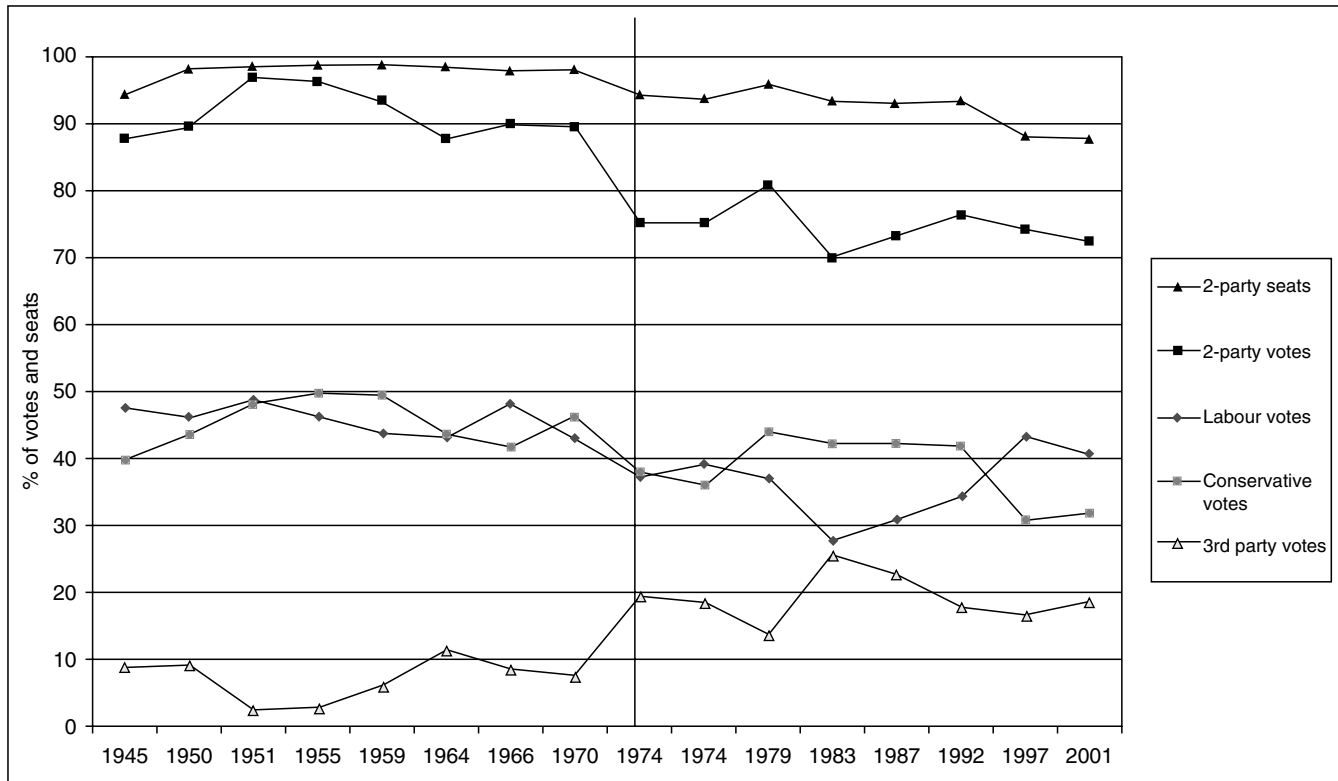


Figure 8.2 Party Support in the UK, 1945–2001

averaged 7 per cent before 1974 and 19 per cent afterwards.¹³ One consequence of this is that constituency campaigning is no longer as dominated by the two major parties as it once was. For example, in 1964 Labour and Conservative candidates shared the first and second places in 89 per cent of constituency contests, whereas in 1987 this was the case in only 52 per cent of constituencies (Heath et al. 1991: 52).

This growth in the size of the party system is shown in Figure 8.3 which plots the standard method of summarizing fractionalization, the effective number of parties (see Appendix B). The effective number of elective parties (ENEP) has clearly been rising,¹⁴ reflecting the move from a classic two-party system to what Webb (2000: 8) has characterized as ‘latent moderate pluralism’. Webb advisedly inserts the word ‘latent’ since clearly the SMP electoral system is doing its job of acting as a straitjacket on the attempted expansion of the British party system. We can see from Figure 8.3 that the trend in the effective number of legislative parties (ENLP) (based on seat shares) is ‘flat lining’ at around two.¹⁵ By imposing a very high effective threshold the SMP electoral system is protecting the dominant parliamentary positions of Labour and the Conservatives and preventing even the moderate pluralism that currently exists in the electoral-level party system from fully flourishing.

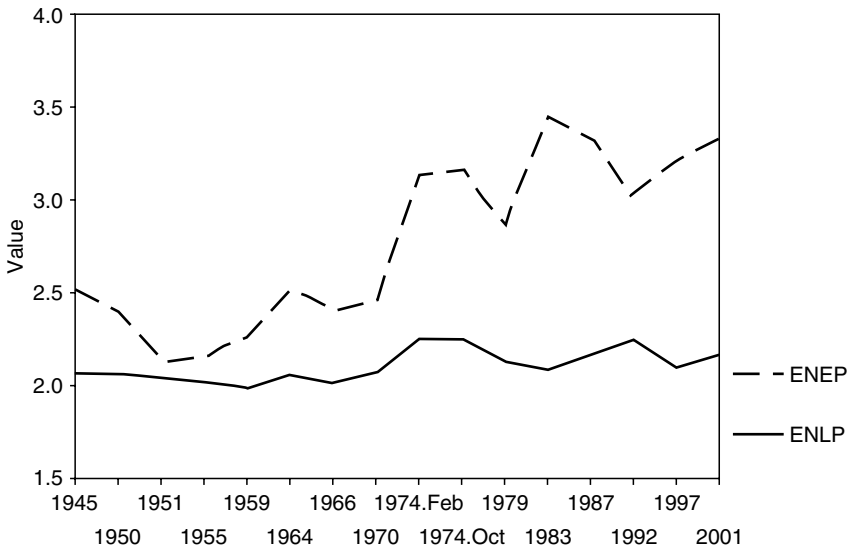


Figure 8.3 Effective number of elective and legislative parties, 1945–2001

¹³ Scottish and Welsh nationalist parties also attracted many more votes and won more seats in the latter period.

¹⁴ ENEP increased from 2.4 to 3.2 (period averages 1945–70 and 1974–2001, respectively).

¹⁵ ENLP has increased over time by only a tiny amount. For the entire period 1945–2001 it averages 2.1 with a standard deviation of only 0.08.

Levels of disproportionality are normally expected to be higher in plurality systems than under PR, and here the UK does not disappoint. The average for the entire period is 11.6 (see Figure 8.4 which uses the Gallagher index), but this mean clearly hides the fact that disproportionality has been increasing, from a low point of only 2.8 in 1951 to a high point of 20.6 in 1983.¹⁶ If a ‘fair’ representation in parliament of the votes cast in general elections is considered important, then the UK’s electoral system has clearly been performing extremely poorly since 1974. Most obviously, the Liberals, having failed to change the electoral system when they had the chance in 1917–18, have been the main victims. While the Liberal Democrat parliamentary party can no longer all squeeze into the back of a taxi as was the case in 1951, 1955, 1959, and even as late as 1970 (they emerged from each of these contests with six MPs), it is still much smaller than a proportional outcome would provide: since 1974 their 19 per cent of vote has won them just less than 4 per cent of the seats (period averages).

One consequence of the resurgence of the Liberals after 1974 is that most constituencies throughout Great Britain are contested by (at least) the three main parties. And of course three (or more) parties contesting single-member districts opens up the possibility of strategic behaviour—tactical voting. The basic idea is that given that only one candidate can be elected in a given constituency, ‘rationally

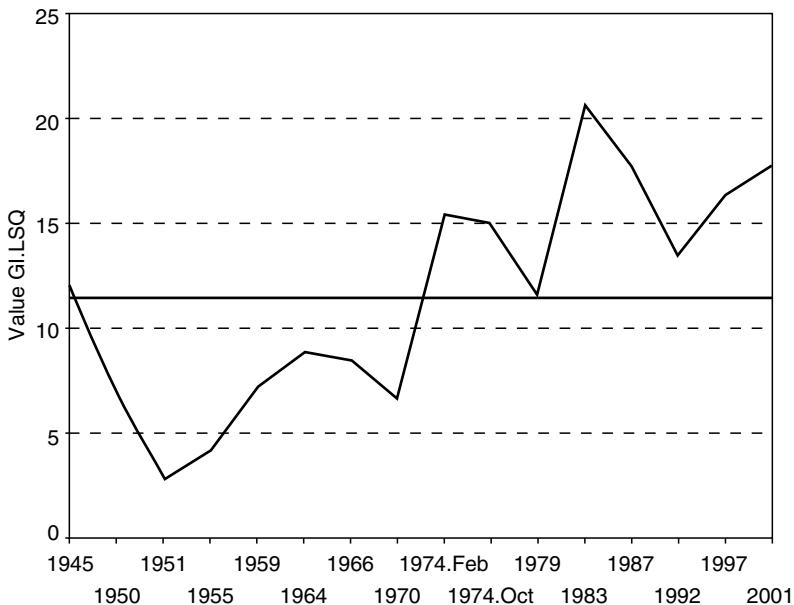


Figure 8.4 Disproportionality, 1945–2001 (Gallagher Index)

¹⁶ Using the same periods as before, the average level of disproportionality increased from 7.1 before 1974 to 16.0 afterwards.

oriented' electors should take some account of the competitive status of the parties before deciding how to vote. The electoral system may thus encourage some voters to vote insincerely, since to vote for one's preferred candidate in a situation in which he has no possibility of being elected is tantamount to wasting one's vote. In these situations it may make sense to vote for the 'least bad' candidate among those who are competitive. Cox (1997: 83) reports that 'the literature on strategic voting in Britain is by far the largest in the world', and was first stimulated by the third-party surge in 1983 and later by Labour's landslide victory in 1997. In 1992, the overall proportion of tactical voters had increased substantially to 9 per cent, but the patterns of such voting 'were not particularly beneficial to Labour' (Evans 1994: 72).

Matters changed somewhat in 1997. Using survey evidence it was estimated that the number of tactical voters increased slightly to 10 per cent,¹⁷ but the pattern changed so that there was some evidence of a 'small rise in anti-Conservative tactical voting' (Evans et al. 1998: 69–71). Curtice and Steed (1997) and Norris (1997) suggest that about 25 seats were lost by the Conservatives because of tactical voting between supporters of Labour and the Liberal Democrats. While Labour Party supporters have in the past been willing to switch to the Liberals when their own candidate was not competitive, what changed in 1997 was the behaviour of Liberal Democrat voters, who became much more favourably disposed towards Labour (Evans et al. 1998: 75). The most plausible explanation for this change is a political one. By the time of the 1997 election the Conservative government was the most unpopular in the history of opinion polling in Britain (Norris 1997). At the same time, Labour and the Liberal Democrats had moved closer in ideological terms and were cooperating on a proposed constitutional reform agenda. Clearly, Labour would have won in 1997 even without tactical voting; nevertheless, when the conditions are right, the electoral system does allow parties to attempt to coordinate their voters, in order to win more seats than they would with wholly independent strategies.

Impact on the parties and parliament

'The tendency of English voters to vote for parties rather than men appears to be a permanent feature of English politics from 1868 onward' (Cox 1987: 92).

The double-member constituencies that existed at that time meant that it was possible to measure to what extent electors based their choice primarily on partisan preference by examining the percentage who split their votes between the two major parties. Furthermore, the more that an MP's election had depended on split voting, the more likely he was to rebel from his party's position in parliament. Cox (1987: 92–3) shows that there was a 'permanent and large' reduction in split voting by 1868 and that 'the decline in split voting in the electorate . . . suggests an electoral side to

¹⁷ In 2001 Clarke et al. (2004: 83) report that the number of tactical voters increased to 14 per cent. In other countries using SMP, such as the USA and Canada, the number of tactical voters has been estimated as normally around 5 per cent (Blais and Massicotte 2002: 57).

the development of party discipline in parliament'. Of course such split voting is not possible under SMP and party discipline has generally been very high, although there has been some growth in intraparty dissent since the 1970s (Norton 1980; Whiteley and Seyd 1999; Baker et al. 1999). Even though 'party voting' remains high, individual MPs in single-member districts may have incentives to believe that they can build up a 'personal vote', either by assiduous constituency service or by taking up distinctive (and possibly rebellious) policy positions. By such means they may be able to cushion themselves from adverse national swings against their party, or even provide themselves with some autonomy with which they can defy their party's 'whip' in parliament.

The election of MPs in single-member districts is likely to encourage the belief, especially in marginal districts, that there must be some effort that they can personally make to secure their position. However, MPs' lack of a position in the administrative structure, combined with party dominance of the legislature, means that they have few real opportunities 'to deliver particularized benefits' to their constituents. Mostly they can act as intermediaries and guides through the complex layers of local and central government. Still, while MPs have fewer resources than members of the US Congress, they are likely to draw a similar behavioural conclusion: 'how much particularised benefits count for at the polls is extraordinarily difficult to say. But it would be hard to find a congressman who thinks he can afford to wait around until precise information is available' (Mayhew 1974: 57). Certainly MPs do engage in a great deal of constituency service. Nevertheless, the limited evidence that does exist suggests that where there is a 'personal vote', it is fairly small, typically in the 1–2 per cent range (Cain et al. 1987; Norris and Lovenduski 1995). Thus while a personal vote may make a difference in a few very marginal seats, 'for the vast majority of MPs good works do not save—and waywardness does not damn' (Crewe 1985: 58).

Of course, before an aspirant politician can hope to build up any kind of vote he or she has to be selected as a party candidate.¹⁸ Obviously, each party selects only one candidate in each constituency so, once selected, candidates face no direct intraparty competition (short of attempts to 'deselect' the candidate), as for example, is usually the case with multimember districts.¹⁹ Nevertheless, given that electoral systems with single-member districts are more likely to have decentralized candidate selection in the local constituencies, the party leadership may have some difficulty in enforcing party discipline if it lacks the ultimate power to sanction its MPs. Although local constituency parties value their roles in candidate selection highly, this has not traditionally been a source of indiscipline in British parties.

Partly because levels of cohesion declined somewhat in the 1970s, the party centres took steps increasingly to involve themselves in candidate selection, and at the same time rendered it somewhat more professional and meritocratic. For ex-

¹⁸ Non-party candidates almost always have no prospect of election, although one independent was elected at each of the 1997 and 2001 elections.

¹⁹ Thus, in an SMP system without primaries, loyal party voters effectively have no choice of candidate except at the high cost of deserting the party.

ample, the Conservatives in 1980 introduced weekend selection boards—‘managerial boot-camps’—for prospective candidates, as one of the stages of compiling a national ‘approved list’ of prospective candidates. Thus, local Conservative constituency parties are only free to choose among people that are already on this pre-approved list. By contrast the Labour Party central leadership had less control over candidate selection: there was no pre-approved national list of eligible candidates. Instead Labour’s National Executive Committee (NEC) had the power to veto candidates after they had been selected locally. Norris and Lovenduski (1995: 76) point out that the Conservatives’ approach was more conducive to party unity, whereas ‘the use of veto power by the Labour National Executive, after constituencies have already selected their candidate, is a perfect recipe for conflict’. In 1992 Labour’s leadership reduced the ability of local activists to select suboptimal candidates (from the centre’s point of view) by introducing one-member-one-vote (OMOV)—a move widely interpreted as an internal power game rather than a great democratic initiative (for example, see Norris and Lovenduski 1995; Webb 1994; Hopkin 2001). Labour completed the move towards greater central involvement in candidate selection in 1997 when it introduced a single national list of approved candidates (Peele 2004: 298–9).

Former cabinet minister Richard Crossman noted in 1972 that ‘the British cabinet’s concern is not for its majority over the opposition, because that is almost automatic, but for its majority inside its own party. The key to power is inside the party’ (Crossman 1972: 32, quoted in Norton 1998: 24). While there have always been some government MPs who are willing to vote against their party,²⁰ a former prime minister (Harold Wilson) is said to have formulated the ‘iron law of back-bench rebellions’, which essentially states that the maximum number of rebels in any vote of no confidence in the government is one less than would be needed to terminate it (Baker et al. 1999: 73). Wilson was more or less correct, though somewhat ironically, of the twenty-seven no confidence votes held since 1945 (Saalfeld 2003: 630), the only one that was successful was the one that defeated the Labour government in 1979, after Wilson had stepped aside in mid-parliament to make way for a successor.

Turning to the composition of parliament, on average fifty MPs are defeated at general elections, and 91 per cent of those seeking re-election are successful. Given that other members will also retire, from one parliament to the next about three-quarters of all MPs are re-elected (Norris and Lovenduski 1995: 29–31). As in most other parliaments the social backgrounds of MPs are not an accurate descriptive reflection of society at large, although the profiles of the major parties have homogenized to some extent, as most MPs became career politicians. Nevertheless, by the 2001 election there was still some social patterning to the backgrounds of MPs. For example, 48 per cent of Conservative MPs were company directors, executives, or lawyers, compared with 11 per cent of Labour MPs. By contrast Labour MPs are

²⁰ The average number of rebellions by government MPs (1945–2001) in a full parliament was 140, though this figure hides a wide range of variation across parliaments (standard deviation of 86), from a low of only 11 in 1951 to 309 in 1974. Figures calculated from data in Cowley and Stuart (2003).

much more likely than Conservatives to have backgrounds in education or local government: 31 per cent versus 5 per cent. The most notable change in recent years has been in the proportion of women MPs. By the early 1990s only 9 per cent of MPs were women, placing Britain only eighteenth in a league table of twenty-five countries (Norris and Lovenduski 1995: 187). The number of women MPs dramatically jumped at the 1997 election (and this was sustained in 2001) to 18 per cent, due entirely to the decision of the Labour Party to increase its number of women candidates by introducing all-women shortlists in 1997. Thus, for example, of the 120 women MPs elected in 1997, 102 were from Labour, and the number of Conservatives actually declined to 13.²¹

Government formation

The House of Commons should think as the nation thinks; but it should think so rather more strongly, and with somewhat less of wavering. (Bagehot)

Bagehot would have grounds to be pleased with the operation of the UK electoral system, since whatever its faults, there has not been a lot of ‘wavering’. While no UK government has been based on a majority of votes in the post-1945 period,²² all but one have at least begun with a majority of seats (February 1974 being the exception). In an apparent feat of alchemy the electoral system has transformed the average UK government’s vote share of 44 per cent into an average seat share of 55 per cent (1945–2001), thus facilitating (mostly) stable governments.

Those who take the view that elections are more about choosing a government than electing a representative parliament, tend to see the ‘bonus seats’ that accrue to the leading party as one of the principal merits of the system. The transformation of pluralities into majorities facilitates stable single-party governments. It is also said to provide a clear accountability chain between voters and governments, since any vote swing against the incumbent party will also be exaggerated into a larger loss of seats than if the outcome was proportional.²³ Actually, rather than exclusively benefiting the first-placed party and hence providing the ‘decisive edge’ that allows it to form a single-party government, the system has tended to provide seat bonuses to both of the UK’s leading parties. The average seat bonus to the Conservatives from 1945–2001 was 5.1 per cent and the Labour party has been even more handsomely rewarded with an average seat bonus of 7.1 per cent. Indeed it is quite striking that even during the long period of Conservative governments

²¹ The number of ethnic minority MPs has grown from none before 1987 to twelve in 2001 (1.8 per cent of all MPs), and all of them are Labour MPs (Peele 2004: 205). However, ethnic minority communities themselves account for 7.8 per cent of the UK population (figures from the UK Office for National Statistics 2003; reproduced in Peele 2004: 6).

²² The Conservatives came closest in 1955 and 1959 when they attracted 49.7 per cent and 49.4 per cent of the vote, respectively. Since 1974 no government has been based on more than 44 per cent of the popular vote. Indeed, the last single-party government with a majority of the votes was in 1931.

²³ It used to be popular to examine the exaggerative potential of the SMP system in terms of the so-called Cube Law—a proposition that if the votes of the two main parties are divided in the proportion A:B,

(1979–97) Labour received significant seat bonuses at each of the four elections that it lost. Of course these seat bonuses to the ‘big two’ have to be paid for somewhere else in the system, and it is clear that the main losers have been the Liberal Democrats, the third party in Britain. The Liberals have never received a seat bonus in the post-1945 period: indeed on average they have won 9.2 per cent fewer seats than their share of the votes, a figure that rises to 15.2 per cent when only the eight elections from 1974–2001 are considered.²⁴

While Bagehot favoured the electoral system’s creation of secure governing majorities, he also believed that the leading party ought to ‘win’. Unfortunately, SMP cannot guarantee this, and occasionally produces ‘perverse’ results (in which the party that wins the most votes nationwide does not win the highest seat total), as it did in 1951 and February 1974. Again, ‘perverse’ outcomes are possible because SMP elections are fought solely in hundreds of separate constituencies, rather than being contests to secure the highest ‘national vote’. Nevertheless, it is normally the case that the party winning the most votes will also win the most seats (as has occurred at fourteen of the sixteen elections since 1945).

At the national level the UK has no experience of coalition government since 1945. Thanks to the electoral system one party has emerged as the majority winner at fifteen of the sixteen elections, and has always chosen to form a single-party government. The exception was the election of February 1974 at which no party secured a majority. Labour, with only four MPs more than the Conservatives, formed a minority single-party government, and then called a second election later that year. At the October 1974 contest, Labour won a bare majority (50.2 per cent of the seats), but increased its lead over the Conservatives to forty-two seats. There have also been two other occasions when governments with small majorities became minority governments, due to deaths and defections.²⁵

Eighteen years of Conservative rule (1979–97) based on four consecutive electoral victories, led some commentators to speak of Britain having a ‘dominant party system’ (King 1993). But since then there have been two landslide victories for Labour, so that it becomes tempting to think, in Dunleavy’s phrase, of an ‘alternating dominant party system’. Reflecting on the Conservative period of ‘dominance’, Webb (2000: 15) points out that ‘it was in fact a surprisingly shallow kind of dominance and proved transient’. Clearly, to the extent that there is any kind of

the seats will be divided in the proportion $A^3 : B^3$. But rather than being a law (no causal mechanism was ever specified or proved) it was really a behavioural regularity—which, rather quickly upon its rediscovery, stopped behaving regularly! Research into the ‘Cube Law’ showed that the operation of SMP does not necessarily take place in this mechanical fashion but depends crucially on the spatial distribution of voting patterns (Gudgin and Taylor 1979; Curtice and Steed 1982).

²⁴ The reason of course is that the Liberals have been a small-to-medium-sized party with fairly evenly spread support.

²⁵ The first was the most interesting, in that the Labour government formed in October 1974 lost its majority in late 1976 and responded to this by negotiating with the Liberals a legislative (but not executive) coalition that held between March 1977 and August 1978. John Major’s Conservative government also, at least technically, lost its majority between November 1994 and April 1995 when eight Eurosceptic MPs had the whip removed (Webb 2000: 8).

dominance it is almost entirely manufactured by the plurality electoral system. A combination of third and minor party challenges, combined with partisan electoral biases, means that UK governments have progressively smaller popular mandates. The average vote share of governments elected in our earlier period (1945–70) was 47.4 per cent. Since 1974 Britain's single-party governments have been based on only 41.4 per cent of the popular vote—hardly landslides of popular opinion.

THE POLITICS OF ELECTORAL REFORM

There tends to be an inverse relationship between having the *will* and the *power* to change an electoral system: when a party has the will it does not have the power, and when it has the power it does not have the will. Reform of the plurality electoral system was first raised for discussion in parliament in 1831 (Bogdanor 1981: 97). Since then all attempts at fundamental electoral reform have failed, so that by the early twenty-first century the House of Commons is still elected by plurality rule. Nevertheless, the election of a Labour government in 1997 ushered in an unprecedented period of frenetic debate about electoral reform, and introduced new electoral systems to a wide range of other second-order assemblies and parliaments, so that the Westminster SMP system is now the exception rather than the rule in electing UK politicians, at all levels above local government.²⁶

The expansion of the elective (if not the legislative) party system since 1974 has challenged the classic two-party system and led to much more disproportional outcomes. But electoral reform cannot happen unless a government breaks its historic (if implicit) pact with its main rival; namely, to resist all pleas by third and minor parties for electoral reform. The Labour government elected in 1997 broke this pact by introducing PR elections for the new Scottish, Welsh, and London Assemblies, and for the elections to the European Parliament. While we do not have space to review in detail the history and constellations of factors that led to this change in direction,²⁷ it is clear that Labour's long period of eighteen years in opposition (1979–97) led, by the mid-1990s, to some strategic repositioning which among other things resulted in Labour increasingly cooperating with the Liberal Democrats. It was widely perceived that divisions between Labour and the Liberal Democrats had helped sustain the Conservative Party in power for so long, and Tony Blair in particular (after he became Labour leader in 1994) was determined to coordinate the anti-Conservative vote, in order to maximize the probability of a Labour victory at the 1997 election. This is not to say that all movement in the direction of electoral reform should be interpreted in the narrow context of Labour's need to win the 1997 election. Indeed a working party was set up in 1990, chaired by an academic, Raymond Plant: the Plant reports proposed that PR should be intro-

²⁶ Prior to the 1998–9 period, the only regular PR elections in the UK were confined to Northern Ireland. On STV, generally, see Chapter 25 (this volume) and on its specific application in Northern Ireland, see Mitchell and Gillespie (1999). To be more accurate, the SMP system is also used for elections to local government.

²⁷ See Farrell (2001*b*), and Dunleavy and Margetts (1999; 2001) for good overviews.

duced for elections to the European Parliament and for new assemblies in Scotland and Wales (should these be established). The Plant committee also proposed that the House of Commons should move from the plurality system to the majoritarian supplementary vote (SV),²⁸ but a Labour Party conference voted against this latter proposal (Plant Report 2003).

The Scottish Constitutional Convention (SCC), formed after Labour's 'third defeat' (of the Thatcher years) at the 1987 Westminster elections, has in retrospect played an important role in framing some of Britain's new electoral systems. While all parties and other interest groups were invited, the SCC was dominated by Labour and the Liberal Democrats. An independent commission, set up by the SCC, reported in October 1995 and recommended a mixed-member system, which in Britain still tends to be known by the older name of 'additional-member system' (AMS). The proposal was to retain the seemingly much cherished 'constituency link' by electing single members in the seventy-three Westminster constituencies, but to balance this with greater proportionality by introducing eight multimember constituencies (using the constituencies that elect MEPs), that would each elect seven 'top-up' members in a manner that would compensate for some of the disproportionality introduced in the single-member seats. In other words, an MMP system was proposed (see Table 8.2). The proposed Scottish electoral system 'had a profound impact in Wales' (Dunleavy and Margetts 2001: 301) and helped the then Welsh secretary, Ron Davies, to persuade his Labour colleagues in Wales to overcome their preference for retaining plurality rule and accept a 'watered-down' version of the Scottish system, which would see a third of the members elected on PR lists. Dunleavy and Margetts (2001: 301) argue that 'its sole rationale was to maintain Labour's ability to win an outright majority in the Assembly in most years', while avoiding the accusation that retaining SMP would lead to permanent Labour dominance of the devolved assemblies, an argument that, just as in Scotland, was believed to have contributed to the failed devolution proposals of the 1970s.

Just before the 1997 Westminster election Labour and the Liberal Democrats issued a joint statement on constitutional reform, which among other things promised devolution for Scotland and Wales (as well as a London area assembly) using varieties of mixed-member electoral systems, agreed to introduce list-PR for the European Parliament elections, and promised to hold a referendum on reform of the Westminster system. After its victory the Labour government implemented all of these promises in the 1997–9 period, with the single but important exception that no referendum on reform of the Westminster system has been held. While this is not the place for a detailed review of the performance of these devolved electoral systems,²⁹ in general they appear to have worked quite well. For example, stable coalition

²⁸ The British version of SV is a truncated alternative vote (AV) in which electors may indicate only their first and second preferences. It is currently used to elect the Mayor of London.

²⁹ For a very useful report that does precisely this, see *Changed Voting Changed Politics: Final Report of the Independent Commission to review Britain's Experience of PR Voting Systems*, chaired by David Butler and Peter Riddell. The full report is available online at http://www.ucl.ac.uk/constitution-unit/files/108_icpr_final.pdf

Table 8.2 Variety of UK electoral systems

	System	No. of seats	District: List seats (%)	DM	Formula	Ballot structure	Candidate choice within party
Westminster	SMP	646	NA	1	Plurality	Categorical	No
Jenkins 'AV+' proposal	Mixed-member	646	82.5 : 17.5	1/1.45 ^a	Majority / D'Hondt ^b	Dividual	Yes; semi-open lists
Scottish Parliament	Mixed-member	129	57 : 43	1/7	Plurality / D'Hondt	Dividual	No; closed list
Welsh Assembly	Mixed-member	60	67 : 33	1/4	Plurality / D'Hondt	Dividual	No; closed list
European Parliament	PR-List ^c	78	NA	6.5	D'Hondt	Categorical	No; closed list
Northern Ireland Assembly	PR-STV	108	NA	6	Droop	Ordinal	Yes
London Assembly	Mixed-member	25	56 : 44	1/11	Plurality / D'Hondt	Dividual	No; closed list

^a Under the Jenkins commission's 'middle' proposal the 17.5% list seats would be allocated in eighty constituencies. Forty-four of them would elect a single list member, and thirty-six would elect two MPs.

^b The Jenkins report does not actually mention the formula to be used for list allocation, but it was widely assumed that it would be the D'Hondt highest average system, especially since this was the system to be used in Scotland and Wales.

^c The seventy-five MEPs in Great Britain are elected by closed-list PR. Northern Ireland's three MEPs are elected by PR-STV.

governments have formed after the 1999 and 2003 elections to the Scottish Parliament, and the PR system has facilitated some modest growth in the size of the party system. In 1997 the four largest parties in Scotland (Labour, SNP, the Conservatives, and the Liberal Democrats) had won all but three seats, whereas in 2003, seventeen seats were won by other parties or individuals, mostly the Greens and the Scottish Socialists. Levels of disproportionality are relatively high for PR systems, largely because the number of higher-tier seats and the district magnitudes in the regional list elections are too low to compensate for the large seat bonuses achieved by Labour in the SMP tier. Disproportionality has averaged 7.4 in Scotland (Gallagher index). The problem is more acute in Wales, where the two factors just mentioned, combined with the much smaller assembly size, leads to quite pronounced disproportionality, which in 2003 reached 10.4 (this compares quite unfavourably to about 3.4 in Northern Ireland's Assembly elections using STV). Dunleavy and Margetts (2004) in reviewing this problem have suggested increasing the size of the Welsh Assembly by ten seats, and increasing the proportion of list members.³⁰

Important as these developments undoubtedly are, the biggest question of all remained possible reform of the electoral system for the House of Commons. The joint statement agreed upon by Labour and the Liberal Democrats prior to the 1997 election committed the incoming government to hold a referendum on electoral reform within the first term of the new parliament. The referendum would be a straight choice between the current SMP system and one alternative electoral system, as yet to be chosen. The plan was that the government would set up an independent commission to advise on which system would go head-to-head with SMP in the referendum. The Labour government quickly fulfilled the first part of this commitment by setting up a five-person Independent Commission on the Voting System (ICVS: 'the Jenkins Commission') in December 1997, which was chaired by a prominent Liberal Democrat, (Lord) Roy Jenkins. The Commission was given a difficult brief in that its four terms of reference were partially contradictory, and signalled different partisan preferences. They were instructed to find a system that maintained a 'link between MPs and geographical constituencies' and reflected 'the need for stable government' (both widely interpreted as Labour concerns), while at the same time extending 'voter choice' and ensuring 'broad proportionality' (closer to the concerns of the Liberal Democrats). Given this twin requirement of retaining constituency links whilst ensuring a greater measure of proportionality (and especially in the context of the systems proposed for Scotland and Wales), it is hardly surprising that the Jenkins Commission settled on a mixed-member proposal for Westminster.

While the commission was 'independent', its members wanted to try to anticipate what the prime minister and cabinet would accept, since otherwise the recommendations would join the historic list of reports on electoral reform that simply gathered dust. It has been reported that Jenkins met Blair in the spring of

³⁰ Much more radically, an independent cross-party commission in Wales (chaired by Lord Richards) reported in April 2004 and recommended increasing the size of the Assembly from sixty to eighty members, and electing them by PR-STV (see *Guardian*, 1 April 2004, p. 11).

1998 and recommended a mixed-member system with a 67:33 balance of local to list seats. Apparently this proposal was vetoed and the Commission was encouraged to work on a mixed system with a much higher proportion of single-member seats (Dunleavy and Margetts 2001: 17). The Commission also felt the need to avoid recommending an electoral system that would almost automatically guarantee that the Liberal Democrats would become a 'pivot' party. The trick as the Commission saw it was to recommend enough list members to ensure 'broad proportionality' 'without imposing a coalition habit on the country' (ICVS 1998: 51). Thus, the proposed system attempted to make it possible for a party to win an election and form a single-party government, but without the extreme seat bonuses that can accrue under SMP, which simultaneously contribute to 'overkill victories' for the winner, and may lead to the creation of geographical 'electoral deserts' for other parties, as indeed happened in 1997 to the Conservatives.

The Jenkins proposals, which became known as 'AV+',³¹ attempted to achieve this feat by restricting the proportion of list seats to somewhere between only 15 and 20 per cent, as well as by the decision to allocate these list seats, not in large multimember constituencies, but rather in eighty small constituencies that would each have only one or two top-up MPs to allocate. Simulations (using the 1997 election and survey results), suggest that the Jenkins electoral system would have had a disproportionality score (Loosemore–Hanby index) of 12.9, certainly better than the 21 of the actual 1997 election, but much worse than, for example, a mixed system with a 67:33 mix, which had a projected DV score of 5.6 (Dunleavy and Margetts 2001: 29).³²

However, it quickly became clear that there was strong opposition to the Jenkins proposals within the Labour Party, and within the cabinet. The commitment to hold a referendum on an alternative electoral system during Labour's first term was not honoured, and it was not repeated in the party's manifesto for the 2001 election. The Labour government has clearly been dampening down any expectations of electoral reform for the House of Commons, so that the 2001 manifesto merely offered to 'review the experience of the new systems [Scotland, Wales, London, EP] to assess whether changes might be made to the electoral system of the House of Commons'. A report by an academic commission designed to inform the government's review was published in 2004 (see footnote 29), but so far there has been no movement from the government.³³

³¹ 'AV+' because Jenkins proposed that the SMD seats should be elected using AV, rather than the SMP system that is more typical in mixed-member designs. Most of the commissioners felt that AV would result in fewer wasted votes than SMP and would help extend voter choice. One member of the commission dissented. The '+' in 'AV+' refers to the 'top-up' (compensatory) list seats.

³² The Jenkins scheme had other flaws. It was quickly recognized that it was very vulnerable to manipulation and would encourage split-voting. There would be little point in voters of the strongest local party giving their list vote to their party because it would have made a clean sweep of the single-member districts and thus would not qualify for any list seats no matter how many list votes it won.

³³ The Labour Party manifesto for the 2005 general election made no commitment whatsoever to reform of the Westminster electoral system. The only sentence that referred to it read: 'A referendum remains the right way to agree any change for Westminster'. *Britain Forward, Not Back: The Labour Party Manifesto 2005*, p. 110.

Nevertheless, the short-run prospects for an electoral system reform of the House of Commons appear to have receded. If the Blair government ever had the appetite for such a reform—which it probably did not—it would surely have held a referendum earlier during either its first or second term. It appears that UK voters are in for a lengthy period of coexistence between plurality and PR systems.³⁴ However, while PR for the Commons seems unlikely in the near future, a return to the *status quo ante* of plurality-rule-all-round is even less likely. Whether they really want to or not, UK voters are learning about a wide range of electoral systems.

CONCLUSION

It is well known that plurality rule works best in countries that have two-party systems in voting terms, and in turn that SMP helps to prevent those party systems from expanding. It is clear that since the British electoral-level party system dramatically expanded in 1974, the performance of the SMP system across a wide range of criteria (proportionality, under-representation of medium-sized parties, governments with smaller electoral mandates, the creation of disaggregative ‘electoral deserts’ for particular parties in specific regions, etc.) has been increasingly poor. The principal positive feature has been the creation of mostly stable governments, though even here critics would say that single-party governments with no more than 44 per cent of the vote did not have popular mandates for some of the radical policy changes implemented by the Thatcher and Blair governments, protected as they were by the artificially created and virtually impregnable majorities in the House of Commons.

Undoubtedly, plurality rule has been under siege in recent years and contemporary Britain has a parliamentary party system that is an increasingly poor reflection of the electoral party system and thus opinion in the country. Electoral reformers in the UK continue to hope for a fairer electoral system, as they have done for over 150 years. Certainly some of the key arguments against PR (like the old chestnut ‘PR leads to weak and unstable coalitions’) appear less credible than ever before. Now, it is hard to deny that not only can the Germans and the Irish make coalitions work, but so too can the Scots and the Welsh. Thus the concrete demonstration effects of the various PR systems working without major problems in Britain (rather than just in the ‘exceptional’ and thus too easily dismissed context of Northern Ireland), suggest that eventually the House of Commons will move to a form of PR.

But not all citadels are sacked, even by a lengthy siege. Short of massive popular pressure for electoral reform (which does not seem to exist),³⁵ the Labour and Conservative parties may quite rationally continue to calculate that their individual

³⁴ Indeed there are some concerns (and a review in Scotland) about whether voters may become confused by so many simultaneous electoral systems. For an account of what UK voters know and don’t know about electoral systems, see Farrell and Gallagher’s (1999) focus group research.

³⁵ Numerous surveys have shown that electoral reform is not a high priority issue for most UK voters. And when pushed to choose between plurality and PR systems, the results appear to be mostly an artefact of how the question is asked.

and joint fortunes are better served by retaining SMP than by any ‘fairer’ proportional electoral system, whose direct effect would be to give many more seats to the third and smaller parties. In purely partisan terms, what’s the point of electoral reform for the ‘big two’? The principal advantage would be that one of them would not be sequentially excluded from power for such long periods of time. But of course they currently get all the power when in government.³⁶ So it essentially comes down to a trade-off between whether one ‘takes turns’ to have ‘all or nothing’, or alternatively introduce PR, and claim a share of executive power for longer periods.

EPILOGUE

In 2005 the electoral system repeated the patterns of recent UK elections but did so in more extreme and hence more visible fashions. Many things remained, more or less, the same. The SMP system again manufactured an overall majority of seats for the plurality vote winner. Although its majority was greatly reduced, Labour still won 55 per cent of the seats, thanks to a 20 per cent ‘seat bonus’ (similar but slightly down on the seat bonuses of 2001 and 1997). The Conservatives gained 32 seats but were still 158 behind Labour despite only trailing by three percentage points in the popular vote (see Table 8.3). The Liberal Democrats won 62 seats (the highest number for a unified Liberal party since 1923), but this remained a meagre return on their 22 per cent of the votes. In summary Labour received another 20 per cent bonus from the electoral system, the Conservatives a modest deficit (‘negative bonus’), and the Liberal Democrats another large deficit.

The headline news was that this overall majority (of 66 seats) for Labour was achieved on the basis of only 35 per cent of the votes – the lowest percentage that has ever produced a parliamentary majority for any party in the UK. Indeed Britain’s majority government in 2005 was elected on a lower share of the vote than most of Europe’s minority governments. Given that turnout was again quite low at 61 per cent (up only two points despite a more competitive contest than had been the case in 2001) much was made of the observation that only 22 per cent of the electorate actually voted for the third consecutive Labour ‘majority’ government. Some comment also focused on the realization that the Conservatives (narrowly) secured more votes in England than Labour (35.7 per cent to 35.4 per cent respectively, but yet won 93 fewer seats than Labour in England), though this was something of a symbolic debating point, and not of any crucial significance under the SMP electoral system. The combined vote of the two leading parties at only 67.5 per cent was another historic low point. The only somewhat comparable post-1945 result was in February 1974 in the sense that Labour and the Conservatives *both* polled under 40 per cent of the votes, with the crucial difference that the electoral system did not then deliver a majority for either party. Overall disproportionality remained high at 16.8 on the Gallagher index, but the somewhat more even distribution of votes between the three main parties in 2005, compared to 2001, resulted in increased party fragmentation (see the indices in Table 8.3) with the effective number of legislative parties rising to almost two and a half, easily the highest in the post-1945 period.

Partisan electoral bias clearly continues to be a major factor in creating very uneven prospects for Britain’s main parties. While we do not have space to examine this in detail

³⁶ Some argue that at least with respect to the two largest parties there is a kind of rough justice over the longer term. For example, between 1945 and 2004 the Conservatives were in office 57 per cent of the time and Labour 43 per cent—not all that far from their shares of the two-party vote, which gives the Conservatives 51 per cent and Labour 49 per cent (*Changed Voting Changed Politics: Final Report of the Independent Commission to review Britain’s Experience of PR Voting Systems*, p. 20). However, comparative data do not support the proposition that SMP is more likely than PR to lead to proportional tenure of government (Vowles 2004).

Table 8.3 UK Westminster Election, 5 May 2005

Party	Votes	Vote %	Seats	Seats %	Seat bonus %
Labour	9,556,183	35.2	356	55.1	19.9
Conservative	8,772,598	32.3	198*	30.6	-1.7
Liberal Democrat	5,982,045	22.0	62	9.6	-12.4
UK Independence Party	618,898	2.3	0	-	-2.3
Scottish National Party	412,267	1.5	6	0.9	-0.6
Green Party	257,758	1.0	0	-	-1.0
Democratic Unionist Party	241,856	0.9	9	1.4	0.5
British National Party	192,850	0.7	0	-	-0.7
Plaid Cymru	174,838	0.6	3	0.5	-0.1
Sinn Fein	174,530	0.6	5	0.8	0.3
Ulster Unionist Party	127,314	0.5	1	0.2	-0.3
Social Democratic and Labour Party	125,626	0.5	3	0.5	0
Respect	68,065	0.3	1	0.2	-0.1
Scottish Socialist Party	43,514	0.2	0	-	-0.2
Veritas	40,481	0.1	0	-	-0.1
Alliance Party of Northern Ireland	28,291	0.1	0	-	-0.1
Scottish Green Party	25,760	0.1	0	-	-0.1
Liberal	19,068	0.1	0	-	-0.1
Others	270,646	1.0	2	0.3	-
Total	27,132,327		646		
Turnout (%)	61.3				
Disproportionality (GI)	16.8				
Effective number of elective parties	3.59				
Effective number of legislative parties	2.46				

Source: calculated from <http://news.bbc.co.uk/1/shared/vote2005/html/scoreboard.stm>

Given that the 'others' accounted for less than 2% of the vote total, they are excluded from the calculations of the effective number of parties and disproportionality.

*The Conservative total of 198 seats assumes that it wins the one remaining seat of Staffordshire South. The election for this seat was postponed due to the death of the Liberal Democrat candidate during the campaign.

here, a simple calculation of the average number of votes per seat won by each party demonstrates that the parties continue to face electoral tasks of very different levels of difficulty. The average Labour seat 'cost' 26,834 votes in 2005, while the Conservatives averaged 44,531 votes per seat (66 per cent more than Labour), and the Liberal Democrats averaged 96,485 votes per seat (364 per cent more than Labour!). But while the exact figures vary, these ratios are a continuation of recent trends rather than something startlingly new in 2005. The Electoral Reform Society, not known for sitting on the fence, titled its report on the election, the *Worst Election Ever*,¹ and calculated that if Labour and the Conservatives had achieved an equal share of the national vote, partisan bias would have resulted in Labour still winning 116 more seats than the Conservatives.

Thus the novel feature in 2005 was really the creation of a fairly comfortable majority for one party (how comfortable in practice depends largely on internal discipline within the Labour party) based on such a low percentage of the vote, just over one-third of those who voted. With the siege of plurality-rule laid by all the other conversions to PR for substate, European and local government elections, the question remains: are the 2005 Westminster results, and the reactions to them, strong enough to shake the foundations of SMP to such an

¹ <http://www.electoral-reform.org.uk/publications/briefings/election2005.pdf>

extent that it finally crumbles? Probably not, though of course it is too early to say. Certainly, there has been some immediate renewed interest in the deficiencies of the system and possible alternatives to it. One national newspaper, *The Independent*, launched a vigorous ‘Campaign for Democracy’ immediately after the election, with articles calling for PR, and it organised a petition to ‘Mr Blair’ calling for a fair electoral system. The same newspaper also commissioned a post-election opinion poll on the electoral system and its leading articles highlighted the finding (of the NOP poll) that apparently 62 per cent now favoured the introduction of PR as a ‘fairer’ system. The question asked, however, was very much a leading question, and was contradicted by another leading question which asked ‘whether it was right that a party that won the most votes should get an overall majority’ – 57 per cent said ‘yes’. Again the results are mostly artefacts of leading questions.

Why don’t the Conservatives support electoral reform given the continuing levels of partisan bias against them? Many believe that they need a single-party majority to implement their programme, and fear that with a PR system they would be confronted with a self-styled ‘progressive alliance’ of Labour and the Liberal Democrats that has had a combined electoral strength of around 60 per cent at recent elections. Labour also likes governing alone, does not want to give ‘the balance of power’ to the Liberal Democrats, and may calculate that with a new leader at the next election it will increase its vote and continue to benefit from partisan bias (despite boundary revisions). To end with a speculation: what could lead to PR? First, a Labour calculation that a coalition with the Liberal Democrats is the *only* way to keep governing. Second, a much greater reaction of public opinion against the electoral system than occurred in 2005. The catalyst for change to PR in New Zealand (see Chapter 14) was not just that the prior SMP system was ‘unfair’ but that it was producing ‘perverse’ results: at consecutive elections (1978 and 1981) the New Zealand Labour Party won more votes, but ‘lost’ both elections in that it was awarded fewer seats. Imagine if Tony Blair had been returned to power in 2005 with fewer votes *across the entire UK* than the Conservatives. It may take such a ‘perverse’ outcome to finally bring the edifice of SMP tumbling down.

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The United States of America: Perpetual Campaigning in the Absence of Competition

Shaun Bowler, Todd Donovan, and Jennifer van Heerde

The USA is a federal system, having governing power centred in Washington, DC yet shared in many policy areas with fifty state governments. Legislatures and executives in the federal and state governments are elected separately. The US Congress and all but one state legislative chamber are bicameral, with all lower houses elected in a single election (every even-numbered year), and one-third of most upper houses elected in alternating two-year cycles. Elections, then, are quite frequent. General elections and candidate selection (party primary) elections present voters with lengthy ballots listing candidates by the office they seek, with multiple state and national offices appearing on ballots simultaneously.

The structure of ballots for all elections are regulated by thousands of local governments, and thus vary substantially (Niemi and Herrnson 2003). Since 1888 all states have required government-printed ‘secret’ or ‘Australian’ ballots (Evans 1917), with most allowing straight-party voting options until 1956 (Kimball and Owens 2000). By 2002, only fifteen states allowed counties to print ballots with a party-list (or lever) option for all offices. There is one nearly uniform feature of American elections: voters cast a single vote for each office. Voting by office, combined with separation of powers, sets the stage for frequent ‘split-ticket’ voting that produces partisan division in control of legislative and executive branches, as well as divided party control of the legislature (Fiorina 2003; Rusk 1970).

ORIGINS OF THE ELECTORAL SYSTEM

The US Constitution does not articulate major rules governing US House elections other than their timing (Flores 1999). Congress and state legislatures determine specific criteria for the number of districts, district magnitude, and voting systems. Variety, rather than uniformity, characterized the earliest US House elections as states adopted single-member and multimember districts and statewide methods of election. The first congressional elections were conducted with multimember

districts in most states (at-large), with seats allocated to plurality winners (Zagarri 1987). By 1840, only six of thirty-eight states retained multimember districts (MMDs) at-large, with most adopting single-member districts (SMDs).

This rapid shift to plurality voting in SMDs emerged in response to seats–votes discrepancies created when MMD legislative seats were awarded by simple plurality (Zagarri 1987: 126). This often resulted in a state’s entire US House delegation being swept by one party. As a two-party system developed during the first several Congresses (Aldrich 1995), the major parties sought to secure advantages and increase proportionality of outcomes by means of SMDs (Rusk 2001).¹ The few remaining multimember US House districts were constrained by a federal statute passed in 1842 (Peters 1856), and then banned by a statute passed in 1967. States continue to regulate whether their US House members are elected by simple plurality (as nearly all are) or majority run-off (as in Louisiana).

The eventual dominance of single-member plurality (SMP) rules was also aided by the method used to elect presidents and US senators. States changed from appointing their presidential electors to electing them by popular vote after 1830. This was also accompanied by ‘winner-take-all’ allocation rules in nearly every state (Kimberling 2003). Populist and Progressive reformers also succeeded in amending the Constitution in 1913 to have US senators elected directly—creating a de facto constitutional requirement for individual senators to be elected statewide in separate contests.

HOW THE ELECTORAL SYSTEM WORKS

Congress

On the face of it the USA has the simplest possible electoral system for its national legislature: 435 SMDs with a simple plurality required to win. Elections for the US House of Representatives are held in November on a fixed two-year cycle.² Voters choose named candidates and not political parties, although party labels do appear on the ballot (see the example shown in Figure 9.1). For Senate elections, each state has two senators who face election every six years in November: elections are staggered so that one-third of the seats in the Senate are filled every two years and voters in a state are usually choosing just one senator. The whole state thus becomes a single district—the winner chosen by plurality.

Not surprisingly, many of the usual features associated with SMP hold with congressional elections: the two major parties control the vast majority of electoral power and minor party candidates are rarely successful in gaining seats.

¹ In a comparative context, of course, it is ironic that advocates of greater proportionality favoured the adoption of SMDs, since generally these are seen as a source of high disproportionality. But under a non-PR (non-proportional representation) seat allocation method such as that used in the USA, SMDs do indeed create less disproportionality than MMDs (see Appendices A and C).

² The US Congress consists of two houses—the House of Representatives whose members are elected on the basis of a popular vote and the upper house, the Senate, where two senators come from each state. In common use, however, ‘Congress’ or ‘the House’ typically refers to elections to the lower house.



No. 3766

VOTER: Remove and discard this stub before returning your ballot.

BT: 85 OFFICIAL BALLOT / BALOTA OFICIAL
PRESIDENTIAL GENERAL ELECTION / ELECCIÓN GENERAL PRESIDENCIAL
COUNTY OF SAN BERNARDINO / CONDADO DE SAN BERNARDINO
NOVEMBER 2, 2004 / 2 DE NOVIEMBRE DE 2004

INSTRUCTIONS TO VOTERS: To VOTE, connect the arrow pointing to your choice, like this:
 To vote for a qualified write-in candidate, write the person's name on the blank line provided and CONNECT THE ARROW:
IMPORTANT: Use a #2 pencil or black pen. DO NOT USE RED INK

INSTRUCCIONES A LOS VOTANTES: Para VOTAR, complete la flecha a su derecha de su deseo, como ésta:
 Para votar por un candidato calificado por escrito, escriba el nombre de la persona en el espacio blanco provisto y CONECTE LA FLECHA.
¡IMPORTANTE: Use solo lápiz #2. O pluma negra. NO USE TINTA ROJA

<p>PARTISAN OFFICES CARGOS PARTIDARIOS</p> <p>PRESIDENT AND VICE PRESIDENT PRESIDENTE Y VICE PRESIDENTE</p> <p>Vote for 1 Votar por 1</p> <p>LEONARD PELTIER for President por Presidente Peace and Freedom Party / Libertad y Justicia</p> <p>JANICE JORDAN for Vice President por Vice Presidente Democrat / Demócrata</p> <p>JOHN F. KERRY for President por Presidente Democrat / Demócrata</p> <p>JOHN EDWARDS for Vice President por Vice Presidente Democrat / Demócrata</p> <p>DAVID COBB for President por Presidente Green / Verde</p> <p>PAT LA MARCHE for Vice President por Vice Presidente Republican / Republicano</p> <p>GEORGE W. BUSH for President por Presidente Republican / Republicano</p> <p>RICHARD CHENEY for Vice President por Vice Presidente Republican / Republicano</p> <p>MICHAEL BADNARIK for President por Presidente Libertarian / Libertario</p> <p>RICHARD CAMPAGNA for Vice President por Vice Presidente Libertarian / Libertario</p> <p>MICHAEL ANTHONY PEROUTKA for President por Presidente American Independent / Independiente Americano</p> <p>CHUCK BALDWIN for Vice President por Vice Presidente Independent / Independiente</p> <p>Write In/Escriba</p>	<p>MEMBER OF THE STATE ASSEMBLY MIEMBRO DE LA ASAMBLEA ESTATAL</p> <p>62nd District 62º Distrito</p> <p>Vote for 1 Votar por 1</p> <p>MARGE MENDOZA-WARE Quiero No Dwell Member / Quiere No Dwell Miembro Margarita Mendosa-Ware / Margarita Mendosa-Ware Member of Army of God / Miembro del Ejército de Dios Republican / Republicano</p> <p>JOE BACA, JR. High School Teacher / Maestro de escuela secundaria Democrat / Demócrata</p> <p>Write In/Escriba</p> <p>NONPARTISAN OFFICES CARGOS NO PARTIDARIOS</p> <p>COUNTY CONDADO</p> <p>MEMBER, BOARD OF SUPERVISORS MIEMBRO, JUNTA DE SUPERVISORES</p> <p>5th District 5º Distrito</p> <p>Vote for 1 Votar por 1</p> <p>JOHN LONGVILLE Legislator / Legislador</p> <p>JOSIE GONZALES City of Fontana Councilmember / Miembro del Consejo Municipal de Fontana</p> <p>Write In/Escriba</p>	<p>City Clerk Secretario Municipal</p> <p>BARBARA A. MC GEE City Clerk / Secretario Municipal</p> <p>Vote for 1 Votar por 1</p> <p>Write In/Escriba</p> <p>City Treasurer Tesorero Municipal</p> <p>EDWARD J. CARRILLO Treasurer / Tesorero Municipal</p> <p>Vote for 1 Votar por 1</p> <p>Write In/Escriba</p>
<p>UNITED STATES SENATOR SENADOR DE LOS ESTADOS UNIDOS</p> <p>Vote for 1 Votar por 1</p> <p>DON J. GRUNDMANN Doctor in Charge / Doctor en jefe Democrat / Demócrata</p> <p>JAMES P. "JIM" GRAY Libertarian / Libertario</p> <p>MARSHA FEINLAND Peace and Freedom Party / Libertad y Justicia</p> <p>BARBARA BOXER U.S. Senator / Senadora de los Estados Unidos Democrat / Demócrata</p> <p>BILL JONES Former Congressman / Excongresista Americano Republican / Republicano</p> <p>Write In/Escriba</p>	<p>CITY OF RIALTO CIUDAD DE RIALTO</p> <p>Mayor / Alcalde</p> <p>Vote for 1 Votar por 1</p> <p>JOSEPH H. "JOE" SAMPSON City Council Member / Miembro del Consejo Municipal</p> <p>KURT O. WILSON Councilmember / Miembro del Consejo Municipal</p> <p>GRACE VARGAS President / Presidente</p> <p>Write In/Escriba</p>	<p>Member of the City Council Miembro del Consejo Municipal</p> <p>Vote for no more than 2 Votar por no más de 2</p> <p>WINIFRED LEE HANSON City Council Member / Miembro del Consejo Municipal</p> <p>DALE Z. ESTVANDER Public City Commissioner / Comisionado de la Ciudad de Rialto</p> <p>ED SCOTT President / Presidente</p> <p>PAMELA JONES WHYTE City and Representative / Ciudad y Representante</p> <p>Write In/Escriba</p>
<p>UNITED STATES REPRESENTATIVE REPRESENTANTE DE LOS ESTADOS UNIDOS</p> <p>43rd District 43º Distrito</p> <p>Vote for 1 Votar por 1</p> <p>ED LANING Businessman / Empresario Republican / Republicano</p> <p>JOE BACA Member of Congress / Miembro del Congreso Democrat / Demócrata</p> <p>Write In/Escriba</p>	<p>Member of the City Council Miembro del Consejo Municipal</p> <p>Vote for no more than 2 Votar por no más de 2</p> <p>WINIFRED LEE HANSON City Council Member / Miembro del Consejo Municipal</p> <p>DALE Z. ESTVANDER Public City Commissioner / Comisionado de la Ciudad de Rialto</p> <p>ED SCOTT President / Presidente</p> <p>PAMELA JONES WHYTE City and Representative / Ciudad y Representante</p> <p>Write In/Escriba</p>	<p>Member of the City Council Miembro del Consejo Municipal</p> <p>Vote for no more than 2 Votar por no más de 2</p> <p>WINIFRED LEE HANSON City Council Member / Miembro del Consejo Municipal</p> <p>DALE Z. ESTVANDER Public City Commissioner / Comisionado de la Ciudad de Rialto</p> <p>ED SCOTT President / Presidente</p> <p>PAMELA JONES WHYTE City and Representative / Ciudad y Representante</p> <p>Write In/Escriba</p>



CONTINUE VOTING ON REVERSE
SIGA VOTANDO AL REVERSO

(2A) Card B (13)

Figure 9.1 Ballot paper from San Bernardino, USA, 2004.

In the case of the USA the electoral system has two features that complicate the apparent simplicity of this. First, congressional elections remain decisively federal. Rules on candidate nomination processes (primaries), ballot access, districting practices, regulations on which voters may participate in primary and general elections, campaign finance rules, and ballot structure all vary substantially across the fifty states. The US Constitution, federal statutes, and federal courts provide some general parameters that states must follow (such as the date of the general election) but rules and regulations affecting the conduct of elections are largely left to the states. Unlike other countries the USA has no national-level agency dedicated to conducting elections or counting votes.³

Second, the US system imposes a sequence that helps structure the politics of American elections (see Figure 9.2). The sequence unfolds in the same order in every state, but the rules structuring each stage of the sequence vary across the states. The November general election is simply the end-point of a lengthy electoral process. Before election there are three hurdles candidates have to overcome, over and above the usual hurdle of needing to raise money: ballot access, the primary election, and redistricting.

Unlike other established democracies, the USA permits one set of standards of ballot access for established ‘major’ parties and a different set for all other parties. States have unfettered control over which parties are granted ‘major party’ status. This legal category was once uniformly reserved for Democrats and Republicans, but other parties are slowly gaining ballot access. This allows the party’s nominees a guaranteed spot on the general election ballot. The Supreme Court recognizes that states have an interest in regulating the ballot in order to preserve a two-party system, but it has also struck down some of the barriers placed on ‘minor’ parties (Lowenstein and Hasen 2001). Democrats and Republicans have ballot access in every state, and many states now have at least one ‘minor party’ with access.

In contrast to most other established democracies, candidate selection is not in the hands of party organizations. Primary elections to select party candidates for congressional races are typically held around the middle of an election year, in conjunction with a state’s primaries for state and local offices. A single primary election ballot may include races to select party nominees for state and local offices, the US House of Representatives, and the US Senate. Non-presidential primary elections are, like nearly all general elections in the USA, winner-take-all. Presidential

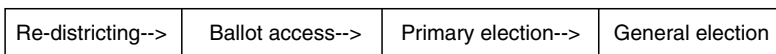


Figure 9.2 Sequence of US elections

³ The Federal Elections Commission (FEC) (<http://www.fec.gov>) is concerned only with financing of state elections. Enforcement of other election laws is often the province of the Department of Justice, typically relating to civil rights violations (<http://www.usdoj.gov/crt/voting/misc/faq.htm>).

primaries operate quite differently, and have a separate schedule that stretches from January through June.

Congressional primaries are particularly important for two reasons. First, victory in a primary guarantees access to the general election ballot. Second, since most congressional (and state legislative) districts are not competitive (Donovan and Bowler 2003), the nominee of the district's dominant party is almost guaranteed victory in the general election.

Before the twentieth century, party organizations controlled recruitment and nomination of their candidates. At the time when the move to direct primaries took place, party machines were seen as intentionally nominating candidates who were easily manipulated and corrupt (Hofstadter 1956). The deliberate intent of the reform was to take control of nominations out of the hands of party machines and give it to voters. Reforms instituted early in the twentieth century established direct primary elections for state and congressional races, where rank-and-file voters rather than dues-paying party members or organizations choose party nominees (Burnham 1970). By the middle of the twentieth century, prospective congressional candidates could seek the nomination of any given party. Primaries began dominating the selection of major party presidential nominees after 1968 (Polsby 1983). Party membership is thus not a prerequisite for nomination in the US, and contemporary party organizations are not in a position to veto candidates seeking their party's nomination. Party organizations continue to make significant efforts to recruit candidates and play a major role funding their general election campaigns (Magleby 2003). Rank-and-file voters, however, ultimately select a party's candidate for Congress and other offices.

The franchise for primaries varies by state. As of 2003, most states fell into one of four varieties of primary rules that regulated who could vote in a party's primary (Cain and Mullin 2002). Table 9.1 illustrates the variety of participation rules in each state's primaries. Fifteen states used 'closed' primaries—where only those voters publicly registered as affiliated with the party can participate. Party registration amounts to something more than being a regular voter for that party, but it is much less than being a party member in a European sense of the term. There are no dues or meetings associated with registering with a party. In closed primary states, independents and rival partisans are excluded from a party's primary. Registered Democrats receive a ballot with candidates aspiring to Democratic Party nominations, and Republicans receive their party's unique ballot. Another thirteen states have closed primaries that also allow unaffiliated voters (independents) to participate in at least one party's primary. In all closed primary states, Democrats are excluded from voting in Republican primaries, and vice versa.

The remaining twenty-two states have much more fluid rules about primary participation. In twenty of these 'open' primary states, any voter arriving at the polls can select either party's primary ballot. In two states, there is a single 'blanket' primary ballot listing all offices with candidates from *all* parties. All voters, regardless of party affiliation, receive the same ballot, and they may pick and choose candidates of different parties across different offices listed on the ballot.

Table 9.1 Primary electorates, by state

Closed Primary—registered partisans only, no independents (fifteen states)

Alaska, California, Connecticut, Delaware, Kentucky, Maine, Nebraska, Nevada, New Jersey, New Mexico, New York, Oklahoma, Pennsylvania, South Dakota, and Wyoming

Closed Primary—registered partisans and independents (thirteen States)

Arizona, Colorado, Florida, Iowa, Kansas, Maryland, Massachusetts, New Hampshire, North Carolina, Oregon, Rhode Island, Utah, and West Virginia

Open Primary—public declaration of ballot selected (eleven states)

Alabama, Arkansas, Georgia, Illinois, Indiana, Mississippi, Ohio, South Carolina, Tennessee, Texas, and Virginia

Open Primary—no public declaration (nine states)

Hawaii, Idaho, Michigan, Minnesota, Missouri, Montana, North Dakota, Vermont, and Wisconsin

Blanket primary (two states)

Louisiana (top-two candidates run-off); Washington (top candidate of each party nominated)

Turnout in primaries is uniformly lower than general elections (Federal Election Commission 2004), with weak partisans and independents having less opportunity and less interest in participating (Abramson et al. 1998). Many suggest that electorates for US primary elections are thus inevitably skewed towards the more ideologically radical or extreme sections of the voting population (Broder 1972; Ceaser 1979; Polsby 1983). One theory proposes that when primary candidates of the same party compete against each other, they emphasize intraparty policy differences and disagreements over personality (Hacker 1965).

Presidential primary elections

Presidential elections may also be characterized as a decentralized sequential process. Presidential candidate selection primaries and caucuses are conducted by states for the two major political parties every four years. By contrast with other primaries, presidential primaries are contests to select delegates to national party nominating conventions (conferences). Parties allocate a certain number of delegates to each state, based on population. Voters go to polling places or neighbourhood meetings (caucuses) to vote for their preferred candidate. Candidates are awarded delegates based on their support in the state, with delegates pledged to support the candidate on the first ballot at the convention.

Primary elections are not held across the US on one fixed date. Rather, different states hold their caucuses and primaries on different dates from late January into spring of a presidential election year. In 2004 this started with the Iowa caucuses in mid-January and the New Hampshire primary eight days later. Each candidate seeking a party's nomination spends months contesting state after state. The final

primaries are held in early June and the party conventions follow in the summer. The summer conventions act as a campaign launch in which the nominees are televised in conference halls packed with party loyalists.

The widespread use of caucus and primary elections across all states has occurred only over the past thirty years or so. Before that the conventions of party-elite selected delegations played a much bigger role in selecting the candidate (Polsby 1983). In some states, parties award all the state's delegates to the first-placed candidate in the primary—regardless of how crowded the field is or how small the winner's plurality might be. Some states' Democratic Party contests use proportional allocation of delegates, usually with some minimum threshold required. Since 1972 conventions have played no role in deciding the nominees, as a candidate for each party has always emerged from the primaries and caucuses with a majority of delegates.

Since early successes are vital to the eventual winner (Bartels 1988) voters from states where primaries are held early can be more influential in the process. The development of 'Super Tuesday' in 1988—primaries across fifteen southern states on a single day shortly after New Hampshire—was expressly intended to give moderate Democrats a greater role in the nomination process (Hadley and Stanley 1996). Other states responded by 'front-loading'—scheduling their contests in the first few weeks (Busch 2000), which eliminated the influence of the single-day southern primary.

By 2000, then (and also in 2004), most delegates for each party were allocated just after the fourth week. In contrast, when Jimmy Carter was nominated in 1976, less than half of the Democrat delegates were awarded until after the eleventh week of the primary season. Less-known and poorly funded candidates are now left little time to raise the money they need to capitalize on any momentum they may generate by exceeding expectations in an early contest.

Presidential general elections: the electoral college

The US president is elected indirectly via an Electoral College consisting of state delegates. A state's share of electoral votes is roughly proportional to its population—but smaller states are over-represented in the process. Each state receives a number of electors equal to its number of US House seats, plus the number of senators. The Electoral College is a creature of federalism, and ensures that the president is elected by the states, rather than by a direct national vote. Originally, these electors were appointed by each state's legislature. Since the mid-nineteenth century, however, a state's electors have been awarded based on popular votes cast for presidential candidates within the state (Longley and Pierce 1999).

On election day voters choose amongst presidential candidates who have qualified to be listed on their state's ballot. Before the election, lists of loyalists who might serve as a state's electors are filed for each qualified candidate. State party organizations typically control placement of names on their candidate's list of electors. In all but two small states, *all* of the state's Electoral College votes are awarded to the

candidate who wins a plurality of the state's popular vote.⁴ Thus, if a Democratic candidate receives a popular vote majority in a state, people on the Democratic elector list become that state's voters in the Electoral College. The electors send their votes to Washington, DC from their respective state capitols on the third Monday in December following the presidential election. If one candidate receives a majority of electoral votes, that candidate is elected. If no one receives a majority of electoral votes, then the Constitution requires that the Congress elect the president from the top three candidates, with each state's Congressional delegation having a single vote.

One perennial worry has been whether or not electors are bound to follow the wishes of voters in their state. Although it is hard to legally bind electors to their candidate, 'faithless' electors have not been problematic. A few have switched sides when casting their Electoral College vote, but never when they were in a position to affect the election outcome.

POLITICAL CONSEQUENCES OF THE CONGRESSIONAL ELECTORAL SYSTEM

The main consequence of the sequential nature of US elections is to reinforce the well-known pressures of SMP towards two major parties. American elections become a two-round run-off system with a delay of several months between the rounds. Despite the seeming permeability of a system noted for weak party organizations and weak party discipline (Ware 1996), outsider (minor) candidates stand very little chance of winning in the US system. This is illustrated in Table 9.2 by results from 1998 to 2004 for US House, US Senate, and state gubernatorial elections. Apart from minor party and independent candidates winning two state governorships, Democrats and Republicans won elections to every Senate and all but one US House seat over this period.

Impact on the party system

Ballot access laws have obvious consequences for the party system. Democrats and Republicans remain the only parties guaranteed general election listings for all partisan contests in all states. Although the appearance of just two parties on the ballot is gradually crumbling, it can take new parties and movements considerable effort simply to get their names on the ballot. In some states laws allow minor parties to reach major party status and thus secure positions on the ballot for all partisan contests. In other states, such parties may qualify for ballot access in state elections, but separate qualification processes may be required for Congressional elections, and yet another for the presidential ones. In general the process requires that a party obtain a required number of signatures from registered voters. Some states allow minor

⁴ In Maine and Nebraska two electors are chosen by statewide popular vote and any remainder by the vote within each Congressional district, and so in principle the vote could be split.

Table 9.2 Votes and seats by party, recent elections in the USA, in percentages

<i>US House of Representatives</i> (national vote share—435 districts)								
	1998		2000		2002		2004	
	Votes	Seats	Votes	Seats	Votes	Seats	Votes	Seats
Republican	48.5	51.3	47.9	51.2	50.4	52.6	48.7	53.3
Democrat	47.8	48.5	47.9	48.5	45.7	47.1	49.0	46.4
Libertarian	1.4		1.8		1.6		0.9	
Reform	0.5		0.2		0.1		0.1	
Other minors	1.4		1.6		1.4		0.7	
Independents	0.4	0.2	0.7	0.2	0.6	0.2	0.6	0.2

Note: Two independent candidates were elected in 2000 and 2002. Largest other minor parties not listed include Natural Law (0.3 per cent in 1998 and 0.5 per cent in 2000) and Green (0.3 per cent in 2000 and 0.4 per cent in 2002).

<i>US Senate</i> (national vote share—thirty-four statewide seats)								
	1998		2000		2002		2004	
	Votes	Seats	Votes	Seats	Votes	Seats	Votes	Seats
Republican	49.8	52.9	47.7	44.1	50.2	67.6	46.3	55.9
Democrat	47.1	47.1	48.3	55.9	46.1	32.4	51.1	44.1
Libertarian	0.8		1.3		2.0		0.9	
Reform	0.6		0.3		0.4		0	
Other minors	1.7		0.9		0.3		1.5	
Independents	0		0.5		0.7		0.2	

Note: Each election year contains a different set of thirty-four six-year term seats.

<i>Gubernatorial Elections</i> (national vote share)				
	1998		2002	
	Votes	Seats	Votes	Seats
Republican	51.0	63.9	49.6	61.1
Democrat	43.6	30.6	44.6	38.9
Independence/Reform	2.8	5.6	1.6	
Taxpayers/Constitution	0.6			
Green/Progressive	0.4		1.3	
Libertarian	0.6		1.3	
Other	0.9		1.5	

Note: The same thirty-six states had elections in 1998 and 2002; a different set of eleven had elections in 2000.

Sources: Federal Election Commission records, various years; CNN Election Results, <http://www.cnn.com/ELECTION/2004/pages/results>

parties ballot access in future elections if one of their candidates receives a certain threshold of votes in a statewide contest (e.g. 5 per cent). Threshold numbers for the petition route, and the vote share route, vary by state and office. The main point here is that it is difficult for minor party candidates to appear on the ballot. The consequences of these standards mean that no ‘third’ party has listed candidates in a majority of US House races since 1920, and none has been elected to Congress in recent years.⁵

The sequential nature of American elections may also have consequences for the party system. Primary elections mean that successful candidates need to raise money for two elections—since few if any candidates can contest the general election with party funds alone. The importance of fundraising is reinforced by the two-year electoral cycle. Since incumbents, too, must run and win in primary elections, this gives US House incumbents a regular, and quite short, election cycle: a general election followed 18–20 months later by a primary election, followed 4–6 months later by another general election. Not surprisingly American incumbents constantly need to raise money, and spend a large proportion of their time fundraising (Herrnson and Faucheux 2000). Primary elections and the corresponding candidate-financed campaigns have been suggested as sources of America’s weak political parties (Broder 1972; Fiorina 1989; Wattenberg 1991).

Parties often hesitate to choose sides in contested primaries, out of fear of being on the losing side and alienating their eventual nominee. Party money typically flows to nominees in competitive districts, however, as soon as the nominee is apparent. Everything else being equal, candidates friendly with the national party organization are more likely to receive money. Of course, everything else is rarely equal: even ‘difficult’ or ‘awkward’ nominees may receive support if they stand a chance of winning the district.

The need for ever-greater sums of campaign money since the 1990s may have strengthened the role parties play in Congressional elections, and acted to nationalize election campaigns somewhat (Donovan and Bowler 2003). Political parties at the federal level, and in many states, have well-developed fundraising operations (Magleby and Smith 2003), and as of 2000, parties raised more money than their Congressional candidates. In the 2000 elections, candidates raised a combined \$1 billion, while parties raised \$1.23 billion for Congressional races. In 2002, national party organizations again raised more than their Congressional candidates (FEC 2003). The vast majority of this money is used to contest the general election. Much of the money is spent on TV ads produced by the parties, as federal law prevents the parties from directly appealing for votes for specific candidates (Magleby 2003).

Impact on the parties

Variation in state primary rules may affect how close representatives are to their party’s core supporters. In closed primary states, candidates for each party’s nom-

⁵ Measures of disproportionality understate the level of distortion in US elections since minor parties are often excluded from the ballot.

ination are more likely to embrace their party's faithful committed voters. Closed primaries mute the incentives that nominees have to reach out to the median voter in their district (or state). In open primary states, where the potential nominating electorate is wider, nominees are more likely to adopt policy positions closer to their district's median voter (Gerber and Morgan 1998).

SMD electoral laws, combined with a history of racially polarized voting in the USA (Reeves 1997), have clear effects on the representation of ethnic and racial minorities in the US Senate. Only fifteen racial/ethnic minority members have been elected to the Senate since 1789. In 2003, African-Americans and Latinos accounted for over 20 per cent of the voting age population—yet there was no state where Blacks or Latinos held majority or even plurality status. There were no Black or Latino members of the US Senate in 2003. Three minority senators did serve in 2003: Daniel K. Inouye (D–HI), Daniel K. Akaka (D–HI), and Ben Nighthorse Campbell (R–CO).

African-Americans are better represented in the US House, and Latinos gain some seats, due to the Voting Rights Act and aggressive use of 'majority–minority' districts (Davidson and Grofman 1994).⁶ By 2002 Blacks accounted for 12 per cent of the total voting age population, and 9 per cent of US House members. At the same time 12 per cent of the population was Latino, but just 4 per cent of seats were held by Latino representatives (US Census Bureau 2002). Democrats win a large proportion of majority–minority districts, but there is debate about whether use of such districts reduces the number of Democratic voters in neighbouring districts, thereby increasing the total number of House seats that Republicans have opportunities to win (Lublin 1997).

Current SMD electoral laws may also affect the proportionality of Congress and state legislatures in terms of the descriptive representation of women (Zimmerman and Rule 2000; Norris and Rule 1992). In 2000, women accounted for 51 per cent of the total US population, but were less than 14 per cent of elected officials in the House and Senate, and less than 23 per cent of all state legislators. Before the 1992 election, women never held more than 6 per cent of Congressional seats (CAWP 2003).

Impact on parliament

Reapportionment and redistricting are the start of the Congressional electoral sequence. Reapportionment is the change in distribution of seats between states (Cain 1984), while redistricting is the redrawing of district boundaries inside the states. While boundaries for US House districts are subject to change, reapportionment and redistricting have no impact on Senate elections, since Senate districts (states) are fixed.

⁶ Majority–minority districts are districts drawn in order to ensure a majority of voters in the district come from ethnic minorities. They are a means to ensure minority representation.

The number and size of House districts are redrawn according to state laws on the basis of each decennial census, but sometimes more frequently. No state may drop below one representative and two senators, and each House district is required to have nearly equal population. The size of the US House is set by Congressional statute,⁷ but has been frozen at 435 since 1915. As the population changes, seats must be taken away from those states with slowly declining population and given to states with growth. The North-east and Midwest have generally lost seats in recent reapportionments. This pattern will continue well into the twenty-first century, as the rapidly growing South and West are given more seats. Records of previous election results, combined with computer mapping, are used to create districts that are safe for incumbents of one party. This means that most House districts are non-competitive, making incumbents very hard to unseat (Butler and Cain 1991).

The partisan composition of a district may affect behaviour of incumbents. As in any district-based electoral system in which voters are allowed to choose candidates, a great deal of emphasis is placed on personal casework and 'home style' (Fenno 1978; Cain et al 1987). Congressmen of all stripes emphasize the building of pork barrel projects in the district, constituency service, and appearing to be sympathetic to the outlook of the district by rhetorical style or manner of dress—but marginal seats are targeted with more distributive benefits (pork) than other seats (Bickers and Stein 1996).

Safe seats may affect how members vote when in office. American parties have limited tools to discipline representatives, so legislative floor voting is not totally constrained by party (Weisberg 1978). Floor votes may reflect the members' perceptions of local concerns (Miller and Stokes 1963; Asher and Weisberg 1978), however much these may conflict with goals of party leaders. Representatives from safe seats, though, may worry more about fending off challenges from hardliners in their own primary, and need not fear general election challenges from opposition party candidates. The lack of opposition party threat in their district may cause them to vote more consistently with their party's leadership. In contrast, members from competitive swing districts are expected to worry more about challenges from opposition party candidates, and thus have greater incentives to pre-empt such challenges by supporting some opposition party legislation. Fiorina (1973) found that there was little evidence of a link between electoral safety and floor voting. Donovan and Bowler (2003) note, however, that an increase in intraparty cohesion in the House since 1970 corresponded with a decline in the proportion of competitive House seats.⁸

Above and beyond these effects, the partisan composition of a district is the most important determinant of who will hold the seat (Center for Voting and Democracy 2003). How districts are drawn—and who draws them—thus become pressing questions. The answer varies by state. In most states, a partisan committee of the

⁷ The Constitution requires only that the House have no more than one member per 30,000 of the nation's population.

⁸ That is, when a majority of one party opposes a majority of the other on a floor vote, a greater proportion of party members voted with their party in 2000 than in 1970.

state legislature draws districts following standards set by the federal courts. The courts hold that certain 'traditional practices' may be used in crafting districts, such as protecting incumbents and creating compact, contiguous districts that do not grossly split 'communities of interest'. Such practices mean that incumbent legislators (and party majorities) are usually protected in any new districting plan. Six states have 'independent' boards or commissions to craft their state legislative and congressional districts.⁹ Another six leave congressional districting to the legislature, while using independent commissions to draw state legislative seats.¹⁰ In practice, these commissions are 'bipartisan', composed of representatives of the two major parties who are selected by partisan committees in the legislature.

Most of the seats drawn by these redistricting plans build in electoral majorities, often quite large ones, for incumbents belonging to one of the two major parties. In the past, redistricting was expected to increase partisan competition, as district lines shifted, creating new opportunities for new candidates. With the diffusion of Geographical Information Systems (GIS) software and sophisticated databases, however, the parties have become ever more adept at drawing safe seats. The proportion of US House seats won where a challenger received at least 40 per cent of the vote slipped to 17 per cent in 2002—the first election after reapportionment—down from 36 per cent of seats in 1996. In both the 1998 and 2000 general elections fewer than one in ten House races were won by margins of less than 10 per cent. More than 98 per cent of incumbents were re-elected in both years (Center for Voting and Democracy 2003).

Another consequence of safe seats is that one of the main decisions facing candidates is the decision to contest the election in the first place. Given the investment in time, effort, and money, challengers need to think carefully before challenging any incumbent. In 2002 it cost, on average, \$900,000 to run a winning US House election campaign and \$4,900,000 for a Senate campaign. The decision to enter is one of the great 'non-events' in American elections—a large proportion of House seats (about one in five in recent years) are contested by just one major party. The prospects of a quality challenger emerging is lowest where the rival party's share of a district vote is high, and highest where district partisanship is balanced (Stone and Maisel 2003). As noted above, however, there are very few districts where the electorate's partisanship is balanced.

There is evidence that national political fortunes and trends in economic conditions encourage 'quality' challengers to emerge (Jacobson and Kernell 1983), and that quality challengers tend to emerge towards the beginning of the redistricting cycle (Hetherington et al 2003). However, incumbents in the rare competitive districts target constituents with benefits early in their term, which reduces the chances that they might have a quality challenger in the next election (Stein and Bickers 1994; Bickers and Stein 1996).

⁹ Arizona, Hawaii, Idaho, Montana, New Jersey, and Washington.

¹⁰ Alaska, Arkansas, Colorado, Missouri, Ohio, and Pennsylvania.

Impact on government

The major consequences of this sequence that runs from districting through ballot access, the primary, and finally to the general election are: (a) the continued dominance of the two major parties, and (b) frequently divided partisan control of the federal government. Although SMP is expected to produce a two-party system, the sequence helps to explain why the two big national parties remain so dominant.

The temporal staggering of Senate and House elections and the separate voting for president and Congress creates opportunities for split-ticket voting (Rusk 1970). About one-fifth of Americans vote for a presidential candidate of one party, and a House candidate from the other (Fiorina 2003). Ticket-splitting may not reflect voter preferences for divided government but, rather, be a by-product of non-competitive Congressional races. Many voters reside in districts where their preferred party offers no candidate for the US House (Burden and Kimball 2002). Primary elections also reduce party influence over candidate selection, and the corresponding candidate-centred nature of American politics makes it difficult for elections to produce a party with firm control over Congress (even if the party has a majority of seats).

Federalism, SMP, and the sequential, fragmented nature of American elections may also combine to give the USA one of the lowest rates of voter participation among established democracies. As Powell notes (1986), the USA contrasts with parliamentary systems in the difficulties it places in the way of voters seeking to evaluate who is responsible for governmental performance. McDonald and Popkin (2001) note that the only nations with lower turnout than the USA (Switzerland and Japan) also have diffuse lines of authority and responsibility.

POLITICAL CONSEQUENCES OF THE PRESIDENTIAL ELECTORAL SYSTEM

Impact on the party system

Since state laws may require minor parties to meet performance thresholds soon after a presidential election to remain on the ballot, third-party presidential efforts that succeed in establishing ballot access in one election often find their party loses ballot access before the next presidential election. The Reform and Green parties, like any parties without major-party status, had to requalify in many states in the interim between 1996 and 2000 at great expense—this despite Reform qualifying in nearly every state in 1996 and receiving over 8 per cent of the national presidential vote. As a result, one of the main features of third-party presidential candidacies is an extensive set of legal fights to have the party put on the ballot in every state. Most minor-party and independent candidates for president fail to get ballot access in all but a few states, and even the most successful often fail to qualify in all fifty. Pat Buchanan (Reform) was listed on forty-nine ballots in 2000 but only seven in 2004, while Ralph Nader qualified in forty-four states in 2000 as a Green and thirty-nine in 2004 as an independent.

General election rules also have clear consequences. Given the obvious bias associated with winner-take-all allocation of electors, the Electoral College is tremendously effective in translating nationwide popular vote pluralities (and even second-place finishes) into electoral vote majorities. Consequently, just one presidential election has been decided by Congress since popular voting became widespread, and major-party candidates have a near total lock on the presidency. Some suggest that the Electoral College encourages national unity, and a two-party system, by forcing minority groups to find a place in one of the two major parties (Polsby and Wildavsky 2000; Bibby 1995).

Impact on the parties and candidates

As noted with Congressional races, some expect presidential primary elections to widen internal party divisions (Hacker 1965). Losing candidates and their supporters may be disgruntled with their party's eventual choice. It does seem that every four years, party convention organizers are faced with finding a tactful way to keep a losing candidate—in particular, controversial figures such as Jesse Jackson (D) and Pat Buchanan (R)—from gaining too much of the prime-time spotlight. Some failed primary candidates did not back their party's eventual nominee enthusiastically, as was the case with John McCain (R) in 2000. Some primary candidates—such as Wallace (D) in 1968 and Republicans Anderson (in 1980) and Buchanan (in 2000)—eventually bolted their party and mounted a 'third-party' challenge against it. In general, however, the advantages of party insiders, and the quick decisiveness of presidential primary elections, dampen the opportunities for intraparty splits.

The primary election process favours candidates who are good at raising money, with the top fundraisers before the primaries being nearly certain to win their party's nomination (Mayer 1996). Party organizations are not a source of funds for primary candidates, so candidates are left to build their own fundraising machines.¹¹ Since most delegates are now selected early in the primary season, fundraising the year before the primary season is critical. From 1980 to 2000, both parties' nomination races were essentially over after the first few primaries were conducted. Given the fundraising advantages that party-establishment candidates usually have over 'outsiders' such as Jesse Jackson (D) and John McCain (R), the front-loaded delegate selection process is now far more likely to produce nominees such as Bill Clinton, Al Gore, and George W. Bush, than George McGovern or Jimmy Carter (Donovan and Bowler 2003).

There is some irony, then, in the switch toward greater rank-and-file voter control over party nominations in the USA. The primary and caucus system is different from the old 'party-centred' convention it replaced in that the eventual nominee is determined much earlier now. The new process has created a 'candidate-centred'

¹¹ Small contributions to primary candidates are also matched by public funds if candidates volunteer to limit the size of the contributions they accept (US\$ 1000). In 2000 and 2004, George W. Bush chose not to abide by the limit, but most candidates have.

nomination process, but not one where contests for the nomination are more competitive or uncertain. Rather, candidates compete for contributions from major donors to their party, and then use those resources to dominate a brief primary season. Thus, nomination reforms still leave a system that favours party insider candidates.

Impact on government

The Electoral College produces a bias in translating votes into electors, a disproportionality that may advantage the Republican Party at present. This bias was clear in 2000, but often overlooked due to controversy associated with vote counting in Florida. In 2000, Al Gore won 48.4 per cent of the popular vote and George Bush 47.8 per cent, yet George W. Bush was awarded the presidency on the basis of his vote share in the Electoral College. When Bush was awarded Florida's electors, he secured an Electoral College majority.

The controversy over the 2000 election broke a long period of relative calm in presidential elections. The nineteenth century saw more examples of political disputes involving the Electoral College. In 1800, for example, an Electoral College tie between Thomas Jefferson and Aaron Burr was settled by the House of Representatives in Jefferson's favour, with the Constitution amended to prevent similar outcomes in the future. The failure of any candidate to win a majority in the Electoral College led to the House of Representatives electing the president yet again in 1824. The House chose John Quincy Adams (even though Andrew Jackson had the larger number of electoral college votes). Close national popular vote contests in 1876 and 1888 also led to an Electoral College majority for candidates who had been placed second in the popular vote. More commonly, candidates with fairly small pluralities (as low as 39 per cent for Lincoln in 1860, 42 per cent for Wilson in 1916, and 43 per cent for Clinton in 1992) are able to win fairly large Electoral College majorities. It is common for this election method to manufacture majorities in electoral votes when no candidate secures a popular vote majority. This occurred in half of all presidential elections between 1824 and 1900, and in seven of twenty-five elections from 1904 to 2000 (including 1992, 1996, and 2000).

It is easy to make too much of the fact that the Electoral College occasionally produces a winner who did not win the popular vote. It is notable, for example, that in complaining of the 2000 election outcome, Al Gore did not object to the Electoral College, just to the controversy over how votes were being counted (or not counted) in Florida.

The Electoral College over-represents the sparsely populated states since each state automatically receives three electors, regardless of its population. If the smaller states such as Wyoming or North Dakota had populations similar in interests and opinions to the wider population this would, perhaps, be of little interest, but these states are now much more conservative, more rural, and—with the exception of Hawaii—much more Anglo than the rest of the US. In 2000, the smallest twenty states had about twenty-eight million people, and controlled eighty-four electoral

votes. In contrast, New York and New Jersey—with the same population—controlled just forty-eight votes. Bush received, on average, 12 per cent more of the vote than Gore in the twenty smallest states, and won sixty-one of their over-weighted electors.¹² Gore won by huge margins in New York and New Jersey but this gave him just forty-eight electors. With Florida's twenty-five electors, Bush won a 271 to 267 Electoral College majority. If electoral votes were awarded in each state strictly according to state population, Gore would have won a solid Electoral College majority—even with Bush being awarded Florida's votes.¹³

The Electoral College has other obvious consequences for the way in which presidential elections are conducted. Since electors are awarded winner-take-all, candidates have little incentive to campaign in states they are likely to win (or lose). Campaign resources are thus concentrated in a handful of states where the two-party vote is relatively balanced. In 2000 and 2004, large states that were safe for either party (e.g. Texas for Republicans, New York for Democrats) saw little campaign activity despite their large populations.

Perhaps the biggest consequence of the electoral system as a whole, however, is periods of divided government. With the president elected on a four-year cycle and the Congress on two years, mid-term elections can, and often do, generate periods where executive and legislature are of the opposite party.

THE POLITICS OF ELECTORAL REFORM

Not surprisingly, some recent reform efforts in the wake of the 2000 presidential election have focused on the variety of electoral procedures at work and have embraced suggestions to move towards more uniform national standards for elections (Donovan and Bowler 2003: ch. 9). Given the political limitations imposed by federalism, however, the kinds of reforms being discussed are mostly aimed at technical aspects of election administration. Substantive reforms run into political opposition from state elected officials jealous of their own power and 'states' rights'.

Although the principle of proportionality is seen in the reapportionment of Congressional seats to states according to population, there have been no serious attempts to introduce proportional representation (PR) for federal elections. In the nineteenth century Senator Buckalew from Illinois proposed wider use of cumulative voting to elect Congress. More recently Rep. Cynthia McKinney proposed PR, but such efforts went nowhere.

¹² Bush averaged 53 per cent support in the twenty smallest states, Gore averaged 41 per cent.

¹³ Continuing with this example, a proportionate allocation of electors would be about one per 525,000 residents in a state. The over-representation of smallest states 'cost' Gore nineteen electors in the twenty smallest states, since Bush would have won forty-two electors of fifty-five, rather than sixty-one of eighty-four, if these states controlled electoral votes proportionate to their populations. Likewise, the under-representation of large states 'cost' Gore an additional twenty-five electoral votes. Gore won 180 of the 256 electors from the ten largest states. Had these states controlled electors proportionate to their populations (290 electors), Gore would have won twenty-five more electors.

In contrast, the local level in the USA has seen a great deal of experimentation with a wide range of different election systems (Weaver 1984). Many of these are associated with the Populist and Progressive movements around the turn of the nineteenth century. These reforms include non-partisan elections (the forbidding of party labels on the ballot and in the campaign) and the use of direct democracy. In Ohio and several other states PR-STV local elections have been used (Barber 1999), cumulative voting elections are used across a wide range of the US (Bowler et al. 2003, and instant run-off (alternative vote) elections were adopted for San Francisco). Ordinary two-round run-off elections are also used. Other than list-PR, the US has, and continues to have, a surprising variety of electoral system experience at the local level (Weaver 1984). In addition, several state communities and many local ones also have imposed term limits on their elected representatives (Carey, Niemi, and Powell 2000).

Each of these procedures is backed by reform groups who would like to see their introduction for federal elections, but none of these reforms would seem to have much chance of success. Of this range of institutional changes the only one that has been introduced, and then only under specific historical circumstances, was the restriction of the president to just two terms. There seems little chance of other reforms being introduced since most of them require incumbents to change a system of elections that, in general, favours them. Reforms at the state level have often been pushed through the initiative process but no such procedure exists at the national level. And courts have been extremely reluctant to uphold initiatives that attempt to regulate the elections of members of the US Congress by state-level initiative processes. Since reform depends on the two major parties accepting a need for reform and acting upon it, actual implementation of reform proposals seems only a remote possibility.

CONCLUSION

It is hard to be concise in discussing US elections since there are essentially four electoral systems at work—the primary and general elections for both the Congress and the president—and these four are governed by fifty different sets of laws. But the end result of this complexity is to underpin the continued dominance of the two-party system. With only two parties, as opposed to the multiparty systems elsewhere in the world, the US can seem a dull, vanilla example of Duverger's law at work. But such an outcome is under-girded by the decentralized and sequential nature of the US electoral process. The variety of laws and the essentially two-round structure raises barriers to entry not just for new parties but also to challengers within the existing parties. The multiplicity of laws also gives rise to an important and unusual feature of elections in the US: many issues, including complaints over voting rights, ballot access, procedural fairness, and districting plans are decided by the courts as a result of litigation. The courts and litigation, then, play a major role in making the electoral playing field if not actually level then at least consistent across the states. It is hard to think of another system where the courts play such a large role in defining the implementation of electoral laws.

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PART III

MIXED SYSTEMS

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Germany: Stability and Strategy in a Mixed-Member Proportional System

*Thomas Saalfeld**

Germany's electoral system has often been seen as the archetype of a mixed-member proportional system (Farrell 1997: 87; Scarrow 2001: 55), which has become an influential model in the design of postcommunist and post-authoritarian electoral systems as well as the reform of existing electoral systems in mature liberal democracies (Shugart and Wattenberg 2001). German citizens use this system (in a number of variations) to elect representatives to thirteen out of the sixteen Land Diets (*Landtage*) at the subnational level and to the Federal Diet (*Bundestag*) at the national level.¹ The focus of this chapter will be on the institutions shaping elections to the Bundestag, whose design was deeply influenced by the desire for political stability and consensus after a history of regime instability and socio-political division between 1918 and 1945, as well as the need to generate democratic legitimacy for the fledgling Federal Republic in 1949 (Jesse 1990; Scarrow 2001).

The system used for the first Bundestag elections in August 1949 resulted from bargaining between the main parties in the constituent assembly of the three Western occupational zones (the Parliamentary Council) and the preferences of the Western allies, who held—and exercised—a veto over proposals made by the West German parties. Continuity and changes in the electoral system since September 1949 have been the outcome of bargaining between the main parties, which currently are: the Christian-Democratic alliance composed of the Christian Democratic Union (CDU) and the Christian Social Union (CSU, the former's more conservative Bavarian 'sister party'), the liberal and pro-market Free Democratic Party (FDP), the Social Democratic Party (SPD) with a traditional trade union as well as a 'modernizing'

* I owe thanks to Paolo Dardanelli, my colleague at the University of Kent, for his very helpful comments on an earlier draft of this chapter. Needless to say, any remaining opacities or errors are my responsibility alone.

¹ Only the small Länder of Bremen, Hamburg, and Saarland use pure closed-list systems. All other Länder use mixed-member systems with different ratios of upper-tier and lower-tier seats (for details see Korte 2000: 75). The German members of the European Parliament are elected from closed national or Land lists. For the 2004 elections to the European Parliament, the Christian Democrats (CDU and CSU) used sixteen separate Land lists, while the Social Democrats (SPD), Greens, Liberals (FDP), and Socialists (PDS) used single national lists.

wing, the left-libertarian and environmentalist Green Party (*Bündnis '90/Die Grünen*), and the postcommunist Party of Democratic Socialism (PDS), a socialist party whose support is concentrated in eastern Germany (for more information on the parties and further references see von Alemann 2001; Lösche 1993; Mintzel and Oberreuter 1992; Niedermayer 2000).²

Before analysing the operation and consequences of the current system we will discuss its evolution between 1949 and 1956.

ORIGINS OF THE ELECTORAL SYSTEM

If the basic institutional norms of the Federal Republic's polity are best understood against the background of the breakdown of the first German democracy after the end of the First World War (e.g. Pulzer 1995: 7; Saalfeld 2003: 347; Schmidt 2003: 68), the choice of an essentially proportional electoral system of representation seems to be a paradox. Although the highly proportional electoral system of the 'Weimar Republic' (1919–33) was not the only cause of party system fragmentation, cabinet instability, and ultimately poor regime performance, it is generally seen to have been an important contributing factor (see Nohlen 2004: 301–4).³ Therefore the drafters of the Basic Law and the Federal Republic's electoral laws could have been expected to adopt a (more) majoritarian electoral system for the second attempt at establishing a liberal democracy on German soil. Yet, as Scarrow (2001: 66) demonstrates, 'Germany's mixed-member system was not developed in a single stroke as an optimal solution to the problems of previous systems'. Rather, she argues (2001: 55), 'it developed both from interest-based bargaining and from more widely shared concerns about political stability'. The key actors in this process were the parties represented in the Parliamentary Council, the governments and minister presidents of the Länder established in 1946, and the Western Allied Military Governors (Lange 1975; Scarrow 1998).

In the election to the first German Bundestag (1949), each voter had a *single* vote to fill 400 'regular seats' (*Grundmandate*).⁴ Sixty per cent of the candidates were to be directly elected by plurality in single-member districts. The remaining 40 per cent were to be chosen from party lists. Each party that gained at least 5 per cent of the

² The PDS failed to overcome the 5 per cent/three-seat threshold of the Federal Republic's electoral law in the 2002 election and lost its status as a recognized parliamentary party, although it is still represented with two members directly elected in single-member constituencies. Being effectively a regional party, it still has a considerable presence in the Land parliaments of eastern Germany.

³ The 'Weimar Republic' (1919–33) was divided into thirty-five electoral districts. In the first round of seat allocation, parties were allocated a seat for every 60,000 votes they received. Remainders were then aggregated at a higher level consisting of two or three electoral districts. Parties were allocated adjustment seats for every 60,000 (remaining) votes. Finally, the remainders from the second stage were aggregated at the national level. All parties that had been allocated seats in the first and second round were allocated seats for every 60,000 votes they received and one seat for every (final) remainder of more than 30,000 votes. Thus the number of seats depended on the number of persons entitled to vote and on turnout and varied between 459 (1920) and 647 (1933) (Nohlen 2004: 301).

⁴ For a further type of seat (*Überhangmandate*), see below.

votes in any of the nine (1949)⁵ Länder participated in the proportional distribution of seats. The overall allocation of parliamentary seats to the individual parties was to be established by proportional representation (PR). The D'Hondt method was to be used for allocating list seats. A party's share of seats was filled first by its direct seat winners in the single-member districts. If seats remained to be filled, further candidates were drawn from the Land party lists according to their ranking on the list starting from the top (for a more detailed description of seat allocation see below). Importantly, therefore, the winning candidates in the single-member district races counted as part of their party's share of parliamentary seats. 'The results of the constituency races thus influenced *who* filled a party's seats but not, in general, the *number* of seats assigned to that party' (Bawn 1993: 973). In other words, parties receiving a large number of seats from the elections at the lower tier would receive relatively fewer seats from the party lists and vice versa. If a party won more district seats at the lower tier than it was entitled to under PR, it was to retain these 'surplus seats' (*Überhangmandate*) and the size of the Bundestag was to increase accordingly. The proposed law did not provide for the compensation of those parties that did not benefit from surplus seats (Bawn 1993: 972–3; Scarrow 2001: 64).

This electoral system was revised for the 1953 election. The new electoral law equalized the ratio of single-member district (SMD) seats and party-list seats (50:50) and increased the number of 'regular mandates' to 484. More importantly, it gave each voter *two* separate votes, one for the lower tier (district) and one for the upper one (Land), although it maintained the link between these tiers for purposes of seat allocation. In other words, disproportional seat allocations arising from the plurality system used at the district level would still be compensated through proportional 'topping-up' through party lists at the upper tier. The possibility for voters to split their 'first' and 'second' votes between a candidate representing one party and, potentially, the list of a different party expanded the opportunities for voters to express their preferences and opened up opportunities for tactical voting both in the sense of a 'personal vote' and for a prospective cabinet coalition. In addition, the revised law of 1953 increased the legal threshold to 5 per cent of the national vote or one direct constituency mandate for parties to participate in the proportional distribution of list seats in any Land (Scarrow 2001: 56).

The only major change in the 1956 law, passed in time for the election of 1957, was another increase in the legal threshold. A party would participate in a proportional distribution of seats only if it gained at least 5 per cent of the vote nationally or three (instead of previously one) district mandates. Also, parties were allowed to pool their vote remainders at the national level. 'Because all parties took advantage of this option, the change effectively increased proportionality in terms of the nationwide vote, while still allowing federal-state party organizations to retain

⁵ The voters of Berlin were not allowed to participate directly in Bundestag elections until 1990. The members for Berlin were nominated by the Berlin House of Representatives. The federal state of Saarland remained under French occupation until 1954. The voters of Saarland were not allowed to vote in federal elections until 1957.

control over candidate selection...’ (Scarow 2001: 57). The 1956 reform also included the introduction of the postal vote under certain conditions.

All further adjustments of the electoral system made since 1956 have been of a relatively minor nature (see Jesse 2001a: 132). In 1970 the voting age was reduced from twenty-one to eighteen (in 1975 the age required for persons to be elected to public office was similarly reduced). In 1987, Germans residing abroad were given voting rights under certain conditions. Prior to the 1987 election, the LR–Hare method (referred to as Hare–Niemeyer in Germany) replaced the D’Hondt formula for allocating list seats. Unification led to some temporary adjustments following a ruling of the Federal Constitutional Court. The first all-German election of 1990 was fought under a one-off electoral rule instituting separate 5 per cent thresholds for the eastern and western Länder. Parties had to overcome the threshold in only one of these areas to be eligible for list seats. In addition, the size of the Bundestag (before the addition of surplus seats) was increased from 496 to 656. The parties considered the resulting Bundestag to be too large and decided to reduce the number of constituencies from 328 to 299. Hence, the number of basic mandates (i.e. seats without surplus mandates) decreased from 656 to 598 for the 2002 election, leading to larger constituencies.

HOW THE ELECTORAL SYSTEM WORKS

The current electoral system resulting from these developments is a mixed-member system of PR with a two-tier districting system on the basis of universal suffrage for citizens of German nationality. Jesse (2001a: 127) characterizes it as ‘a system of proportional representation, restricted by a 5 per cent clause, with a personalized element’. The Bundestag is elected for four years. Each voter may cast two votes, the first for a candidate in an SMD and a second for one of the sixteen closed party lists in the Land he or she resides in. A specimen of the ballot paper is reproduced in Figure 10.1.

The ranking on the party lists is determined by special delegate conferences at the Land level. The voters cannot change it.⁶ How the 598 ‘regular’ seats (299 SMD and 299 list seats) are allocated among the parties depends on the aggregate (national) number of votes cast for the party Land lists (‘second votes’). The number of seats at the upper level varies between two (Bremen) and sixty-four (Nordrhein-Westfalen) depending on the respective Land’s population, that is, the smallest Land has at least four (two times two), the largest Land at least 128 (two times sixty-four) ‘regular’ seats in the Bundestag (i.e. excluding surplus seats).

Once the number of votes for each party is known, a four-stage process is used to determine the composition of the Bundestag. In a first step, all parties that failed to straddle the 5 per cent hurdle and did not win at least three direct district seats are eliminated from the proportional distribution of seats, although any candidates of

⁶ Only in Bayern Land elections can the voters change the ranking of candidates on the party lists. Empirical studies demonstrate that they make significant use of this opportunity (see Hübner 1979, 1984).

Anlage 26
(zu § 28 Abs. 3 und § 45 Abs. 1 BWO)

Stimmzettelmuster

- Mindestens DIN A 4 -

Stimmzettel

für die Wahl zum Deutschen Bundestag im Wahlkreis 63 Bonn

am

Sie haben 2 Stimmen



hier 1 Stimme

für die Wahl

eines/einer Wahlkreis-
abgeordneten

Erststimme



hier 1 Stimme

für die Wahl

einer Landesliste (Partei)

- maßgebende Stimme für die Verteilung der
Sitze insgesamt auf die einzelnen Parteien -

Zweitstimme

1	Kelber, Ulrich Dipl.Informatiker Bonn-Badst Neustraße 37	Sozialdemokratische Partei Deutschlands	<input type="radio"/>
2	Hauser, Norbert Rechtsanwalt Bonn-Bad Godesberg Elfstraße 26	Christlich Demokratische Union Deutschlands	<input type="radio"/>
3	Dr. Westerwelle, Guido Rechtsanwalt Bonn Heerstraße 85	Freie Demokratische Partei	<input type="radio"/>
4	Manemann, Coletta Dipl.Pädagogin Bonn Humboldtstraße 2	BÜNDNIS 90/ DIE GRÜNEN	<input type="radio"/>
			<input type="radio"/>
			<input type="radio"/>
			<input type="radio"/>
8	Müchler, Frank Buchhändler Düsseldorf Ohligsenstraße 45	Bürgerrechts- bewegung Solidarität	<input type="radio"/>

<input type="radio"/>	SPD	Sozialdemokratische Partei Deutschlands Franz Münterfering, Anke Fuchs, Rudolf Dreßler, Wolf-Michael Catenhusen, Ingrid Mathias-Maier	1
<input type="radio"/>	CDU	Christlich Demokratische Union Deutschlands Dr. Norbert Blüm, Peter Hintze, Ingrid Karwatzki, Dr. Norbert Lammerl, Dr. Jürgen Rüttgers	2
<input type="radio"/>	F.D.P.	Freie Demokratische Partei Dr. Guido Westerwelle, Jürgen W. Möllemann, Ulrike Flach, Paul Friedhoff, Dr. Werner H. Hoyer	3
<input type="radio"/>	GRÜNE	BÜNDNIS 90 / DIE GRÜNEN Kerstin Müller, Ludger Volmer, Christa Nickels, Dr. Reinhard Loske, Simone Probst	4
<input type="radio"/>	PDS	Partei des Demokratischen Sozialismus Ulla Jelpke, Ursula Lötzer, Knut Vöcking, Ernst Omyrowski, Astrid Keller	5
<input type="radio"/>	Deutsch- land	Ab jetzt ... Bündnis für Deutschland Horst Zaborowski, Dr.-Ing. Helmut Flack, Dietmar-Lothar Dänder, Ricardo Pieltätcker, Uwe Karg	6
<input type="radio"/>	APPD	Anarchistische Pogo - Partei Deutschlands Rainer Kaufmann, Matthias Bender, Daniel-Lars Kroß, Markus Bitmann, Markus Rykalski	7
<input type="radio"/>	BüSo	Bürgerrechtsbewegung Solidarität Helga Zepp-LaRouche, Karl-Michael Viel, Andreas Schumacher, Hildegard Reynen-Kaiser, Walter vom Stein	8

Figure 10.1 Sample German ballot paper

such parties winning an SMD race are still elected as individuals.⁷ In a second step, the LR–Hare method is used to calculate how many seats the parties are entitled to overall. This calculation is based on the total number of second votes for each party at the national level. Once the overall number of seats accruing to each party is established, the third step is that the same method (LR–Hare) is used to determine how many candidates for each party are drawn from each Land. The second calculation for the lower tier is based on the number of second votes the respective party receives in the sixteen Länder. This third step is not applied in the case of the CSU, because this party competes in Bavaria only. In the final step, the winners of the district races are deducted from the number of seats accruing to each party in each Land and proportionality is established by drawing the appropriate number of candidates from the Land party lists starting at the top of the list (Nohlen 2004: 306–7; von Schwartzberg and Geiert 2002: 644–5). Table 10.1 shows constituency and list seats for all parties elected to the Bundestag in September 2002.

The system has effectively barred small parties from immediate national parliamentary representation without completely blocking new entrants, as the Greens since the 1980s and the PDS in the 1990s demonstrate (Capoccia 2002: 179; Schmidt 2003: 133). In the 2002 elections (Table 10.2), twenty-four parties competed nationally, of which five overcame the 5 per cent threshold and participated in the proportional allocation of seats. Since the PDS did not qualify for list seats, its seats-to-votes ratio was very low (Table 10.2).⁸ Due to the non-representation of parties falling below the legal threshold, those parties actually represented in the Bundestag tend to be slightly over-represented in terms of the ratio of their share of seats and share of votes.

Surplus seats (*Überhangmandate*) without compensation for the other parties have become a more important source of disproportionality since unification, benefiting the larger parties. This results from the fact that the allocation of party-list seats are carried out at the Land rather than the national level (the third step of the allocation procedure, see above; Jesse 2001a: 138). Especially in Länder with a small upper-tier district magnitude and relatively small SMDs, the likelihood of surplus seats increases if more than two parties have realistic chances of winning direct seats, if turnout is relatively low, if there is a large share of votes for parties that fail to participate in the proportional distribution of seats (due to the 5 per cent hurdle), and/or if there is a large number of invalid votes (Behnke 2003a, 2003b; Behnke et al. 2003; Grotz 2000). The size of the Bundestag is then increased without compensating the other parties. This was only a minor issue until 1987, as it did not

⁷ For example, the PDS won two direct district races in the 2002 election and 4 per cent of the national vote. Therefore, the party did not qualify either under the 5 per cent rule or under the three-SMD-seats waiver for proportional representation. Nevertheless, its two candidates were elected. The number of seats to be distributed amongst the parties that did overcome the 5 per cent hurdle was reduced from 598 to 596.

⁸ The election in 2002 was the first electoral contest at the national level where the PDS suffered this fate. In 1990 it had been protected by the separate 5 per cent thresholds in the east and west (it easily overcame the five percent in the east), in the 1994 elections it had secured PR due to the three-mandate waiver, and in 1998 it had overcome the 5 per cent threshold nationally due to a strong result in eastern Germany and Berlin.

Table 10.1 Distribution of votes and seats in the 2002 election

Party	SMD votes (%)	List votes (%)	Total seats to which party is entitled	SMD seats won	List seats awarded	Surplus seats won	Total seats
SPD	41.9	38.5	247	171	80	4	251
CDU	32.1	29.5	189	82	108	1	190
CSU	9.0	9.0	58	43	15	0	58
Greens	5.6	8.6	55	1	54	0	55
FDP	5.8	7.4	47	0	47	0	47
PDS	4.3	4.0	—	2	0	0	2
Schill	0.3	0.8	—	0	0	0	0
Republikaner	0.1	0.6	—	0	0	0	0
Others	0.9	1.6	—	0	0	0	0
Total	100.0	100.0	596	299	304	5	603

Source: Bundeswahlleiter: *Endgültiges Ergebnis der Bundestagswahl 2002* (http://www.bundeswahlleiter.de/bundestagswahl2002/deutsch/ergebnis2002/bund_land/wahlkreis/kr99999.htm and http://www.bundeswahlleiter.de/bundestagswahl2002/deutsch/sitzelaender2002/bund_land/btw2002/krusp_btw2002.htm).

Table 10.2 Percentage of votes and seats gained by the main German parties at the Bundestag election of 2002

	List (second) votes (%)	Total seats in Bundestag (%)	Seats-to-votes ratio
SPD	38.5	41.6	1.08
CDU	29.5	31.5	1.07
CSU	9.0	9.6	1.07
Greens	8.6	9.1	1.06
FDP	7.4	7.8	1.05
PDS	4.0	0.3	0.08
Schill	0.8	0.0	0.00
Republikaner	0.6	0.0	0.00
Others (sixteen parties)	1.4	0.0	0.00
Invalid ballot papers	1.2	—	—
Turnout	79.1	—	—

Source: *Endgültiges amtliches Ergebnis der Bundestagswahl 2002* (<http://www.bundeswahlleiter.de/wahlen/bundestagswahl2002/deutsch/ergebnis2002>).

significantly affect government formation in the Bundestag. Since unification, the surplus seats significantly stabilized government majorities in the 1994, 1998, and 2002 elections. As the last column in Table 10.3 demonstrates, the last Kohl (1994–98) cabinet would have had only two seats more than the opposition, had there been no surplus seats. Surplus seats increased the majority of the first Schröder cabinet (1998–2002) from eight to twenty-one and the majority of the second Schröder

Table 10.3 Number and effect of surplus seats, 1949–2002

Election year	Number of surplus seats				Parties forming government after election	Government strength after election	Government majority <i>including</i> surplus seats	Hypothetical government majority <i>excluding</i> surplus seats
	CDU	SPD	DP	Total				
1949	1	1	—	2	CDU/CSU, FDP, DP	209	16	16
1953	2	—	1	3	CDU/CSU, FDP, DP, GB/BHE	334	181	178
1957	3	—	—	3	CDU/CSU, DP	287	77	74
1961	5	—	—	5	CDU/CSU, FDP	309	119	114
1965	—	—	—	0	CDU/CSU, FDP	294	92	—
1969	—	—	—	0	SPD, FDP	254	12	—
1972	—	—	—	0	SPD, FDP	271	46	—
1976	—	—	—	0	SPD, FDP	253	10	—
1980	—	1	—	1	SPD, FDP	271	45	44
1983	—	2	—	2	CDU/CSU, FDP	278	58	60
1987	1	—	—	1	CDU/CSU, FDP	269	41	40
1990	6	—	—	6	CDU/CSU, FDP	398	134	128
1994	12	4	—	16	CDU/CSU, FDP	341	10	2
1998	—	13	—	13	SPD, Greens	345	21	8
2002	1	4	—	5	SPD, Greens	306	9	6

Sources: Surplus seats 1949–98: *Bundeshwahlleiter, Das ABC der Bundestagswahl: Überhangmandate* (<http://www.bundeshwahlleiter.de/wahlen/abc/d/tue1.htm#Ueberhangmandate>); all 2002 data: *Bundeshwahlleiter, Endgültiges amtliches Ergebnis der Bundestagswahl 2002* (<http://www.destatis.de/presse/deutsch/wahl2002/p2027211.htm>). For government seats, and majorities including surplus seats, see Saalfeld (2000: 41) (for the elections 1949–98).

cabinet (2002–) from six to nine seats. Since 1990 there has been considerable debate about the democratic legitimacy of the ‘surplus seat’ arrangement (Jesse 2003; Behnke 2003*b*) even leading to an unsuccessful challenge in the Federal Constitutional Court (Jesse 2001*a*: 135; see p. 225 below).

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

Although it would be wrong to try to explain party system changes as the result solely of changes in the electoral system, the various reforms of the electoral system between 1949 and 1956 are at least correlated with a reduction in the absolute and ‘effective’ number of parties represented in the Bundestag. The absolute number declined from nine parties and party groups in 1949 to merely three in 1961, before increasing to five in the 1990s (Table 10.4).⁹ The effective number of parties

Table 10.4 Party system characteristics, 1949–2002

Election	Number of parties in parliament	Effective number of elective parties	Aggregate volatility (Pedersen index)
1949	9	3.99	—
1953	5	2.77	19.3
1957	4	2.39	9.2
1961	3	2.51	14.3
1965	3	2.38	7.7
1969	3	2.24	6.7
1972	3	2.34	6.0
1976	3	2.31	4.1
1980	3	2.44	4.6
1983	4	2.51	8.4
1987	4	2.80	6.0
1990	5	2.65	9.1
1994	5	2.91	8.9
1998	5	2.90	8.4
2002	5	2.80	7.2

Note: CDU and CSU form a single parliamentary party and are counted as one party (CDU/CSU). The PDS is counted as a parliamentary party in the 1994, 1998, and 2002 Bundestag, although *not* recognized as one under the Bundestag’s rules of procedure. The Bundestag’s rules of procedure define a parliamentary party as a group of members not competing against each other in elections with a minimum strength of at least 5 per cent of the House’s total membership.

Source: Saalfeld (2002*b*): 113.

⁹ The distinction between ‘parties’ and ‘groups’ is made in the Bundestag’s rules of procedure, which define parliamentary parties as groups of members not competing against each other in elections with a membership of at least 5 per cent of the total membership of the House. Groups of members below that

declined from almost four in the first Bundestag (1949–53) to approximately 2.5 in the fourth Bundestag (1961–5 see Table 10.4).

Raising the legal 5 per cent threshold from the regional to the national level (1953) and the replacement of the one-district-seat waiver by a three-district-seat waiver (1956) greatly reduced the opportunities for some regional parties to continue to play a role at the national level. The Deutsche Partei (DP) was able to survive until the 1953–57 Bundestag due to the regional 5 per cent threshold and, in the 1957–61 Bundestag, to its electoral pact with the CDU in some northern German constituencies (Jesse 2001a: 136–7). In the 1969 Bundestag election, the 5 per cent threshold denied parliamentary representation to the extreme right-wing Nationaldemokratische Partei Deutschlands (NPD), which gained 4.8 per cent of the vote. As the success of the Greens in 1983 and their subsequent establishment as a permanent feature of the party system demonstrates, the 5 per cent threshold has not prevented party system change altogether, however. This point is corroborated by the electoral survival of the PDS between 1990 and 2002 at the national level. The PDS's likelihood of achieving PR were diminished by the reduction of the size of the Bundestag and the redrawing of constituency boundaries in 2002; the new constituency boundaries made it much harder for the party to retain its three SMD seats in and around Berlin. Thus, although the electoral system does not block new entrants to the party-political market completely, it does provide the established parties with some 'breathing space' to respond to challenges posed by new parties. By limiting the competition to a relatively small number of serious competitors, the electoral system has also contributed to a reduction in the levels of aggregate volatility (Pedersen index, Table 10.4) from over nineteen for the 1949 and 1953 elections to comparatively low levels in the late 1960s and 1970s and moderate levels since 1983.

Impact on the parties

The Federal Republic's electoral law supports the decentralized organization of Germany's major political parties. It is no coincidence that in 1949 the regional premiers—usually regional party leaders—insisted that the upper tier of the mixed-member system would be at the regional level—and not at the national level as the Parliamentary Council's draft had proposed (Scarrow 2001: 64). Paragraph 22 of the Federal Elections Act regulates the nomination of both list and constituency candidates. The selection of constituency candidates is controlled by the local party organizations. The Land party lists are composed at delegate conferences of the respective Land party organizations (cf. Klingemann and Wessels 2001: 288–9). Nevertheless, nominations of candidates for district seats and the party lists are

level can be granted 'group' status. Parliamentary parties are privileged in terms of the distribution of speaking time, seat allocation in committees, and influence on the parliamentary agenda. Parliamentary groups have somewhat restricted rights subject to majority decision of the Bundestag. The PDS had group status between 1990 and 1998 and full parliamentary party status between 1998 and 2002. The two PDS members elected in 2002 do not have group status—they are officially treated as independents.

linked. Very often Land party organizations will reward constituency candidates with a high rank on the party list in order to provide a safety net. Conversely, regional party leaders expect even pure party-list candidates and incumbents elected via the party lists to run constituency surgeries and campaign in a constituency. In the 1994 and 1998 elections, approximately 50 per cent (around 60 per cent in the case of the SPD and FDP) of all parliamentary candidates (2,126 and 2,308, respectively) ran both as district candidates *and* candidates on their parties' lists in order to maximize their election chances (Klingemann and Wessels 2001: 290). Approximately one-fifth ran as district candidates only and about one-third ran as party-list candidates only. One important implication is that the direct winners do not have a monopoly of constituency representation. The salience of local and regional party organizations in the nomination process, the high share of double candidatures, and the constituency service of all serving Members of the Bundestag (MdBs) and candidates blurs the differences and avoids the development of two distinct classes of MdBs. In addition, deputies elected to the Land parliaments carry out a significant share of the constituency casework typical, for example, of a British member of parliament (MP) (for data and references see Saalfeld 2002a: 53–61).

Impact on parliament

There is no evidence to suggest that variations in the socio-demographic composition of the Bundestag over time could be causally linked to changes in the electoral law. The number of female MdBs increased from 7 per cent in 1949 to nearly one-third in 2002, with the Greens (58 per cent female MdBs) and the SPD (38 per cent) leading the way. Women are still far more likely to get elected via the Land lists than in the SMDs. Nevertheless the election of 2002 demonstrated significant moves to more equality at least within the SPD (the Greens win direct seats only in exceptional circumstances). SPD constituency parties, in particular, are willing to nominate more females for winnable district races than in the past: the share of women representing SPD-won districts as direct candidates (30 per cent) was clearly below the share of party-list seats allocated to female SPD candidates (55 per cent), but still high. The CSU (with 14 per cent of elected district candidates being female) and the CDU (9 per cent), the only other two parties able to win a significant number of district races, lagged clearly behind in this respect. The percentage of MdBs with tertiary education has increased significantly. Other socio-demographic indicators have remained largely constant (Schindler 1999: 846–7; Deutscher Bundestag 1998, 2002). None of these changes can be attributed to the electoral system, which has remained largely unchanged since 1956.

Although the mixed-member system in Germany does not really produce two different 'classes' of MdBs, the evidence presented by Klingemann and Wessels (2001: 291–4) suggests that there are statistically significant differences in the self-definition of, and electoral incentives for, MdBs elected directly in single-member constituencies and those elected via a party list. Asked about their representational role orientations in a survey carried out in 1996, the majority of MdBs ($n = 308$)

expressed a preference for a 'trustee' style of parliamentary representation as opposed to the role of a 'delegate' either of the voters or the party. This is in line with Article 38 of the Basic Law stipulating that MdBs shall represent the people as a whole, that they are not bound by any orders or instructions, and that they are subject only to their own conscience. Yet, MdBs directly elected in a constituency were significantly more likely than their colleagues elected via a party list to emphasize that their decisions should be based on their own judgement and that they wish to represent all citizens in their local constituency. This suggests, as Klingemann and Wessels (2001: 292) conclude, 'that type of mandate makes a difference for role orientation'. A parallel survey amongst voters demonstrates that the extent to which an MdB is believed to be active in the constituency plays a significant role in their choice of candidate, although strategic considerations (risk of a wasted vote and the voters' coalition preferences) are more important predictors in a multivariate design (Klingemann and Wessels 2001: 294–5).

In addition to such attitudinal differences, Stratmann and Baur (2002) found that different modes of election also have significant behavioural consequences as far as MdBs are concerned. They find significant differences in committee membership, depending on whether an MdB is elected as a constituency or list candidate. MdBs elected directly in a constituency tend to be members of committees that allow them to service their geographically based constituencies. MdBs elected via a party list tend to be members of committees servicing wider party constituencies, which are not necessarily geographically based (see also the findings of Lancaster and Patterson 1990). By contrast, the nature of the seat has, on the whole, not led to significant variations in levels of voting cohesion between MdBs representing a district and those elected via a regional party list. This is largely due to the overwhelming incentives the German parliamentary system of government provides for parties to operate as cohesive units (Saalfeld 1995).

There has been disagreement about the extent to which there is in fact a personalized component in the electoral relationship between voters and MdBs, which is theoretically possible due to the opportunity for voters to 'split' their tickets. In the view of Jesse (2001a: 142, n. 24), strategic voting in the sense of 'personalized' voting is restricted to 'very occasional cases'. One might add that voters, in effect, have no choice of candidate within the parties at either level of the electoral system. Some survey-based investigations seem to support the sceptical evaluation of the 'personalized' element (Jesse 1988; Roberts 1988; Schmitt-Beck 1993; Schoen 1998). Bawn (1999), by contrast, uses district-level aggregate data to demonstrate for the elections between 1969 and 1987 that there are statistically significant patterns in the nature of ticket-splitting which are consistent with the notion of a conscious, well-informed rational voter exploiting the strategic opportunities to use a personalized vote:

German ticket-splitters are more likely to give their first votes to incumbents and less likely to give them to those running against incumbents. They are more likely to give first votes to viable candidates from the party expected to be in government. And they are more likely to give them to major-party candidates when the district race is a close one.... The partisan

composition of the Bundestag may be the same as it would under a simpler form of PR, but the electoral incentives of the individuals who occupy those seats are not. (Bawn 1999: 505)

These findings have been replicated by Cox (1997: 81–3). Ticket-splitting in a general sense tripled between 1957 and 1998. Klingemann and Wessels (2001: 288) found that 6.4 per cent of the voters were ticket-splitters in 1957, and this increased to more than 20 per cent in 1998. ‘Strategic’ ticket-splitting—instances where voters take the parties’ a priori coalition preferences into account and give their first (direct) vote to a major party and their second (list) vote to a smaller prospective coalition partner—has increased from 2.4 per cent of the voters in 1976 to around 7 per cent in 1994 and 1998 (Klingemann and Wessels 2001: 287–8). On the strength of these recent behavioural studies with aggregate data and the individual-level data provided by Klingemann and Wessels (2001), therefore, the conclusion seems justified that there is a small but significant group of voters who do use the opportunities offered by the electoral system by electing candidates with a chance to win and to deliver benefits to the respective electoral district.

Government formation

One of the key objectives of the electoral laws introduced between 1949 and 1956 was to develop a fair and legitimate system that would avoid two of the main problems of the Weimar Republic—party-system fragmentation and cabinet instability. This objective has been achieved. After the consolidation of the Federal Republic’s party system in the 1950s and early 1960s, cabinet stability has been relatively high in international comparison (for comparative data see Saalfeld 1998). Even during the 1950s, with shorter-lived cabinets, the instability was primarily a result of the success of the CDU/CSU as the dominant party that managed to split and absorb its smaller coalition partners (Saalfeld 2000). In addition, coalition turnover has been extremely low since 1969 with only three different party coalitions in more than three decades (SPD–FDP 1969–82; CDU/CSU–FDP 1982–98; SPD–Greens 1998–).

The electoral system is, however, only one among several factors contributing to favourable conditions for stable coalition government. There are a number of other factors such as the ‘politics of centrality’ after the experience of National Socialism and in the context of the cold war (Smith 1976), the rapid economic recovery after 1948, and the capacity of the two major parties, the Christian Democrats in particular, to integrate potentially extremist parties representing, for example, the interests of German refugees from eastern Europe. At any rate, by 1961, a bipolar ‘two-and-a-half-party system’ had been established with the FDP in the function of a pivotal party. Since the late 1990s, the Federal Republic has been experiencing a bipolar two-bloc system with the SPD and the Greens to the left of the political centre pitted against the CDU/CSU and FDP right of the centre (Lees 2001: 131). This bipolar pattern is generally believed to be conducive to high levels of cabinet durability (Laver and Schofield 1990: 156–8).

The possibility for voters to ‘split’ their tickets is often seen to allow the formation of pre-election coalitions. A significant number of tactically aware voters of the smaller parties can be shown to anticipate the coalition preferences of their preferred parties’ leaderships and cast their ‘first’ vote for the constituency candidate of the likely (larger) coalition partner. Reciprocally, some supporters of the larger parties may use their ‘second’ (list) vote not to support their preferred party, but to vote for a smaller party—and likely coalition party of the preferred party. Such strategic ticket-splitting is possible when the main parties signal their coalition preferences relatively unambiguously and credibly before an election. The smaller parties (FDP and Greens) in particular have, therefore, deliberately run so-called ‘second-vote campaigns’ (*Zweitstimmenkampagnen*) to consolidate their vote by attracting voters from a larger party, usually the prospective coalition party.

Despite this increasing trend, strategic vote-splitting still occurs at lower levels in Germany than in democracies with similar electoral systems such as Japan, New Zealand, Scotland, or Wales (Gallagher 2001: 611). The reasons for this may be that many SPD and CDU/CSU voters still have relatively high levels of party identification and that the consequences of strategic voting are well understood only by a minority of voters (the latter point is made by Jesse 2001*a*, 2001*b* with further references). It is true that aggregate data taken from the official election statistics provided by the Federal Statistical Office for the election in September 2002 suggest that there was a considerable amount of strategic voting in support of a desired coalition, particularly on the part of the Greens and SPD. Nevertheless, close inspection also demonstrates some results that are inconsistent with a strategic coalition-based hypothesis (see below).

Each row in Table 10.5 gives the percentage of voters for the respective ‘row party’ using their other (first) vote to support a constituency candidate either from the party whose party list they supported, or of another party. If there is strategic voting in the strict sense of maximizing the chances of a preferred pre-electoral coalition, there should be a pattern determined by the parties’ pre-electoral commitments in the run-up to the 2002 election. The SPD and Greens had fought the

Table 10.5 Combination of party list votes, 2002

Party	SPD	CDU	CSU	Greens	FDP	PDS
SPD	86.4	2.6	0.5	5.5	1.6	2.4
CDU	2.5	92.2	—	0.6	3.1	0.4
CSU	3.0	—	92.0	1.1	2.4	0.1
Greens	59.7	3.3	0.7	32.6	1.4	1.5
FDP	11.9	32.5	3.6	1.9	47.7	1.0
PDS	19.6	3.1	0.2	3.2	1.6	70.9

Note: Each row gives the percentage of voters for a party list using their ‘first’ vote to support a district candidate from the parties listed in the respective columns.

Source: *Bundeswahlleiter* (<http://www.destatis.de/presse/deutsch/pk/2003/wahl2.pdf>).

election together and created fairly clear incentives for their potential voters. The CDU/CSU had indicated it preferred a coalition with the FDP. The FDP, however, had kept its options open, but there was little doubt amongst most observers that its preference was a renewal of its previous coalition with the CDU/CSU (1982–98). If the Green and FDP list voters wanted to vote strategically and—rather than wasting their vote on a candidate of their preferred party—support the constituency candidate of the preferred coalition party, a large percentage of those voting for a Green party list should have supported an SPD constituency candidate; similarly, a large proportion of those voting for one of the FDP lists should have supported a CDU or CSU constituency candidate. Table 10.5 supports these hypotheses, particularly for the Greens. Only one-third of those voting for a Green party list voted for a Green district candidate, whereas three-fifths voted for an SPD constituency candidate. The picture for the FDP is analogous, albeit less clear-cut, which may be a result of the party's more ambivalent pre-electoral strategy and the higher level of strategic uncertainty this created for its voters. Nevertheless, less than half of those voting for an FDP party list also voted for an FDP constituency candidate. More than one-third voted either for a CDU or for a CSU candidate.

If the voters of the two *major* parties wanted to make the most of their two votes, a considerable number of them could have been expected to support their preferred party's constituency candidate (hoping that they would win the constituency contest against a candidate of another major party) and cast their second vote for the party list of the preferred (smaller) coalition partner in order to ensure it clearing the 5 per cent threshold. This expectation, too, can be corroborated with the data derived from the official statistics (Table 10.6). About one-eighth (12 per cent) of those casting their vote for an SPD constituency candidate used their second vote to support a Green party list. Approximately 8 per cent of those voting for a CDU candidate used their second vote to support an FDP list. However, 38 per cent of voters supporting a Green Party district candidate voted for an SPD Land party list. This is clearly 'irrational' in the sense of strategically optimizing the coalition result. Nevertheless,

Table 10.6 Combination of constituency candidate votes, 2002

Party	SPD	CDU	CSU	Greens	FDP	PDS
SPD	79.5	1.8	0.6	12.2	2.1	1.9
CDU	3.2	85.3	—	0.9	7.5	0.4
CSU	2.2	—	92.6	0.6	3.0	0.1
Greens	37.5	3.3	1.7	49.4	2.5	2.2
FDP	10.4	15.7	3.7	2.1	61.1	1.1
PDS	21.4	2.8	0.2	2.9	1.7	65.3

Note: Each row gives the aggregate percentage of voters for the constituency candidates of each major party using their party-list vote to support the parties listed in the respective columns.

Source: *Bundeswahlleiter* (<http://www.destatis.de/presse/deutsch/pk/2003/wahl2.pdf>).

the coordination between SPD and Green voters was more pronounced than between CDU/CSU and FDP in the 2002 election. Considering the close-run result, this may well have been decisive (Lees and Saalfeld 2004).

THE POLITICS OF ELECTORAL REFORM

The main elements of the electoral system evolved between 1948 and 1956, as we have seen. In this period, large parts of the CDU and CSU leadership unsuccessfully pressed for a more majoritarian electoral system. These initiatives failed mainly due to the resistance of the SPD and some of the smaller parties that could expect to benefit from the existing system (Bawn 1993; Jesse 1987). The CDU/CSU continued to advocate a strengthening of majoritarian elements until the early 1970s. The Berlin Programme adopted at the CDU annual conference of 1971 was the last instance when a major political party demanded a majoritarian electoral system strengthening the direct influence of voters on government formation and promoting cabinet stability (Schindler 1999: 56). Largely due to the stability of the Federal Republic's party and governmental system, political and academic discussion about electoral reform 'belongs . . . more or less to the past' (Jesse 2001a: 129). Nevertheless there have been proposals for minor reforms such as reducing the voting age to sixteen; introducing a 'family vote' by which parents exercise a vote on behalf of each of their children; extending the Bundestag's legislative term to five years; abolishing the 5 per cent hurdle, the three-district-seat waiver, the surplus seats, or the second-vote system; and replacing closed party lists by open lists in which voters can influence the ranking of candidates. None of these reforms has found a sufficient cross-party majority to make it into the statute book (Jesse 2001a: 133, 2003; von Prittwitz 2003).

There are a number of reasons for the relatively strong support for the status quo. One of the key arguments advanced by those advocating a majoritarian system during the 1950s and 1960s was that a majoritarian electoral system would be more likely to lead to high levels of party system and cabinet stability. Yet, the Federal Republic did experience a high level of political stability under its proportional system of representation. With regard to the proportional character of the electoral system, the status quo also prevailed as a result of the strategic considerations of the main parties: during the 1960s and 1970s, both major parties competed for the support of the smaller FDP. The FDP, for which a (more) majoritarian electoral system would have been an existential threat, was able to use its position as 'king-maker' and junior coalition partner to reduce the risk of collusion between the two major parties. Any attempt by the two major parties to collude with each other in order to change the party system, and hence—most probably—eliminate the FDP as a political party represented at the parliamentary level, would have led to the loss of the FDP as a (potential) coalition partner. As the reform discussion of the 1950s and 1960s

shows, the incentives, at least for the SPD, to 'defect' (in order to preserve its own chances of forming a coalition with the FDP) were much stronger than highly uncertain electoral 'rewards'. The risk that a change in the electoral system might have produced a nearly permanent CDU/CSU hegemony at the national level was a sufficiently strong concern for the SPD to deter it from colluding with the CDU/CSU in this matter. With the firm establishment of the Green Party in the German party system as a potential coalition partner for the SPD, the incentives to maintain the status quo have remained strong.

Since unification, the surplus seats have become a significant source of disproportionality (usually) bolstering the strength of governments. After the 1994 election, when Chancellor Helmut Kohl's narrow victory was bolstered by twelve surplus seats, the Land government of Niedersachsen (under then Land minister president Gerhard Schröder) filed a constitutional complaint at the Federal Constitutional Court. However, the Court decided in 1997 that both the three-district-seat waiver and the surplus seats rule were constitutional (although only on a tied decision of 4–4 among the judges in the latter case; Jesse 2001a: 135). It is obvious that the Schröder government had little incentive to pursue the matter after it had narrowly won the 1998 and 2002 elections and its own majorities were enhanced by surplus seats.

Despite the fact that an independent expert commission on constitutional reform (1976) advocated a reform of the electoral system to replace the closed-list by an open-list system (as did later the Greens and the PDS), the major parties never supported this initiative, partly because such a reform would limit the power of mid-level party elites at the regional and Land levels to control the composition of the Land lists.

CONCLUSION

The creation of Germany's mixed-member system was the result of historical learning and elite bargaining between the relevant political parties, the regional minister presidents, and the Allied occupational authorities. It reflected the actors' political self-interest as well as a concern for the stability and legitimacy of the Federal Republic's emerging political system. Although the electoral system seemed to have fulfilled its main purpose—maintaining fairness and legitimacy on the one hand and creating favourable conditions for high levels of cabinet stability on the other—it remained contested until the late 1960s.

The system—the 5 per cent threshold in particular—has contributed to the party system concentration observed in the 1950s and early 1960s. It would be inaccurate to ascribe this effect only, or predominantly, to the electoral system. Nevertheless, it has protected the 'established' parties to some extent from new competitors and has given them some breathing space to adjust their policies. This may have contributed

to the rapid decline of the far-right NPD after its narrow failure to clear the 5 per cent threshold in the 1969 election. The 5 per cent threshold and three-district-seat waiver has, however, proved to be not too rigid: it did not completely stifle the success of new parties as the examples of the Greens and the PDS illustrate. From the voters' perspective, the electoral system offers some possibilities for sophisticated tactical voting, which they have increasingly used, although it is not necessarily clear that they generally understand the precise implications of strategic ticket-splitting (cf. Schoen 1998, 2000; Jesse 2001*a, b*). Despite some flaws, such as the possible impact of surplus seats on government majorities in the Bundestag, the electoral system has been generally accepted since the early 1970s and carries a significant degree of legitimacy.

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Hungary: Holding Back the Tiers

Kenneth Benoit

Few voting systems in the world possess a feature set as rich as the Hungarian electoral law, which incorporates three distinct sets of districts, a mixed-member system, a two-round system (2RS) (using two different criteria for run-off qualification), two potentially separate legal thresholds, two different sets of rules for proportional representation (PR), plus a few additional twists related to the implementation of a PR formula apparently found only in Hungary. Act XXXIV of 1989 is something of a legend in the annals of the politics of electoral systems, both for the political circumstances responsible for its creation, as well as the complex and often unpredictable ways that political parties and candidates have evolved strategies in response to the incentives it exerts. In its sixteen-year existence, Hungary's electoral system has operated in four elections and seen four governments (although one was a rerun). It has been responsible for strange outcomes, like the fact that the party with the second most votes won the plurality of the seats in both the 1998 and 2002 elections, or the fact that even with a strong PR component and a compensatory list mechanically capable of supporting many parties, the tendency in the past two elections has been reduction to a near two-party system. In this chapter I explore and discuss these issues, starting with the general outlines of the Hungarian political system and then describing the origins and features of the Hungarian electoral law. I then discuss the consequences of the electoral law on voters, parties, and the system as a whole. The final section assesses the process and prospects for electoral system reform.

POLITICAL BACKGROUND

The Hungarian political system centres around the parliament, Hungary's directly elected, single-chamber legislature. Consisting of 386 representatives elected to fixed four-year terms, the composition of parliament determines which party or group of parties will form a government and elect, by a simple majority vote, a prime minister. The prime minister receives the powers of government through this vote and selects his own ministers, who do not have to be chosen from the legislature. The constitution provides for the possibility of a vote of no confidence, although in practice the provision is so restrictive as nearly to preclude the possibility of a

successful motion. Similar to the German system, this 'constructive motion of no confidence' can be raised only if at the same time another prime minister is proposed. Furthermore, the motion of no confidence can be raised only against the prime minister and not against his or her cabinet. In the postcommunist period, Hungary has never experienced a successful motion of no confidence.

The parliament also elects, by two-thirds majority, the President of the Republic. The decision to elect the president indirectly was the subject of tremendous political debate and bargaining throughout 1989 and 1990, until the matter was settled following several constitutional amendments and referendums. The president serves a largely ceremonial role as the head of state, with real executive power vested in the prime minister and the government.

Hungary's party system began life as a six-party system, with five main parties emerging from the self-organized Opposition Roundtable in 1989, plus the outgoing Hungarian Socialist Workers' Party, which changed its name in late 1989 to the Hungarian Socialist Party. Moreover, the complicated, multilevel, mixed-member electoral system agreed to by the bargaining parties was designed to ensure continued legislative access to roughly the same six parties (Benoit and Schiemann 2001). This situation held through the 1998 elections, when, despite a growing bipolar concentration, almost the same six parties that had been participants at the National Roundtable in 1989 formed groups in the legislature. This situation changed rather dramatically, however, in 2002, when just three parties gained access to the legislature, with the two main rivals holding nearly 95 per cent of the seats between them. Table 11.1 shows the parties winning seats in the legislatures in the four elections from 1990 to 2002, along with the governing coalitions. Only in 1994 did a single party win more than 50 per cent of the seats, when the Hungarian Socialist Party held a sixteen-seat majority and formed a coalition government with the Alliance of Free Democrats, together controlling more than two-thirds of the legislature. In the other three coalition governments, however, governing majorities have been much closer to 50 per cent.

The remainder of this chapter examines the consequences of the Hungarian system for the party system, the parties themselves, the parliament as a whole, and the government. First, however, I briefly discuss the political origins of Hungary's electoral institutions.

ORIGINS OF THE ELECTORAL SYSTEM

The Hungarian electoral system originated in roundtable talks between the outgoing communist regime and the nascent opposition parties, held during several months of negotiations in the summer of 1989. Institutions bear the stamp of their designers' interests, and the Hungarian electoral system had multiple designers with plural and often competing interests. Hungary has a fairly long experience with the formal apparatus of elections, which also contributed to its choice of electoral institutions in 1989. Parliamentary democracy operated after the Second World War in the elections of 1945 and 1947. From 1949 to 1985 Hungary also held regular parliamentary

Table 11.1 Election results and parties in power, 1990–2002

	Election year			
	1990	1994	1998	2002
<i>Party</i>				
Hungarian Socialist Party (MSZP)	33	209	134	178
Alliance of Free Democrats (SZDSZ)	92	69	24	20
Hungarian Democratic Forum (MDF)	164	38	17	0
Independent Smallholders' Party (FKGP)	44	26	48	0
Christian Democratic People's Party (KDNP)	21	22	0	0
Fidesz-Youth Democratic Alliance/ Hungarian Civic Party	21	20	148	188
Agrarian Alliance (ASZ)	1	1	0	0
Hungarian Justice and Life Party (MIÉP)	4	0	14	0
Other	6	1	0	0
Independent	0	0	1	0
Total	386	386	386	386
<i>Governing Coalition Parties</i>				
	MDF	MSZP	FIDESZ	MSZP
	FKGP	SZDSZ	FKGP	SZDSZ
	KDNP		MDF	
<i>Governing Majority</i>				
	59%	72%	55%	51%

elections, although these were purely formal and dominated entirely by the Hungarian Socialist Workers' Party. During the period of non-competitive communist elections, voting used a single-member district (SMD) system. The last communist election in 1985 actually introduced a limited form of competition, requiring multiple candidacies (even though all candidates had to adhere to the official party programme). This law also introduced a national compensatory list, basically as insurance for the ruling cadre against even the modicum of competitiveness that the new law permitted.

One rationale offered for the SMD system used during the decades of socialism was its guarantee of well-defined constituency ties by linking a representative to a relatively small geographical district. The constituency ties argument is frequently advanced in Britain and in other countries defending a SMD system, and it played a role in the 1989 debates on electoral system choices in Hungary.

Debate over electoral laws in 1989 nonetheless used a mostly SMD system as a point of departure. As a starting point for negotiations the government drafted a proposal based on 300 individual candidate districts, with fifty seats to be allocated from a national list using remainder votes. Socialist party leaders thought that an SMD system would reward the most organized and visible candidates—at the time the socialists—and they were reluctant to depart from decades of electoral experience. Most socialist leaders and members of parliament (MPs) initially favoured a completely candidate-based voting law, and were strongly against the

idea of doing away with SMDs altogether (for a detailed analysis, see Benoit and Schiemann 2001).

The opposition, meanwhile, had formed its own roundtable with different tendencies toward ballot structure and vote-counting rules. The historically based parties, such as the Independent Smallholders and the Social Democratic Party, favoured the pure party list structures that had brought them to power in 1945 and 1947. The electoral laws of 1945 and 1947 had provided for district-based PR in much the same manner as the present territorial list system. Pure list systems also offered an institutional break with the systems created by the socialist state to manipulate power, and a symbolic return to what many saw as Hungary's interrupted democratic experience. To many the pure list system represented Hungary's original, indigenously developed electoral system and symbolized a return to Hungarian democracy before its Soviet-engineered interruption.

Newly created opposition parties such as the Young Democratic Alliance and the Alliance of Free Democrats, in contrast, favoured a predominantly SMD-based system. The Hungarian Democratic Forum, Hungary's first and strongest opposition party, lacked a strong preference. Addressing its constituent parties' different demands, the opposition roundtable advocated a compromise system as its unified position at the national negotiations, proposing that half of the mandates come from SMDs and half from a directly elected national list. This national list proposal introduced the mixed-member system and the idea stuck. The government and opposition forces eventually agreed to allocate some mandates to single-member districts elected by candidate-based ballots, and some mandates to party lists in counties elected by party-based voting. They also retained the government's original idea of a national compensation list to which remainder ballots from the two primary balloting levels would provide the voting inputs. Once this point was agreed upon, the main issues became the numerical balances of mandates to be assigned to each of these three levels, plus the matter of formulae, district sizes, and legal thresholds—issues then resolved through give-and-take bargaining at the national roundtable talks.

Despite similarities to other electoral systems (e.g. the German mixed-member system or the French run-off elections), Hungary's electoral rules were primarily the product of an indigenously developed system. The direction of the choice of electoral institutions taken in 1989 reflects far more the logical procession of ideas formed in a context of compromise among multiple actors than attempts to borrow from foreign models. Not only were some negotiators at the roundtable talks relatively unfamiliar with the details of comparative electoral laws, but also there were others who rejected the notion that Hungary should borrow directly from any foreign model. Finally, occurring quite early in the transition process that was to sweep Eastern Europe in 1989 and 1990, the Hungarian electoral law negotiations were relatively shielded from both the Hungarian public and the international press. They occurred during the summer months of 1989 when Hungary's future was still uncertain, especially to outsiders. There was no flood of foreign experts as there would later be during the first election itself. As a consequence, the institutional

choice process in Hungary was remarkably free of foreign influence, because outsider access was either restricted or unwanted.

Hungary's electoral system combines elements that are rather unusual among its eastern European neighbours. Among the electoral systems chosen by the east-central European countries making the earliest transitions to democracy, only Hungary and Bulgaria chose mixed-member systems, and Bulgaria used this system only for its 1990 election. Lithuania and Russia (see Chapter 15) also use two-ballot systems for their parliamentary elections, yet these systems were not adopted until 1992–3, in Lithuania's case at least with international influences playing a much stronger role. Furthermore, the list component of those systems is drawn from a single, nationwide party list rather than from a set of smaller districts. Hungary's upper-tier system is relatively unusual in that it was designed to, and in practice does, award the largest parties additional seats instead of compensating smaller parties in order to increase the overall proportionality of the result. Several other eastern European states use some form of compensatory mandates, but most are designed to distribute additional seats to small parties, not to give the largest parties an additional seat bonus as the Hungarian system tends to do.

HOW THE ELECTORAL SYSTEM WORKS










The Hungarian legislative electoral law is arguably the most complicated in the world. The system is a hybrid using elections from a combination of single-member districts, party lists, and a national compensation list. Of the 386 total seats, 176 are elected from SMDs, another 152 using PR from twenty districts ranging from four to twenty-eight in size, and a final fifty-eight reserved for proportional allocation from national lists. Voters cast two ballots each: one for an individual candidate in the SMD in which they are registered, and one for the party list in their PR district, whose boundaries conform to the nineteen county boundaries plus the capital Budapest. (For a sample of the ballot paper used, see Figure 11.1.) The national compensation list automatically allocates the remaining seats using aggregated votes from SMD and list ballots that did not go towards electing candidates. Table 11.2 provides the seat breakdown by tier for the 2002 election, for the three parties that won seats.

The 176 SMDs also employ a two-round format wherein a run-off election is held should no candidate receive an absolute majority in the first round, similar to that used in France (see Chapter 6) and in other run-off systems around the world. Hungary's two-round format is a hybrid, however, a mixture of what Cox (1997: 123) calls the 'top-*M*' run-off system—since the top three candidates can compete in the second round—as well as a 'fixed standard' (Greenberg and Shepsle 1987: 525) run-off system, since any candidate with at least 15 per cent of the vote may also compete in the second round.¹ This provision was included in the 1989 draft of the

¹ In addition, for both the SMD and the list balloting, if fewer than 50 per cent of the eligible voters cast ballots, then the election is held again for that district in the second round. This situation occurred in thirty-one districts in the 1998 elections.

ÖNKORMÁNYZATI KÉPVISELŐK LISTÁS VÁLASZTÁSA
1990. október 14.
SZAVAZÓLAP
Budapest főváros

MINTAPÉLDÁNY

Ipartestületek Budapesti Szövetsége	<input type="radio"/>	1. Rímóczi Sándor 2. Várkonyi József 3. dr. Nagy Balázs 4. Kriaszter András 5. Illinger Ferenc
 Magyarországi Szociáldemokrata Párt MSZDP	<input type="radio"/>	1. dr. Borbély Endre 2. Bácskai Sándor 3. Maurer László 4. Kaszás Iván 5. Sprencz Ernő
 Fialat Demokraták Szövetsége FIDESZ	<input type="radio"/>	1. Ungár Klára 2. Hankiss Agnes 3. dr. Szeszlér Tibor 4. Winkler Márta 5. Németh László Ákos
 Magyar Szocialista Párt MSZP	<input type="radio"/>	1. dr. Szabó Lajos Mátyás 2. dr. Csiba Judit 3. Bubla Gyula 4. dr. Ajkay Zoltán 5. Kiss Péter
 Szabad Demokraták Szövetsége SZDSZ	<input type="radio"/>	1. dr. Demszky Gábor 2. Polónyi Károly 3. Péterffy Ágoston 4. Perczel Anna 5. Marichall Miklós
 Budapesti Városvédő és Polgári szervezetek Szövetsége VPSZ	<input type="radio"/>	1. dr. Dalmy Tibor 2. K. Horváth András 3. dr. Buza Péter 4. Katona Áron Sándor 5. dr. Radó Dezső
 Magyar Szocialista Munkáspárt MSZMP	<input type="radio"/>	1. Virág Ferenc 2. Kollát Pál 3. Hevessy László 4. dr. Hajdú József 5. Gyenge Sándor
 Független Kisgazda Földmunkás és Polgári Párt FKgP	<input type="radio"/>	1. Récz Sándor 2. Bozsó Sándor 3. Gál József 4. dr. Bartal Ferenc 5. Mislivecz Ferenc
 Magyar Demokrata Fórum MDF	<input type="radio"/>	1. Barsáné Pataky Etelka 2. Széles Gábor 3. dr. Zelev István 4. dr. Horler Miklós 5. Utó Endre
 Kereszténydemokrata Néppárt KDNP	<input type="radio"/>	1. dr. Nagy Imre 2. dr. Rubovszky György 3. dr. Grigássy László 4. dr. Hölvényi György 5. Sonnevend Gyula

MINTAPÉLDÁNY

A listára szavazni a párt, társadalmi szervezet neve melletti körben elhelyezett két egymást metsző vonallal lehet, például: ⊕ ⊗

Figure 11.1 Ballot paper for district PR component of Hungarian election, 1990

Source: Andrew Reynolds ballot paper site at <http://www.unc.edu/~asreynol/ballots.html>.

Table 11.2 Results of Hungarian election, 2002

Parties	Single-member districts	Territorial lists	National lists	Total seats	% of seats	Total votes	% of votes
Fidesz-Hungarian Civic Party/ Hungarian Democratic Forum	95	67	26	188	48.7	2,306,763	41.07
Hungarian Socialist Party	78	69	31	178	46.1	2,361,997	42.05
Alliance of Free Democrats	3	4	13	20	5.2	313,084	5.57
Hungarian Justice and Life Party	0	0	0	0	0	245,326	4.37
Centre Party	0	0	0	0	0	219,029	3.90
Hungarian Workers' Party	0	0	0	0	0	121,503	2.16
Independent Smallholders' Party	0	0	0	0	0	42,338	0.75
Other	0	0	0	0	0	6,710	0.13
Total	176	140	70	386	100.0	5,616,750	100.00

election law at the insistence of the socialist party, who at the time thought it would splinter the uncoordinated opposition by creating a series of run-off races between the regime and two candidates of the opposition (see Benoit and Schiemann 2001). But the rules do not bind qualifying candidates to participate in the run-off round, since they have the option of withdrawing, known in Hungarian as *visszalépés* or 'stepping back.' As I discuss below, this strategic option has been exercised with increasing frequency in elections since it first figured largely in determining the electoral outcome in 1998.

By law, each SMD contains approximately 60,000 residents, although districting has occurred only once, following the law's creation in 1989. The twenty PR districts for list allocation, on the other hand, follow county administrative boundaries and are assigned district magnitudes according to population, and would require reapportionment of these numbers to adjust for future population shifts.

Registration of candidates and lists begins with the registration of SMD candidates. To establish a candidacy in one of the 176 SMDs, a candidate (or party on behalf of a candidate) must collect 750 signatures from eligible voters in that district. Only parties can establish lists. To establish a list in one of the twenty PR districts, a party must have established candidacies in at least one-quarter of the SMD districts within the boundaries of that PR district, or a minimum of two. Finally, to establish a national list, a party must have established lists in seven of the twenty PR districts. For parties with smaller or more regionally based organizations, these requirements can be daunting. Finally, even though a party may have qualified its lists for the election, no party can receive any regional or national lists seats unless its list vote share reaches at least 5 per cent of the nationwide regional list vote. This national threshold prevents parties that are strong only in specific regions from winning seats through the list mechanism.

The second main component of Hungary's electoral system comes from PR, with each voter casting, in addition to the candidate-based ballot just described, a party-based ballot for electing representatives proportionally from party lists. Hungary's electoral system actually has two PR-based components, one for direct election from ballots cast in twenty PR districts, and the other a PR list established nationwide from compensation votes not used to elect candidates or parties in either tier employing direct balloting. Hungary's electoral system is clearly a mixed-member type, albeit a 'super-mixed' (Massicotte and Blais 1999) hybrid of two variants: a 'superposition' type coming from the direct PR at the district level, and a 'corrective' or compensatory variant due to the use of surplus votes to distribute compensatory national list seats.

The twenty regional lists vary in district magnitude from four to twenty-eight, with a median district size of seven. The allocation method for the regional lists is a modified version of the Largest Remainder–Droop PR formula (see Appendix A). The Hungarian allocation uses an unusual variant on the remainder allocation procedure, however, stipulating that no party shall receive a seat through the remainder allocation process whose remainder is less than two-thirds of the original quota. Remainder votes are transferred to the national vote pool, whether they were

used by a party to win a seat in the remainder allocation or not. This means that for parties whose remainder votes won them a seat, the difference between the quota and their remainder is subtracted from that party's national list votes—a deficit vote transfer rather than a surplus.² The philosophy behind this rule is that each vote should be used only once, and that no seats should be given at a 'discount'. The application of the 'two-thirds limit' typically results in some seats being unallocated in each district, and these are added to the fifty-eight seats reserved for allocation from the national pool of seats. In practice this tends to swell the seats for national list allocation from the original fifty-eight to between eighty-five and ninety seats.

The final level at which seats are awarded in the Hungarian electoral system comes from national lists submitted by parties. As we have mentioned, any party that gains less than 5 per cent of the total (regional) party list vote is excluded from the national list allocation. There is no ballot at the national list level; instead, national list seats are awarded on the basis of compensation votes, defined as votes not used to allocate a seat directly in an earlier tier. These are the votes from the first round of the SMD balloting cast for party candidates who did not win the seat, and from remainder votes transferred from the territorial lists as previously described. Once the votes for each party are established through transfers from the SMD contests and the regional list voting, all national seats are allocated using the D'Hondt highest average PR formula, a formula deliberately chosen to provide a bonus for the largest parties (see Appendix A). Because only the first round SMD votes of candidates losing in their districts transfer to the national list, and because most SMD districts are decided in the run-off round, the national list seats cannot be allocated until after the SMD run-offs have occurred.

The Hungarian electoral rules permit individuals to be candidates simultaneously in each of the three electoral tiers. A candidate in an SMD contest may be listed on a regional list (although only one), and may also have a place on his or her party's national list. In the case of both regional lists and the national list, the identity and ordering of candidates is determined in advance by parties. Voters are not able to alter the order of candidate lists or to express preferences for individual candidates on the lists.

Hungary's electoral rules hence pose something of a challenge for students of electoral systems to classify, yet this same feature makes the system a rich one to study in terms of its consequences. The effects of Hungary's complicated electoral system forms the topic of the next section.

² An example: suppose a district has a quota of 10,000 votes, and after quota allocation, party A has 7,500 votes remaining, and party B has 6,500 votes remaining. Party A has the highest number of remainder votes, so it receives the next seat. Party B's remainder votes are less than the two-thirds limit (6,667), so it does not receive an additional seat at this level, and no subsequent allocation may be done. For party B, 6,500 votes are added to the national pool. For party A, 10,000 minus 7,500 votes are subtracted from its national total of compensation, equivalent to adding nine votes.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

The effect of electoral systems on party systems operates in two classically identified ways, through the psychological effect on parties making decisions on whether and how to compete in elections, and through a mechanical effect that governs how the votes received by parties will be converted into seats.³ This section examines each in turn to draw some conclusions regarding the consequences of the Hungarian electoral system on political parties.

To gauge the psychological effect of the rules on party entry, it would seem a straightforward experiment to compare the candidacies among the list and SMD districts to observe the consequences of the different incentives exerted by each set of rules. According to Cox (1997), the equilibrium for party entry in a district is $M+1$ (where M refers to district magnitude). Taking M as the (typically) three places available in the run-off election, and bearing in mind that the minimum list-PR district magnitude is four, then we would always expect the number of parties entering lists to be greater than the number of parties entering candidates. In fact this is not the case, because of the linkage of SMD candidacies with the requirement for establishing lists in PR districts, and because of the compensatory national list which makes even losing SMD votes desirable. The electoral law states that for a party to establish a list in a PR district, it must first establish candidates in one-quarter of the SMDs contained in the larger PR district (with a minimum of two). This, combined with the knowledge that losing party candidates in SMDs will still contribute valuable votes for allocation on the compensation list, automatically leads to establishing as many lists as possible, something also necessary to collecting sufficient nationwide votes to meet the 5 per cent threshold. This is why we observe nearly full candidacies and lists for the major parties, with the exceptions explained by either small parties facing organizational challenges, or some parties intentionally not fielding candidates because they have agreed with another party to do so in advance. For these reasons, the Hungarian district level makes a poor case to observe Duvergerian psychological effects on party entry. As Table 11.3 shows, the effective number of parties competing from the candidate-based districts is approximately equal to that from the list-based districts.

When comparing the mechanical effects between ballot types, however, we would expect to observe a difference, and in fact the effective number of parties elected from the lists is visibly higher than that elected from the SMDs. The difference has diminished with each successive election, but this is more a reflection of the shrinking number of competing parties and the concentration of the vote into two main forces than any change in the mechanical effect per se. Figure 11.2 graphs

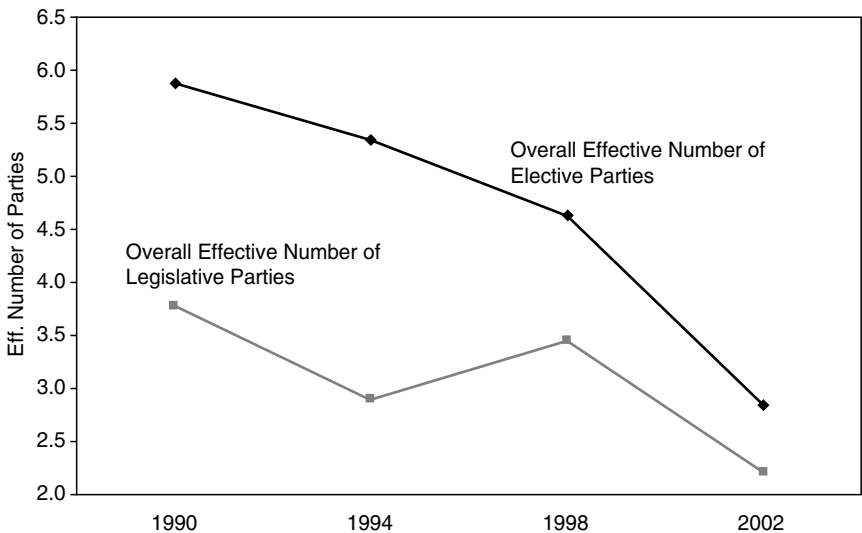
³ For more details on the characterization of, and difference between, Duverger's psychological and mechanical effects, see Blais and Carty (1991).

Table 11.3 Psychological and mechanical effects on the party system

Quantity	1990	1994	1998	2002
<i>In 176 SMDs:</i>				
Mean effective N elective parties	6.7	5.6	4.9	2.8
Standard deviation	1.5	1.1	0.8	0.3
<i>In 20 regional list districts:</i>				
Mean effective N elective parties	6.0	5.5	4.5	2.7
Standard deviation	0.9	0.6	0.3	0.2
Overall effective N elective parties	5.9	5.4	4.6	2.8
Overall effective N legislative parties	3.8	2.9	3.4	2.2
From SMDs	2.2	1.4	1.6	2.1
From lists	5.1	4.3	2.6	2.3
Overall disproportionality (least squares)	15.9	16.3	8.6	7.6
Overall disproportionality (Loosemore–Hanby)	40.4	42.2	27.9	23.3

the reductive trend in the number of parties competing and elected, clearly showing the convergence in the effective numbers of parties at the two levels and the reduction to a virtual two-party system—a rather striking trend, of concern to many commentators on Hungarian politics.

The last two rows in Table 11.3 also compare the disproportionality of the outcomes at the aggregate level, using both the least-squares and the Loosemore–Hanby

**Figure 11.2** Trends in the effective number of parties, 1990–2002

disproportionality indexes.⁴ The clear trend is one of a reduction of disproportionality in the four elections that have taken place since the regime change: in fact a reduction by half since the initial election of 1990. The reason for the increase in proportionality has been the convergence of the numbers of parties competing and parties winning seats—what might be considered a Duvergerian equilibrium had Duverger been able to imagine such a complex electoral system. The equilibration, furthermore, has compressed the party system into an effective number of fewer than three parties, making it difficult for new entrants—such as the Hungarian Democratic People's Party (MDNP) in 1998, or the Centre Party (Centrum) in 2002—to gain either seats or sufficient numbers of voters.

The reductive trend evident in the Hungarian party system results stands out as curious not only because of the relative newness of Hungary's democracy, but also because even in more long-lived democracies mixed systems tend to promote multipartism. In the Hungarian case as a whole, several reasons exist to expect that Hungary's electoral law would produce and sustain a multiparty system. First, evidence from other cases generally suggests that mixed-member systems tend to behave more as PR than as SMD systems (Budge et. al. 1997). As Herron and Nishikawa (2001: 13) explain, the PR and the SMD components produce an 'interaction, or contamination, which undermines the acquisition of Duvergerian equilibria in the SMD component.' The expectation is therefore that, in general, mixed systems such as the Hungarian system would sustain multipartism. Second, despite its favourability to the largest parties, we would nonetheless expect Hungary's compensatory PR list at the national level to mitigate the majoritarianism in the SMDs, causing an overall tendency of the system to behave more like a PR than a majoritarian system.⁵ Finally, two-round run-off systems, in general, are not expected to share the same reductive tendencies as first-past-the-post. Duverger's original prediction was that such systems would not produce the tendency towards a two-party system (1954: 240; see also Sartori 1994: 67). Cox (1997) takes this logic further and demonstrates that a top- M run-off system should lead to $M+1$ parties. For these reasons, therefore, it would not be out of line to expect multipartism in the Hungarian political system. The curious feature about Hungary then is precisely that this convergence towards fewer, even two, political forces is occurring despite these expectations.

The institutional reason for the concentration in the Hungarian party system lies in the peculiar arrangement of the single-member districts in the overall electoral system. First, because the SMDs are linked to the proportional parts of the system through registration requirements, only the parties large enough to field substantial numbers of candidates are able to enter lists and thereby benefit from the more proportional components of the system. Second, because it is the first-round SMD votes that are recycled into the national list, the reductive pressures that apply to the

⁴ For the calculations of overall disproportionality in Table 11.3, regional list vote shares won by each party were compared with total seats won.

⁵ This is similar to Lijphart's (1994) classification of these types of mixed electoral systems as PR.

SMD votes also affect the ostensibly compensatory national list. In practice, the national list acts to reward the largest parties coming in at the second, third, or fourth place but does not offer any real benefits for smaller parties. Third, the run-off provision in the SMDs acts in effect to create two elections rather than one, where the first simply serves to narrow the field of candidates. Because it is rare that any candidate in the first round is declared the winner with more 50 per cent of the votes, the vast majority, sometimes nearly all, of the SMD seats are decided in the run-off round. The strategy of candidate withdrawal has thus become a major feature of Hungarian electoral strategy, requiring party coordination in the SMD tier that affects party competition in the PR tier.

In the other postcommunist mixed-member systems, the SMD and list mechanisms operate independently. In the Hungarian system, by contrast, the SMD and list mechanisms are linked by rules that govern the qualification for candidacies and lists. In short, every party that runs a list has an incentive to field candidates in as many SMDs as possible. This creates a tight marriage between party lists and party candidates, causing parties to look first to the SMDs and secondarily to the lists. While the observed disproportionality of seats to votes comes predominantly from the SMDs, then, the psychological effect of the majoritarian SMDs acts to reduce the starting line-up of the overall race to serious contestants only. The reduction occurs not only in the effective number of elected parties, but also in the number of parties competing. Unlike in other mixed-member systems, such as Ukraine's, that also allow dual candidacies (Herron 2000), the Hungarian SMD component does not encourage independent candidacies or loosen party discipline. Indeed, because of the incentives to forge 'stepping back' pacts in the run-off round, parties tend to maintain tight control over their candidacies to follow party coordination strategies with other parties. The result in Hungary is that the reductionary tendency of the SMD component has overtaken the PR component's tendency toward multipartism, affecting the overall structure of party alliances as well as the public perception for and support of these parties. While this result deserves to be examined more rigorously and in other contexts in order to be validated generally, the contamination effects of the mixed system appear to have worked opposite to that predicted. In effect, the mixed-member system and the two-round run-off format in Hungary have resulted in a consolidation of electoral competition into two main parties, even though either of these institutions could in principle produce proportional outcomes capable of sustaining multipartism.

Impact on the parties

It would not be an exaggeration to state that Hungary's electoral system was created for the parties, by the parties, and of the parties. Independent candidates are allowed to compete in SMDs, but this practice has been steadily declining. By design and in practice, only parties are eligible to win list seats. Furthermore, Hungary's SMD system, its relatively small PR district sizes, the two-thirds limit in the regional list allocation, and the compensatory national list all act together to reward larger parties

at the expense of smaller ones. Finally, it has become increasingly accepted that coordinated party strategy—both within and between parties—is necessary to perform successfully in the SMD tier. This section examines some of these electoral system effects and how they shape internal party life.

The Hungarian electoral rules directly shape party behaviour during electoral competition. The basic character of the Hungarian electoral system makes effective competition possible only through political parties. Only parties are eligible to win list seats, which comprise 55 per cent of the total seats. In addition, the threshold applying to list seats filters out parties with less than 5 per cent of the nationwide list vote, discouraging frivolous or tiny parties from entry. The rules also directly affect electoral competition through the pressure to forge non-competition agreements in the second-round SMD contests. In the 1998 and 2002 elections, Hungary's parties made extensive use of pre-round and between-round election pacts to coordinate electoral strategy. These took three forms. First, two parties, the main opposition party Fidesz and the (in 1998) electorally ailing Hungarian Democratic Forum, agreed to combine forces to offer joint candidates and joint lists, an option permitted in the electoral law but used before only in 1990 by mostly minor parties and on a much smaller scale.⁶ Second, Fidesz, the MDF, and the FKGP, and also the Socialists and the Free Democrats in a few cases, forged agreements not to compete against one another in several SMDs in the first round and urged voters of non-represented parties to support the allied party's candidate instead. Finally, and most importantly, between-round electoral coordination took place in the form of the agreements that voluntarily reduced the number of candidates competing in the second round. Although the rules permit the top three candidates to enter the run-off round, pairs of parties quickly realized that their chances were much better if they agreed between themselves that one qualifying candidate should withdraw so as to concentrate the vote on the remaining candidate.

This realization became common practice in 1998 with the first widespread use of candidate withdrawals before the second round (see Table 11.4). With the objective of unseating the incumbent Socialist–Free Democrat coalition, Fidesz and its allies on the right, namely the Smallholders (FKGP) and the MDF, used the stepping-back strategy to move Fidesz from second place in the first-round result to first place in the final seat allocation, successfully enabling the formation of a Fidesz–MDF–Smallholders government. The key to this success was widely seen to be the significant withdrawals made by the Smallholders, which withdrew its candidates from more than 60 per cent of the 116 districts in which it had qualified for the run-off, stepping back wherever it had received fewer first-round votes than other opposition candidates. The Christian Democrats and the Hungarian Democratic People's Party each withdrew all but one of their qualifying candidates from

⁶ In 1990 there were seventeen joint candidates, mostly between the SZDSZ and Fidesz and between the Agrarian Alliance and its partners, and four of these won seats (Toka 1995). Five joint candidates competed in the 1994 elections, and one won a seat (Benoit 1999). In neither of these two previous elections, however, were the joint candidacy agreements as widespread or as formal as in 1998.

Table 11.4 Candidate withdrawals before the second SMD round, 1990–2002

Party	1990		1994		1998		2002	
	Qualifying candidates	Withdrawn (%)	Qualifying candidates	Withdrawn (%)	Qualifying candidates	Withdrawn (%)	Qualifying candidates	Withdrawn (%)
MDF	162	5	99	1	25	88	—	—
Free Democrats	149	10	161	1	83	42	78	90
Smallholders	78	10	46	0	116	61	3	100
Socialists	61	3	174	0	175	3	131	5
Fidesz	19	47	10	50	169	11	131	0
Christian Democrats	29	21	18	0	29	1	0	—
Justice and Life	—	—	—	—	32	3	17	100
Workers'	—	—	—	—	27	4	8	100
Other	44	18	9	11	70	103	26	77
Independent	31	68	6	50	—	—	—	—
Total qualifying candidates	573		523		726		394	
Weighted mean % withdrawn		13		2		35		27

the second round, encouraging their voters to support Fidesz, MDF, or joint MDF–Fidesz candidates instead.

The realization of the importance of the coordinated strategy of stepping-back agreements has only strengthened a pre-existing tendency for centralized party control. In the 1998 election when the stepping-back strategy was employed party-wide for the first time by the Independent Smallholders, party leader Torgyán unilaterally declared to his party candidates across the country that they would withdraw from the second-round contests where it had been agreed to do so in negotiations by Torgyán and the Fidesz party leader Viktor Orbán. Despite some initial resistance from rural candidates, eventually nearly all stepped back. In between-round negotiations by the MSZP and SZDSZ leadership in both the 1998 and 2002 elections, party control from the centre was even more evident. In both cases it was agreed by party leaders precisely whose candidates, in which districts, would withdraw, and these agreements were once again carried out fully by individual candidates. By the time of the highly polarized 2002 election, stepping-back agreements formed a large part of election dialogue even during the campaign. With an extremely close result between the Socialists hoping to return to power and the incumbent Fidesz party, after the first round nearly all of the trailing candidates stepped back from the third-round contests, leaving a total of 131 districts where, with only a handful of exceptions, the run-off rounds were contests between two candidates. The effect was indeed to bring Fidesz forward in many districts where it had come second place in the first round—just as the effect had worked in 1998—but the overall result was not quite sufficient to prevent it from being replaced by a Socialist–Free Democrat alliance government.

Impact on parliament

The electoral system has had several effects on the organization of political life in the legislature. The distribution of power in parliament is defined along partisan lines, with party size determining relative shares of committee seats, speaking time, and other legislative goods and privileges. According to parliamentary rules, a party needs at least fifteen seats in the parliament to be entitled to form an official group, entitled to formal legislative privileges. This encourages party MPs who have broken off from existing parties—as has happened previously from the Democratic Forum, the Christian Democratic People's Party, and the Smallholders' Party—either to be prepared to form a fifteen-member fraction, or to quickly join another party fraction. Non-affiliated MPs in the Hungarian parliament are effectively powerless.

Hungarian party discipline is relatively strong, encouraged by the constant threat of withdrawal of party support during the next election. Not only is the organization of SMD candidacies and signature collection in practice led through party effort, but also the parties determine the composition of lists in advance and in private. The result is not only a political competition that is heavily, almost exclusively, centred around parties, but also a highly centralized party system where leaders exercise strong, top-down control.

The possibility of simultaneous candidacies in multiple tiers—permitting candidates to run simultaneously in one SMD, in a district list, and on the national compensation list—gives parties strong control over the election of their leaders and other party elites. In practice very few candidates stand in SMDs only; much more common is for SMD candidates—more than three-quarters in fact—to stand also on at least one list. Parties therefore tend to place their leaders and other members whose election they consider most crucial at the top of both their territorial and national lists, as well as running that candidate for election in an SMD. For this reason, the lists are often criticized because they place a great deal of power in the hands of parties and party leaders, sometimes leading to the election of individuals from lists who would probably not have won a direct contest with other candidates.

Each party's national list tends to mirror its top leadership rankings. Indeed, the practice for several elections has been to name prime ministerial candidates to the first place on the national list only, thereby avoiding the embarrassing possibility of becoming prime minister after losing a direct contest in a district. Parties learned well the painful lesson of ex-communist Imre Pozsgay—widely favoured in 1989 to become the first elected president of Hungary—who lost his 1990 SMD race and entered parliament only because of the party list. Even candidate selection at the SMD level reflects a significant amount of party strategy driven by national rather than local concerns, with parties searching 'methodically for the best tactics and the best candidates, having learned from their own experience and from that of other parties both national and foreign' (Ilonski 1999).

Some postcommunist mixed-member electoral systems—those of Russia and Ukraine, for example—commonly result in the election of many independent candidates in the single-member constituencies, in contrast to the list seats, which only parties are eligible to contest. In Hungary, by contrast, this phenomenon is virtually non-existent because the structure of political competition is dominated by political parties, a legacy that dates to the transition that was itself negotiated by political-party representatives in closed meetings. These parties also designed the electoral rules heavily to favour parties and to discourage independent candidacies, disqualifying non-party candidates from well over half of the seats. In addition, parties have a strong incentive to recruit would-be independents in order to gain additional compensation votes even should these candidates lose their SMD contests. Finally, individuals running as party-list members have a triple chance to be elected—assuming they compete in an SMD and on both regional and national lists—whereas running as an independent would leave only the SMD option available. As a consequence, independent candidacies since the first election in 1990 have been steadily declining. In the 1990 election, only 199 of 1,623 candidates ran as independents, and only six independents won their contests. These levels dropped to 103 independent candidates in 1994, with no victories, and to fifty-three in 1998, with just one gaining a seat. In 2002 there were forty independent candidates, winning no seats.

Another common basis for assessing electoral-system effects on parliaments is the proportion of female representatives. Hungary's record in this regard is

comparatively poor: in the 2002 election, only 34 of the 386 MPs elected were women (9 per cent). Relatively more women were elected from territorial lists than from SMDs: 47 per cent of male MPs (164) were elected from SMDs, compared to 35 per cent (12) of the women MPs, while 35 per cent (124) of the elected men were elected from regional lists compared to 47 per cent (16) of the women. The differences, however, were not statistically significant. Approximately equal relative proportions of male MPs (18 per cent or sixty-four) were elected from the national list as for female MPs (18 per cent or six). Without a more systematic examination of candidacies by gender, of course, it is not possible to draw conclusions about the relative probability of election given gender and district characteristics, but the analysis of elected MPs reveals no particularly strong differences according to electoral mechanism.

Some research has attempted to investigate whether legislators elected from SMDs behave differently from those elected on lists. Informal evidence certainly suggests that legislators tend to respond to their parties more than to their particular districts, although this should be tested with evidence such as individual voting records or scores of constituency service. On the whole Hungarian parties tend to maintain a good measure of party discipline, although personality disputes have divided and even crippled some parties in the past, particularly those of the right. It remains untested, however, whether legislators elected from lists tend to observe greater party discipline than their SMD-elected colleagues.

Legislators could also be compared, of course, on the basis of constituency service according to whether they were elected in SMDs or from party lists. Certainly, there exists informal evidence to indicate that SMD-elected MPs are loaded with small tasks that are difficult for government or central office officials to fulfil (Ionski 1999). To date, however, there has been no systematic evidence gathered on constituency service by Hungarian MPs, making this proposition also impossible to quantify or even verify.

Government formation

The norm in Hungary has been majority coalition government by a majority of parties, typically between a large party and a smaller coalition partner. Coalitions in Hungary are typically determined in advance of the election through strategic pacts designed to restrict competition for seats between potential coalition partners. The strategic pacts take the forms already described of stepping-back arrangements, or parties establishing joint candidates or lists. For such parties, voters are well aware in advance of election day which parties present potential coalition governments. Furthermore, these coalition packages are de facto fixed regardless of the final balance of seats reached by individual parties. Following the 1994 election in which the Hungarian Socialist Party won an absolute majority of seats, for instance, it still took the Alliance of Free Democrats as a coalition partner (see Table 11.1). The resulting government, however, gave the ruling coalition more than two-thirds of the seats in the legislature, surpassing the super-majority necessary to effect constitutional-level changes.

The politics of coalition pre-commitment was also responsible in the 2002 election for a coalition government between the second- and the third-largest parties (the Socialist Party and its junior coalition partner the Free Democrats), since it was deemed politically impossible for a viable coalition to have been formed between the first-placed party, the Fidesz–Hungarian Civic Party, and the Free Democrats. Without another party in the legislature willing to join them, no government proposed by the plurality Fidesz–Hungarian Civic Party—just six seats shy of the 194 seats needed to constitute a majority—would have been ratified by the majority parliamentary vote required to approve a government.

THE POLITICS OF ELECTORAL REFORM

Electoral reform in Hungary is possible through an act of parliament, although amendments to the electoral law require a two-thirds super-majority for passage. Since 1989, no significant change to the law has occurred, except for a decision in 1993 to raise the minimum electoral threshold from 4 to 5 per cent. All other modifications have been minor, aimed principally at improving the fairness and transparency of existing procedures such as candidate registration and ballot counting.

Periodic discussion of electoral reform takes place in Hungary, but almost never comes before the legislature for a vote. Proposals to change the electoral system that have failed in the planning stages have included adding thirteen guaranteed seats for national and ethnic minorities and further complicating the vote counting by linking the list distributions to the SMD seats that a party wins. The latter proposal, put forward by the Free Democrats in 1997, would have been aimed at redistributing the spoils from larger to smaller parties by adding further linkages between the SMD and list results. For obvious reasons, however, this proposal failed to garner support among the Socialists, who despite being the Free Democrats' coalition partners also had their large-party interests to consider.

Another reform discussed by the Fidesz government elected in 1998 concerned a plan to reduce the size of parliament from its current 386 to between 200 and 250. Needless to say, the draft proposal was unpopular with the sitting MPs who would have been asked to vote to eliminate between a third and half of their own positions. Another proposal that resurfaces periodically is the elimination of the run-off round, put forward first by the Socialists in 1994, pointing to the same reform that had changed mayoral elections from a two-round to a single first-past-the-post format. This suggestion has been revived following the successful use of coordination between rounds by the coalition of the right in 1998 and again in 2002, a strategy that both times worked against the Socialist Party candidates. Given the very thin governing majority of the Socialist–Free Democrats coalition, however, this reform will be impossible to pass unless conditions change dramatically.

The relative stability of its electoral system makes Hungary an exceptional case in eastern Europe, a region where electoral rule change has occurred quite frequently since the relatively recent transitions to democracy in that region. The resistance to electoral reform of the Hungarian electoral law stems from the mode of its adoption

and the party interests whose operation it reinforces. Despite being overly complicated, producing possibly irregular results—like giving the plurality of seats to a party that came in only second place in the total votes (as it did with Fidesz in both the 1998 and 2002 elections)—and over-representing large parties at the expense of smaller interests, Hungarian electoral institutions are quite resistant to change. By requiring a two-thirds majority to effect electoral rule change, the law makes it necessary to secure the support for reform from the largest parties. Yet it is precisely the largest parties whose interests are best served by the existing law, thereby making significant reform highly unlikely.

CONCLUSION

The contribution of this brief look at the politics of Hungary's unusual three-tiered electoral system has been threefold. First, I have attempted to explain how the Hungarian electoral rules operate, as well as to explain how this complex set of rules came to be chosen. Second, by examining the strategic incentives presented by the law and tracing the evolution of electoral strategy by political parties, I have shed some light on why Hungary's ostensibly multiparty rules have resulted, after four elections, in a virtual two-party system. Finally, the evolution of strategic-withdrawal pacts from the second round explains such curious results as how, on the aggregate level, a party coming first in total votes may place only second in total seats. By judiciously consolidating voters through voluntary withdrawal from the second-round contests, the opposition parties were able to concentrate votes efficiently, beating the coalition parties in districts where coalition candidates had led in the first round. On a more general level, the analysis of Hungary's electoral outcome has shown how coordination among parties can affect outcomes in the relatively unusual top-*M* run-off electoral contests. It also demonstrates quite clearly that a high level of strategic coordination among parties is possible in post communist democracy, even in ones where rules are complex and electoral experience limited to little more than a decade of competitive elections.

The avenues briefly explored here suggest several interesting directions for future research. A first area that remains to be explored is the effect on strategic behaviour of interlocking tier rules in mixed-member electoral systems. While Herron and Nishikawa's (2001) analysis suggests that mixed-member systems encourage multipartism, the results from a decade of experience in Hungary suggest that this is not always the case. The Hungarian case is unusual in that its multistage electoral system links electoral tiers by qualification requirements and by the national compensation list. The combination of the majoritarian SMDs, with their incentive for strategic coordination in order to win the second-round contests, and the highly party-centric orientation of the system, cause the majoritarian impulse to dominate, encouraging strategic coordination among the largest parties into a bipolar axis of competition. The results reinforce Mair's (1997: 220–1) observation that changes in party systems come not only from shifts in the electorate, but also from changes in elite behaviour and party strategy. These changes in elite strategy and the

consequent stabilization of interparty competition indicate that a process of democratic learning has taken place. As the study of the Hungarian case has demonstrated, the incentives presented by the electoral system and the way that it conditions strategies for successfully contesting elections play a key role (Toole 2000). Future research on the consequences of mixed-member systems might compare Hungary's party system to other systems both with and without linked electoral-system tiers, in order to explore more fully the mechanism of this relationship and to test whether it might hold in other systems.

Another interesting direction for future research would be the relationship of parties' ideological positions to their success in compelling voters to follow strategic cues. The alliance between the economically liberal SZDSZ and the socialist MSZP is not without its tensions over policy, a tension perceived by many supporters of these allied parties. On the right, the Fidesz–MPP and the MDF alliance has attempted to consolidate all other parties of the right, including the far-right Justice and Life Party, but this has also involved a balancing act between keeping centre-right voters while still appealing to those on the far right. In other words, there is some evidence that the supply of programmatically distinct political parties may be more restricted than potential voter demand. Beyond the implications for representation and democracy, this development has implications for the way that electoral strategy operates as parties balance incentives offered by the electoral system with preferences from the electorate. The possible divergence between elite response to electoral system incentives and the psychology of voter response to party strategy, is an important aspect of electoral politics in Hungary that deserves more systematic investigation.

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Italy: A Case of Fragmented Bipolarism

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POLITICAL BACKGROUND

The 'constitutional compromise' of 1947 was based on the choice of a parliamentary system and its main features have not changed. Parliament is composed of two legislative branches (a Chamber of Deputies and a Senate) and each has the same powers. This makes Italy one of the few remaining cases of a perfect bicameral system. The cabinet is equally responsible to the Chamber and the Senate through the mechanism of the confidence vote that must take place after the appointment of the cabinet by the President of the Republic. The prime minister (termed the President of the Council of Ministers) has the power to propose ministers to the President of the Republic but not the power to remove them from the cabinet. For this a vote of no confidence is necessary. The President of the Council of Ministers cannot dissolve parliament and call early elections. This power rests with the President of the Republic who is elected by a joint session of parliament for a seven-year term. The only element of the 1947 constitutional compromise that has been changed is the electoral system for the Chamber and the Senate. For both branches it was a form of proportional representation (PR), but this was replaced by the present systems in 1993. Fundamentally the constitutional compromise reflected the need to find some common ground in light of the deep ideological differences among the major political forces of the time. It embodied a sort of consensus model democracy in which the main political parties, Communists, Socialists and Christian Democrats, would share power (Di Palma 1977).

With the outbreak of the cold war, Italy moved in the direction of a 'polarized party system' that lasted until 1992–3. It was characterized by the predominance of a centre coalition dominated by Democrazia Cristiana (DC), the largest party in the system, and by the presence of two anti-system oppositions, the Partito Comunista Italiano (PCI) on the far left and the Movimento Sociale Italiano (MSI) on the far right. The party system continued to function in such a way as to prevent any alternation in office between competing coalitions. Italian democracy remained 'blocked', non-competitive, and the governing class continued to be largely unaccountable. In this context the high level of government instability, one of the key features of the system, disguised the fact that the same parties and often the same

individuals remained in power. Cabinet changes were the result of intracoalitional adjustments following intracoalitional bargaining.

The collapse of international communism removed the most important factor behind the stalemate of the system and inaugurated a new period, which is commonly described by the misleading term of the 'Second Republic' (Gundle and Parker 1996; Morlino 1996; Newell 2000). The constitutional foundations of the 'First Republic' have not changed. What has profoundly changed is the functioning of the party system. The catalyst for change was the onset of a round of judicial investigations (the 'clean hands' inquiry) which exposed to the public the depth and the scope of the political corruption that had become a trait of the old system. No party has remained untouched. Many of them have disappeared. Others—the DC, the PSI, the PCI—have split into different formations and/or went through profound ideological and organizational revisions. The PCI became the Partito della Sinistra Democratica (PDS) and later the Democratici di Sinistra (DS). At the same time its left wing created the Partito della Rifondazione Comunista (PRC). The MSI, the old neo-fascist party, turned into Alleanza Nazionale (AN). At the same time the crisis of the old party system prompted the growth of new regional political movements with a strong separatist flavour, which eventually united under the banner of Bossi's Lega Nord (LN).

Another consequence of the crisis of the 1990s was the growth of the referendum movement, whose main goal was to bring about the long awaited institutional reforms through a popular vote. The change to the electoral system is the most important achievement of the movement. The majoritarian nature of the new electoral systems, combined with the crisis of the established parties and the rise of new ones, profoundly changed the pattern of electoral competition and government formation. It created the basis of the 'second party system', after that of the cold war period. One of the central figures of the new system is Silvio Berlusconi, the entrepreneur turned politician, who on the eve of the first elections under the new rules in 1994 created a new party—Forza Italia (FI)—and built around it a system of electoral alliances that helped him to become the leader of the centre-right and prime minister of Italy, first in 1994 and then again in 2001.

ORIGINS OF THE ELECTORAL SYSTEM

Proportional representation was part of the 'constitutional compromise' of 1947. The electoral system for the Chamber was a two-tier list-PR system. The lower tier was based on thirty-one multimember districts (and one single-member district, SMD) within which seats were allocated by the Imperiali formula (see Appendix A). Votes and seats not used in this tier were transferred to the nationwide upper tier where a further allocation of seats occurred using the Hare formula. Only lists that had gained both a full quotient in one of the districts and 300,000 votes at the national level were eligible for second-tier seat allocation. Voters had at their disposal three or four preference votes, depending on the size of the district. The electoral system for the Senate was, on paper, quite different but in practice it yielded the same

proportional results. These electoral rules were widely blamed for contributing to multipartism, government instability, clientelism, and corruption.

On 18 April 1993, Italian voters overwhelmingly approved (83 per cent of those casting valid votes) a referendum that changed the electoral system for the Senate. Given the fact that Italian referendums can only abrogate existing legislation, but cannot introduce new ones, the changes were 'sneaked in' by repealing existing norms of the Senate electoral law. This was not the first electoral reform passed by referendum. In 1991 another referendum succeeded in changing the electoral system for the Chamber of Deputies. By striking words and paragraphs out of the old electoral law, the referendum of 1991 reduced the number of individual preference votes available to each voter to one. The reform of 1993 was far more radical since it changed what was a fundamentally PR system into one where most candidates would be elected in SMDs by plurality rule. In both cases the reform was not driven by the intrinsic merit of the proposed changes but by voters' dissatisfaction with the old political system and a desire for change. The popular pressure for reform prompted the Italian parliament elected in the 1992 general elections to pass a comprehensive electoral reform.

Three main factors drove the reform process (Katz 2001). The first was the outcome of the referendum. It was generally accepted that the new electoral rules would have to be predominantly majoritarian. The second was the party make-up of parliament. The results of the 1992 elections, the last held under the old rules, produced a highly fragmented parliament. The two largest parties were the DC with 30 per cent of the vote and 33 per cent of the seats in the Chamber and the PDS (the largest successor to the PCI) with 16 per cent of the vote and 17 per cent of the seats. The situation in the Senate was basically the same. Given these numbers, even if the DC and the PDS had agreed on a specific reform it would have been impossible for them to get it approved without the support of other parties. This gave the small parties considerable leverage, which they used to attenuate the majoritarian nature of the new electoral system. The third was the consensus, to some extent rhetorical but nevertheless binding, on the objectives of the reform. These included the formation of more stable governments with a secure parliamentary majority, greater accountability of the political class to the voters, and the representation of minority views. It was generally understood that these objectives could be better met through a mixed electoral system. The definition of the specific features of such a system was left to parliamentary bargaining.

Very early in the course of the parliamentary debate it became clear that there were two major issues to be resolved: these were the choice between the plurality formula and the two-round majority system for the election in the SMDs, and the proportion of seats to be allocated by PR. On the latter point the solution finally agreed upon was that dictated by the referendum result: 75 per cent SMD with plurality rule and 25 per cent PR. On the first issue the DC succeeded in steering the decision away from the French system, which was the preferred option of the PDS, and towards the plurality formula. Its preference for this choice was influenced by the results of the June local elections held with a two-round electoral system. The poor

performance of DC candidates, due to the DC's difficulty in forming alliances, convinced party leaders that the French system was not in its interest.

On 3 August 1993 the final vote on the new electoral law was taken. In the end only the DC, among the major parties, voted in favour. The PDS abstained. Most of the other parties either abstained or voted against.¹

HOW THE ELECTORAL SYSTEM(S) WORK

The reform of 1993 introduced not one electoral system but two (D'Alimonte and Chiaramonte 1995). The Chamber and the Senate are not elected by the same rules except for one very important feature: in both cases 75 per cent of the seats are allocated in SMDs by the plurality rule whereas the remaining 25 per cent are distributed by PR. They are both 'mixed-member majoritarian' (MMM) systems (Shugart and Wattenberg, 2001).² However, the similarity ends here.

The Chamber. The Chamber has 630 members; of these 475 are elected in SMDs by plurality vote and the other 155 are elected in twenty-six multimember constituencies (*circoscrizioni*) on the basis of party lists and by the LR-Hare PR formula (for details of this, see Section 2.1.1 of Appendix A). The constituency magnitude ranges from one to eleven. The allocation of PR seats takes place at the national level and in order to get seats parties have to receive at least 4 per cent of the national vote. For the purpose of crossing this threshold, parties may form cartels. Voters cast two ballots: the first for a candidate in their district, the second for a list in their constituency. All SMD candidates must be affiliated with at least one PR list but they may be affiliated with more than one. The reverse is not true: PR lists do not need to be affiliated with SMD candidates. The pattern of affiliation between SMD candidates and PR lists must be the same throughout each multimember constituency though it may vary across constituencies. No preference votes are allowed in the PR tier. The candidates running in the SMDs may appear on the ballot with any number of symbols from one to a maximum of five. This means that if a group of parties chooses to run common candidates in the plurality tier such candidates can be identified with the symbol of the coalition, the symbol of the party they belong to, or the symbols (up to five)

¹ The law introducing the new electoral system for the Chamber passed in the Chamber with 248 affirmatives, 69 negatives, and 168 abstentions. The same law passed in the Senate with 128 affirmatives, 29 negatives, and 59 abstentions. The Chamber numbers 630 deputies and the Senate 315 plus a handful of lifetime appointees. Only the DC and the LN systematically voted in favour of the two laws. For a full account of the vote see Katz (2001).

² Strictly speaking Shugart and Wattenberg (2001: 20–1) classify both Italian electoral systems as 'mixed-member majoritarian with partial compensation'. In other words the allocation of seats in the nominal and list tiers are 'parallel' rather than compensatory, but the parties' list votes are then reduced by taking account of their candidates who were successful in the SMDs (details explained later in this chapter).

of each party in the coalition. SMD candidates and PR lists may be identified with different labels.

The plurality and the PR tiers are linked in several ways. The most important is a mechanism of negative vote transfers (*scorporo*). Its aim is to reduce the disproportionality typical of plurality elections by penalizing those parties that win seats in SMDs. It can be thought of as the 'price' a party or coalition has to pay for its success in the plurality tier. This is the way it works. In the assignment of PR seats the first step is the calculation of the 'effective vote' for each list in each constituency. This is done by subtracting, from a list's total vote, a number one greater than the votes received by the second-placed candidates in all the SMDs where candidates affiliated with that list have won seats.³ The 'effective vote' is the actual tally used for determining the number of PR seats that go to each list. Once this calculation is made, the second step is to determine which lists have received more than 4 per cent of PR votes at the national level regardless of the *scorporo*.⁴ These lists will get seats on the basis of their effective vote according to the LR–Hare method.

But the *scorporo* is not the only mechanism connecting the two tiers of the electoral system. Another is the *repêchage*, i.e. the possibility that candidates who lost the race in their SMD may still be assigned one of the PR seats won by the list they are affiliated to. This may occur because the list could win more seats than the number of its candidates on the ballot. Lists are allowed to put on the ballot a maximum number of candidates equal to one-third of the seats assigned to each constituency. Given that the largest constituencies have eleven seats, this means that there are no lists with more than four candidates. So, if a list in a given constituency wins more seats than the number of its candidates on the ballot, the 'best losers'⁵ in the SMDs who are affiliated with the list, will get the PR seats that could not be assigned to PR candidates. The same thing may occur if a list chooses to put on the ballot fewer candidates than it is allowed to. For example, it might place only one candidate on the ballot. In this case, if it gets more than one PR seat the extra ones would be assigned to its best losers in the SMDs. This 'short list' strategy could be a deliberate attempt to encourage candidates in the SMDs to run effectively even in those situations in which they are 'sure losers'. This strategy has three consequences. First, some SMDs are transformed into 'two-member districts'. Second, each SMD candidate of a party or coalition is placed in competition not only with their adversaries in the district but also with their colleagues in all the other districts in the constituency, since the available PR seats will be assigned to those candidates

³ As an example, if candidate A wins a SMD with 30,000 votes and the runner-up gets 25,000 votes, then the vote of the PR list connected to candidate A is reduced by 25,001. The rationale is that these votes have already earned the PR list connected to candidate A a seat and hence have been 'used up'. If candidate A is affiliated to more than one list then the 25,001 votes are partitioned among the affiliated lists on the basis of the PR vote each list has. In the 1994 elections multiple affiliations were used but this is no longer the case and now each coalition candidate is affiliated only to the party he or she belongs to or to a 'fake list' (as explained later in the chapter).

⁴ The *scorporo* does not affect the 4 per cent threshold, but only the number of votes that can be used to get PR seats. A party can still get PR seats even if its effective vote is below 4 per cent.

⁵ For the definition of 'best losers' see the following footnote.

who have the highest *cifra individuale*, i.e. the highest ratio between SMD votes received by each SMD candidate and SMD votes cast in the district.⁶ The third consequence is that it complicates considerably the calculus for voting strategically, because a vote for a distant third-placed candidate might, after all, not be a wasted vote since it could help him or her win a PR seat.

A variant of the 'short list' strategy is the 'empty list'. Candidates running in the SMDs may also be placed on PR lists in up to three constituencies. If he or she is the only candidate on the PR list and wins in his or her SMD, the PR list becomes 'empty'. In such a case all the PR seats gained by the list will be assigned to SMD candidates affiliated to that list. These strategies could be appealing as a way to avoid pitfalls due to the fact that the *scorporo* creates a conflict between the candidates of the same party or coalition running in the SMDs and those in the PR tier. In fact, the latter have no interest in their colleagues winning SMD seats since the more seats they win the higher the *scorporo* will be and therefore fewer seats will be available for the PR candidates.

The *scorporo*, however, could be a thing of the past for elections to the Chamber of Deputies (though not for Senate elections). Thanks to a loophole in the electoral law, in 2001 the two major coalitions systematically adopted an electoral strategy that has 'neutralized' the effects of the *scorporo*.⁷ It consists in setting up 'fake' PR lists and then affiliating their SMD candidates to these 'fake' lists and not to the real lists in the PR tier (see Table 12.1). These fake lists are not publicized. Their only purpose is to let the real lists get away from the cost they would have to pay for winning SMD seats.⁸ In other words, voters cast their first ballot for a SMD candidate of one of the two coalitions and their second ballot for one of the PR lists belonging to the same coalition. As no SMD candidate is formally connected to any real PR list but only to the fake ones, no real PR list is charged any *scorporo* as this is paid by the fake list to which each SMD candidate is actually affiliated.

The problem with this strategy is that it prevents the *repêchage* mechanism. So, no candidate in the SMDs can hope to get a PR seat as he or she does not have the 'right' affiliation. Therefore it should be used only in those constituencies in which the party has no hope of winning more PR seats than the maximum number allowed on the ballot. Forza Italia, one of the parties of the centre-right coalition, misused this strategy in the 2001 elections. It gained more PR seats than the number of PR candidates it had in some constituencies. But since its SMD candidates were affiliated to the fake list, its best SMD losers could not be elected by *repêchage*, so that it ended up with fewer seats in parliament than it had actually won

⁶ The *cifra individuale* is calculated on the basis of total votes cast in a constituency, which is not the same as total valid votes cast. The difference is due to blank and null ballots. In the Chamber elections of 2001 these made up on average over 7 per cent of total votes cast with an uneven distribution across districts.

⁷ In the 1996 elections the Ulivo used this strategy selectively.

⁸ The two lists were *Abolizione dello Scorporo* (Abolition of the *scorporo*) set up by the CDL and Paese Nuovo (New Country) set up by the Ulivo. Both actually got some votes (Table 12.1).

Table 12.1 Results of elections to Italy's Chamber of Deputies, 2001

Lists and coalitions	SMD votes		PR votes		SMD seats		PR seats		Total seats	
	N	%	N	%	N	%	N	%	N	%
DS			6,147,624	16.6			31	20.0		
Margherita			5,386,950	14.5			27	17.4		
Girasole			804,488	2.2			0	0.0		
PDCI			619,912	1.7			0	0.0		
Ulivo^a	16,315,355	43.8	12,958,974	35.0	189	39.8	58	37.4	247	39.2
PRC			1,868,113	5.0			11	7.1	11	1.8
SVP	173,735	0.5	200,056	0.5	3	0.6	0	0.0	3	0.5
Centre-left	16,489,090	44.3	15,027,143	40.5	192	40.4	69	44.5	261	41.5
FI			10,923,146	29.5			62	40.0		
AN			4,459,397	12.0			24	15.5		
Biancofiore			1,193,643	3.2			0	0.0		
NPSI			352,853	1.0			0	0.0		
Lega Nord			1,461,854	3.9			0	0.0		
CDL	16,918,020	45.4	18,390,893	49.6	282	59.4	86	55.5	368	58.4
Centre-right	16,918,020	45.4	18,390,893	49.6	282	59.4	86	55.5	368	58.4
Vallée d'Aoste	25,573	0.1			1	0.2			1	0.1
Lista Di Pietro	1,496,110	4.0	1,443,271	3.9	0	0.0	0	0.0	0	0.0
Democrazia europea	1,314,950	3.5	887,037	2.4	0	0.0	0	0.0	0	0.0
Lista Pannella-Bonino	462,863	1.2	831,199	2.2	0	0.0	0	0.0	0	0.0
Fiamma tricolore	141,298	0.4	142,894	0.4	0	0.0	0	0.0	0	0.0
Others	436,186 ^b	1.1	378,387	1.0	0	0.0	0	0.0	0	0.0
Total others	3,876,980	10.3	3,682,788	9.9	1	0.2	0	0.0	1	0.1
Totals	37,284,090	100.0	37,100,824	100.0	475	100.0	155	100.0	630	100.0

^a It includes the votes/seats received by 'L'Ulivo', 'Ulivo-Südtiroler Volkspartei' in Trentino-Alto Adige, 'L'Ulivo-Illy for Trieste' in Friuli Venezia Giulia, 'La Bassa in Parlamento' in Veneto 1 (Legnago).

^b It includes the votes received by the 'fake lists' of the CDL 'Abolition of the scorporo' that received 26,951 votes and of the Ulivo 'New Country' that received 33,313 votes.

(Chiaramonte 2002). Complex electoral systems lend themselves to manipulation but sometimes ‘cheating’ gets so complicated that it backfires, as in this case, and the cheaters get cheated. Barring a change in the electoral law, the ‘fake-list strategy’ will again be used in future elections.

*The Senate.*⁹ There are a number of significant differences between the Chamber and Senate electoral systems. In the Senate the plurality and PR tiers are not separated but ‘fused’ together. Unlike in the Chamber, the only candidates are those running in the 232 SMDs. Voters cast only one vote for an SMD candidate and the eighty-three PR seats are assigned by means of a generalized *repêchage* mechanism. Each party’s share of the list seats in a regional constituency is allocated to the ‘best losers’ among its SMD candidates in the order of their *cifra individuale*. There are eighteen regional PR constituencies.¹⁰ District magnitude ranges from one to twelve and candidates may run alone or affiliated to a ‘group’. Unlike in the Chamber, each candidate must be identified by only one symbol and all candidates affiliated to a group in each constituency must have the same symbol. Only groups participate in the allocation of PR seats; independent candidates do not. Groups are formed by at least three SMD candidates running in the constituency under the same label. The PR seats are assigned at the constituency level using the D’Hondt formula. While there is no legal threshold for participating in the distribution of PR seats, the D’Hondt formula combined with the small magnitude of most constituencies makes it very hard for small or even medium-sized parties or coalitions to gain PR seats. They have a chance only in the largest regions, and particularly Lombardy, which has a magnitude of twelve.

The *scorporo* also operates in the Senate. Actually, given that it cannot be bypassed through the use of fake lists, we could say that it exists *only* in the Senate. It is calculated by subtracting from a group’s total vote all the votes received by those candidates affiliated to the group who won SMD seats in the constituency. Thus there is a greater correction, compared to the Chamber, of the disproportionality associated with the plurality formula. In theory, if a party or coalition were to win all the SMD seats in a given constituency it would not participate at all in the distribution of PR seats. The *scorporo* has two effects. It increases the number of PR seats that go to smaller parties, and it lowers the threshold associated with the use of the D’Hondt formula. Both effects become more substantial the higher the votes received by the winning SMD candidates and, as a result, the higher the *scorporo*. This leads to the conclusion that small parties have a better chance to win a PR seat not only in constituencies with a larger magnitude, but also in those where one coalition is so dominant that its candidates get a very high percentage of the votes.

Overall the Senate electoral system is simpler than that of the Chamber. It is also more majoritarian since the PR tier really does not exist as a separate arena of

⁹ In the Chamber the voting age is eighteen; in the Senate it is twenty-five. This amounts to a difference of about five million voters.

¹⁰ The Valle d’Aosta and Molise, the smallest Italian regions, have no PR seats.

competition. Parties that have no chance of winning SMD seats have to run there anyhow since this is the only way to collect the votes necessary to get PR seats. Moreover, in the Chamber, a party may either join a coalition or enter into stand-down agreements in the plurality tier and yet maintain in each SMD a distinct visibility thanks to the PR tier. In the Senate this is not possible. So, parties have at their disposal fewer strategic options. The same is true for voters. In the Chamber it is possible for them to vote for a certain list in the PR tier and for a candidate of a different party or coalition in the plurality tier. They can also vote strategically in the plurality tier and sincerely in the PR tier. In a Senate election, voting strategically means reducing the chances that their most preferred party will get PR seats.

Another important consequence has to do with disproportionality. At first sight the electoral system for the Chamber seems to be more favourable to smaller parties given that the PR formula used is LR–Hare rather than D’Hondt and that the allocation of list seats is done at the national level and not at the regional level. However, the presence of a 4 per cent threshold is a barrier that no small party can cross. In the Senate the district magnitude is lower since the allocation is done at the regional level, but the threshold is also regional and therefore easier to overcome, especially for parties that have a regional vote. In addition the *scorporo* lowers the threshold intrinsic to the use of the D’Hondt formula. For these reasons small parties have been able to gain seats in the Senate but not in the Chamber. In the 2001 elections the Lista Di Pietro (LDP) and Alleanza Lombarda Autonoma (ALA) won one seat each in the Senate and Democrazia Europea (DE) won two. None of them won a seat in the Chamber since they failed to win any SMD seat and did not get more than 4 per cent of the PR votes (see Tables 12.1 and 12.2).

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEMS

Impact on the party system

The most striking development in Italian politics since the mid-1990s has been the emergence and consolidation of a bipolar pattern of electoral competition based on two dominant, clearly identifiable, pre-electoral coalitions. This pattern coexists with a high level of party fragmentation as these are really ‘catch-all coalitions’. Italy has not become a two-party system but it is, and it will continue to be as long as these electoral rules are retained, a two-coalition system. It is a case of fragmented bipolarism characterized by tension between coalitions and their party components. Coalitions have not replaced parties, but they are more important than parties for winning seats and executive power. Since the first elections in 1994 their composition, size, and performance have been the most relevant variables for predicting electoral outcomes (D’Alimonte and Bartolini 1998; Bartolini and D’Alimonte 2002).

Coalitions have changed over time (see Figure 12.1 and Table 12.3 for a full list of parties and alliances). In 1994 there were actually three and not two. On the left the

Table 12.2 Results of elections to Italy's Senate, 2001

Coalitions, groups	Votes		SMD seats		PR seats		Total seats	
	N	%	N	%	N	%	N	%
Ulivo ^a	13,260,249	39.2	77	33.2	51	61.5	128	40.6
PRC	1,705,733	5.0	0	0.0	4	4.8	4	1.3
SVP	126,157	0.4	2	0.9	0	0.0	2	0.6
Centre-left	15,092,139	44.6	79	34.1	55	66.3	134	42.5
CDL	14,381,007	42.5	152	65.5	24	28.9	176	55.9
Centre-right	14,381,007	42.5	152	65.5	24	28.9	176	55.9
Vallée d'Aoste	32,421	0.1	1	0.4	0	0.0	1	0.3
Alleanza lombarda autonoma	309,011	0.9	0	0.0	1	1.2	1	0.3
Lista Di Pietro	1,138,553	3.4	0	0.0	1	1.2	1	0.3
Democrazia europea	1,144,200	3.4	0	0.0	2	2.4	2	0.7
Lista Pannella-Bonino	676,472	2.0	0	0.0	0	0.0	0	0.0
Fiamma Tricolore	339,911	1.0	0	0.0	0	0.0	0	0.0
Others	705,029	2.1	0	0.0	0	0.0	0	0.0
Total others	4,345,597	12.9	1	0.4	4	4.8	5	1.6
Totals	33,818,743	100.0	232	100.0	83	100.0	315	100.0

^a It includes the votes/seats of 'L'Ulivo' and of 'Südtiroler Volkspartei-L'Ulivo' in Trentino-Alto Adige.

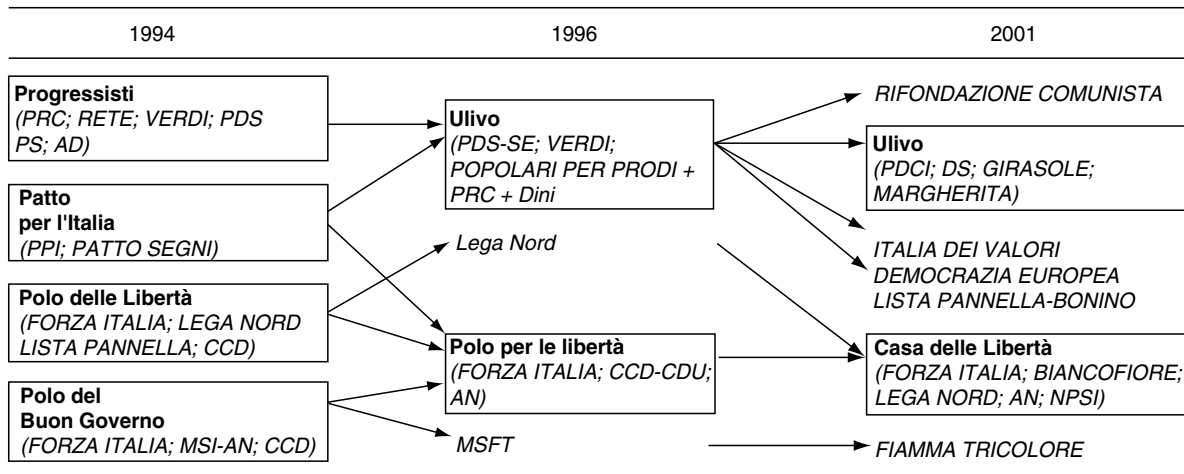


Figure 12.1 Electoral coalitions and their dynamics, 1994–2001

Note: the rectangle defines the members of the alliance running in the SMDs. The parentheses include the PR lists that are members of the coalition.

Table 12.3 Party, coalition, and PR list labels

Party name	Party label	English translation
Alleanza Lombarda Autonoma	ALA	Autonomous Lombardy Alliance
Alleanza Democratica	AD	Democratic Alliance
Alleanza Nazionale	AN	National Alliance
Biancofiore	Biancofiore	White flower
Casa delle libertà	CDL	House of Freedoms
Centro Cristiano Democratico	CCD	Christian Democratic Centre
Cristiano Democratici Uniti	CDU	United Christian Democrats
Democratici di Sinistra	DS	Left Democrats
Democrazia Cristiana	DC	Christian Democracy
Democrazia Europea	DE	European Democracy
Fiamma Tricolore	FT	Tricolour Flame
Forza Italia	FI	Go Italy
Girasole	Girasole	Sunflower
Lista di Pietro—Italia dei Valori	Lista di Pietro— Italia dei Valori	Di Pietro's List—Italy for Values
Lega Nord	LN	Northern League
Lista Dini—Rinnovamento Italiano	Lista Dini—RI	Dini List—Italian Renewal
Lista Pannella	LP	Pannella's List
Lista Pannella—Sgarbi	PS	Pannella—Sgarbi List
L'Ulivo	L'Ulivo	The Olive Tree
Margherita	Margherita	Daisy
Movimento per la democrazia— La Rete	Rete	Movement for Democracy—The Network
Movimento Sociale—Fiamma Tricolore	MSFT	Social Movement—Tricolour Flame
Movimento Sociale Italiano— Alleanza Nazionale	MSI—AN	Italian Social Movement— National Alliance
Movimento Sociale Italiano— Destra Nazionale	MSI—DN	Italian Social Movement— National Right
Nuovo Partito Socialista Italiano	NPSI	New Italian Socialist Party
Partito Comunista Italiano	PCI	Italian Communist Party
Partito dei Comunisti Italiani	PdCI	Party of Italian Communists
Partito della Rifondazione Comunista	PRC	Party of Communist Refoundation
Partito Democratico della Sinistra	PDS	Democratic Party of the Left
Partito Democratico della Sinistra—Sinistra Europea	PDS—SE	Democratic Party of the Left— European Left
Partito Popolare Italiano	PPI (Pop.)	Italian People's Party
Partito Repubblicano Italiano	PRI	Italian Republican Party
Partito Sardo d'Azione	PS d'Az.	Sardinian Party of Action
Partito Socialista Italiano	PSI	Italian Socialist Party
Partito Social Democratico Italiano	PSDI	Italian Social Democratic Party

Partito Liberale Italiano	PLI	Italian Liberal Party
Partito Radicale	PR	Radical Party
Patto per l'Italia	Patto per l'Italia	Pact for Italy
Patto Segni	Patto Segni	Segni's Pact
Polo del Buon Governo	PBG	Pole of Good Government
Polo delle libertà	PBL	Pole of Freedoms
Progressisti	Progressisti	Progressives
Socialisti Democratici Italiani	SDI	Italian Social Democrats
Südtiroler Volkspartei	SVP	South Tyrol People's Party
Unione Democratica per la Repubblica	UDR	Democratic Union for the Republic
Vallée d'Aoste	Vallée d'Aoste	Val d'Aosta List
Verdi	Greens	Greens

Note: The labels of the coalitions running in the SMDs are in bold type.

Progressisti brought under the same umbrella the heirs of the old PCI, i.e. the PDS, along with the Verdi (Greens) and other smaller leftist groups. On the right Berlusconi created a coalition of variable geometry. In the north he brought under the umbrella of the Polo Delle Libertà (PDL) Forza Italia and the Lega Nord. In the south he created a different coalition—the Polo del Buon Governo (PBG)—with Forza Italia and the MSI-AN. This expedient turned out to be necessary because the Lega did not want to ally itself with the MSI-AN in the north. The third coalition was the Patto per l'Italia. This was formed by the main heir of the DC, i.e. the Partito Popolare Italiano (PPI), and a group led by the referendum leader Mario Segni. It occupied the centre of the political space just as the DC did until 1992.

The 1994 elections proved that third actors without a geographically concentrated electoral base do not fare well with this electoral system. The Patto won 16 per cent of the plurality vote in the Chamber but gained only four SMD seats. This result meant that the Patto was not pivotal and could not prevent the bipolar restructuring of the Italian party system. Berlusconi was able to form a government without the Patto and a few months later the Patto disappeared.

In 1996 the Ulivo replaced the Progressisti. It included all the centre-left groups but not the PRC. The latter was, however, formally allied with it through a stand-down agreement. On the centre-right Forza Italia and the Lega Nord divorced and the Lega ran its own candidates in all the districts in northern Italy. This had two effects: (a) the Lega won thirty-nine seats out of 180 in the Chamber, i.e. 22 per cent of the area total (8 per cent of all the SMDs nationwide); (b) the centre-left coalition won many more seats in the north than it would have without the split between Forza Italia and the Lega. This split is the single most important reason for Berlusconi's defeat in 1996 and for the victory of the Ulivo. The elections were again decisive giving the Ulivo (with PRC) a majority in both the Chamber and the Senate. Bipolar competition survived.

In 2001 the two main coalitions were the Ulivo and the Casa delle libertà (CDL). This time the PRC chose not to sign any agreement with the Ulivo but unilaterally decided to run candidates only in the SMDs of the Senate. In the Chamber it ran only

in the PR tier. Berlusconi succeeded for the first time in unifying all the major parties of the centre-right.

A number of data confirm the electoral dominance of the two major coalitions. In 2001 they collected 89 per cent of the votes and 98 per cent of the seats in the Chamber; 82 per cent of the votes and 97 per cent of the seats in the Senate (see Tables 12.1 and 12.2). In 1994 the figures had been, respectively, 80 per cent and 92 per cent in the Chamber, and 67 per cent per cent and 85 per cent in the Senate. In 2001 there were only a few districts (six in the Chamber and three in the Senate) in which the two leading vote-getters were not members of the two major coalitions. In 1994 these were almost a quarter of all districts. It is remarkable that the electoral dominance of the two major coalitions has strengthened over the years, though the average number of candidates per district has remained relatively high but stable in the Chamber (4.5 in 1994, 4.4 in 2001), very high and increasing in the Senate (6.3 in 1994, 8.3 in 2001).

In addition the history of Italian elections under the new MMM system shows that the two major coalitions have performed very differently compared to their constituent parties. The Ulivo has performed well both in 1996 and in 2001, whereas the opposite is true for the centre-right coalition (D'Alimonte and Bartolini 1998; Bartolini and D'Alimonte 2002). Both in 1996 and 2001 the centre-right coalition gained fewer SMD votes than the PR votes of its constituent parties. In both elections the 'loss' was almost precisely the same, about one and a half million voters. The Ulivo instead received more SMD votes than PR votes. In 2001, on average, the Ulivo candidates gained 3.7 percentage points, while the CDL candidates lost 3.6. Gains and losses are systematic. Only twenty-three CDL candidates out of 473 did not 'lose' votes. The inference we can draw is that coalitions vary in their effectiveness in gluing together different parties in such a way as to maintain the loyalty of their electorates and avoid defections from the PR tier to the SMD one.

In Italy the plurality formula has not produced the Duvergerian dualism of parties but rather a dualism of coalitions. While these are quite different they nevertheless both induce a bipolar pattern of competition. This is indeed a very significant result considering that the electoral system is not entirely plurality but mixed. The impact of the plurality tier has been so strong that it has yielded, albeit in a coalitional format, the precise result that Duverger's law predicts (Reed 1999). What remains to be explained is *how* and *why* there are still as many parties in the new MMM environment as there were in the old PR one.

Italian coalitions are based on electoral coordination taking the form of systematic stand-down agreements. Most parties choose not to run SMD candidates autonomously but rather support the coalition's common candidates. Candidates run with the coalition's symbol and not with the symbol of the party they belong to. These cartel agreements are not easy to arrange. They require the development of a set of mutually agreed criteria to determine both the number and the 'quality' of the districts assigned to each coalition member. Over the last ten years Italian parties have learned how to manage these decisions by resorting to a sophisticated classification of the districts on the basis of their relative degree of 'safety', i.e. the

probability that the district will be won by the coalition.¹¹ The overall aim is to guarantee that each party in the coalition will win a number of seats in parliament roughly equal to its expected electoral performance in the PR tier (Di Virgilio 1998, 2002).

In 2001, the two major components of the coalition—the DS and the Margherita—were assigned roughly the same share of the districts, about 40 per cent, with the other partners dividing the rest. In the case of the centre-right coalition Forza Italia got about 50 per cent of the districts. In this case, too, the distribution reflected approximately the relative strength of each coalition member as demonstrated by previous results in PR competitions. Thanks to these deals even small parties survive. The end result is the ‘proportionalization of the plurality tier’. Many more parties win representation in the plurality arena than in the PR tier. The paradox is that the plurality tier operates almost like a pure plurality election but it yields highly proportional results.

So far we have explained *how* the proportionalization happens but *why* does it happen? This question must be split in two: (a) why do small parties choose not to place their candidates in every SMD in order to try and boost their PR performance?; (b) what are the advantages for the larger parties in sharing districts with the smaller ones? The answer to the first question has to do with the lack of interaction effects between the SMD and the PR tiers in the Italian case. Unlike in other mixed systems, in Italy it is far more profitable for small parties to engage in electoral coordination than it is to run alone in the plurality tier. In fact, what they gain in terms of SMD seats is far more than the extra seats they might gain by boosting their performance in the PR tier by running candidates in every SMD. For most small parties the chance of reaching the 4 per cent threshold is so remote that electoral coordination is their best and only chance of representation.¹²

The answer to the second question is based on three factors (Bartolini et al. 2004). Small parties are a threat to large ones because of the interaction effects between different electoral arenas. Parliamentary elections are immersed within a PR environment. European elections, regional elections, and local elections are either entirely PR or have a large PR component. This ensures the survival of small parties. Therefore these parties can retaliate in these subnational arenas if not included in the coalition for parliamentary elections. In addition, the results of the three elections held since 1994 show that small parties have a high marginal value due to a large percentage of evenly balanced SMDs. If they run their own SMD candidates they can cause great damage to the larger parties’ chances of winning the election. In turn, this ‘electoral blackmail power’ is based on the fact that small parties can count on a core of strong identifiers, i.e. loyal voters whose attachment to the party leads them to cast a wasted vote rather than vote strategically

¹¹ Over time parties have become so competent that the *ex post* electoral results validate to a very large degree the *ex ante* calculations (Di Virgilio 2004).

¹² It is true that, as Cox and Schoppa (2002) argue, some features of Italian electoral law facilitate electoral coordination, unlike what happens for example in Japan, but this is only a secondary factor, as well argued by Ferrara (2004).

whenever the party symbol and party candidates appear on the ballot. For all these reasons small parties become indispensable.

The ‘proportionalization’ of plurality competition makes it problematic to evaluate the Italian party system. How do we measure disproportionality and how do we count parties? Which unit of account should we use? The answer is not straightforward. At the electoral level we have two visible actors: (a) coalitions and parties running in the plurality tiers of the Chamber and Senate; (b) party lists running in the PR tier of the Chamber (see Tables 12.1 and 12.2). Given this picture, in order to measure disproportionality we have two possibilities: (a) to use SMD votes and total seats; or (b) to use PR votes and total seats. In the first case the unit is the coalition considered as a unitary actor. For the Chamber average disproportionality (Gallagher index—see Section 2 of Appendix B) for the three elections is 10.5, and for the Senate is 9.9. In the second case the unit of account is the PR list. This procedure can be applied only in the Chamber. The average value of the Gallagher index is 7.6. In this case, however, two points must be emphasized. First, some of the PR lists are coalitions of parties—for example, the Girasole and the Biancofiore in 2001 (see Table 12.1). They are formed to increase the chances of crossing the 4 per cent threshold. Second, the value of the Gallagher index does not reflect just the effect of the electoral system but also the effect of the proportionalization of its plurality tier, since the total number of seats for each party is a combination of the PR seats it gets (if any) and of the SMD seats gained because of the ‘cartel deals’.

The calculation of the effective number of parties (see Section 1 of Appendix B) presents similar accounting problems. In the Senate, in 2001 we find—at the level of parliamentary parties—two coalitions (Ulivo and CDL) that got 229 seats out of 232 and two regional parties (SVP and Vallée d’Aoste) that got the remaining three (see Table 12.2). Taking into account also PR data, the numbers are: two coalitions with a total of 304 seats (out of 315), three regional parties with four seats (SVP, Vallée, and ALA), and three national parties (PRC, LDP, and DE) with seven seats. In sum, on the basis of the official electoral results, the format of the parliamentary party system is based on eight actors with the first two getting 96.5 per cent of the seats. The effective number of parliamentary parties (ENPP) is 2.1. Switching to the electoral level, the effective number of elective parties (ENEP) is 2.9. Yet, we know that these values do not describe accurately the real number of parties in the Italian Senate because we must take into account also those parties who get seats as members of one of the two electoral cartels, even though they do not appear officially on the ballot. Since we know the party affiliations of the candidates of the two cartels, we can compute the actual parliamentary strength of each party in the cartel. The result is a very different picture of the Italian parliamentary system as ENPP increases from 2.1 to 6.1. Italy does not look much like the UK any more. In fact, the number of parties getting seats in the Senate is eighteen. Of these, six have more than 3 per cent of the seats.

The situation in the Chamber is only slightly different. Actually, in the SMD tier it is identical: the same two coalitions won 471 seats out of 475 (in 2001), and the same two regional parties took the remaining four seats. The main difference is in the PR

tier. In fact, due to the different electoral systems, the two tiers of competition are not 'fused' as they are in the Senate, and so parties may run lists independently of their coalitions of affiliation. In this arena coalitions disappear and parties reappear, allowing us to grasp the true format of the party system at the electoral level, something that cannot be done in the Senate. The picture is the following (see Table 12.1): (a) fifteen lists obtained more than 0.4 per cent of the vote (of these eleven had more than 2.0 per cent); (b) only five national parties gained more than 4 per cent of the national vote and therefore got all the seats; (c) none of the above five parties competed in the SMD tier on its own (only the SVP was present with its symbol in both tiers). Putting together the two tiers of the system, the conclusion is that only four actors gained seats in the SMD tier (two coalitions and two regional parties) and only five lists gained seats in the PR tier (PRC, DS, Margherita, FI, AN). This is, however, a partial picture again. In fact, we know that fourteen parties ended up with seats in the Chamber. So, if we compute the number of effective actors using the results of the SMD tier alone, we get a value of 2.5 in term of votes and 2.0 in terms of seats. Instead, if we break down the parliamentary coalitions into parliamentary parties, using the data on the party affiliations of coalition's candidates, the ENPP rises to 5.3, below that of the Senate which is 6.1 and closer to the value of the number of elective parties calculated with the PR data, which is 6.3.

In conclusion, the data for both the Chamber and the Senate point to a party system with two different facets. The new electoral systems have not reduced the number of parties, which today is higher than it was before 1993. However, they have forced most parties to coalesce into two clearly identifiable pre-electoral coalitions with an identity of their own. The result is a system that shows the bipolar mechanics of a two-party system coexisting with the format of a multiparty one, with the virtues and vices of both.

Impact on the parties

Parties and coalitions coexist in an unstable equilibrium. The delicate nature of the equilibrium is highlighted by the problem of candidate selection in the SMDs. In a two-party system this is an internal party matter. In Italy's two-coalition system this becomes a distributive issue among coalition partners. The partitioning of the SMDs among coalition parties is at the core of the agreement binding parties together into a coalition pact. Thus the requirements of pre-electoral coalition building have a direct impact on party organization. Each party no longer controls the candidate nomination process but has to share it with all the other parties in the coalition. The distribution of SMDs among coalition members is a collective decision that produces a number of consequences.

One of the most intriguing results of the new electoral systems has to do with incumbency. In 2001, of the 475 SMD incumbents in the Chamber, only 237 contested the same district (in the Senate only ninety-four out of 232 SMD incumbents did likewise). Why such a high turnover? Why are winners not renominated?

One reason is the shifting make-up of coalitions between elections. This factor produces two effects. For example, in 1996 the Lega ran alone, whereas in 2001 it joined the CDL. Thus as part of the CDL in 2001 the Lega was assigned thirty-six of the 180 SMDs (for the Chamber) in the north. As a result a number of CDL incumbents had to be removed from their districts in order to make room for the Lega candidates. The second effect of the changing composition of coalitions has to do with the relative degree of competitiveness of the SMDs. Seats that were considered safe or relatively safe in one election, might not be so in the next election because of coalitional shifts. Some incumbents then prefer to move to other districts considered safer under the new conditions. In 2001 sixty incumbent deputies and twenty-eight incumbent senators changed districts. In both cases over 60 per cent of them won again in their new district. Another type of 'district mobility' involves the shift from the Chamber to the Senate and vice versa. Forty-five deputies who won an SMD in 1996 ran in the Senate in 2001 and 73 per cent of them won. Thirty-four incumbent senators ran in 2001 in an SMD in the Chamber, and 62 per cent of them won (Lanza and Piazza 2002). District mobility does not seem to be a liability.

These data suggest a number of observations. Candidate nomination is fundamentally a top-down process showing a very high degree of centralization. Candidates are often removed from the district where they won as a result of decisions made by central party organizations when coalition parties meet before elections to allocate SMDs among themselves. The second point is that ties between incumbents and their district are not strong enough to warrant reconfirmation. It is a plausible hypothesis that if over half of the incumbents are not reconfirmed, their linkage to their district is not a relevant factor. This is supported by the figures shown above on the re-election of those incumbents who are redistricted. Their chances of winning a seat are very high despite their relocation. The conclusion seems to be that local party organizations matter little and that candidates matter even less. Constituency service and personal votes are not yet relevant features of the new system.

This conclusion, however, needs to be qualified. Precise data on the ties between candidates and their district are not yet available, but we do know that 64 per cent of the candidates elected to parliament in 2001 had previous political experience at the local level (Verzichelli 2002). This is consistent with the expectation that local visibility represents a competitive advantage in elections based on SMDs. This helps to clarify the issue of the respective roles of the local and national party leaderships in the whole process of candidate selection. In spite of the role that the latter plays, there is more cooperation between the two levels than it appears from looking exclusively at the data on the incumbency factor and the district mobility of candidates. Different forces are at work pulling the system in different directions. Coalition engineering requires candidates to be mobile—this strengthens the central party. On the other hand, the SMDs provide strong incentives for the selection of local candidates. This favours the linkage between candidates and voters and the role of local party organizations.

One further point concerns the creation of new parties as a result of splits and fusions. The most important split occurred to the PPI after its electoral failure in

1994. The most important fusion was the Margherita, which is a federation of several different centrist groups that decided to join in 2002. In November 2003 the DS, the Margherita, and the SDI decided to form a joint list for the European elections of 2004 instead of running their own party lists. This is a significant development as PR is the formula used in these elections and therefore there is no strict need for a joint list. This project—launched by Romano Prodi—is aimed at creating a new ‘reformist party’. Without the new MMM system, it is hard to believe that anything like this would have happened. These developments are yet another sign of the still unstable equilibrium between parties and coalitions. One possibility is the transformation of the present coalitions into federations of parties and eventually new parties. This is what DS, Margherita, and SDI are trying to do, and what the parties of the centre-right are talking about. The second possibility is the stabilization of political alliances: instead of transferring responsibilities to federal institutions, parties would simply institutionalize their pattern of alliances while maintaining separate organizations and a distinct visibility (Di Virgilio 2002). Both processes seem to be at work in Italy.

Impact on parliament

Radical changes of electoral systems are often associated with a substantial turnover of parliamentary elites, particularly in those cases where the changes were prompted by a crisis of legitimacy concerning the old parties. This is precisely the case in Italy. In 1994, the first election with the new MMM system, 70 per cent of the members of the Chamber and 62 per cent of the members of the Senate were newcomers. Since then numbers have decreased substantially. In 2001, 43 per cent of the deputies and 42 per cent of the senators were newcomers. However, the post-1993 average is definitely higher than that of the period 1953–92, which was below 40 per cent. The coincidence of the electoral system change with the crisis of the old party system makes it impossible to isolate the effects of each factor, but it seems plausible to argue that the difference between the pre- and post-1993 figures is partly due to the electoral system.

The composition of parliament has undergone extensive change: over 80 per cent of today’s members of parliament (MPs) were not in parliament before 1994. This is true for all parties. Yet, the socio-demographic representativeness of parliament has not changed radically. Women are still very under-represented, though their number seems to be increasing. In 2001 they were 12 per cent of the Chamber and 8 per cent of the Senate, as in the previous election of 1996. In 1992 the figures were respectively 8 per cent and 9 per cent. For the entire period 1948–92 the average number of women MPs was around 7 per cent. These figures are well below comparable data for other Western democracies (Best and Cotta 2000). Only in 1994 was there a significant increase in women’s representation in the Chamber: 15 per cent, representing almost a doubling with respect to 1992. This, however, was due to a feature of the electoral system that has been abolished since: parties were forced to list men and women in alternate order in the PR lists. In the Senate, where

such a norm did not exist, the proportion of women elected in 1994 was 8 per cent. Not all parties elect the same percentage of women. A clear difference exists along the left–right spectrum (Verzichelli 2002: 341). In 2001, 36 per cent of PRC and 24 per cent of DS deputies were women versus only 4 per cent of AN, 8 per cent of FI, and 10 per cent of the Lega. In the Senate this difference still shows, but the figures are considerably lower, even for the left parties.

In spite of the substantial turnover of MPs, the socio-demographic make-up of the 2001 parliament is not radically different from that of pre-1992 parliaments. After the turbulence of the 1992–4 period it seems that a process of reprofessionalization is well under way as ‘the proportion of political functionaries has returned to levels not very distant from the proportions observed during the First Republic. Prior political and elective experience has once more become the most salient background characteristic among parliamentary representatives’ (Verzichelli and Zucchini 2002: 225). This is particularly true with reference to local government experience. The expertise and visibility associated with an elective, and even more, with an executive office, at the local level seems to represent an important advantage for a parliamentary career at the national level, as we saw in the previous section. This was true in the past, but the new electoral systems have reinforced this phenomenon. In 2001, 33 per cent of all MPs held an executive position in a local or regional government. The latter proportion was only 20 per cent in 1987 (Verzichelli and Zucchini 2002: 227). This could very well be one of the effects of the new electoral systems.

Government formation

Since the end of the Second World War Italy has always been governed by coalitions, except for brief periods of minority one-party cabinets (Mershon 2002; Strøm 1990). Until 1994, these coalition governments were always formed *after* the elections and were usually not very stable. Between 1945 (Parri) and 1993 (Ciampi) there were fifty-two cabinets. Their average duration was about eleven months and the DC was a member of all of them. The PCI, the main opposition party after 1947, was never a member. The new electoral rules have changed considerably this pattern of government formation. Since 1994 coalitions have been formed *before* the elections and the winner has formed the government. Thus, governments are now empowered through the electoral process and not through post-election bargaining among parties. In addition, government alternation between different coalitions has become a possible outcome of the functioning of the system.

The electoral formation of governments is the product of two factors. The first is the consolidation of a bipolar pattern of electoral competition, combined with the existence of parliamentary majorities. With the only (limited) exception of 1994 in the Senate, every winning coalition has enjoyed a majority of seats in both branches of parliament. This has occurred as a direct result of the functioning of the new electoral systems since no coalition has ever gained a majority of votes. Elections have been decisive because the electoral systems have transformed a plurality of votes into a majority of seats.

The second is leadership. To increase their appeal, coalitions select a candidate prime minister prior to the election who will become the head of the cabinet in the event of victory. Formally, the parliamentary process has not changed. The leader of the winning coalition has to be appointed by the President of the Republic and later receive a vote of confidence in both branches of parliament. In practice, this procedure has become 'automatic'. Since 1994, the leader of the winning coalition has always been appointed. This happened twice with Berlusconi (in 1994 and 2001) and once with Prodi (in 1996). The extent to which the choice of a coalition leader has an influence on the electoral outcome is an open question. But the fact is that since 1994 both coalitions have gone to great lengths to select a candidate prime minister *before the elections*. The exception was in 1994 when the Progressisti failed to do so and it is widely believed that this was one of the reasons for their defeat. From then on the expectation, not unfounded, is that the failure to indicate a candidate prime minister would put the coalition at a competitive disadvantage.

Elections have been decisive but governments have not lasted the entire duration of the legislature. Cabinet instability has remained a feature of the post-1993 system although average duration has improved. With seven cabinets in ten years the average duration has been over sixteen months. Of these seven cabinets, only two—Prodi and Berlusconi 2—have lasted more than two years. Government stability has improved but coexists with the intracoalition conflicts of the past. This is again the consequence of the mixed nature of the electoral system. Coalitions are necessary to win elections but parties need to maintain a visibility and a separate identity to preserve their electoral base. Post-electoral free-riding pays off (Di Virgilio 2004). This undermines the stability and performance of the coalitions, especially when the number of coalition partners tend to be high and their ideological and policy stands differ substantially.

THE POLITICS OF ELECTORAL REFORM

Discontent with the performance of the new electoral system is widespread. Two critiques prevail. The first is that it has not reduced party fragmentation. The second is that it has produced heterogeneous coalitions that yield weak and unstable cabinets. As a result, a number of attempts have been made to reform it, both through referendums and in parliament. So far they have all failed. Two referendums have been held—in 1999 and 2000—to abolish the PR tier and transform the MMM system into a straightforward plurality one. The rationale behind these efforts was that the PR element is the cause of the excessive number of parties. In both cases the change in the electoral law did not pass because the turnout was less than the required 50 per cent + 1 of registered voters. Yet, the majority of those who voted were in favour of the change.

Berlusconi has repeatedly stated his preference for an electoral system similar to the one used for the elections of the members of regional councils, which is also a mixed system with a PR tier and a plurality one.¹³ Voters have two ballots: with the

¹³ For an analysis of this system and how it worked in 1995 and 2000, see D'Alimonte (2000).

first they choose by PR a party list at the provincial level, with the second they vote by plurality for a list at the regional level as well as for the president of the regional government connected to that list. Although 80 per cent of the seats are assigned at the PR level, the key feature of the system is that the winning regional list will get a seat bonus of 20 per cent (or more), enough to ensure a majority of at least 55 per cent of the seats in the regional council.¹⁴ To many political and opinion leaders this system presents some clear advantages over the present one: no more SMDs and therefore no need to reach complicated deals on the placement of common candidates; each party runs with its own list and symbol in the PR tier, and therefore party identity and visibility are safeguarded; each party will get a number of seats more or less proportional to its votes and therefore there is no need to calculate *ex ante* the number of SMDs for each coalition member. These are all features of a PR system. Yet, the presence of a majority bonus would preserve the bipolar pattern of competition based on two coalitions. In fact, parties would still have a very strong incentive to form pre-electoral coalitions because of the bonus. Indeed, such a bonus makes a system such as this even more majoritarian than the present one. With the present MMM system there is no absolute guarantee that the elections will produce a majority. With a system like the one suggested by Berlusconi, elections will *always* produce a clear winner. So, the incentive for parties to aggregate would be even greater.

These presumed advantages make Berlusconi's proposal attractive to many parties in both camps but it is not, however, a 'Pareto-optimal' solution, as it is widely believed that it will benefit the CDL at the expense of the Ulivo. Hence it will meet opposition. However, it could be approved in conjunction with a plan to modify the symmetry of powers between the Chamber and the Senate. According to this constitutional revision, the Senate would become more like a 'chamber of the regions' leaving the Chamber of Deputies as the branch responsible for most of the legislation and for government formation. This project is part of a wider devolution of powers from the central government to the regions. It is noteworthy that no mention so far has been made of the electoral law that will be used to choose the members of the new Senate. This issue will most likely be discussed when everything else is approved. We will not have to wait too long to see if the end of Italy's perfect bicameral system will coincide with the end of the MMM system introduced in 1993.

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¹⁴ It is both a 'majority assuring system' like the one in Mexico between 1988 and 1991 and 'a direct election of the prime minister system' like the one in Israel between 1992 and 2001 (see Chapter 16); Shugart and Wattenberg (2001: 20–1).

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Japan: Haltingly Towards a Two-Party System

Steven R. Reed

Japan is among the established democracies that have in the recent past embarked upon a major electoral reform. In order to understand why this happened, and to assess the consequences of reform, we need to take a brief look at the political background.

POLITICAL BACKGROUND

The basic story of Japanese politics leading up to the political reforms of 1994 resembles that of Italy outlined in the previous chapter: a dominant party system long plagued by recurrent scandals finally enacts a major reform that includes a mixed-member majoritarian electoral system. Japan's dominant party system was created in 1955 and consolidated in 1960. At the beginning of 1955 there were three major parties of roughly equal size: the Liberals, the Democrats, and the Socialists, the latter divided into left and right wings at the time. By the end of that year, after an inconclusive election, the socialists had reunified and the Liberals and Democrats had merged to form the Liberal Democratic Party (LDP). Though the media expressed great hope for the emergence of a British-style two-party system, the LDP started with almost twice as many votes and seats as the Socialists and the latter never grew into a credible alternative.

Despite repeated corruption scandals, the LDP remained in power until 1993. Aside from corruption, LDP governments proved reasonably competent and the country enjoyed rapid economic growth. In 1960 the LDP dropped its most unpopular policy proposals, rearmament and constitutional revision, concentrating instead on the vote-winning policies of economic growth and the distribution of the fruits of that growth. The government also proved capable of dealing with the pollution problems of the late 1960s. While the LDP proved flexible enough to deal with a changing political environment, the opposition parties failed to follow suit. The major opposition party, the Japan Socialist Party (JSP), continued to harp on the issues of the 1960s despite their dwindling appeal to voters. The party failed either to exploit dissatisfaction with the LDP or to appeal to younger voters. Instead the

opposition fragmented, allowing the LDP to continue winning a majority of the seats in the Diet with a declining share of the vote.

LDP dominance was threatened by two possibilities. First, the LDP could have been defeated by electoral cooperation among the opposition parties. The opposition parties made great efforts but proved unable either to fully implement or to long sustain any of their cooperation schemes (Christensen 2000; Johnson 2000). The opposition was too divided, agreeing only on a condemnation of LDP corruption.

The second danger was a split of the LDP itself (Curtis 1988: 240). The LDP never developed a coherent party organization and defection threats were frequent. Most politicians and political commentators expected the party to last no more than a few years given the intense personal and policy conflicts it encompassed. In the absence of an alternative capable of challenging the LDP, though, a monopoly of political power proved sufficient to hold the LDP together. The first defection threat to actually be carried out was by the New Liberal Club (NLC) in 1976 during the Lockheed scandal. The NLC was enthusiastically received wherever it ran candidates, but it ran in only twenty-five districts (the minimum for being considered a political party under the election law). If it had run a sufficient number of candidates, the LDP would have probably have lost its majority in 1976. Even though it failed, the experiment provided lessons, both positive and negative, for future defectors.

All the ingredients needed to unseat the LDP finally came together in 1993 (Reed 1999). First, the party suffered major scandals in two consecutive elections. The Recruit scandal broke in 1988 and affected both the 1989 House of Councillors and 1990 general elections. The Sagawa Kyuubin scandal, among several others, affected the 1993 elections. Second, the LDP suffered a series of shocking electoral defeats. It lost the 1989 upper house election to a temporarily revitalized Socialist Party and lost several local and by-elections in places and by margins that were unprecedented. Voters were clearly ready for an alternative and there were movements on both sides of the aisle aimed at providing such an alternative. The process produced three new non-socialist parties, two of them created from LDP defectors. All three new parties grew rapidly in the 1993 election but primarily at the expense of the old opposition parties. Though LDP candidates did not lose many votes, the combination of defections and voter enthusiasm for the three new parties resulted in Japan's first alternation in power since 1955.

The story of Japanese politics after 1993 also resembles that of Italy in its bewildering complexity (for details see Reed 2003a). The LDP remained intact with defectors leaving and returning as the political winds shifted back and forth. The New Frontier Party (NFP) was primarily organized out of LDP defectors and the religious party, *Koumei*. The NFP broke up after the 1996 election leaving the Democratic Party of Japan (DPJ) as the largest opposition party. The DPJ had been organized from LDP defectors, socialists, and candidates who had run for one of the new parties in 1993. Two remnants from the NFP, the Liberals and the Conservatives, continued to function. The configuration in 2004 pits the LDP, the Conservatives, and *Koumei* in coalition against the DPJ, the Liberals, and remnants of the JSP now called the Social Democratic Party of Japan (SDP).

Japan is a typical parliamentary democracy originally patterned on the British model. The parliament, called the Diet, is divided into two houses with a dominant lower house. The upper house, called the House of Councillors and also elected by a mixed-member system, seldom plays much of a role in government formation.

ORIGINS OF THE ELECTORAL SYSTEM: ENACTING POLITICAL REFORM

The old electoral system was blamed for many of the problems of Japanese politics and did in fact play a significant role in producing many of those problems. The old system used the single non-transferable vote (see Appendix A) in districts with district magnitudes of between three and five seats. It was originally enacted in the Meiji period as a compromise among the five significant parties at that time. It was re-enacted after the Second World War as the only system that could be agreed upon in time for the 1947 election demanded by the US occupation. In this system, as in the Irish system with transferable votes (see Chapter 25), a party hoping to win a majority must run more than one candidate per district.

Candidates from the same party share similar policy positions. In order to distinguish themselves in the eyes of the voters, candidates thus cultivate a personal vote (Carey and Shugart 1995). The easiest way for a candidate to develop a personal vote is through constituency service. Especially for the party in power, the most useful form of constituency service is to bring government-funded construction projects to the district. The advantage of governing parties in providing constituency service helped maintain LDP dominance and contributed to political corruption. Campaigning against members of one's own party on the basis of constituency service also proved an expensive, labour-intensive proposition, further contributing to the problem of corruption (Curtis 1988: 177). Issue-free elections, political corruption, and one-party dominance were the major problems facing Japanese democracy from the mid-1970s onwards and the electoral system was implicated in each problem.

After the LDP was defeated in the 1993 election the enactment of some form of mixed-member system was virtually inevitable. First, public demand for reform seemed undeniable. Though the public was not necessarily interested in a new electoral system, it clearly wanted change and willingness to change the electoral system had become the litmus test of serious reform. For example, the JSP had proposed leaving the electoral system intact and concentrating on reforming political finance laws instead. While this proposal made some substantive sense, it was widely interpreted as little more than a way of delaying or preventing 'real' reform. Other similar reform proposals from the conservative side of the aisle were clearly designed to prevent serious reform. Politicians found themselves in the position of having to enact some reform and the only proposal on the table and ready to pass was electoral reform.

The debate on the electoral system had been going on for decades. Though there was no consensus on the ideal electoral system, the only proposal that had any

chance of being enacted was a mixed-member system. Few thought a mixed system ideal but it seemed a feasible compromise between single member districts (SMDs) and proportional representation (PR). A mixed-member system had been proposed by the Tanaka administration in 1972–3 and by the Kaifu administration in 1992. Enacting any other electoral system, or any other kind of reform, would have required many more time-consuming discussions and a decision to ‘study the problem further’ would have produced a storm of public criticism. Choices were effectively limited to variations of the system proposed by the Kaifu administration.

The second reason for the inevitability of passing reform was the widespread support for reform among sitting Diet members, even aside from their direct electoral interests. Two of the new parties had been created by defections prompted by the failure of the LDP to enact the Kaifu proposal. Having left over the reform issue, they were publicly committed to accomplishing what the LDP had failed to do. As important were the reformers who elected to stay in the LDP. There were up to 100 potential defectors who would vote for a reform proposal even if it was opposed by the party leadership and would leave the party if that leadership proved capable of blocking reform.

Third, the coalition that formed after the 1993 election agreed on little else than the necessity of enacting reform. The LDP remained the largest party in the Diet and all of the potential coalitions that made sense in terms of the usual power and policy considerations would have included the LDP. Nevertheless, the chance to end almost forty years of LDP rule and the fear that entering a coalition with the LDP would result in a voter backlash convinced the various opposition parties to band together in a broad coalition government excluding only the LDP and the Communists.

The coalition also produced a fourth reason why it would have been hard to avoid enacting political reform: it brought the JSP, the primary opponent of any majoritarian system, into a coalition dedicated to enacting just such a system. After the 1993 election the JSP was faced with a series of unpalatable choices. If it joined the coalition, it would be committing itself to enacting a political reform similar to the Kaifu plan it had just fought so hard to defeat. Left-wing socialists understood that they could not prosper under the new system. They could win few SMDs on their own and electoral cooperation would mean diluting or abandoning the ideological positions favoured by the left. Nevertheless, if they did not join the coalition, this would mean allowing their historical rival, the LDP, to keep their grip on power and passing up their first chance to join a coalition government since 1949. Right-wing socialists would have voted for political reform even if the leadership opposed it. They did not expect the party to survive and planned to participate in a new party that they expected to flourish under the new system. In the absence of a consensus on reform, the JSP leadership took the only option that could prevent a major split and joined the coalition government, thus committing the party to vote for electoral reform.

Reform probably would have passed even if opposed by the leaderships of both the LDP and the JSP. In the event, however, the coalition government passed the

reform bill in the lower house but was unable to hold the votes of left-wing socialists in the upper house. The Hosokawa government was forced to negotiate with the LDP in order to pass reform. (For an analysis of the options and the events that resulted in final passage, see Kawato 2000.) With the support of the LDP, the reform passed easily, though with defectors from each side of the aisle.

As the above story indicates, 'Who passed reform?' has no clear answer. The only party to hold a consistent position (opposed) throughout the process was the Communist Party. Reform passed because the public demanded some kind of reform and the electoral system had become the litmus test of true reform. The details of the system chosen were decided amidst confusion and compromise and were not informed by any clear purpose. Nevertheless, whenever a party or politician argued in favour of reform they tended to appeal to one or more of the following three goals: (a) reducing the cost of elections and levels of corruption; (b) replacing candidate-centred with party-centred campaigns; and (c) moving toward a two-party system which would produce alternation in power between the parties of the government and the parties of the opposition.

HOW THE ELECTORAL SYSTEM WORKS

Japan's mixed-member electoral system consists of one tier of SMDs of 300 seats and a PR tier of 180 seats (reduced from 200 after the 1996 election). The PR tier is divided into eleven blocs, with district magnitudes ranging from six to thirty seats.

The mechanics of voting are as follows. A voter enters the polling place and presents a postcard she has received from the election management board. All registered voters receive a postcard telling them, among other things, where to find their polling station. She then receives a blank piece of paper and proceeds to the voting 'booth'. The booth is normally no more than a table outfitted with screens to the left and right. The names and party affiliation of the candidates running in the single-member district are displayed in each booth. The voter writes the name of one candidate on the ballot, folds it, and places it into the SMD ballot box. She then receives another ballot of a different colour and proceeds to one of the PR voting booths. There she finds a list of the parties presenting candidates in the PR district. She writes the name of one of those parties on the ballot, folds it and puts it into a separate PR ballot box.

To my knowledge, Japan is the only democracy that does not print ballots. Whenever the idea of printing ballots, or more recently the idea of electronic voting, is proposed, politicians always mention how good it feels to know that tens of thousands of people have written down their name. This is also part of the reason that, as we shall see, Diet members elected from PR are considered second class Diet members: no one wrote their name on a ballot.

The candidate who receives the most SMD votes wins the seat. The number of seats won in the SMD has no effect on the number of PR seats allocated to that party. In terms of seat allocation, the two tiers are completely separate; in other words, this is a parallel mixed system (see Appendix A). Seats in the PR tier are distributed

among the parties from closed lists using the D'Hondt formula (see Appendix A). The use of blocs (PR districts) as opposed to a national constituency, relatively low district magnitudes, and the PR formula all work to limit the proportionality of the PR tier.

The only connection between the two tiers is the provision that SMD candidates may also be nominated in the PR tier provided that the SMD is within the PR bloc. The system thus allows 'double candidacy', a candidate who is nominated in both an SMD and on a PR list. The double candidacy option has provided the parties with the greatest variety of strategic possibilities, political scientists with the most interesting focus for analysis, and political commentators with the most controversial aspect of the new system. One form of double candidacy has particularly interesting strategic implications. Parties can nominate several double candidates at the same rank on the PR list. Candidates who won their SMD are excluded from the PR list and the remaining candidates are ranked based on their *sekihairitsu*, the candidate's vote divided by the winning SMD candidate's vote. Though it has yet to have any manifest consequences, this calculation advantages losers in those districts with multiparty competition by lowering the winner's vote total which serves as the denominator. Parties may thus invite candidates to compete for a PR seat by running hard in a losing SMD.

The leadership of both large parties now agree that all PR candidates should also run in an SMD and that the distribution of seats in the PR tier should be on the basis of the *sekihairitsu*. The leadership likes the idea of awarding PR seats to those candidates who come closest to winning their SMDs because it rewards campaign effort. However, both parties also make exceptions. The most obvious exceptions are the safe PR nominations given to candidates willing to run in hopeless races against the opposing party's leadership. Candidates required to stand down in favour of a coalition partner or to move to a new SMD where they are not well known are also given special compensation in the PR tier. The fact that SMD candidates can finish second in the SMD but win a PR seat thus has one other important impact: reducing the number of non-competitive SMDs. Parties can convince candidates to run in hopeless SMDs in order to take a chance at winning a PR seat.

THE POLITICAL CONSEQUENCES OF ELECTORAL REFORM

Two problems obstruct any discussion of the political consequences of electoral reform. First, electoral reform cannot be treated as an exogenous shock to an otherwise stable equilibrium. Stable systems seldom enact major reforms. Indeed, in Japan the splitting of the LDP and the resulting fragmentation of the party system preceded and was a necessary condition for enacting reform. Care is needed in distinguishing the effects of the new electoral system from changes that had begun before reform was enacted.

The second problem is the 'long run'. Historical experience indicates that the most appropriate time frame for evaluating structural reforms is decades not years.

Japan has had only three elections under the new system and any generalization based on an n of 3 should not be considered particularly reliable.

Impact on the party system

(i) *Towards bipolar competition at the district level.* So far, the clearest effect of the electoral system has been at the district level. First, there is a strong trend toward one candidate per party per district. If one considers only nominated candidates, no party has ever run two candidates simultaneously in one SMD. There have, however, been many cases of two LDP candidates running in the same district, though at least one must do so without the nomination. Under the old system the LDP almost always ran more than one candidate per district and was incapable of preventing LDP candidates from running as independents in violation of party discipline. In the 2003 election, for the first time, the LDP followed a nomination policy more appropriate to the old than the new system: they nominated no candidate in Miyazaki 2nd and 3rd districts but recommended two. Neither candidate received a nomination but whoever won would be declared the LDP candidate *ex post facto*. They were only able to do so because the DPJ was not competitive in either of these districts. If the DPJ continues to grow, this practice should once again become obsolete.

In another partial exception, large parties have often been forced on occasion to use a tag-team system when they have two candidates competing for the same SMD nomination. One candidate runs in the SMD and the other in PR, changing places after each election. Even though one candidate is technically running in the PR tier, normally with a guaranteed seat, the two campaign together for the SMD seat. This practice should prove a temporary transitional phenomenon. In 2003 the DPJ managed to eliminate their last remaining tag team. The LDP leadership is working hard to do the same but with less success.

The effective number of candidates per district (see Appendix B) has shown a clear and steady decline, from an average of 2.95 in 1996 to 2.76 in 2000 and 2.41 in 2003. In 2003, the primary exception to bipolar competition at the district level was the presence of a Japanese Communist Party (JCP) candidate in every electoral district. Since 1960 the JCP has pursued a policy of running a candidate in every district even if it has no chance of winning a seat and it continues this practice under the new system. There is also a clear trend toward districts featuring bipolar competition between one representative of the governing coalition and one representative of the opposition, what Cox (1997) calls cross-district linkage. The trend toward linkage has been hindered by the trouble both camps have had agreeing on a single candidate per district. However, in 2003 over two-thirds featured competition between one representative from the governing coalition and one from the opposition. Recognition of the need for coordination is strong and we should expect a continuing trend towards linkage in the next election.

The incentive for parties and camps to run only one candidate per district is the basis of Duverger's law and the evidence indicates that the law is operating as

expected. The question, then, is how the presence of a PR tier will affect the number of candidates per district. On the one hand, it has been repeatedly demonstrated that running a candidate in the SMD tends to increase the party's PR vote (Mizusaki and Mori 1998; Herron and Nishikawa 2001; Cox and Schoppa 2002; Reed 2003*b*). Small parties thus have an incentive to run candidates in hopeless SMDs in order to increase their PR vote. The evidence so far indicates that SMD incentives promoting electoral cooperation trump PR incentives to run in hopeless races.

Smaller parties have indeed resisted calls for electoral cooperation and have used SMD nominations to increase their PR vote. The problem, however, is finding a candidate willing to run a hopeless campaign. The smaller parties can get a candidate who has a potentially winning position on the PR list also to run in an SMD, but can seldom get a candidate to run 'for the good of the party'. The number of SMD candidates is thus limited to the number of seats the party expects to win in the PR tier. The only clear exception to this generalization is the Communist Party.

For small parties, all candidates (with a few and declining number of exceptions) are PR candidates who may also run in an SMD in order to show the flag and increase the PR vote. For the two large parties, all candidates (with a few and declining number of exceptions) are SMD candidates who also run in PR in order to give themselves an extra chance of winning a seat.

(ii) *Towards a two-party system at the national level.* While movement towards bipolar, two-camp competition at the district level has been clear, movement towards a two-party system at the national level has been halting at best. The effective number of parties in the Diet was 2.96 after the 1996 election but rose to 3.15 in 2000 before falling to 2.29 in 2003. Most fundamentally, the Japanese electorate remains in a profound state of dealignment. Between 40 and 55 per cent of voters identify with no political party. The LDP is the largest party but can claim the consistent support of less than 30 per cent of voters. The leading opposition party, currently the DPJ, rises to around 20 per cent support during an election campaign but falls to 10 per cent or below between campaigns. The problem is that little progress has been made at the elite level in organizing a credible alternative to the LDP. This is illustrated in Table 13.1.

The NFP challenge to the LDP in 1996 was indeed a serious one and might well have succeeded but for the tactical errors of its leader (for details see Curtis 1999 and Reed 2003*a*). The NFP broke apart into its component parts leaving a party system only a bit less fragmented than that after the 1993 election. When the NFP failed, the mantle of opposition fell to the DPJ. The DPJ gained ground in the 2000 general election and made it clear that the LDP still faced a serious challenge, but did not match the performance of the NFP in 1996. The LDP response to the DPJ challenge was to adopt the DPJ's most popular policies and to select a leader with an anti-LDP image. Prime Minister Koizumi represented an extremely successful attempt to co-opt opposition policies and images. He won the leadership of the LDP running as the anti-LDP candidate and his popularity produced a win for the party in the 2001

Table 13.1 Results of Japan's three mixed member elections, 1996–2003 (all figures in percentages)

	SMD tier vote	SMD tier seats	PR tier vote	PR tier seats
1996				
LDP	38.6	56.3	32.8	35.0
NFP	28.0	32.0	28.0	30.0
DPJ	10.6	5.7	16.1	17.5
JCP	12.6	0.7	13.1	12.0
SDP	2.2	1.3	6.4	5.5
Other	11.3	0.7	9.1	0.0
2000				
LDP	41.0	59.0	28.3	31.1
Liberals	3.4	1.3	11.0	10.0
Conservatives	2.0	2.3	0.4	0.0
<i>Koumei</i>	2.0	2.3	13.0	13.3
DPJ	27.6	26.7	25.2	26.1
JCP	12.1	0.0	11.2	11.1
SDP	3.9	1.3	9.4	9.4
Other	8.2	7.0	1.5	0.0
2003				
LDP	43.8	56.0	35.0	38.3
Conservatives	1.3	1.3	–	–
<i>Koumei</i>	1.5	3.0	14.8	13.9
DPJ	36.7	35.0	37.4	40.0
JCP	8.1	0.0	7.8	5.0
SDP	2.9	0.3	5.1	2.8
Other	5.7	4.3	0.0	0.0

House of Councillors election, the first election in which the LDP could claim a clear victory since 1986. However, progress towards a two-party system resumed in the 2003 election. The DPJ challenge is now stronger than was the NFP challenge in 1996, actually defeating the LDP in the PR tier.

After each of these three elections, the opposition could look forward to the next election in the expectation that one more push might prove sufficient. After each of the first two, however, something went wrong. The Democrats are still beset with serious internal divisions but were able to produce a manifesto for the 2003 election to which every candidate signed his or her name. Another split cannot be ruled out but the DPJ is now a more coherent party than it was in 2000 or than the NFP was in 1996. For the LDP, Koizumi proved to be a temporary reprieve, not a solution to their problems. They will have to come up with something new before the next election. One option they will consider is actually to implement some of the reforms promised since 2001.

Overall the LDP ran a better campaign than the DPJ in 2003, but the DPJ made one move that overcame many of its other shortcomings: it issued the first manifesto ever presented to voters in a Japanese general election. By presenting the public with a manifesto signed by every candidate, the DPJ solved two problems. First, a new party that has never held power must always overcome a credibility gap. The manifesto answered the charge that the Democrats could not rule because they did not agree on the policies they would enact if elected. Second, the DPJ manifesto challenged the LDP to respond with a manifesto of its own. The LDP response made it clear that it was much less unified on policy than the DPJ and gave the DPJ a single target to attack.

The LDP has never been able to produce a coherent party platform. Between 1955 and 1993 it was *the* party of government. As such, its effective policy on all issues was always, 'we will discuss it thoroughly and take all opinions into account.' The LDP actually took this position on several controversial issues in its 2003 manifesto. This is a hard position to argue against. This stance also invited all groups to support the party whether or not they supported its current policies. Between 1955 and 1993 groups supported the LDP even when they opposed the LDP government's policies in order to have a voice in government after the election. Thus, for example, in the 1970s farmers continued to support the LDP even though they hated the agricultural policies of LDP governments. Farmers voted for candidates who promised to fight for their interests against the leadership of the LDP from within the LDP. LDP candidates could thus win by running against the LDP and the LDP could co-opt opposition policies whenever it seemed necessary.

Right after the 2003 election, many LDP strategists argued that issuing a manifesto was a tactical error that should not be repeated. Prime Minister Koizumi, however, liked the idea of a manifesto because it would force his opponents within the party to sign up to his reform program. Future party leaders should share his opinion. Voters also seemed to like the idea, so one may doubt whether the LDP can win the next election without a manifesto. It should prove difficult to rouse much enthusiasm for a vacuous policy of thorough discussion.

(iii) *The decline of small parties.* Two small parties disappeared as a result of the 2003 election. Before the election the Liberals merged with the DPJ. After the election the Conservatives accepted the harsh verdict of the voters and merged with the LDP. That leaves only three small parties, the JCP, the SDP, and *Koumei*.

The SDP suffered a serious defeat in 2003. Most importantly, wherever the party competed with the DPJ, JSP candidates lost an average of 19,000 votes and no candidate increased her vote. In the five districts where the SDP ran as the sole representative of the non-communist opposition, however, its candidates gained an average of 5,000 votes and only one candidate lost votes. The lesson seems clear. This result should put immense pressure on the party to make its peace with the DPJ.

The JCP also lost badly in 2003. The party can continue its policy of running a candidate in every SMD but with little prospect of much success. Thus, even the Communists are looking for ways to cooperate with the other opposition parties.

The one small party to come out of the 2003 election pleased with the results was *Koumei*, the religious party. *Koumei* is much like the religious parties of Europe in that it has its own newspaper and many affiliated organizations. Thinking of it as a small 'pillar party' helps explain its extraordinary capacity to mobilize and direct its supporters. The major difference between *Koumei* and its European counterparts is that theology impinges upon very few of its policy positions, leaving it free to shift alliances with relative ease. The party was first allied with the opposition to the LDP, then joined the NFP, and is now in coalition with the LDP despite the fact that the policy preferences of its members are closer to the DPJ. It would like to play a role like the FDP did in Germany, allying with either major party while always staying in power.

Koumei's problem is that it needs major party support to win any SMDs. It can provide support to its allies but its allies have never been able to return the favour. More voters say they would never consider voting for *Koumei* than for any other party but the JCP. Thus, LDP voters do not necessarily vote for *Koumei* when instructed to do so and LDP candidates do not necessarily step down in order to support their erstwhile coalition partners. In the 2003 election, however, for the first time, the LDP delivered votes to *Koumei*. This allowed the party to increase its SMD seats with fewer SMD votes and to increase its votes and seats in the PR tier. LDP candidates dependent upon *Koumei* votes to win their SMDs instructed supporters to vote *Koumei* in the PR tier and some appear to have followed those instructions. Similarly, exit polls reveal that the percentage of LDP supporters voting for *Koumei* SMD candidates rose from 38 per cent in 2000 to 56 per cent in 2003. In many districts *Koumei* is becoming increasingly integrated into the local conservative establishment.

The question is whether *Koumei* will be able to switch partners when it becomes strategically advantageous. The LDP could not have won the 2003 election without *Koumei* support and currently has no prospect of freeing itself from dependence upon the religious party. A shift of coalition partners would be difficult and costly for *Koumei*. The fact that it took two elections to get over half of LDP supporters to vote for *Koumei* indicates that another switch would also take more than one election to become effective. The LDP and *Koumei* may find it impossible to separate if the coalition continues through the next election. If *Koumei* can switch coalitions Japan may evolve into a two-and-a-half party system. If, however, it is locked into coalition with the LDP, Japan is already close to a two-party system in practice.

Impact on the parties

Only three parties, the LDP, the Communists and *Koumei*, span the two electoral systems. All other parties were created in preparation for the first election under the new system or thereafter. Little is known about the internal operation of either the Communists or *Koumei* so this discussion will focus on the LDP. The LDP is an incoherent party divided into institutionalized factions. The new electoral system has produced a trend toward greater coherence and a decline in the power of factions.

The new electoral system has established the principle of one candidate per party per district. Under the old system, more than one LDP candidate ran in a district and party headquarters was forced to take a neutral stance toward each of the competing candidates. Candidates sought the support of factions to defeat other LDP candidates. Factions supported candidates, spending large sums of money in the process, in order to increase the size of their faction. Under the new system each party runs only one candidate per district and the role of factions in the nomination process has been greatly reduced. The primary remaining electoral role for factions is to help candidates negotiate an SMD as opposed to a PR nomination and, if they fail, get their candidate the highest possible PR list position. Factions also play a role in negotiating stand-down arrangements, mainly by trying to make sure their members are not among those required to stand down in favour of a coalition partner, and supporting their candidate if he chooses to run without the nomination.

LDP factions have been in disarray since the mid-1970s. The current decline of factions cannot be attributed solely to the new electoral system but, by catching factions at a low point in their fortunes, the timing of reform enhanced the impact of the new system on the factions. The clearest indication of the decline of factions is the tendency of younger Diet members to be less loyal to their faction leaders. Young politicians worried about re-election seem to find it more important to have a popular leader than the backing of their faction.

Prime Minister Koizumi has also waged a war on factions, reducing their role in cabinet formation and in selecting the party leader. It is important to note one exception, the Mori faction to which Koizumi himself belongs. However, having twice won party presidential primaries on the basis of his national popularity, the route to party leadership now seems less dependent on leading a large faction and more dependent upon popularity among party members. Koizumi has also been a proponent of election manifestos as a means of empowering the party leadership and making the LDP a more coherent party.

SMDs have forced the LDP, at both the central and district levels, to search for more systematic ways of selecting their nominees, and of preventing rejected candidates from running against the nominee. Several districts have experimented with the use of party primaries, letting party members choose the nominee. This suggests a trend toward more coherent local party organization but it has also had one serious unanticipated consequence: an increase in the number of nominations passed down from father to son or other relative.

Japan has the highest percentage of inherited seats in the industrialized world, a phenomenon normally attributed to the old electoral system (Ishibashi and Reed 1992). Theoretically, SMDs should reduce the probability of inheritance. In 2003, however, a combination of factors produced the opposite result. First, there were a large number of retirements. The LDP set a mandatory retirement age of seventy-three for PR nominees and refused to make exceptions even for previous prime ministers. Campaigning in an SMD is physically taxing and many elderly candidates were not up to the task. Second, local party branches currently consist primarily of the incumbent's *kouenkai* (personal support organization). Delegating the decision

to party members thus amounts to delegating it to the incumbent's loyal supporters who, unsurprisingly, vote for the son.

Without an institutionalized nomination procedure, the large number of retirements also produced an increase in the number of contested nominations, reversing the trend towards one LDP candidate per district. Ambitious local politicians rebelled against both inheritance and the automatic reselection of incumbents. There were thirty districts in which the LDP ran two candidates, though nominating no more than one. This should prove a temporary reversal but it does pose a serious challenge to the LDP.

The new provisions for public funding included in the electoral reform package also strengthened the hand of the party leadership and make it more difficult for independents to defeat official nominees. Public funding was designed to strengthen parties. Party branches not only receive public funds but may also collect unlimited funds from other sources. In return, the party must account for the way in which those funds are expended. These strengthened accounting practices have already had a significant impact on the conduct of fundraising. Several politicians have found themselves having to answer hard questions that could not have been asked if it were not for the new regulations. TV viewers have been treated to conversations such as the following. Q: 'Did you accept the money?' A: 'Yes, but it was a political contribution, not a bribe.' Q: 'If so, why did you not report it as a political contribution?' No answer. Q: 'You report a contribution from company A of X yen the day after company A received a government contract worth precisely Y yen. Might these two events be related in any way?' No answer.

The electoral system is indeed forcing the LDP to become a more coherent party and has given the party leadership greater control over nominations and elections, but progress is being made from an extremely low baseline.

Impact on parliament

Parties do not systematically differentiate between SMD and PR candidates so candidates running in the two tiers look much alike. Some differences in the characteristics of candidates from different parties may be attributed to that party's dependence upon one tier or the other, but there are few, if any, differences within parties. There has been an increase in the number of women elected to the Diet but that trend was not caused by the electoral system. Women are not, for instance, given preference on PR lists. Rather, women are considered attractive candidates because they represent a break with the past, fresh faces that are less likely to practise politics as usual. The attractiveness of women candidates was first established in the House of Councillors election of 1989, before the new electoral system was enacted.

The old electoral system produced incumbent re-election rates that averaged 82 per cent between 1963 and 1990 (Reed 1994). The new system has increased re-election rates. The new system also produces several different kinds of incumbents, including candidates who won the SMD and candidates who ran in an SMD but won a PR seat because of their performance in the SMD. Although one hears

complaints about the power of incumbency under the new system, these complaints come primarily from potential LDP candidates who find it more difficult to unseat an LDP incumbent. Surprisingly, there is as yet no evidence of incumbency producing any advantage in votes.

It is hard to imagine a system in which candidates would be more independent of the party leadership than the old Japanese system. The new system has reduced candidate independence somewhat, but it remains quite high compared to other industrialized nations.

One also hears complaints that SMDs are so small that candidates have been forced to focus on a narrow range of issues. The question is whether a candidate able to choose to represent, say, only farmers in a large five-member district is more or less narrow than a candidate who must represent over half of the voters in a smaller SMD. All that can be said at present is that the jury is still out.

Government formation

The practice of government has indeed changed since the enactment of electoral reform but none of the changes can be attributed to the electoral system. For example, coalition government was rare under the old electoral system but has been the rule under the new system. Statistically, one could argue that the new electoral system 'caused' an increase in coalition government. Such an argument would, however, be extremely misleading. The party system was in flux when the new system was enacted. A coalition government excluding the LDP was probably a necessary condition of enacting electoral reform. In that sense, coalition government caused electoral reform, not the reverse. In addition, both theory and close examination of the data indicate that Japan is moving towards a two-party system. That movement may well halt short of aggregation into only two parties so, in the long run, we may see either bipolar competition between two parties or between two coalitions.

THE POLITICS OF ELECTORAL REFORM

Three aspects of the new electoral system have drawn serious criticism and two changes have been enacted into law. The main controversy after the first election in 1996 concerned double candidacy. Double candidacy proved the most controversial aspect of the new system after its first use in 1996. Commentary in the media was often harsh, some calling candidates who 'died' in their SMD only to be 'revived' in PR 'zombie Diet members'. However, this controversy died down without any major amendments.

One unanticipated, or at least underappreciated, aspect of the new electoral system was the higher incidence of by-elections. Under the old system of multi-member districts, by-elections were held only if two seats became vacant. Only nineteen by-elections were held over the eighteen elections between 1947 and 1993. With only one seat per district, the number of by-elections rose rapidly. There were

twelve by-elections between the first two mixed-member elections, with one district experiencing two. The response was a decision made right after the 2000 election to hold all by-elections, upper and lower houses, on the same day twice a year, producing two mini-general elections every year. The decision appears to have been primarily administrative, based on the implementation problems faced by bureaucrats, but biennial referendums on governmental performance should also have interesting political consequences.

The major change enacted was a reduction of the number of seats allocated to the PR tier from 200 to 180 before the second election. As in Italy, reformers were disappointed that the new electoral system did not immediately reduce the number of parties to two. In both countries, reformers tried to reduce the size of the PR tier in order to increase the probability of a two-party system. In Italy, the effort failed due to low turnout in the referendum on the proposal. In Japan, the effort succeeded to some degree after a long hard battle. The original proposal was to reduce the PR tier by fifty seats but that was reduced to only twenty seats after a long series of difficult negotiations. The main problem was a coalition government that included *Koumei*, which opposed any reduction at all. Both of the large parties have proposed further reductions in the PR tier but one may doubt whether they will be able to achieve this.

In a parable of the perils of rational calculation, *Koumei* played a key role in enacting the new system, which then worked to its disadvantage. As a small party, *Koumei* rationally opposed any movement toward a majoritarian system. The new parties created in 1993 created new potential partners and *Koumei* began picturing itself as part of a large party, eventually joining the NFP. As a large party, *Koumei* quite rationally supported a majoritarian electoral system. Though the strategy was impressively rational, it was based on what turned out to be a false assumption: the NFP fell apart and *Koumei* found itself once again a small party with solid but static support. It cannot win a single SMD without electoral cooperation but is perfectly adapted to the old electoral system. *Koumei* pursued its goal of returning to the old system with the same strategic rationality that it applied to enacting the new system. It decided to participate in a coalition with its old enemy, the LDP. Its price was a promise to consider changing the electoral system back to some variant of the old system. The prospects for a return, however, are dim. A poll by the *Yomiuri Shimbun* (14 August 2003) found that, although eighty per cent of *Koumei* Diet members favour a return to multimember districts, no other party ranks the old system among the top two alternatives. A plurality of Diet members (31 per cent) supported a pure SMD system, led as should be expected by members of the two larger parties. Less than 10 per cent (but all members of the Communist Party) supported pure PR. Overall, this poll indicates that both politicians and voters have adapted to the new system and have begun to consider the normal way of conducting elections. Politicians do not necessarily like the current system but they are unlikely to find consensus on any alternative. After its relative success in the 2003 election, *Koumei* may change its stance once again.

Electoral systems tend to create their own support. Most of those who oppose the system do so because they fare poorly under it. Losers support a return to the old system but have no voice in the Diet. Winners, on the other hand, find themselves beginning to appreciate the new system regardless of their original stance. Finally, proposing a return to the old system would hand the opposition an attractive issue: 'the LDP is trying to turn back the clock on political reform'. The difficulty in passing a reduction of the PR tier from 200 to 180 seats confirms the basic principle: electoral systems are always hard to change, no matter how long they have been in existence.

CONCLUSION

Japan is moving towards a two-party system. Japanese political parties are becoming more coherent and elections are becoming both more party-centred and more policy-based. The new electoral system has played a role in creating these trends but is not solely responsible for any of them. These trends, moreover, appear to be robust, having survived the failure of the first attempt to create a credible opposition party and the LDP's attempt to re-establish one-party dominance through its traditional strategies of policy co-optation and coalition expansion. There is nothing inevitable about these trends, which could still be reversed, but change since 1993 is undeniable. If the trends were to be reversed yet again, it would probably be due to further party splits or a successful new strategy from the LDP.

Both large parties are riven by policy disputes and many politicians harbour dreams of a realignment that would produce a party that would agree with their own policy preferences. Political power should keep the LDP together until the next election, but the DPJ could easily split. Even more likely is a continuation of the steady leak of individual defectors to the party in power that has characterized interelection periods since 1993. Nevertheless, defectors did not fare well in the 2003 election and the results of that election should make it easier for the DPJ to attract qualified candidates in the next election. The DPJ should be able to survive until the next election.

It is hard to imagine how the LDP might re-establish one-party dominance. Yet history suggests that we should not underestimate the flexibility of a party that has twice before accomplished what observers assumed to be impossible. In the 1950s commentators assumed that the core LDP values were constitutional revision and rearmament. When these two unpopular policies threatened to separate the party from power, however, it gave them up to concentrate on economic growth. In the late 1960s pollution made the focus on economic growth a vote loser and in 1970 the party adjusted to this new reality as well. As a catch-all party with no stable policy commitments, the LDP may be able to find yet another way to maintain its hold on power.

Personally, however, my bets are on a continued evolution toward a two-party system and an alternation in power within the next three elections.

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New Zealand: The Consolidation of Reform?

*Jack Vowles**

New Zealand is a parliamentary democracy of nineteenth century colonial origin. Most of its population is descended from inhabitants of the British Isles who immigrated before 1900, with significant minorities of indigenous Maori and more recent European, Polynesian, and East Asian arrivals. The country has a population of 4 million and a territory about the size of Britain. It is a unitary state with strong central and weak local government, and has had a unicameral legislature since the beginning of 1951. In theory, New Zealand is a constitutional monarchy, but the monarch is shared with the United Kingdom; a Governor-General wields her very limited powers. The person in this role is technically appointed by the monarch but is effectively chosen by the New Zealand government, normally for a term of five years. The parliamentary term is three years but elections may be held earlier. Aside from key parts of electoral law that are ‘entrenched’, such as the term of parliament, most of the New Zealand constitution is ordinary statute or based on convention.¹ For all these reasons, and some others, New Zealand has been described as ‘the purest example of the Westminster model of government’ (Lijphart 1987: 97), having one of the most majoritarian democratic political systems of the twentieth century (Lijphart 1999). The powers of governments have been extensive, and they have been under little restraint. A Bill of Rights has existed since 1990, but only has the status of an ordinary statute. Relatively open government underpinned by the

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¹ Entrenchment means that the law can only be changed by a 75 per cent vote of parliament or a majority in a popular referendum. Strictly speaking, the entrenchment provision itself could be repealed by a parliamentary majority, but this would be regarded as extreme and subject to legal challenge.

Official Information Act of 1982 has made recent governments a little more vulnerable to criticism.

ORIGINS OF THE ELECTORAL SYSTEM

Underlying the majoritarian cast of government was a single-member plurality (SMP) electoral system used for parliamentary elections from 1914 until 1993. In 1996, New Zealand adopted a mixed-member proportional (MMP) electoral system, and has since held two further elections (1999 and 2002). Those who promoted the change of electoral system wished to reduce the dominance of majoritarianism. In particular, they sought to reduce the odds that a single political party could gain a majority of seats in parliament, usually on the basis of less than half the valid votes, and thus govern alone without restraint. In theoretical terms, they sought to increase the number of 'veto players' (Tsebelis 2002).

The New Zealand experience of electoral system choice in the early 1990s was unique and perhaps not easily replicable. The preferences of major political actors were overridden by a popular campaign and two referendums. Elite miscalculations, errors, and attempts to placate popular opinion by offering the referendums on the electoral system opened up the gates to change. Political elites thought they could defeat or sidetrack the demand for MMP (Jackson and McRobie 1998). They failed to understand how unpopular they had become, and how limited their powers of persuasion would be when the question was 'taken to the people' (McRobie 1993).

Actors favouring change tended to be spread between political parties, but predictably were found in higher proportions in political parties outside the two dominant forces, the centre-right National Party and centre-left Labour Party. For many years the Social Credit Party had campaigned for proportional representation (PR). At the height of its success at the 1981 election Social Credit gained nearly 21 per cent of the votes, but only two seats in a parliament of 92. It renamed itself as the Democratic Party in the 1980s. By the early 1990s the Democrats were a spent force, but a new wave of smaller parties had gained support. In 1992 the Democrats joined a small party coalition, the Alliance, along with more recently formed parties: NewLabour (a left-leaning split-off from Labour); the Green Party; Mana Motuhake (a party seeking to represent the indigenous Maori people); and the Liberal Party (a centrist split-off from National). Just before the 1993 election the New Zealand First Party was set up, another ex-National grouping led by Winston Peters, a former National Party cabinet minister. New Zealand First remained aloof from the Alliance. The Alliance and New Zealand First won two seats each at the last SMP election in 1993.

The first catalyst of change had appeared within the Labour Party. Labour lost the 1978 and 1981 elections in terms of seats, but not votes, on which basis it had narrowly 'won' in both cases. With Labour moving into government in 1984, the new deputy prime minister, Geoffrey Palmer, saw a need for change. He appointed a Royal Commission to look into the electoral system, gave it wide terms of reference, and appointed to it some genuinely open-minded persons. Most observers were

surprised by its findings. The Royal Commission recommended MMP, but only if approved by a referendum (Royal Commission on the Electoral System 1986). In the aftermath of the Royal Commission Report, an Electoral Reform Coalition (ERC) was formed to advocate MMP. It contained members from all parties, and successfully promoted its cause on a nonpartisan basis.

Nonetheless, the leadership of both major parties opposed change. So, too, did a significant portion of the business community. Over the period 1984–93, advocacy of electoral system change tended to be associated with opposition to the policies of the two successive governments, Labour and National, that had promoted economic liberalization in New Zealand. Deregulation and privatization under Labour between 1984 and 1990 had spawned the NewLabour Party. Welfare cuts, further privatizations, and perceptions of excessive big business influence on government under National after 1990 spawned the Liberals and New Zealand First. Strong and decisive majority governments had made it possible to push through unpopular market-oriented policies very quickly. Small parties opposed to those policies had little traction under SMP. The New Zealand Council of Trade Unions supported MMP. Union and new social movement activists were prominent in the ERC. Given this, the business community and the right in general correctly identified a conjunctural overlap between the left and those favouring system change. The question of long term goals and interests is more debatable. There is no evidence that business interests necessarily suffer in countries with PR. However, some studies do identify relationships between PR, a higher propensity for left governments, and more generous and effective welfare states (e.g. Swank 2002: 215).

HOW THE ELECTORAL SYSTEM WORKS

The New Zealand voter since 1996 has had two votes: the ‘party vote’ (list vote) and ‘electorate vote’ (electorate is the word for constituency in New Zealand political language). The party vote is the most important, as it normally determines the partisan composition of the entire parliament applying the Sainte-Laguë formula (see Appendix A). The electorate vote is a residue of the SMP system. In 2002 it was used to elect sixty-nine members of the 120-seat House on a simple plurality basis. The remaining fifty-one members were elected from closed national party lists, and allocated on a compensatory basis using the party vote alone. Table 14.1 indicates the results of the 2002 election, and illustrates how this process works.

There are complications in New Zealand’s version of MMP. There is a threshold that may be crossed in two ways: either by gaining 5 per cent or more of the party vote, or by winning at least one single-member district (SMD). Once either criterion is met, proportional allocation applies based on the party vote. Thus the Progressive Coalition received only 1.7 per cent of the party vote in 2002, but won an electorate seat. Having crossed the threshold, it was entitled to a further list seat on the principle of proportional allocation from the party list. Meanwhile Labour and National cornered all but three of the SMDs. But because their total seat allocations were calculated from the party vote alone, they together received only thirteen of the

Table 14.1 The New Zealand general election, 2002

	List vote (%)	Total seats	SMD vote (%)	SMD seats	List seats
Labour	41.3	52	44.7	45	7
National	20.9	27	30.5	21	6
New Zealand First	10.4	13	4.0	1	12
ACT	7.1	9	3.6	0	9
Green	7.0	9	5.4	0	9
United Future	6.7	8	4.6	1	7
Progressive Coalition	1.7	2	1.8	1	1
Christian Heritage	1.4	0	2.1	0	0
Alliance	1.3	0	1.7	0	0
Outdoor Recreation	1.3	0	-	-	0
Aotearoa Legalise Cannabis	0.6	0	0.2	0	0
Others	0.3	0	1.4	0	0
Total	100.0	120	100.0	69	51

Source: New Zealand Electoral Commission 2003.

fifty-one list seats: all they were entitled to after the numbers of their electorate seats had been subtracted from their overall allocation.

The primacy of the party vote is a key principle of the system and the subject of the main thrust of voter education during the election campaign. Figure 14.1 displays a sample ballot paper. The party and candidate vote choices for each party are lined up together, and the order of these paired choices is determined alphabetically by the names of the candidates. Thus larger parties running constituency candidates are at the top of the paper, and small ‘list only’ parties are always at the bottom, sorted alphabetically by their party names. With the party vote choices to the left of the ballot paper, voters are encouraged to consider their party vote first, and their electorate vote second. Smaller parties have interpreted the lining up of the two votes as a way to encourage a vote for the same party in each column, and tending to favour the larger parties. While the format of the ballot might favour those who run both list and constituency candidates, there is no evidence it has fostered ‘straight voting’: indeed, the splitting of votes between party and constituency candidate has been very high, and reached a new peak of 39 per cent in 2002.

To run a party list, a political party must be registered by the Electoral Commission. To qualify, it must demonstrate at least 500 fee-paying members who are eligible to enrol as voters. Party lists are closed: the ordering by which candidates are elected is determined by party candidate selectors. Voters are unable to add, delete, or express a preference for or against any list candidate. The Electoral Act (1993) specifies that candidates must be selected by methods that provide for party members or their delegates to participate in the process. Party members can challenge their party’s procedures for candidate selection in the courts if they believe that these have not been conducted properly. However, the lack of specificity in this provision

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Final Directions 1. If you spoil this ballot paper, return it to the officer who issued it and apply for a new ballot paper. 2. After voting, fold this ballot paper so that its contents cannot be seen and place it in the ballot box. 3. You must not take this ballot paper out of the polling place.																																																																																																																																																																																																																			

Figure 14.1 New Zealand ballot paper

provides little purchase for those who are discontented with their party's process or its outcome. Candidates may run both on the list and for a constituency. If a list candidate placed high enough to gain a list seat wins a constituency, they take the constituency seat, and the eligibility to a list seat passes down to the next on the party's list. Lists remain current for the life of a parliament. If a list MP resigns or dies, their place is taken by the next available person on the list. In the case of a constituency MP's removal from the scene, however, a by-election is held.

The Electoral Commission must approve party names so that they are not likely to cause confusion or mislead electors. Parties can also designate 'component parties'. The Alliance was an example of an umbrella party containing other parties within it. Those parties had the option of running under their own names for constituency seats, although they never did so. If such parties were to win any constituency seats, these would count toward the umbrella party's total entitlement.

Unregistered parties and independent candidates may also run for constituency seats. If unregistered parties or independent candidates win seats, these are subtracted from the 120-seat total and the party vote is used to allocate the smaller total number of seats. If a political party wins more constituency seats than its party vote entitlement, the size of the House temporarily increases to accommodate that increase, but the seats won by other parties are not adjusted to maintain overall proportionality. This situation is often labelled 'overhang' after the German precedent (see Chapter 10). Like the possible election of independent or unregistered party candidates, this could distort the proportionality of parliament. No case of overhang or election of an independent has so far emerged, but overhang could emerge in future. The number of constituency seats is pegged to produce sixteen general seats in the South Island. As population is increasing more steeply in the North Island, this will have the effect of increasing the number of constituency seats. The total number of seats is fixed at 120, except for temporary increases explained above, and so an expansion of constituency seats has already reduced the number of list seats from fifty-five in 1996 to the current fifty-one. New Zealand also has constituency seats designated for persons of Maori descent who may choose to enrol on either the Maori or general rolls. As the number and proportion of those choosing the Maori roll has grown, the number of Maori constituencies has grown from five in 1996, and six in 1999, to seven in 2002.

Discrepancies around the threshold may have a more immediate potential to disturb proportionality: for example, the ally of one major party could win 4.9 per cent of the party votes, but no constituency seat. Meanwhile, the ally of the other major party could win 3 per cent and, by winning a constituency seat, gain enough seats to throw a majority to a minority bloc, at least in terms of votes cast. However, threshold issues loom large in election campaigns under MMP in New Zealand, with the result that while it is far from inconceivable, the likelihood of such a situation emerging is limited by strategic voting. In other words, those thinking in party bloc terms tend to give their votes to small 'ally' parties only if they are deemed likely to cross the threshold. Otherwise, those votes will stay with the bloc's core party, or otherwise with a more secure ally. These issues aside, MMP in New Zealand is an

effective proportional system. As demonstrated below, it generates a far closer relationship between seats allocated and votes cast than SMP, and is far more likely than SMP to ensure that the party that gets the most votes will also get the most seats. The results of the first three elections held under MMP produced no surprises or distortions that could be directly attributed to the electoral system.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

Table 14.2 indicates changes in key party system variables since 1975, the last election characteristic of the period of hegemonic two-party politics that began in 1938 (Vowles 2002a). Changes in the party system were obvious consequences of the shift to MMP. Yet longer-term trends of dealignment and a development of multiparty politics were themselves contributing factors to the process of electoral system change. These need to be recognized in order to distinguish consequences from causes.

The high point of the two-party system in New Zealand was 1949–51. From its first contested election in 1954, the Social Credit Party began to make inroads and in 1966 it briefly captured one seat, although lost it at the next election in 1969. By 1975 New Zealand's two-party vote was already below 90 per cent and the effective

Table 14.2 New Zealand party system variables, 1975–2002

	Effective number of		Actual number of parliamentary parties	Two-party vote	Disproportionality	Vote switching
	elective parties	parliamentary parties				
1975	2.6	1.9	2	87.2	12.9	24
1978	2.9	2.0	3	80.2	15.6	41
1981	2.9	2.1	3	77.8	16.6	38
1984	3.0	2.0	3	78.9	15.4	32
1987	2.3	1.9	2	92.0	8.8	36
1990	2.7	1.7	3	82.9	17.4	30
1993	3.5	2.2	4	69.8	18.2	40
1996	4.4	3.8	6	62.0	4.2	45
1999	3.9	3.4	7	69.2	3.0	41
2002	4.2	3.7	7	62.2	2.5	48

Note: Disproportionality measured by Gallagher's index. Vote switching data is from individual-level survey data derived from successive New Zealand Election Studies or from polling-place derived ecological inference (1978, 1981, and 1984; see Leithner 1997), and calculated on a base of those who voted in each pair of elections (the election in question, and the one before). From 1993, the survey estimates are from panel data. Before that, the previous election estimates are based on respondent recall.

number of elective parties was at 2.6, reflecting both the impact of Social Credit and the appearance of Green Party forerunner the Values Party in 1972. Two-party politics was under even greater strain in the following years up to 1984 due to the further rise of Social Credit and in 1984 the brief appearance of the right-wing New Zealand Party. The reversion to two-party politics in 1987 was temporary, and pressures toward multiparty politics re-emerged with a vengeance in the 1990s. Yet, as indicated by the data on the effective number of parliamentary parties, these had little effect on parliamentary politics until after the advent of MMP in 1996.

There are two competing explanations of the change to MMP in New Zealand. The first emphasizes a conjunction of anti-politician sentiment associated with negative reactions to market liberalization, and the mistakes and miscalculations of politicians that allowed this to be channelled into electoral system change. From this perspective, MMP is often interpreted as a mistake the consequences of which New Zealand voters neither understood nor wished for (Hunt 1998). The second explanation notes the appearance of new political issues and social movements that could not be contained within the two-party system, the trend towards multiparty politics beginning prior to market liberalization, and the increasing disproportionality of election results as the two-party vote fell. Combined with Labour's system-generated defeats in 1978 and 1981, this made the electoral system a political issue in itself, and provided the conditions for a popular campaign. The two rival explanations are, in a sense, complementary. The longer-term shift towards multiparty politics was a necessary but not a sufficient cause of change. Without the longer term developments, the events that provided the catalysts for change could and would not have occurred (Vowles 1995). There is good evidence that most New Zealanders who sought change did understand the likely consequences (Lamare and Vowles 1996).

Longer-term trends towards multiparty politics must therefore be identified as the background to further changes under MMP. On top of the long-term effects, the system change effects were substantial, and entirely in accord with the expectations of electoral system theories from Duverger (1953) through to Cox (1997). The number of parliamentary parties increased, in effective terms from 2.2 in 1993 to 3.8 in 1996, and in actual terms parliamentary parties had risen to seven by 1999 and 2002. Disproportionality fell dramatically, and continued to do so from 1996 onwards. Voting patterns shifted less dramatically, as the biggest declines in the two-party vote had come between 1990 and 1987 (−9 per cent) and 1993 and 1990 (−13 per cent). The fall was 8 per cent in 1996, but this was reversed in 1999 in an apparent recovery of two-party politics, and related falls in both sets of effective party figures. The effective number of elective parties post-MMP have so far remained consistently above their pre-MMP levels. 2002 continued the longer-term trend, with the actual number of parliamentary parties remaining at seven. Volatility of vote choices between elections has also increased over the long term. The biggest changes were up to 1993. But volatility has increased to new heights after system change under MMP, with almost half of all those who voted in both elections choosing a different party in 2002 from the one they had chosen in 1999 (Vowles et al. 2004).

The predictable effect of MMP has been to open up the electoral marketplace to more competition. Smaller parties discouraged under SMP have received payoffs under MMP in terms of seats and other parliamentary resources that now also enhance their organizational viability. However, the threshold to cross to gain seats is relatively high. It is somewhat lowered by the constituency seat path to representation. This has been crucial for many of the parties that have benefited from MMP. Both the Alliance and New Zealand First secured constituency seats in 1993 under SMP. The experience of small parties winning one or two seats under SMP in New Zealand clearly indicated the prospects of continued success for this strategy under MMP. Both Alliance and New Zealand First leaders held their seats with big margins in 1993, and were expected to do so again in 1996, easing both their parties' transition to MMP. Yet holding a constituency seat does not necessarily guarantee a landslide of party votes. The United Party, a grouping of defectors from National and Labour, formed a brief coalition with National as the 1996 election drew near. National did not run a candidate in the constituency of United's most popular incumbent, Peter Dunne, giving him an easier ride back to parliament. But in 1996 and 1999 Dunne failed to bring other United candidates with him from its party list. Dunne's arrangement with National persisted in 1999. It lapsed in 2002, but Dunne had in the meantime secured a merger with a small Christian party, and his augmented party, renamed United Future, made a breakthrough in public support late in the 2002 election campaign. ACT, a new post-MMP party to the right of National, also won a constituency seat in 1996. Although it lost the seat in 1999, it held on to its list members with a party vote comfortably over the threshold.

The most spectacular effects of the constituency threshold were seen in the 1999 election. The Green Party had left the Alliance, and its polling nationally before the 1999 election was consistently below the 5 per cent party vote threshold. Widely publicized independent campaign polling in the constituency contested by one of its leaders, Jeanette Fitzsimmons, indicated a competitive fight and, by mid-campaign, a Green lead. By election day the Green Party vote had grown enough to provide it with enough support also to cross the party vote threshold. While the constituency effect was based on strategic voting by those with primary Labour preferences, the party vote effect appears to have been among those with Green primary preferences who had hitherto been too pessimistic about Green prospects to consider a Green vote (Vowles 2002*b*).

Concentrating organizational efforts in a single constituency has proved to be a viable strategy for a small party seeking to break into parliamentary representation under MMP. New Zealand's pathway from SMP into MMP has almost certainly made this strategy more viable than might have been the case with a different trajectory of change. Its constituency seat saved New Zealand First from parliamentary disappearance in 1999. However, the strategy failed for the Alliance party, which suffered a catastrophic split early in 2002. Its leader, Jim Anderton, left to form another party, the Progressive Coalition, and with him went the Alliance constituency seat insurance for an under 5 per cent party vote. Alliance efforts

to win another constituency seat came to nothing despite late indications that the contest was potentially competitive. In contrast to a constituency-centred strategy, a national campaign for 5 per cent of the party vote faces a high hurdle. The Christian Coalition failed in 1996, although it gained a respectable 4.3 per cent. ACT's breakthrough in 1996 was greatly aided by the highest campaign expenditure of all the parties, exceeding even that of the traditionally business-backed National Party. A collection of people associated with large businesses were determined to have a party that backed their economic vision, and were willing to pay a great deal of money for it.

Impact on the parties

Before the 1993 referendum when the final choice between SMP and MMP was put to the people, opponents of MMP sought to mobilize anti-politician sentiment, claiming that MMP would give more power to political parties. List MPs, it was claimed, would be selected secretly and would lack accountability to voters. Some MMP advocates had different expectations. They saw list MPs as potentially more responsive to the party organizations that would select and rank them, offsetting the influence of parties' parliamentary leadership on backbench MPs, and thus enhancing party democracy.

Developments have not been entirely consistent with either set of expectations. The reputation of list MPs suffered from the claims of MMP opponents, and this was reinforced by the behaviour of some list MPs who left their parties during the first MMP parliament. The Electoral Integrity Act, a law to inhibit 'party-hopping', was put through parliament in 2001. Because of compromises in its drafting, the Act proved an embarrassment when the Alliance split the following year. Expelled from the party organization, the Alliance parliamentary leadership still controlled the parliamentary party, preventing the application of the law.

List MPs are not recognized by or in contact with as many citizens as constituency MPs (Karp 2002: 138). However, constituency MPs in New Zealand traditionally provide services to their constituents, and are given more resources than list MPs to do so. Some list MPs seek to provide similar services in their local or regional communities. Others see their role as more focused on parliament. The majority of list MPs represent smaller parties. Differences in their roles as compared to those of constituency MPs are shaped by this as much as anything else.

Responses to MMP differ significantly between parties. Internal divisions are somewhat less apparent in the two major parties under MMP than under the SMP system. Many of those who were most critically involved in internal debates and disputes prior to 1996 left to join other parties. In the case of the National Party, lack of success since 1999 provokes some internal conflict. A key part of National's difficulties lies in a strategic dilemma forced on it by MMP: the question of whether to seek its main ally to the right, in ACT, or the centre, in New Zealand First. Of the smaller parties, both New Zealand First and the Alliance suffered splits due to factionalism. On the collapse of the National–New Zealand First coalition, enough

New Zealand First MPs left the party to maintain the National Party in government. In contrast, ACT and the Greens have presented pictures of relative unity.

The constituency seat threshold can profoundly shape the internal politics of small parties. Both the Alliance and New Zealand First lost polling support during their periods in government. Both had party leaders with relatively secure constituency seats. This gave Winston Peters and Jim Anderton much power as the prospects diminished of their parties gaining 5 per cent or more of the party vote at the next election. Four New Zealand First list MPs owed their seats completely to Peters' winning his constituency in 1999. Over the following parliamentary term, no cracks appeared in the party. At a crucial point in the conflict within the Alliance, Jim Anderton used the power generated by the perception that his constituency seat provided the Alliance's only chance of survival in the 2002 election to demand the resignation of the party's entire organizational leadership. Accepting no compromise, he precipitated the party's final division, taking with him most of the party's MPs. He was their only apparent life raft. As it happened, he was able to keep only one other survivor afloat.

For the small parties, the lists are most crucial. Alliance list-making was the most complex and difficult. As in most of the parties, nominations could be taken from branches or individual party members. Alliance regional conferences then chose and ranked candidates from their regions. The component parties also ranked their own candidates. These two sets of rankings were then combined and modified by the party's 'knitting committee', on which party organization officeholders had a majority. New Zealand First appoints an electoral college of party officeholders that ranks all candidates by postal ballot. However, the practice has been to send all members with voting rights the rankings preferred by the leadership, and the final lists are reported to reflect those closely. In the Green Party those selected in an initial candidate pool together with the party executive vote on the list of candidates to generate an initial preference ordering. This is sent to all party members who vote preferentially to generate a 'final' list order. This order may be slightly modified at a final committee stage to ensure gender, ethnic, and age balance. Those nominated for ACT's party list are filtered by its governing Board, and sent to members who select their most preferred twenty names. The Board takes this information into account but is not bound by it. It has the right to select, on one occasion only, a candidate whose name was not put forward initially (Reid 2001). Finally, in 2002 United Future's governing Board constructed its list by ordering the names of those selected as its constituency candidates. The Board also had a role in selecting these together with local members. Ordinary members could make submissions.

As the vast majority of National and Labour MPs are returned from the constituencies, their list candidate selections are important only at the margins. However, high list rankings are important for senior MPs whose constituency seat may be in jeopardy, or who wish to be relieved of the burdens of constituency service to focus their attention on a leadership role. They are also important to enhance regional, gender, and age balances. This puts pressure on a relatively few winnable positions. Both National and Labour list candidates are selected and ranked regionally at

regional or divisional conferences involving relatively high numbers of party members. But the crucial decisions are made in Labour by a central Moderating Committee that contains both the leader and deputy leader of the party and, in National, by a similarly constituted list Standing Committee (Miller 2001; Gustafson 2001). MMP has made candidate selection no more democratic in the two main parties, and, in the case of the smaller parties, the process can probably best be described as a form of 'guided democracy'.

MMP has not been accompanied by a revitalization of political parties. Their memberships are declining. In 2002 party members made up less than 4 per cent of the adult population. Party contact during campaigns has declined steadily since 1993 (Vowles et al. 2004). While turnout rose marginally in 1993 and 1996, it has since fallen to new lows (Vowles 2002c). The shift to MMP and the importance of the party vote means that the logic of community campaigning is different. The old style of intense campaigning in marginal constituencies makes little sense for a party in general. Constituency candidates facing competitive contests and without high list placings still have incentives to organize. Mobilizing a grass roots campaign is easier around a candidate than for the party in general. But there are fewer of these battles under MMP. There is a tendency for personally popular electorate MPs to have a higher incumbency advantage than under SMP. Meanwhile, constituency candidates for the two largest parties have little incentive to plug the party vote. Only candidates in a few competitive constituencies have an incentive to maintain active party organizations. From the perspective of the party nationally, there is an obvious need to promote the party vote. Parties should organize most intensively in the areas where their support is most highly concentrated so as to maximize turnout among their supporters (Denemark 1998). But MPs in these safe seats have little incentive to develop such organizations. These trends of party decline at the community level are likely to continue. But it should be noted that party decline, like other trends, began under SMP. It is an open question whether or not MMP intensified the process. By expanding the number of viable political parties, the new system has provided opportunities for persons representing a wider diversity of opinions to participate effectively in politics. This may or may not offset MMP's organizational and electoral disincentives to participation.

Impact on parliament

Whatever opinion may be on the merits and demerits of MMP, there is a consensus that from 1996 on parliament has become more representative in descriptive terms. Women's representation is the best example, up about ten percentage points. Consistent with international evidence, party lists have been the most effective means of achieving this goal, most obviously at the 1996 election (see Table 14.3). The record since then has been more mixed.

Two other interrelated variables influence descriptive representation: candidate selection processes within parties, and the relative successes of parties in gaining seats. Labour was the party most successful at selecting women before MMP, and

Table 14.3 The New Zealand parliament and descriptive representation

	Women			Maori			Pacific Island			Asian		
	SMD	List	All	SMD	List	All	SMD	List	All	SMD	List	All
1987	14.4		14.4	5.1		5.1	0		0	0		0
1990	16.5		16.5	5.1		5.1	0		0	0		0
1993	21.2		21.2	7.1		7.1	2.5		2.5	0		0
1996	15.4	45.5	29.2	10.8	16.4	13.3	1.5	3.6	2.5	0	1.8	0.8
1999	23.9	39.6	30.8	13.4	13.2	13.3	3.0	1.9	2.5	0	1.9	0.8
2002	27.5	29.4	28.3	14.5	17.6	15.8	4.3	0.0	2.5	0	3.9	1.7

Source: NZ Electoral Commission 2003: 178–82.

continues to make women's representation a priority. The increasing proportion of women constituency MPs in 1999 and 2002 reflect Labour's constituency-level selection priorities and its winning more constituency seats. Women's representation through the lists fell in 2002 in particular because of the electoral successes of centre-right parties, United Future and New Zealand First, with male-dominated lists. Lists enhance women's representation, all other things being equal, but other things can offset list effects.

Maori have benefited both from an increase in Maori constituency seats, as already mentioned, but also from greater Maori representation through the lists. Asian representation has come solely through the lists (underpinned by a significant increase in Asian immigration over the period). Only with respect to the representation of Pacific Islanders have lists made little apparent impact. The high concentrations of Pacific Islanders in some urban constituencies together with high levels of community organization have made it possible for successful constituency candidates to emerge.

Changes in the previous occupations of MPs have been few, if any, under MMP (NZ Electoral Commission 2003: 183). However, there has been a decline in the proportion of farmers elected (see Table 14.4). This is a consequence of two changes the effects of which are hard to set apart: decline in the vote for the National Party, for which farmers provide core support; and decline in the proportion of wholly rural constituencies under MMP. Patterns of change in parliamentary turnover are similarly hard to discern given the brief period of MMP. On average, turnover of MPs has been higher under MMP, even after controlling for higher levels of vote switching. This is surprising, as the 'manufactured majority' effect of SMP elections should have tended to encourage higher parliamentary turnover than MMP, at any level of vote volatility. Thus the landslide of 1990 saw Labour decimated and a parliamentary turnover of nearly 40 per cent. However, despite expectations, list MPs were more vulnerable to defeat in 2002 than constituency MPs were in 1990. In 2002 it was constituency MPs that appeared the most secure.

Table 14.4 Occupational change and parliamentary turnover, 1987–2002

	% farmers	Defeated			Resigned/deceased			Total
		SMD MPs	List MPs	All MPs	SMD MPs	List MPs	All MPs	Turnover
1987	n/a	5.2		5.2	13.4		13.4	18.6
1990	16.5	22.7		22.7	16.5		16.5	39.2
1993	16.2	16.5		16.5	3.1		3.1	19.6
1996	13.3	17.2		17.2	12.1		12.1	29.3
1999	11.7	12.5	17.0	13.3	7.5	18.9	12.5	25.8
2002	8.3	4.3	29.4	15.0	13.0	5.9	10.0	25.0

Note: Calculated on a base of the size of the outgoing parliament.

Source: New Zealand Electoral Commission 2000, 2003; Wood 1996.

Government formation

Predictably, the dominant form of government has changed from single-party majority governments under SMP to coalition governments under MMP (see Table 14.5). New Zealand's previous experience of coalition government had been between 1930 and 1934, when the Reform Party (Conservative) and United Party (the former Liberal Party) came together against Labour. They subsequently gave way to a National Party in 1936 that brought together the non-Labour bloc.

Coalition government was restored to New Zealand in 1994, when in anticipation of MMP a National MP with a minor post in the government left to form a new Right of Centre Party (later renamed the Conservative Party). He soon fell out with National completely and the government reverted to a single-party government, now in a minority position. Later defections from both National and Labour formed the United Party, which developed a much more meaningful coalition with National from March to October 1996. With only one MP surviving the first MMP election in 1996, United was no longer a factor and National turned to New Zealand First. However, this took place only after simultaneous negotiations between New Zealand First and National and Labour. National was in the strongest position, and National and New Zealand First together could form the only two-party majority coalition possible. But because New Zealand First had led many to believe it was more likely to ally with Labour, MMP was off to a very difficult beginning. 78 per cent of New Zealand voters reported to the 1999 Election Study that they preferred that parties make clear their coalition preferences before an election (Miller 2002: 125). However, the institutional framework of New Zealand government places few constraints on coalition formation that might facilitate such accountability (Boston 1998).

The break-up of the National–New Zealand First coalition and of New Zealand First itself compounded the sense of disillusion with the new electoral system. National appeared to be hanging on to power by means of questionable legitimacy:

Table 14.5. Governments and the change to MMP

	Type	Core party	Ally	Status
SMP 1993 November	Single-party	National	—	Majority
SMP 1994 September	Coalition	National	Right of Centre	Majority
SMP 1995 August	Single-party	National	—	Minority
SMP 1996 March	Coalition	National	United	Majority
SMP 1996 March	Coalition	National	United	Minority
MMP 1996 October	Coalition	National	NZ First	Majority
MMP 1998 August	Coalition	National	Government independents	Minority
MMP 1999 October	Coalition	Labour	Alliance	Minority
MMP 2002 July	Coalition	Labour	Progressive Coalition	Minority

it had suborned just enough New Zealand First defectors to maintain a centre-right majority in parliament. The right-wing ACT Party remained outside the coalition, so the government as such was in the minority.

The change of government at the 1999 election and the continuation of a Labour-led coalition after the 2002 election did much to reduce dissatisfaction with MMP. Labour and the Alliance campaigned in 1999 as potential coalition partners, and their taking power restored a sense of legitimacy and accountability to government. The break-up of the Alliance in 2002 posed a brief threat to the acceptability of MMP. An early election excised the problem, renewed Labour's minority mandate, and appeared to create new confidence in MMP (UMR Research 2002).

There are two lessons that can be cautiously inferred from the first three elections under MMP. First, voters punish parties that fail in accountability or otherwise create uncertainty. New Zealand First suffered in 1999, and both the Alliance and its split-off, the Progressive Coalition, suffered similarly in 2002. However, by 2002 New Zealand First had apparently been forgiven. Second, New Zealand voters appear more comfortable with the style of minority than majority government. This does not mean that they favour minority over majority governments when asked explicitly. Many do not know the difference. Consistent with the thrust of the main argument for MMP, so far at least, general satisfaction appears higher when minorities govern and there are more veto players in the political process.

THE POLITICS OF ELECTORAL REFORM

The electoral system remains a political issue in New Zealand. But after three elections under MMP, the heat has left the debate, for the time being at least. A parliamentary review of MMP took place in 2001 (MMP Review Committee 2001). It was set up in a way that represented all parties (except New Zealand First, which declined to participate), and required consensus. Given that, the lowest common denominator of the status quo prevailed. The committee could have called for another referendum, but did not. A majority accepted that there could or should be a further referendum after more experience of MMP. Most public interest in the

review centred on the number of MPs. A great majority of New Zealanders wish to see it reduced. Meanwhile a petition to oblige a non-binding referendum on MMP under the Citizens' Initiated Referenda Act lapsed at the beginning of 2002. The mainly business-funded campaign against MMP had run out of steam.

The focus on the number of MPs drowned out proposals to modify MMP in various ways. The Review Committee failed to do more than touch on and reject the possibility of open lists, despite continued public disquiet about the accountability of list MPs. Proposals to abolish the constituency seat path to crossing the threshold were not pursued. Arguments to reduce the threshold to 4 per cent made no headway either. The committee did identify the problem of expanding the number of constituencies in a House fixed at 120 members, but referred the problem to the government to address.

New Zealand's change to MMP has been a success, at least in the eyes of those who promoted it. The detractors will never concede on empirical grounds, nor should they, as much of the debate is normative. But everyone acknowledges that descriptive representation is enhanced. The political process contains more veto players. Majoritarianism is still ingrained in the political culture, but the electoral system no longer so easily facilitates its extremes. Already there has been a complete change of government under MMP in accord with majority electoral opinion. PR systems are frequently criticized for failing to 'dismiss the rascals'. In New Zealand's case under MMP, there is already one example of this elementary requirement of democratic accountability. The tendency toward minority governments appears, so far, to be the most workable parliamentary strategy of adjustment. On the negative side, parties and electoral turnout continue to be in decline, but these were pre-MMP trends that MMP may have reshaped but not necessarily accelerated.

The experience of coalition between 1996 and 1998 provides good evidence of what New Zealanders do not like about MMP. This was a majority government containing an unexpected combination of parties, putting power before principles, and failing to maintain cohesion. MMP in New Zealand started off in the worst possible way. If New Zealand's politicians have learnt something out of that experience, MMP will continue to facilitate the sort of governments New Zealanders want, and the electoral system may become even more accepted. If not, the debate will certainly revive.

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Russia: The Authoritarian Adaptation of an Electoral System

Stephen White

Since Russia is a strongly presidential country, it has two electoral systems that need attention in this chapter: the one employed to elect the lower house of parliament, and the one under which the president is elected. Before examining the electoral systems in detail, we will briefly discuss the political background.

POLITICAL BACKGROUND

Russia resumed its independent statehood in December 1991, following an agreement between its president Boris Yeltsin and the leaders of Ukraine and Belarus to withdraw from the treaty under which the USSR had originally been established. Mikhail Gorbachev resigned as Soviet president on 25 December; the following day the upper chamber of the Soviet parliament adopted a declaration approving the dissolution of the USSR and power passed into the hands of Boris Yeltsin and the other leaders of what were now fifteen independent republics. But supreme authority was contested between the parliament, which had been elected on a largely competitive basis in the spring of 1990, and the president, who had secured his own popular mandate in the summer of 1991. A deepening tension was resolved when Yeltsin, in an acknowledged departure from the constitution, dissolved the parliament in September 1993 and then ordered the army to bombard it into submission. A new constitution had been under discussion to replace the much-amended Russian constitution of 1978. The version that was published in November 1993 and approved in a popular vote the following month was much more strongly presidential, and its adoption marked the establishment of a presidential or—some argued— even super-presidential republic.

The 1993 constitution included a formal commitment to political pluralism, a multiparty system, and the rule of law. It also established a new legislature, the Federal Assembly, with an upper house (the Federation Council) representing Russia's eighty-nine republics and regions, and a lower house (the State Duma) representing the population at large. The lower house consists of 450 seats, half of which are filled by a national party-list contest and half of which are filled by a quite

independent series of contests in individual constituencies (this is, in other words, a mixed-member parallel system—see Appendix A). Under current plans, the next elections, in 2007, will see a shift to an entirely party list-based contest, although it will be conducted at a regional level rather than as a single nationwide exercise. The prime minister is nominated by the president, but must be approved by the Duma; if the same nomination is rejected three times in a row the Duma must be dissolved and new elections called. Other members of the government are appointed by the president on the proposal of the prime minister.

The Duma has one further sanction, which is that it can vote no confidence in the government as a whole. If it does so twice within three months, the president must either replace the government or call elections. The Duma may also impeach the president, but only in the event of treason or a crime of similar gravity, and only if the full membership of both houses vote in favour by a two-thirds majority. In practice, the president dominates the law-making process, although the relationship was a confrontational one up to the 1999 elections at which pro-Kremlin parties—thanks, among other factors, to the active involvement of the presidential administration and its use of state television—secured a working majority. The president is not, by convention, a member of a political party, and government does not necessarily reflect the party composition of the Duma. Government, indeed, is effectively an agency for the implementation of presidential strategy, and the prime minister surrenders his mandate to a newly elected president rather than to a newly elected Duma.

Elections took place to both chambers of the Federal Assembly in 1993, and to the Duma alone in 1995, 1999, and 2003 (see Table 15.1). There were presidential elections in 1996 (when Yeltsin won a second term in a runoff against Communist challenger Gennadii Zyuganov), in March 2000 (when Vladimir Putin was elected as his successor in the first round), and March 2004, when Putin was re-elected, again in the first round, with a still larger majority; all of these elections took place at the intervals prescribed by the constitution, and were generally described as free and fair by international observers. Nonetheless, it seemed premature to regard Russia as a democracy of quite the same kind as its Western neighbours. Many of the basic human rights, including freedom of the press and of religious practice, were subject to serious qualification; the electoral process was heavily influenced by the authorities themselves, particularly through their use of public office ('administrative resource') and the electronic media; and although there was nominally a rule of law, it appeared to do little to protect ordinary citizens or to limit the actions of the rich and powerful.

ORIGINS OF THE ELECTORAL SYSTEM

The Soviet electoral system had never precluded the possibility of a choice of candidate, and after the 'leading role' of the Communist Party was removed from the constitution in March 1990 there were no remaining obstacles to the formal establishment of multiparty politics. The first competitive party-based elections, in

Table 15.1 Elections to the Russian State Duma, 1993–2003

	1993				1995				1999				2003			
	List %	List seats	SMD seats	Total seats	List %	List seats	SMD seats	Total seats	List %	List seats	SMD seats	Total seats	List %	List seats	SMD seats	Total seats
LDPR	22.9	59	5	64	11.2	50	1	51	6.0	17	0	17	11.5	36	0	36
RC	15.5	40	30	70	3.9	0	9	9	-	-	-	-	-	-	-	-
CPRF	12.4	32	16	48	22.3	99	58	157	24.3	67	46	113	12.6	40	11	51
WR	8.1	21	2	23	4.6	0	3	3	2.0	0	0	0	-	-	-	-
AP	8.0	21	12	33	3.8	0	20	20	-	-	-	-	3.6	0	2	2
Yabloko	7.9	20	3	23	6.9	31	14	45	5.9	16	4	20	4.3	0	4	4
PRUC	6.8	18	1	19	0.4	0	1	1	-	-	-	-	-	-	-	-
DPR	5.5	14	1	15	-	-	-	-	-	-	-	-	0.2	0	0	0
OHR	-	-	-	-	10.1	45	10	55	1.2	0	7	7	-	-	-	-
Unity	-	-	-	-	-	-	-	-	23.3	64	9	73	-	-	-	-
FAR	-	-	-	-	-	-	-	-	13.3	37	31	68	-	-	-	-
URF	-	-	-	-	-	-	-	-	8.5	24	5	29	4.0	0	3	3
UR	-	-	-	-	-	-	-	-	-	-	-	-	37.6	120	103	223
Rodina	-	-	-	-	-	-	-	-	-	-	-	-	9.0	29	8	37
Others	8.7	0	8	8	34.0	0	32	32	12.2	0	18	18	17.2	0	22	26
Indepts	-	-	141	141	-	-	77	77	-	-	105	105	-	-	69	69
Agst all	4.2	-	-	-	2.8	-	-	-	3.3	-	-	-	4.7	-	-	-

Source: Central Electoral Commission.

Party abbreviations are: LDPR: Liberal Democratic Party of Russia (competing, in 1999, as the Zhirinovsky Bloc); RC: Russia's Choice (in 1995, Russia's Democratic Choice); CPRF: Communist Party of the Russian Federation; WR: Women of Russia; AP: Agrarian Party; PRUC: Party of Russian Unity and Concord; DPR: Democratic Party of Russia; OHR: Our Home is Russia; FAR: Fatherland–All Russia; UR: United Russia; URF: Union of Right Forces.

the event, took place in December 1993, as part of a more general attempt to place the political system on a new and different basis after the end of seventy years of Communist rule. The principles introduced at this time have proved remarkably durable. In particular, elections to the lower house have been based throughout on a 50:50 split between a nationwide competition among party lists and a separate constituency-level contest among party-sponsored and independent candidates, although there have been repeated attempts to change this balance to what the various actors have perceived to be their own advantage.

The electoral system in its present form emerged from a contentious debate that began almost as soon as the new Duma met for its first session (Razmustov 1995; Postnikov 1996; Remington and Smith 1996; Moser and Thames 2001: 266–74; Birch et al. 2002: 137–40). In the end, countervailing pressures from the presidency, the Federation Council, and the Duma resulted in a new law that was not very different from the regulations that had governed the December 1993 contest. In particular, the 50:50 balance between single-member and national party-list seats remained intact. The national lists, however, were to consist of a central section containing no more than twelve names, together with a much longer regional list; members of the central list could not stand elsewhere, while members of the regional list could also put themselves forward in the single-member seats. The president had argued for a 50 per cent minimum turnout requirement, or else a second round between the two leading candidates in single-member constituencies; here too the law retained the Duma's preference for a 25 per cent turnout requirement and a single round of voting. The new law was signed by the president on 21 June (for the text of the law as adopted, see 'O vyborakh' 1995a).

The election that was fought on this basis in December 1995 generated further controversy, in that forty-three groupings took part in the national party-list contest but only four reached the 5 per cent threshold. This meant that almost half the party-list vote was 'wasted', and that the parties that did reach the threshold secured almost twice as many seats as their share of the popular vote would otherwise have warranted: a degree of disproportionality that made the 1995 Russian election 'the most disproportional election result of any free and fair proportional election' (White et al. 1997: 227). Standing in the party-list contest was arguably 'irrational' in these circumstances (*ibid.*: 198–204), in that the more parties that competed, the fewer could hope to secure representation. But there could be payoffs of other kinds, in that all the party-list contenders were provided with public funds and free publicity; and the media exposure of their leading candidates could be expected to assist their chances in a presidential election that would be held shortly afterwards (these indirect advantages lost some of their attraction from 1999 onwards, when the electoral law began to provide that public funds and the costs of free advertising would have to be repaid if support fell below a specified level).

The results of the 1995 election were challenged in court on the grounds that such a degree of disproportionality could not be reconciled with the constitutional provision that the 'multinational people' were the only legitimate source of authority. The challenge was unsuccessful; but for the 1999 election a floating threshold

was introduced that sought to ensure a more representative result (additional parties would be allocated seats if those that cleared the 5 per cent threshold did not among them account for at least 50 per cent of the party-list vote). The 1999 election also saw the introduction of a deposit system for the nomination of party lists and individual candidates, as an alternative to the collection of signatures; and candidates were required to make a full statement of their income and property, and of any undischarged court sentence—this, it was hoped, would help to keep out criminal elements (White and McAllister 1999; for the text of the law as adopted, see ‘O vyborakh’ 1999).

In the event, six parties cleared the 5 per cent threshold in December 1999, representing 81 per cent of the party-list vote among them, and so there was no need to resort to the complicated procedure of a floating threshold to correct gross disproportionalities. The principle, however, was retained in the law that was adopted in December 2002 and which governed the Duma election of December 2003. The new law retained another feature that had been introduced in 1999, the facility to nominate candidates or parties by means of a deposit, which would not be returned if a candidate in a single-member constituency secured less than 5 per cent of the vote or if a national party list secured less than 3 per cent and if neither the candidates or parties concerned had been awarded any seats. The new law raised the permitted level of campaign spending, and made further efforts to tighten the restrictions on the sources from which campaign funds could be obtained and the use that could be made of them. Perhaps the most significant change was to provide that the 5 per cent threshold would be raised to 7 per cent for future elections from 2007 (see pp. 326–7), in a further demonstration of the Kremlin’s determination to use its control of the legislative process to fashion a more coherent and manageable party system (see ‘O vyborakh’ 2002).

A corresponding series of laws dealt with presidential elections, although there were fewer changes and less controversy. Boris Yeltsin had been elected President of Russia in June 1991, but of a Russia that was still a part of the USSR. The first post-Communist law on the election of a president was adopted in 1995, with further laws adopted in December 1999 and January 2003. Yeltsin, in April 1995, had initially proposed that the number of signatures required to make a valid nomination should be increased from 100,000 to two million; the Duma reduced this to a million, but left unchanged the requirement that no more than 7 per cent of signatures could come from a single republic or region (‘O vyborakh’ 1995*b*). The 1999 law maintained the requirement that at least a million signatures should be collected in support of nominations, but this time specified that at least 70,000 should come from each of the country’s republics and regions (‘O vyborakh’ 2000). In January 2003 the number of signatures was raised to two million, with at least 50,000 from each of the republics and regions; the limits on campaign spending were increased again, and this time were index-linked (‘O vyborakh’ 2003). In another change that advantaged the larger parties, those that had secured seats in the preceding Duma election were to be allowed to nominate presidential candidates without collecting the signatures that would otherwise have been necessary.

HOW THE ELECTORAL SYSTEM WORKS

Under the Russian constitution and election legislation, all citizens who have attained the age of eighteen on the day of election are entitled to vote in parliamentary and presidential elections, including citizens resident outside the national territory, but excluding those pronounced incompetent by a court or who are under preventive detention on the basis of a court decision. Voting takes place between 0800 and 2000 local time (Art. 77 of the current Duma legislation), which means that results are available—although they are not declared—in the Far East before voting has been completed in the heavily populated parts of European Russia. Early voting is permitted during a period of fifteen days before polling day (Art. 78), and there is provision for the casting of ballots in people's homes where health or other circumstances make it difficult for them to visit a polling station (Art. 79). It is also possible to obtain an absentee certificate if electors are obliged to be elsewhere on the day of the election (Art. 76).

Voters, accordingly, receive two ballot papers in Duma elections, one for their own constituency and the other for the national party-list contest, and a single ballot paper in the case of a presidential election. The 225 constituencies are formed on the basis of equal numbers of registered electors, with several qualifications: variations in the numbers of electors per constituency within each of the country's republics or regions should not exceed 10 per cent, or in remote locations 15 per cent; the constituency should normally consist of a territorial whole and lie within a single subject of the federation; and there should otherwise be the most equal representation possible of each of the subjects of the federation. The Central Electoral Commission, formed on an equal basis by each of the houses of parliament and the presidency, is responsible for these arrangements and for making corresponding proposals to the Duma (Art. 12 of the current Duma legislation).

The form of the *ballot paper* is closely regulated in election legislation. In single-member constituencies it lists the candidates in alphabetical order, including their year of birth, residence, place of work, and the basis of their nomination. There is a facility to vote 'against all candidates'; and where relevant, the ballot paper should also note any undischarged criminal sentence or foreign citizenship. In the national party-list contest the ballot paper records the parties standing, in an order determined by the drawing of lots, and shows their names and official emblems (see Figure 15.1). In the case of electoral blocs or alliances, their constituent parties must be identified. The drawing of lots is carried out by the Central Electoral Commission at least thirty-five days before polling; the party or bloc that is first to be drawn receives the number 1, and the others follow it in descending alphabetical sequence. The party name must include the first three members of its national and, where relevant, regional list of candidates. In addition, there is an entry for 'against all federal lists of candidates'.

Under the terms of the law on elections to the State Duma that was adopted in December 2002, candidates in single-member constituencies may be *nominated* by

ИЗБИРАТЕЛЬНЫЙ БЮЛЛЕТЕНЬ
для голосования по однокруговому избирательному явке на выборах депутатов Государственной Думы Федерального Собрания Российской Федерации четвертого созыва
7 декабря 2003 года
Московский одномандатный избирательный округ № 196,
город Москва

РАЗЪЯСНЕНИЕ ПОРЯДКА ЗАПОЛНЕНИЯ ИЗБИРАТЕЛЬНОГО БЮЛЛЕТЕНЯ

Голосовать любой знак в любом квадрате справа от казенной или почтовой печати избирательного бюллетеня, а также в любом из квадратов, расположенных в верхней части бюллетеня, является нарушением законодательства Российской Федерации о выборах и влечет за собой аннулирование бюллетеня. Голосовать можно только в одном из квадратов, расположенных в нижней части бюллетеня, и только в одном из квадратов, расположенных в одной из строк, содержащих наименование избирательной группы. Избирательный бюллетень, не заполненный полностью, а также участковый избирательный бюллетень, не заполненный полностью, подлежит аннулированию. Избирательный бюллетень, не заполненный полностью, а также участковый избирательный бюллетень, не заполненный полностью, подлежит аннулированию. Избирательный бюллетень, не заполненный полностью, а также участковый избирательный бюллетень, не заполненный полностью, подлежит аннулированию.

1		"СИНГЕНИ" ПЕТРОВ Константин Павлович, ПУШОВ Владимир Александрович, ВОЛГОГРАДСКИЙ Дмитрий Константинович Региональная группа "Московская" ПЕТРОВ Максим Константинович, ДВОРЖИЧЕНКО Александр Юрьевич, ВОЗЖОВ Владимир Викторович	<input type="checkbox"/>
2		"СОЮЗ ПРАВЫХ СИЛ" ЛЕВЧЕНКО Борис Егорович, КАКАМАДА Ирина Муромовна, ЧУБАКИ Александр Борисович Региональная группа "МОСКВА" ГАБДАШЕВ Егор Владимирович, ГОМАНОВ Дмитрий Викторович, ГУРЬИНСКИЙ Вячеслав Иванович	<input type="checkbox"/>
3		"РОССИЙСКАЯ ПАРТИЯ ПЕНСИОНЕРОВ И ПАРТИЯ СОЦИАЛЬНОЙ СПРАВЕДЛИВОСТИ" ("Пенсионеры России", "Партия социальной справедливости") КРУЖИНСКИЙ Владимир Николаевич, ЗЕЛЕНКО Елена Михайловна, СЕРЖИКОВ Дмитрий Николаевич Региональная группа "Московская" САМОУХОВ Александр Викторович, ЖЕЛЕНКО Евгений Григорьевич, ТУШОВИЧ Олег Геннадьевич	<input type="checkbox"/>
4		"РОССИЙСКАЯ ДЕМОКРАТИЧЕСКАЯ ПАРТИЯ "ЯЗУКО" (Сибирская Россия, "Российская партия России", "Движение автомобилистов России") ЖЕЛЕНКО Сергей Александрович, ДУДИН Владимир Петрович, АРТЕМЬЕВ Игорь Юрьевич Региональная группа "Москва" ИВАНОВИЧЕВ Александр Викторович, ДВОРЖИЧЕНКО Виктор Викторович, БОРИСОВ Валерий Викторович	<input type="checkbox"/>
5		"ЗА РУСЬ СВЯТУЮ" ЛЕВЧЕНКО Сергей Борисович, КУЗЬМОВ Александр Викторович, ШАТАЛОВ Игорь Викторович Региональная группа "Средний Национальный Сибирь" САЖИКОВ Юрий Михайлович, ДВОРЖИЧЕНКО Александр Викторович, ШАТАЛОВ Алексей Игоревич	<input type="checkbox"/>
6		"ОБЪЕДИНЕННАЯ РОССИЙСКАЯ ПАРТИЯ "РУСЬ" (Сибирская Россия, "Российская партия России", "Движение автомобилистов России") БУРДОВ Валерий Александрович, РУСАКОВА Елена Николаевна, МЕДВЕДЕВ Владимир Сергеевич Региональная группа "Татарстан" ПАВЛОВ Олег Владимирович, САРГАЕВ Александр Юрьевич, ЮТОВ Николай Викторович	<input type="checkbox"/>
7		"НОВЫЙ КУРС - АВТОМОБИЛЬНАЯ РОССИЯ" (Сибирская Россия, "Российская партия России", "Движение автомобилистов России") БОРОДИН Владимир Викторович, ФЕДОРОВ Борис Григорьевич, ОБЛАДАКОВ Дмитрий Дмитриевич Региональная группа "Москва" АВРАМОВИЧ Евгений Иванович, СМУТНИН Сергей Александрович, АЛЕКСАНДРОВ Анатолий Борисович	<input type="checkbox"/>
8		"НАРОДНО-РЕПУБЛИКАНСКАЯ ПАРТИЯ РОССИИ" БАТРУК Елена Дмитриевна, КУЗНЕЦОВ Владимир Григорьевич, ПАВЛОВ Василий Егорович Региональная группа "Москва" МЕДВЕДЕВ Евгений Николаевич, МАСТЕРКОВ Николай Николаевич, ЗАСУХИНСКИЙ Владимир Александрович	<input type="checkbox"/>
9		"РОССИЙСКАЯ ЭКОЛОГИЧЕСКАЯ ПАРТИЯ "ЗЕЛЕННЫЕ" ДИВОНОВ Анатолий Александрович, ИВАНОВ Виктор Александрович, ЕКСТРАКОВ Владимир Александрович Региональная группа "Центр России" АВРАМОВИЧ Евгений Иванович, БЕЛОРУК Александр Степанович, ИВАНОВИЧ Анатолий Николаевич	<input type="checkbox"/>
10		"АГРИКАРНАЯ ПАРТИЯ РОССИИ" ЗАГОРДИН Михаил Иванович, НАУМОВ Александр Григорьевич, ЧЕПЕЛ Александр Викторович Региональная группа "Центр России" КРУЖИНСКИЙ Константин Павлович, ДВОРЖИЧЕНКО Александр Юрьевич, ВОЗЖОВ Владимир Викторович	<input type="checkbox"/>

11		"ИСТИННЫЕ ПАТРИОТЫ РОССИИ" РАДЖАЕВ Михаил Александрович, ТОКАЕВ Кадим Рахмолович, РАДЕЖАЕВ Зюра Маматович Региональная группа "Центральная" РАМАЗАНОВ Михаил Маматович, САКАЛОВ Михаил Михайлович, ЮДИН Александр Николаевич	<input type="checkbox"/>
12		"НАРОДНАЯ ПАРТИЯ РОССИЙСКОЙ ФЕДЕРАЦИИ" РАЙКОВ Геннадий Иванович, ТРОШЕВ Геннадий Николаевич, ДЕРЖАВИН Николай Иванович Региональная группа "Московская" АЛЕКСЕЕВ Сергей Николаевич, БАСТРИЦКАЯ Елена Александровна, КОЛЕСНИКОВ Виктор Валерьевич	<input type="checkbox"/>
13		"ДЕМОКРАТИЧЕСКАЯ ПАРТИЯ РОССИИ" ПОЗДНИКОВА Валентина Николаевна, КИСЛОВ Михаил Борисович, ПУШОВ Геннадий Иванович Региональная группа "Татарстан" БОГДАНОВА Ирина Евгеньевна, СЕВЕРУК Марина Александровна, РУДИНА Наталья Дмитриевна	<input type="checkbox"/>
14		"ВЕЛИКАЯ РОССИЯ - ЕВРАЗИЙСКИЙ СОЮЗ" (Сибирская Россия, "Средняя Россия", "Российская партия мира", "Традиционная партия России") БОРОДИН Павел Павлович, АУШЕВ Руслан Султанович, ИВАНОВ Леонид Григорьевич Региональная группа "Сибирская" ВЕНГЕРОВИЧ Александр Дмитриевич, АСТАШИН Сергей Борисович, КИРИЛОВ Захар Хамаи Осипович	<input type="checkbox"/>
15		"ПАРТИЯ СЛОИ" ИЗГУЛОВ Вячеслав Владимирович, ЛАТЫПОВ Нурлан Нурмухамедович, ШАРОМОВ Андрей Викторович Региональная группа "Москва" ЕКИН Сергей Николаевич, ЮРЕВИЧ Андрей Владимирович, ЕРМАК Александр Леонидович	<input type="checkbox"/>
16		"РОДИНА (НАРОДНО-ПАТРИОТИЧЕСКИЙ СОЮЗ)" ("Патриот России", "Средняя Россия", "Сибирская Россия", "Патриот российской земли") ГЛАВЧЕВ Сергей Юрьевич, РОГОВИЧ Дмитрий Олегович, ВАРЕННИКОВ Валентин Иванович Региональная группа "Сибирская" ДВОРЖИЧЕНКО Александр Викторович, ДИОНОВ Николай Сергеевич, ДРУЖИНИН Борис Александрович	<input type="checkbox"/>
17		"ПАРТИЯ МИРА И ЕДИНСТВА (ПМЕ)" УМАДАТОВА Сакина Закировна, СТЕПАНОВ Виктор Феликсович, ИВАНОВ Евгений Григорьевич Региональная группа "Центральная" ДОВИАН Виктория Георгиевна, КИВОН Николай Феликсович, ШАЙДА Владимир Викторович	<input type="checkbox"/>
18		"ЛДПР" ЖОРИНСКИЙ Владимир Викторович, ОСТРОВСКИЙ Алексей Владимирович, ДЕБЕДЯ Игорь Владимирович Региональная группа "Центральная" РОЗМИНТРОВ Максим Сергеевич, СПИРИДОНОВ Сергей Владимирович, ГИВИНЧЕВ Алексей Анатольевич	<input type="checkbox"/>
19		"ПАРТИЯ ВОЗРОЖДЕНИЯ РОССИИ - РОССИЙСКАЯ ПАРТИЯ ЖИЗНИ" (Сибирская Россия, "Российская партия жизни") СЕДЕНЕВ Геннадий Иванович, МИРЧОВ Сергей Михайлович, ТЕРЕШКОВА Валентина Александровна Региональная группа "Московская" РУКИНА Ирина Михайловна, БАРАНОВСКИЙ Сергей Игоревич, ШАБАЛОВ Александр Павлович	<input type="checkbox"/>
20		"ПОЛИТИЧЕСКАЯ ПАРТИЯ "ЕДИНАЯ РОССИЯ" ГРЫЗЛОВ Борис Викторович, ШОБУК Сергей Кузнецович, ЛУЖКОВ Юрий Михайлович Региональная группа "Москва" САДОВНИЧОВ Виктор Александрович, КОЗДАНОВА Елена Владимировна, КУЗОВ Александр Дмитриевич	<input type="checkbox"/>
21		"РОССИЙСКАЯ КОНСТИТУЦИОННО-ДЕМОКРАТИЧЕСКАЯ ПАРТИЯ" ВОЛКОВ Вячеслав Викторович, АЛЕХАНОВА Ирина Николаевна, РОТЕНБЕРГ Александр Александрович Региональная группа "Центр России - 1" ЧЕКАЛОВ Сергей Александрович, ИВАНОВИЧ Евгений Иванович, ПАВЛОВ Андрей Викторович	<input type="checkbox"/>
22		"РАВНЫЕ ПРЕДПРИИМАТЕЛЬСТВА" ГРАЧЕВ Иван Дмитриевич, ДМИТРИЕВА Ольга Генриховна, ПИЧАЕВ Андрей Александрович Региональная группа "Московская" КУРТОВ Андрей Дмитриевич, САКЕНОВ Руслан Муратович, МИБИНСКО Гурелий Николаевич	<input type="checkbox"/>
23		"КОММУНИСТИЧЕСКАЯ ПАРТИЯ РОССИЙСКОЙ ФЕДЕРАЦИИ (КПРФ)" БОГАТОВ Геннадий Александрович, КОБРАТЕНКО Николай Николаевич, ХАРЬТОНОВ Николай Михайлович Региональная группа "Московская" КУВАЕВ Александр Александрович, ЕРМАКОВ Александр Александрович, СЕВАСТЬЯНОВ Виталий Иванович	<input type="checkbox"/>
ПРОТИВ ВСЕХ ФЕДЕРАЛЬНЫХ СПИСКОВ КАНДИДАТОВ			<input type="checkbox"/>

Figure 15.1 Russian ballot paper, list election, 2003

citizens themselves or by parties and electoral blocs, which may not nominate more than a single candidate in each constituency (Arts. 38, 39; electoral blocs are ad hoc associations of two or three registered parties). Lists of candidates for the national party-list contest are put forward by parties or electoral blocs, and need not be limited to citizens who are members of those parties or blocs. The party itself establishes the order of the candidates included in its federal list; the list may consist entirely of candidates put forward in particular regions, or may consist of a national list and associated regional lists. The maximum number of candidates that may be included on a party list is 270, although list candidates may also stand under the same auspices in single member constituencies (Art. 40).

Candidates in both the single-member and party-list contests are nominated on the basis of the signatures of electors, or by the payment of a deposit amounting to 15 per cent of the maximum permitted election expenditure. Independents standing in single member seats must obtain the signatures of at least 1 per cent of the registered electors in the constituency; if there are fewer than 100,000 registered electors, at least a thousand signatures are required (Art. 42). The same procedures apply if a political party or bloc wishes to nominate a candidate in a single-member constituency (Art. 43:1). A party or bloc wishing to put forward a federal list of candidates must collect at least 200,000 signatures, of which no more than 14,000 may be drawn from any single republic or region (Art. 43: 2). Other regulations apply to campaign expenditure, which must not exceed 6 million roubles (about \$200,000/€170,000) in the case of a candidate in a single-member constituency, or 250 million roubles (about \$8.3/€7.1 million) in the case of a party or bloc, adjusted for inflation in both cases on an annual basis from January 2004 onwards (Art. 66).

The Russian president is elected every four years. He or she is the head of state, and under the constitution 'defines the basic directions of the internal and foreign policy of the state'. Candidates must be Russian citizens of at least thirty-five years of age, who have lived in the Russian Federation for at least the previous ten years. No Russian president may serve for more than two consecutive terms. Under the terms of the legislation adopted in January 2003, candidates for the Russian presidency are put forward by 'initiative groups' consisting of at least 500 citizens (Art. 34:2 of the current law), and also by parties or electoral blocs (Art. 35); the candidate need not necessarily be a member of any of the parties involved. Campaign spending, in all cases, is limited to 250 million roubles (about \$8.3/€7.1 million), adjusted from January 2005 onwards on an annual basis to take account of inflation (Art. 58).

Under the terms of the Duma election law of December 2002, the *winner* in a single-member constituency is the one who receives the largest vote total (in the event of a tie, the winner is the candidate who is first to register). The election is declared void and has to be repeated, however, if the vote 'against all' is greater than the vote for the most successful candidate, or if the turnout is less than 25 per cent of the registered electorate (Art. 83). For those who were responsible for drafting the first election laws, the option of voting 'against all' had seemed desirable not only in itself but also as a means of raising the level of turnout. It has certainly been a

popular innovation, and more so than its modest share of the vote might suggest. In the December 2003 Duma election, for instance, those who voted 'against all' the lists of candidates were nearly three million in number, which put it ahead of all but four of the twenty-three parties on the ballot paper, and three single-member seats were actually 'won' on the same basis. 'Against all' is indeed a 'real competitor during State Duma elections', even though it is a criminal offence to campaign in its favour unless one is a candidate oneself (Oversloot et al. 2002: 36–7).

In the national party-list contest seats are allocated to all the parties or electoral blocs that secure at least 5 per cent of the vote, provided at least three of them reach the threshold and that they receive at least 50 per cent of the party-list vote among them. Failing this, additional parties are included in the allocation of seats in descending vote order until the parties allocated seats on this basis reach at least 50 per cent of the total party-list vote and at least three such parties are included. If fewer than three parties receive 50 per cent or more, other parties are included in declining vote order until at least three are included in the allocation of seats (Art. 84). From 2007 onwards a 7 per cent threshold will apply, and at least four parties will have to share the allocation of party-list seats (Art. 99). The entire party-list contest is declared void if turnout is less than 25 per cent, if none of the parties secures 5 per cent of the vote, or if all parties together do not win more than 50 per cent of the list vote (which is theoretically possible given that invalid votes and votes 'against all' are included in the list vote total). The procedure for *converting votes into seats* is also set out in the election law; it follows the LR–Hare method (see Appendix A).

In the presidential contest, a candidate is elected on the first round if the vote in favour of that candidate exceeds half of the total number of votes cast. In order for the election to be valid at least half of all registered electors must take part, and the vote for the successful candidate must exceed the vote against all of the candidates (Art. 76 of the current law). If no candidate is elected on the first round a second round takes place within twenty-one days between the two candidates with the largest vote totals. On this occasion the successful candidate is the one with the larger vote total, provided this exceeds the votes cast against both candidates (Art. 77). The minimum turnout requirement for the first round of presidential elections is rather higher than in the single-member and party-list contests for the Duma, and must reach at least 50 per cent of the registered electorate (Art. 76); no minimum is prescribed for the second round.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

According to one of the oldest generalizations in comparative politics, single-member plurality systems tend to produce two-party systems and single-party government. Conversely, proportional systems in which lists of candidates compete in multimember constituencies tend to generate multiparty systems and coalition governments. Duverger (1954) argued that this would occur mechanically, because

smaller parties would find it more difficult to gain representation in less proportional systems, and also psychologically, as voters would be likely to regard a vote for a smaller party in such an electoral system as a wasted vote. The operation of the Russian electoral system has not, on the whole, borne out Duverger's predictions (Colton and Hough 1998: 41–2; Moser 2001), and the system itself is not adequately understood without reference to a wider context within which government itself is formed on a non-party basis and is accountable to the president rather than to parliament.

The Russian electoral system was certainly intended to bring about political change, and specifically the development of political parties. Until 1990 only the Communist Party had enjoyed a legal existence, and although other parties quickly emerged, they remained a marginal presence in public life. Programmes were indistinct, memberships were low, and turnover was high; for some, indeed, the Communists were Russia's 'only party', or at least the only one with a national network of branches and a coherent organizational structure. Parties, in fact, were often difficult to distinguish from their leaders: it was the leader who dispensed patronage (such as paid positions on its staff), and it was the leader with whom the party was popularly identified. The Liberal Democratic Party even incorporated the name of its leader—'the party of Zhirinovskiy'—into its formal title. Another distinctive feature of the Russian system was the existence of a 'party of power', which was a vehicle promoted by the Kremlin, led by government ministers, and assured of extensive coverage in the official media (Verheul and Oversloot 2000).

Changes in election legislation since 1993 have generally sought to strengthen the position of political parties as the principal agency through which candidates can be nominated. The 1993 election law identified 'electoral associations' as the bodies that had the right to nominate candidates in the national party-list competition, but made clear that they included political movements and parties. The 1995 law made no reference to parties at all, allocating the right to nominate candidates in the national competition to 'electoral associations' and 'electoral blocs', which were combinations of electoral associations that had been formed for the purposes of a particular election. In 1993, thirteen parties or movements had appeared on the ballot; in 1995 there were forty-three, which made it unlikely that more than a few of them—perhaps even none—would reach the 5 per cent threshold. The 1999 legislation, nonetheless, continued to refer to 'electoral associations' and 'blocs' as the vehicles through which candidates should be nominated in the national contest, with associations defined as including 'other political organizations' and 'movements' as well as parties.

The law that governed the December 2003 Duma election defined the right of nomination in a different way by restricting participation in the national contest to political parties, or electoral blocs of two or three parties. This tighter formulation followed the adoption of a new law on political parties in July 2001 ('O politicheskikh partiakh' 2001), one of whose purposes was to eliminate the wide range of organizations that had contested elections in the recent past, including trade unions and employers' organizations as well as bodies such as the All-Russian Society of

Invalids and the Union of Mothers for Social Justice. The new law required parties to demonstrate a national membership of at least 10,000, with branches of at least a hundred members in at least half of the country's republics and regions. Parties, also, were to be supervised more closely than in the past, including their financial affairs, and could be dissolved if they failed to respect federal legislation, or if they failed to contest elections over a period of five years. It was only parties registered on the basis of this law that had the right to take part in elections, whether they wished to nominate a national list or simply a number of candidates in the single-member constituencies.

The same provisions were extended to presidential elections. Under the laws that prevailed in 1995 and 1999, candidates could be nominated by 'initiative groups' of ordinary citizens, by 'electoral associations' including political movements as well as parties, or by 'blocs' of two or more parties or movements. Under the 2003 law the nomination of presidential candidates was restricted to registered political parties, or blocs of such parties and other associations whose declared purpose was the nomination of election candidates, as well as groups of at least 500 electors (Arts. 34 and 35). At some point, it has been suggested, the nomination of presidential candidates may become the exclusive prerogative of political parties. In the meantime, parties that exceed the 5 per cent threshold in Duma elections have been given the right to nominate candidates without collecting the signatures that would otherwise be required—a considerable advantage to parties in general, and to the larger parties (which are more likely to reach the threshold) in particular.

Institutional engineering of this kind, so far, has had relatively modest effects. One indication is the very different patterns that arise in the party-list and single-member competitions (unlike, for instance, the German system). Party-list contenders, for a start, might not put forward candidates in all the single-member constituencies, or even in a large proportion of them (in 1999, for instance, just two of the six parties that won party-list representation put up candidates in even half of the single-member constituencies). The results that parties obtain in the national contest and in the single-member constituencies, moreover, vary enormously. The Liberal Democratic Party, for instance, has always exceeded the threshold in the party-list contest, but has repeatedly won very small numbers of single-member constituencies and sometimes none at all. Communist support has been more evenly balanced, and the left-centrist grouping Fatherland–All Russia enjoyed success in both sections of the contest in 1999. The most successful 'party' in the single-member constituencies, however, has been the independents; in 1999 they won more seats than all the parties combined, and in 2003 more than all but United Russia.

There was, in fact, some reason to believe that Russia's mixed electoral system might not have the effects that had been intended by those who originally devised it (see Hutcheson 2003: 28–30). A mixed system of the Russian kind, in which there is no relationship between the results in individual constituencies and in the national party-list contest, is in effect two electoral systems running in parallel on the basis of two different sets of incentives. The national party-list competition encourages

groups that can hope to draw on support throughout the country to reach the 5 per cent threshold, and encourages those that expect to fall short to combine with others in order to do so. The single-member constituencies, however, reflect local concentrations of party strength, and encourage small, personality-based parties that can use their opportunities for free publicity to further the personal ambitions of their leaders, who can stand in both contests. It is a striking feature of the Russian electoral system that the two contests may often be separately organized, with different headquarters and campaign staff even in the case of candidates from the same party. Indeed, the national party-list competition is often of marginal concern at constituency level as compared with the single-member contest, and party affiliation counts for relatively little in either case as compared with the varied and changing interests of local elites (*ibid.*: 107–13).

It may often make sense, in fact, to see Duma elections as ‘presidential primaries’ (Shvetsova 2003), allowing party leaders to form an ephemeral grouping that will help them secure a national profile that can be used as a launching pad for a subsequent presidential contest. The practice of employing the Duma election as a ‘presidential primary’ is encouraged by the sequencing of elections, with the presidential election taking place six months after the parliamentary contest (in 2000, because of Yeltsin’s early resignation, the presidential election took place just three months after the Duma election, and the same sequence was followed in 2004). Here again there are different logics (see Moser 2001: 95–112). In the Duma election, parties seek to mobilize their own supporters; but in the presidential contest, candidates are typically nominated on a non-party basis and seek to appeal to the entire electorate regardless of party sympathy. In the March 2000 presidential election, for instance, only one of the candidates (Vladimir Zhirinovskiy) was the candidate of a political party; all the others were nominated by a group of voters and were nominally independents.

Impact on the parties

Those who were responsible for drafting Russia’s mixed electoral system believed that the party-list competition would accelerate the formation of nationally organized political parties. The organization of parties in the Duma, others suggested, would make a further contribution in that the parties would be obliged to introduce a degree of discipline in order to maintain their coherence in parliamentary divisions (Remington and Smith 1995). Developments of this kind have been hindered by several circumstances. In the first place, parties are not obliged to nominate their own members in individual constituencies or in their national list, and may even nominate candidates who are members of other parties (Arts. 39:10 and 40:6 of the 2002 Duma election law).

A further characteristic of the Russian system is the loose relationship between election results and the composition of the Duma over the course of its four-year term. The Duma is organized on the basis of ‘fractions’ and smaller ‘groups’ of deputies, which are formed when the new parliament assembles. But even fractions

based directly on political parties do not necessarily correspond to the seats that the same parties appear to have won in the preceding election. After the 1999 election, for instance, almost a third of the seats had changed hands before the new Duma assembled in January 2000; nearly all the independents joined one of the organized groupings, and only two of the six parties that reached the threshold had the same number of deputies as the number of seats they appeared to have won on polling day. There are further movements over the lifetime of each Duma as new groupings are formed and deputies change their allegiances, sometimes more than once (Rose et al. 2001: 425–7).

The electoral system has also had a very limited effect in stimulating mergers of parties with similar philosophies so that together they may be able to reach the threshold with a greater degree of assurance. Nothing substantial, for instance, has emerged from successive rounds of discussion between the two most obvious candidates, Yabloko and the Union of Right Forces, not least because their leaders have found it impossible to reconcile their respective ambitions. Conversely, the merger that took place between Unity and Fatherland–All Russia after the 1999 election had little to do with the electoral system, and everything to do with the ability of the Kremlin to manipulate elected representatives. In this case it was able to engineer a merged party—United Russia—that consisted of the pro-Kremlin grouping confected some months before the 1999 election (Unity) and one of the largest of the parties that had opposed it (Fatherland–All Russia). Those who supported Fatherland–All Russia in order to express their opposition to Kremlin policies had not been consulted and indeed had effectively been disfranchised.

Impact on parliament

There are clearer and more interesting effects on the composition of parliament, particularly on the representation of women. Conventionally, women are expected to do substantially better under proportional-list systems than in single member constituencies. Norris, for instance, has found that women account for 11 per cent of deputies in majoritarian systems, 15 per cent in mixed systems, and 20 per cent in proportional systems, making women ‘twice as likely to be elected under proportional representation (PR) [as under] majoritarian electoral systems’ (2000: 349). There is evidence, indeed, that the effects of proportionality on female representation have been increasing over time (Farrell 2001: 165–6).

The fortunes of women candidates in Russia have also been influenced by whether they stand on a party list or in a single-member constituency. In 1993, thirty-four of the fifty-nine successful women were elected on a party-list basis, and of these twenty-one represented Women of Russia. In 1995 and 1999, however, Women of Russia failed to reach the threshold, which meant that they secured no party-list seats at all, and in 2003 Women of Russia made no attempt even to nominate a list of candidates. This had obvious consequences for female representation as a whole, and for the balance between their party-list and constituency seats in particular. The outcome, at least in 1995 and 1999, was that women won more seats in the

single-member constituencies than in the party-list contest (in 1999, fifteen and nineteen seats respectively), which is the opposite of what might have been expected on the basis of the comparative literature. Still more striking was the fall in the female share of all successful candidates, from 13 per cent in 1993 to 10 per cent in 1995 and then down again to 8 per cent in 1999, with just a slight recovery in 2003.

The electoral system has discernible effects on the conduct of legislators. Deputies returned by single-member constituencies, when other circumstances have been taken into account, do appear to be influenced in their voting behaviour by the preferences of their constituents—much as single-member constituency representatives in some other countries, who are also aware of the need to secure their re-election (Thames 2001, 2002). Similarly, the proportion of deputies that are elected by party list as compared with the number returned by single-member constituencies has important effects on the cohesiveness of parliamentary factions. There were no major differences within factions, at least in the mid-1990s, that were attributable to the nature of the mandate of their members; but differences between the factions were related to the overall mix of list and single-member constituency representatives within them. This suggested, among other things, that ‘both electoral and party forces influenced deputies’ voting behaviour in 1994–5’ (Haspel et al. 1998: 435).

Government formation

The electoral system has, at most, indirect effects on the formation of government, not least because government is not formally accountable to the Duma and need not necessarily command a parliamentary majority. Ministers, indeed, were often better conceptualized as senior civil servants than as politicians. The law on the civil service of 1995 placed them within the top category of state officials, and required them to remain non-party (a number, in fact, had clear de facto associations with political parties, and had to pretend they were ‘on holiday’ during electoral campaigns). When the pro-Kremlin party Our Home is Russia finished a distant third in the 1995 Duma election with just over 10 per cent of the vote, its leader, prime minister Viktor Chernomyrdin, insisted there would be no change in government policy or personnel (*Segodnya*, 20 December 1995: 1). Conversely, the successive dismissal of four prime ministers between 1998 and 1999 was quite unconnected with a change in the composition of the Duma, still less a parliamentary election.

THE POLITICS OF ELECTORAL REFORM

Just as Russia’s 1993 electoral system reflected the play of rival interests, the system that has developed since that time has reflected the pressure of a multitude of rival forces. Chief among these has been the presidency, working through the parties it controls and which have provided it with a stable majority in the Dumas that were elected in 1999 and 2003. The move to a 7 per cent threshold from 2007 will obviously benefit the larger parties, which will be able to consolidate their

dominance of the legislature, and at the same time it will give the Kremlin a more coherent party system that will more easily be able to manage. The larger parties will also benefit disproportionately from the state funding of parties that was introduced in 2004 at a level roughly corresponding to a rouble for every vote they received. Meanwhile, the law on electoral guarantees of 2002—the ‘framework law’ that governs elections and referendums—has extended the privileged position of parties to Russia’s regional assemblies. Up to the present, only a small minority of seats in these—in 1998–2000, about 15 per cent—have been held by candidates sponsored by political parties. For the future, half the seats in each regional legislature will be reserved for candidates nominated by the parties—which means registered parties, operating at a national level—in a manner that parallels the Duma itself.

Further changes were under consideration as President Putin’s first term came to an end of a kind that were also likely to strengthen the larger parties. One of these was suggested by Putin himself, in his annual address to a joint session of parliament in April 2003: a ‘government of the parliamentary majority’, drawn from the parties that had won most seats in a Duma election (this, it was pointed out, would not require a constitutional amendment, only a change in political practice, but it was likely to take place only if the Duma majority was strongly supportive of the president and his policies). Other changes that were being considered included the introduction of an open list form of PR, as in Lithuania. As the chairman of the Central Electoral Commission pointed out, it was voters, not party officials, who were able to choose their deputies under such a system, and it would make it less easy for places on the party list to be traded, or even sold. There was evidence that, in Lithuania, it had also helped to raise turnout by as much as 15 per cent (*Gosudarstvo i pravo*, no. 3, 2003: 107).

The reform agenda of the early years of the new century extended across large-scale constitutional change to more limited alterations in electoral mechanisms. As in some other countries, there has been a discussion of postal voting, at least at regional level. The minimum turnout could be reduced, perhaps to 20 per cent, to help to reduce the number of elections that failed to produce a winner. Or there might be no minimum threshold for a repeat election, and for similar reasons (Zinov’ev and Polyashova 2003: 95, 97, 98). A much more fundamental change, introduced by a presidential address in September 2004 that was nominally a response to a hostage-taking crisis in the southern town of Beslan, was the abolition of the single-member constituencies and their replacement, from 2007 onwards, by an entirely party-based contest—a move that had already been suggested by the Central Electoral Commission. Governors, at the same time, would cease to be directly elected but would be nominated by the president and approved by regional assemblies (*Izvestiya*, 14 September 2004: 1–2, 4; the text of the new Duma election law was published in *Rossiiskaya gazeta*, 24 May 2005: 22–32). It was a move of doubtful constitutionality, particularly in this second respect. More obviously, it represented a further strengthening of executive authority and a further reduction in the capacity of the electoral system to communicate the preferences of voters to government rather than the instructions of government to the population at large.

CONCLUSION

Neoinstitutionalists have much to say about the operation of electoral rules, but rather less about who makes them. The politics of electoral design in Russia has been a game in which the Kremlin has held almost all the cards, and in which the interests of ordinary citizens have scarcely been represented. The privileging of political parties, for instance, gave the Kremlin an additional means of imposing its authority upon an otherwise disorderly and unpredictable series of contests. The more the larger parties were advantaged, the more the minor parties would be marginalized or obliged to merge with a larger entity in which their own concerns would be submerged (feminists or environmentalists, for instance, would be unable to secure representation in their own right and would have to pool their identity within larger parties with less distinctive agendas). The more the parties, and particularly the larger parties, were financed by the state, the less they would have to seek the contributions of their members—and the less they would have to seek members at all. And the more the parties as a whole enjoyed a monopoly of representation, the less likely it was that the concerns of the overwhelming mass of citizens would be articulated within the formation of public policy.

For some Russian scholars, changes of this kind are part of a wider ‘authoritarian adaptation’ of the electoral process. Recent Russian elections, they argue, have been characterised by ‘dirty tricks’, political corruption, and the buying of voters and officials. Places on party lists are sold to the highest bidder, and votes in the Duma itself are traded wholesale in a sort of ‘political industry’, allowing oligarchs, officials, and legislators themselves to promote laws that advance their own interests. Improper use is made of the mass media, pressure groups are organized whenever necessary, and ‘electoral technologists’ look after everything else—from the collection of signatures to their hire of professional candidates who are prepared to stand for election for anyone who is prepared to pay them. As a result, write Zinov’ev and Polyashova, not only have recent elections failed to overcome the alienation of government from the population—‘on the contrary, they have only deepened it’ (2003: 8).

According to the survey evidence, Russians are firmly attached to the principle of competitive elections; but they are less persuaded that the elections that actually take place allow them an effective means of influencing the government that speaks in their name (see for instance Pammatt 1999). An electoral system that is shaped even more strongly by the presidency and that excludes opinion outside the mainstream is likely to become an electoral system that loses its legitimacy; turnouts are likely to fall further, even more of those who take the trouble to turn out are likely to vote ‘against all’, and increasing numbers are likely to seek to advance their interests by industrial and other forms of action outside the electoral arena entirely. Certainly, institutions matter; but so do the relations of dominance and subordination within which they operate. The more the Russian system is shaped by the self-interested preferences of those who monopolize its government, the more they run the risk that

an alienated society will find other ways of asserting its different and sometimes conflicting priorities.

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PART IV

CLOSED-LIST SYSTEMS

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Israel: The Politics of an Extreme Electoral System

Gideon Rahat and Reuven Y. Hazan

Israel was established in 1948 as a parliamentary democracy. It has a 120-member unicameral parliament called the Knesset, which is elected by a closed-list system of proportional representation (PR) with the entire country serving as one constituency. The political regime is unitary and is characterised by high levels of centralization. While the country lacks a codified constitution, the Knesset has over time enacted several 'Basic Laws' that are the building blocks of a constitution-in-the-making. According to Lijphart (1999), Israel is one of the most extreme types of a consensual-unitary regime. While Lijphart (1993) assesses that the consensus elements (PR, a multiparty system, oversized coalitions) largely fit Israel's multiclefted society and that unitarism is justified by its small size, he points out that moderating some of the more extreme elements could be beneficial.

Since independence, the electoral system used to elect the Knesset has remained largely unchanged (except for some minor modifications, discussed later); thus the next section considers how the electoral system was originally chosen. The third section describes the Israeli electoral system in depth. The political consequences of the electoral system, from independence until the turbulent 1990s, are assessed in the fourth section.

In the 1990s, after repeated failures at electoral reform, the advocates of change focused their efforts on other elements associated with the electoral system—the intraparty candidate selection methods and the governance system (Hazan 1996, 1997a)—in an attempt to compensate for their inability to reform the electoral system itself. The impact of these reforms (intended and unintended) on the behaviour of voters, politicians, and parties was even more dramatic than what would have been expected from most of the electoral reforms that had been unsuccessfully proposed in the past. These reforms, which bypassed the unchanged electoral system, are discussed in depth in the last section.

ORIGINS OF THE ELECTORAL SYSTEM

The electoral system that is still in use today was initially adopted in 1948 by the Provisional State Council—the legislative body that served from the May 1948 declaration of independence until the first elections in January 1949 (this section is largely based on Rahat 2000). The electoral system was one of several constitutional issues deliberated on the eve of the establishment of the state. This section describes what led to the adoption of the three major characteristics of the electoral system: the proportional allocation formula; the exclusive use of a single, nationwide district for seat allocation; and the rigid closed-list system.

Several factors explain the support for PR by large majorities in the pre-state institutions. First, it was perceived as more democratic, particularly by those on the left, the side that was dominant in pre-state politics. Second, proportionality was part of the inclusive political legacy developed in the voluntary pre-state Jewish institutions (Sager 1985). Third, the UN partition resolution determined implicitly that the parliaments of the states that would be established in Palestine were to be elected proportionally. Finally, the majority of those who formulated the electoral system were representatives of small and medium-sized parties, who preferred to stick to the formula that ensured most of them an optimal distribution of representation and power (Doron and Maor 1989).

The high level of proportionality that characterizes the Israeli system is, however, not dictated by a proportional formula. Under PR formulas, levels of proportionality are varied, due mainly to two factors (Taagepera and Shugart 1989). The first is the legal threshold. The election law adopted in 1948 used a single seat quota (0.83 per cent), calculated according to the Droop formula, as the legal threshold. Parties received a seat for every Droop quota, and the remaining seats were allocated using the D'Hondt formula. The fact that this formula gives an advantage to large parties seems to have passed unnoticed; later on it became a contested issue and in 1951 it was replaced by the largest remainder principle (using the Hare quota), which better served the interests of small parties (for explanation of the mechanics of seat allocation, see Appendix A).

The second and more important factor in determining the level of proportionality is the magnitude of the districts in which seats are allocated. The decision to allocate seats in a single, nationwide district, equal in magnitude to the size of the legislature (120 seats), resulted in very proportional seat allocation.¹ While the use of a single nationwide district was common during the pre-state era, there were instances in which territorial or ethnic districts were used in national and local elections (Biger 1985; Sager 1985; Horowitz and Lissak 1989). Discussions that took place prior to the 1949 elections, in committees of both partisan and pre-state institutions, reveal that the use of a single, nationwide district was far from being the only option seriously considered and recommended. The constitutional draft that served as the

¹ This feature is distinguished from the custom of several democracies that use subnational districts while at the same time ensuring nationwide proportionality through the use of national seat pools.

basis for deliberations in the Constitution Committee of the Provisional State Council suggested a PR system with multimember districts and a national pool. In short, a preference for PR was evident, but not necessarily for the exclusive use of a single nationwide district. Yet, the draft of the election law that the Constitution Committee submitted suggested the adoption of a single, nationwide district.

Two developments led to the abandoning of the idea of elections in subnational districts. First, the demographic composition of the state was in flux. The Arab minority, which was expected to comprise 40 per cent of the population, ended up being less than 20 per cent after the war of independence. The motivation to formulate a district system that would discourage the crystallization of Arab nationalism thus decreased. Second, warfare complicated and even precluded the adoption of subnational districts. Under the conditions of warfare—when many recruits were far from their residence and were constantly transferred from one front to another—it was practically impossible to adopt and implement a system that would require a complicated division of the state into subdistricts.

The closed-list system, which does not allow the voters an opportunity to influence the composition of the candidate lists, is the third prominent feature of the system. In the elections for the Jewish pre-state legislative body, the Assembly of Representatives (*Aseffat Hanivcharim*), voters could cross off the name of a particular candidate; and those whose names were crossed off by at least one-half of the voters for their party list were transferred to the bottom of the list (which usually meant that they would not be elected). This element was rejected, however, by the Provisional State Council, which made it harder for future reformers to promote any initiative aimed at introducing voter influence on the personal composition of the party lists—since they would first have to struggle for the acceptance of the very principle rather than to focus on its enhancement. In short, there existed a clear preference for proportionality; a recognition that a nationwide district was a necessity justified by immediate circumstances; and little concern over the lack of any personal element.

The system that was adopted was seen as a provisional mechanism that would have no bearing on the future—the newly elected Constituent Assembly in 1949 would formulate the electoral system within the framework of its constitution-making mission (Brichta 1988; Medding 1988). While it did not reflect an optimal equilibrium amongst the political parties, the ‘provisional’ system that was adopted in 1948 acquired a preferred status over other potential and actual alternatives in the first decade after Israel’s independence (1948–59). This occurred because adversarial politics surrounding the issue of reform developed in the 1950s. As a response to the attempt of Israel’s first prime minister, David Ben-Gurion, to promote the adoption of a single member plurality (SMP) system, the smaller parties (some of them reformist in spirit) were pushed into the anti-reform camp, whose common denominator was the protection of the status quo. In other words, Ben-Gurion’s initiative—which threatened the interests of the smaller parties—led not to reform but rather to the entrenchment of the existing system.

Thus the use of a single, nationwide district was transformed from being a temporary necessity into a protected principle, and enshrined in the 'Basic Law: The Knesset' of 1958 (part of Israel's constitution-in-the-making); it became as sacred as proportionality. The closed-list system was criticised for encouraging the centralization of power in the party organizations and for precluding the responsiveness of representatives to the voters. However, since this issue was usually presented as inseparable from the call for smaller district magnitudes and less proportionality, the opponents and proponents of reform could find no room for compromise.

The prevalent reform initiatives of the 1970s and 1980s were relatively moderate in scope, and included various versions of a two-tier system. These ranged from initiatives that would have substantially decreased proportionality—such as the adoption of a system in which eighty Members of the Knesset (MKs) would be elected in twenty four-member districts and the remaining forty in a national pool, with no compensation—to initiatives that preserved nationwide proportionality, suggesting a moderate increase of the legal threshold to about 3–4 per cent. The moderate reform initiatives were supposed to fine-tune the system—to decrease its extremely high level of proportionality and to add regional and personal elements. Several of these initiatives were successfully promoted in the early legislative stages: electoral reform bills passed preliminary readings in the seventh Knesset (1969–73) and eighth Knesset (1973–7), while in the eleventh Knesset (1984–8) a reform bill successfully passed the first reading. Yet, no initiative to reform the electoral system has ever reached the final legislative stages.

Most of the moderate reform initiatives demonstrated sensitivity to the needs of the smaller parties, and allowed for their continued independent survival. Yet, some of the small parties feared that even a moderate reform might serve as a precedent, and thus they put all of their political weight behind blocking any reform initiative. Even when the party system consolidated around two large parties, who should have found common ground in advancing an electoral reform that would reduce proportionality and empower them both, their cooperation was stymied. The small parties succeeded in thwarting reform not only when they were crucial players in the minimal winning coalitions, but also when the two large parties ruled together in national unity governments (1984–90):

A main factor that deterred Likud and Labour from reaching an adequate agreement [on electoral reform] was a kind of 'prisoner's dilemma' situation. While both parties did have such a common interest and could have benefited from electoral reform in the long run, it seemed that, in the short run, each would have gained the support of the small pivotal parties by refraining from any agreement on the issue. (Diskin and Diskin 1995: 36)²

² While grand coalitions did survive for some time, they were under constant threat of collapse. This thwarted the ability of the two main parties to cooperate on electoral reform (which was individually and collectively rational), since each wanted to assure that it would be the one to form a 'narrow' coalition with the smaller parties when the unity government collapsed.

HOW THE ELECTORAL SYSTEM WORKS

The main features of the extremely proportional electoral system that was adopted in 1948 have been preserved until today, with only minor changes. In 1951, the legal threshold was raised from 0.83 to 1 per cent, and the Hare quota using the largest remainder formula replaced the Droop quota and D'Hondt formula.³ In 1973, the two large party alliances unilaterally returned to the D'Hondt formula for remainder allocation, while maintaining the Hare quota, and as a result slightly increased their representation at the expense of the smaller parties.⁴ Before the 1992 elections, the legal threshold was slightly increased from 1 to 1.5 per cent.⁵ While this may have helped reduce the number of party lists that were elected to the Knesset, and prevented any single-seat parties from being elected, it did not influence the 'effective' number of parties. In 2004, the legal threshold was raised from 1.5 to 2 per cent.

In the elections between 1949 and 1992, and since 2003, the Israeli voter could cast a ballot only for a party, or an alliance of parties that together presented a joint list of candidates. On entering the voting station, each voter is given an envelope and continues into the voting booth. There, ballot papers are arranged, each with a series of letters that signify a party, with the party's name written underneath.⁶ That is, there is one ballot paper for every list that stands, and the voter has to select the correct paper from a choice of approximately thirty party lists that take part in the election. The ballot papers are printed in Hebrew and/or in Arabic (the two official languages in Israel)—see Figure 16.1. The voter simply places one slip of paper in the envelope, and then drops it into the ballot box.⁷

³ While it might seem surprising that the threshold was fixed and preserved at such a low level, since only the smallest parties would have a vested interest in it, this was not the case. The dominant Mapai Party was also interested in a low threshold so that its preferred potential coalition partners (the minorities lists, the Progressive Party, etc.), that were quite small, would be assured representation in the Knesset. Moreover, Mapai feared that a higher threshold could throw some of these small parties into the hands of its rivals (e.g. the Progressive Party could form a bloc with the General Zionists).

⁴ The use of the Hare quota to allocate seats, with D'Hondt then applied to the parties' total votes for the allocation of remainder seats, is little more than a short-cut in the D'Hondt process—the results are identical.

⁵ One might wonder, if an agreement to raise the threshold was possible, why it was raised by such a trivial amount. The reply is two-fold. First, the original initiative intended to raise the threshold to 2.5 per cent, but was moderated due to the veto power of the smaller parties. Second, even this slight increase managed to force several parties to merge and eliminated others. That is, throughout the 1980s, all but the two main parties were below the 5 per cent mark, and thus any increase in the threshold, coupled with a fluctuation in the polls, was perceived as significant both for the survival of several parties and for possible government coalitions.

⁶ Since 1992, in anticipation of the direct election of the prime minister, it became customary for the larger parties to add the name of the party leader below that of the party (this practice continues after the abolition of direct elections).

⁷ In the 1996 and 1999 elections, the voter had an additional ballot for the direct election of the prime minister. For the election of the prime minister, voters received a separate envelope and chose from a separate series of paper slips on which the names of the candidates were printed. Both envelopes (each was coloured differently) were then dropped into the ballot box. In the 2001 elections, voters cast a ballot only for the prime minister.



Figure 16.1 Sample Israeli ballot papers, 2003 election

Note: Likud's ballot paper is on the left and Labor's on the right.

Districts are used for the administration of elections but are irrelevant for the allocation of seats, which is based on the total number of valid votes in the entire country. As can be seen in Table 16.1, vote shares and seat shares are quite similar, with a slight advantage given to the larger parties, as could be expected from the use of the D'Hondt formula for the allocation of remainder seats.⁸ The disproportionality index for the fourteen elections conducted in the 1949–96 period has a rather low average of 2.3 (Lijphart 1999: 162), while the figure for the 2003 election is 2.6 (least squares index—see Appendix B).

Once the number of seats for each list of candidates is calculated, the top candidates on the list—based on the number of seats allocated—are elected.⁹ If a MK resigns, the next person on the candidate list fills his or her place.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM 1949–92

Impact on the party system

The highly proportional electoral system produced an extreme multiparty system. The predominance of one party (Mapai—The Party of the Workers of Israel) for the first few decades—which consistently won the largest number of seats by a wide margin, held the pivotal position, and thus formed the core of all governing coalitions.

⁸ Any two lists of candidates are allowed to sign a 'surplus agreement', which is the Israeli terminology for *apparentement*, and it only applies to the remainder seats. The agreement comes into effect only if both lists independently surpass the legal threshold. In such a case, the number of seats allocated to both lists combined is used when allocating the remainder seats. Subsequently, the number of seats given to each of the two lists is calculated using the same formula as that used for all the lists. While the use of surplus agreements appears to be only marginally important if the threshold is low, and it is applied only to the remainder seats, Israeli elections have sometimes resulted in an even 60–60 seat split of the parliament (between the two main parties and their potential coalition partners), or a close 61–59 split, in which case surplus agreements can still play an important role.

⁹ In the case of the direct election of the prime minister between 1996 and 2001, the winner was the candidate who received an absolute majority of the valid votes. Since in no instance did more than two candidates appear on the ballot, there was never a need for a second round of voting.

Table 16.1 Results of elections to the 16th Knesset (28 January 2003)

Eligible Voters	4,720,075			
Voters	3,200,773 (68.8%)			
Valid votes	3,148,364 (98.4%)			
Invalid votes	52,409 (1.6%)			
List name	Votes	% votes	Seats	% seats
Likud	925,279	29.4	38	31.7
Labor-Meimad ^a	455,183	14.5	19	15.8
Shinui ^f	386,535	12.3	15	12.5
Shas ^d	258,879	8.2	11	9.2
National Union ^b	173,973	5.5	7	5.8
Meretz ^a	164,122	5.2	6	5.0
NRP ^c	132,370	4.2	6	5.0
Yahadut HaTorah ^d	135,087	4.3	5	4.2
Hadash ^e	93,819	3.0	3	2.5
One People ^c	86,808	2.8	3	2.5
Balad ^e	71,299	2.3	3	2.5
Yisrael B'aliyah ^b	67,719	2.2	2	1.7
Ra'am	65,551	2.1	2	1.7
Green Leaf	37,855	1.2	0	
Herut	36,202	1.2	0	
Progressive Alliance	20,571	0.7	0	
Others ^{f*}	37,112	1.2	0	

Letters next to list names indicate a 'surplus agreement', the Israeli terminology for *apparentement* (see note 8).

* Shinui was in an *apparentement* alliance with the Green Party, which received less than 0.5 per cent of the votes and is thus part of the 'others' category.

tions—was able to mask the system's drawbacks for almost a quarter of a century (Medding 1990, 2000). Israel's dominant system ended in the 1970s, when elections began to result in two party alliances equal in size (the Alignment composed of left-wing parties, and the Likud of right-wing parties), though both were far from a majority (Figure 16.2). The system thus took on a competitive bipolar structure, forcing each of the two major parties to woo the smaller ones in order to form a coalition (Hazan 1998).

After a period of fluctuating increases and decreases in the combined power of the two largest parties during the first five elections (see Figure 16.2), there was a growth trend in the next five elections (with the exception of 1977), which reached its peak in 1981, when the two main parties together held 95 of 120 seats. This development was largely a result of the amalgamation of parties, sometimes in electoral alliances and sometimes in complete unifications, and was also due to the increased competitiveness of the elections. However, a two-party system did not develop, and since 1981, there has been a steady decrease in the combined power of the two largest

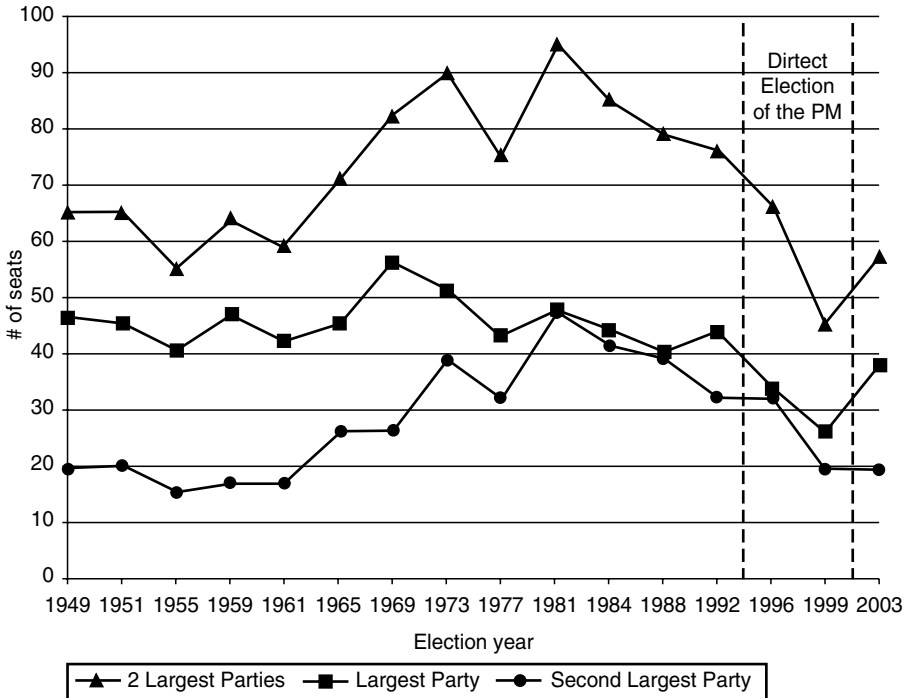


Figure 16.2 Seats in the Knesset, 1949–2003

Note: seat total at each election was 120.

party alliances. The low point came in 1999 when the combined seat shares of the two largest alliances slipped below 50 per cent.¹⁰

Impact on the parties

Although the closed-list electoral system continued to deny voters any influence on the composition and ordering of the candidate lists, the parties themselves took the initiative and democratized their candidate selection methods by widening and opening up their selectorates. If in the 1950s and 1960s small nominating committees decided the composition and rank of the parties' candidate lists, by the 1970s, and even more so in the 1980s, candidate selection in most parties was transferred to the hands of selected party agencies (central committees, party congresses). This widening of the circle empowered the members of party agencies, and opened a channel for the promotion of their private and group interests. Yet, the party as such, and especially its leadership, largely retained control of its representatives.

¹⁰ This is partially due to the adoption of the separate and direct election of the prime minister, discussed in detail below.

Impact on parliament

Despite the fact that the electoral system remained intact, the Knesset experienced continued developments in terms of both its demographic composition and its behavioural patterns. The representation of some previously under-represented social groups was increased. For example, the under-representation of Oriental (Sephardic) Jews almost disappeared by 1992. Arab citizens of Israel, who make up approximately 15 per cent of the adult population, more than doubled their representation from 3 per cent in the 1st Knesset to just under 7 per cent in the thirteenth (1992). In the fourteenth and fifteenth Knessets (1996–2003), both groups saw further increases in their representation. Arab representation, for example, increased to 11 per cent. While the rate of representation of women was high compared to other Western democracies in the 1950s, Israel saw no increase in the 1949–96 period. Only in 1999 were there more women representatives elected than in the 1st Knesset (Brichta 2001). In the 2003 Knesset elections, the representation of women again increased and reached an all-time high of 15 per cent, placing Israel near the average for Western democracies.

The behaviour of MKs also changed over time. In the 1950s, MKs were first and foremost representatives of their parties. Levels of party discipline were very high and MKs hardly ever submitted private member bills. Over the years, there was an incremental decline in party cohesion and discipline, and an increase in the individual activity of MKs. Especially prominent was the increase in the number of private bills that were submitted, and in the relative percentage of private member bills that were adopted.

On average, 31 per cent of MKs were replaced after each election by newcomers. In addition, an average of 9 per cent left the Knesset during any one term. This means that almost 40 per cent of MKs were replaced, on average, between terms. While many MKs served non-consecutive terms—10 per cent between 1949 and 1992 (Arian 1994: 76)—the rates of turnover in the Knesset are still comparatively very high (Somit et al. 1994). The average tenure in the Knesset stands at over three terms in office (thirteen years), while the median is two terms (about seven years). Over the 1949–2003 period, 37 per cent of MKs served only one term, 21 per cent served two terms, and 42 per cent served three terms or more. Israel thus does not suffer from an incumbency problem, but rather a problem of high turnover. Less than one-fifth of this high rate of turnover was caused directly by the election results. High turnover is the result of several other factors, such as retirement, failure to be renominated or reelected, failure to be re-elected in the framework of a splinter party, and death.

Government formation

No party in Israel has ever won a majority at an election, and several parties are needed to form a governing coalition. Premature collapse of the government took

place all too often, and few Knessets were able to last their full, four-year term. According to Lijphart (1999: 132–3), the average duration of cabinets in Israel is 1.6 years, the fourth shortest tenure among the thirty-six democracies he studied.

The process of coalition building and maintenance was a relatively easy task in the framework of the dominant party system of 1949–77. In the subsequent bipolar system it became a longer and more arduous task, as the pivotal position shifted to the smaller parties and as more parties appeared at the extremes of the party spectrum with each successive election. The pure proportionality of the electoral system, the existential issues facing a country constantly in a state of war, and the growing disaffection of the electorate with the two major parties all served to make the contemporary Israeli party system both polarized and fragmented. In order to create a governing majority it became necessary to include an ever growing circle of partners. The two major parties competed fiercely for the support of the smaller parties, some of whom successfully played one major party off against the other and not only demanded a high fee for their inclusion, but also continuously threatened to bring down the government if their increasing demands were not met. Moreover, this bidding war took place in a parliament where the average number of parties represented was usually no less than a dozen, and where the average ‘effective’ number of parties (see Appendix B) was 4.5 (Table 16.2).

Until 1969, electoral volatility (Pedersen 1979) in Israel decreased, which seems to indicate that a process of stabilization in party loyalties took place parallel to the establishment of party alliances. Since 1973, this trend has reversed and the system has produced higher levels of volatility, an indication of the decline in party loyalties (Table 16.2).¹¹

THE POLITICS OF ELECTORAL REFORM: REFORM THROUGH BYPASS

Attempts at promoting electoral reform started as early as the first decade after Israel’s independence. The numerous failed attempts at electoral reform, coupled with the increase in fragmentation, fractionalization, polarization, electoral dead-lock, and government instability, pushed reformers to search for alternative routes. In the 1990s, certain reforms were implemented that had similar impacts to that of electoral reform: the adoption of party primaries by several parties, which injected a personal element into an extremely partisan institutional setting; and the adoption of the direct election of the prime minister, which injected majoritarian and personal elements into the existing political setting (Hazan 1999; Rahat 2001). While the reformers sought to fine-tune the extremely proportional and party-centred system (Shugart 2001), the unintended consequences of these reforms only increased the malfunctioning of the political system.

¹¹ In the entire 1949–92 period, there was one prominent peak in electoral volatility, that of 1977–81. This is largely due to the meteoric rise of the Democratic Movement for Change. This new party won 15 seats in 1977, the highest ever for a new party, but collapsed during the 9th Knesset (1977–81). Its remnant, Shinui, won only two seats in the subsequent 1981 elections.

Table 16.2 Volatility, number of parties, and effective number of parliamentary parties in the Israeli Knesset, 1949–2003

Election	Volatility* (%)	Number of party lists	Effective number of parliamentary parties
1949	—	12	4.73
1951	15.6	15	5.05
1955	13.6	12	6.00
1959	9.3	12	4.89
1961	6.3	11	5.35
1965	6.3	13	4.71
1969	3.9	13	3.56
1973	11.1	10	3.35
1977	22.6	13	4.37
1981	21.3	10	3.13
1984	14.0	15	3.86
1988	13.3	15	4.38
1992	13.9	10	4.39
1996	20.4	11	5.61
1999	25.7	15	8.69
2003	26.8	13	6.17

* Pedersen (1979) index.

Bypass 1: the adoption and abolition of party primaries. Before the 1992 elections, Labor (Mapai's successor) opened up its candidate selection method and gave all party members the opportunity to select its leader and its list of candidates. In 1993, Likud started to select its chairman through party primaries, and in 1996 it adopted party primaries for selecting its list of candidates. The third largest party in the outgoing Knesset followed suit. In short, before the 1996 elections, candidates from the three largest parties, which together held over two-thirds of the seats in the outgoing Knesset, had to face internal party elections by their members at large.

While the democratization of party selectorates was largely carried out by intraparty forces who saw the change of selectorates as serving their interests, the success of the reform initiatives within each separate party was due to the then prevalent notion that the public would see these reforms as signifying a positive move towards the democratization of the system. In other words, these parties can be interpreted as trying to compensate for their failure to reform the closed-list electoral system, by means of an intraparty reform to the candidate selection process that would to some extent 'personalize' the electoral process via this indirect route.¹²

However, the unintended consequences of this reform became apparent almost immediately. Parties, which until then had controlled the selection of candidates,

¹² Wolfsfeld (1988) claims that the feeling that the government is inaccessible has been widespread in Israel since the 1970s, and that the impersonal electoral system was a major cause.

were circumvented by politicians appealing directly to their selectorate. MKs became increasingly autonomous, unwilling to bend to party dictates, and unable to vote against popular proposals. The result was a weakening of parties and party control, coupled with a hampering of the parties' abilities to aggregate positions and policies. The parties became less cohesive in terms of both their ideological image and their ability to operate in the legislative arena and in the political process more generally.

The 1990s saw both a dramatic increase in the submission and the passage of private member bills, and growing instances of breaking party discipline. Much of this was due to the adoption of party primaries, which forced MKs to distinguish themselves as, individually, they confronted wider selectorates. Private legislation thus became a menace for the government—for example, in terms of unplanned spending introduced via private bills. It should, therefore, come as no surprise that the parties—unbound by legal restrictions—quickly reversed their experiments in internal democracy. By 1999, only Labor retained party primaries in selecting its list of candidates.¹³

The combination of party primaries and a closed-list system proved to be an influential catalyst for the blooming of personal politics. In a closed-list system, the reselection of most candidates is only tangentially related to their party's success in the general elections. That is, candidates who are selected to a high position on the party list can safely assume that their re-election is secured. When the selectorate is composed of party leaders, or even a wider group of members of a selected party agency, candidates must still demonstrate their loyalty to the party. When the selection is, however, dependent exclusively upon a wide, unstable, and uninformed selectorate of party members, the candidates are largely dependent not upon their party, but rather on non-partisan moderators such as financial supporters, the mass media, and leaders of interest groups (Rahat and Sher Hadar 1999). In addition, unlike candidates in open list systems, Single Transferable Vote (STV), and majoritarian systems, in which the candidates' names appear together with their party affiliation, in closed-list systems candidates are not directly judged by the electorate in the general elections. With the adoption of party primaries, personal political success became more important than, and often disconnected from, that of the party.

Bypass 2: the adoption and abolition of direct election of the prime minister. The reform 'process' (Rahat 2004) that led to the adoption of the direct election of the prime minister took almost five years. The attitude of politicians to the reform initiative was not simply one of supporters versus opponents, since the composition of both groups changed substantially throughout the process. There was a continuous dynamic of building and rebuilding supportive coalitions, based on recruiting different forces at each stage of the process (Rahat 2001). The mixed

¹³ Ehud Barak, leader of the party, did attempt, unsuccessfully, to abolish party primaries, and finally compromised on maintaining them due to pressure from numerous popular politicians—although he won the right to appoint several candidates and gained some indirect control over the composition of the party list (Rahat 2002).

nature of the reform—the grafting of presidential and majoritarian elements onto a parliamentary system with an extremely proportional electoral system—and the debate about who would benefit from this unique system, allowed the reform to be presented as all things to all people. The nature of this ‘mix’ produced ‘multifaceted characteristics’ that promised something for everyone: that is, different aspects of the reform were presented as attractive to individuals, groups, and parties with different (and sometimes contradictory) interests and perceptions (Rahat 2001). It is, therefore, only via conjectural interparty and intraparty constellations that we can determine who wanted the change at each stage. Thus, we limit our account here to explaining the systemic goals set by the reformers, and to describing the two major motivations that influenced the MKs’ voting behaviour on the reform bill.

Given the repeated failure to enact electoral reform, the proponents of the direct election of the prime minister claimed this was the only viable cure for the malaise of Israeli politics. Granting the choice of chief executive to the voters, and taking it away from the small and extreme parties—something that in itself held intrinsic democratic appeal—would confer upon the prime minister both a mandate and legitimacy. They also argued that the direct election of the prime minister would solve the problems of coalition politics in the extreme multiparty (and bipolar) party system that had been in place since 1977, by reducing the disproportionate political power held by the small parties. They believed that this reform route would have a better chance of success than changing the electoral system, for two reasons. First, while altering the parliamentary electoral system required an absolute majority of the Knesset, grafting on a separate method of electing the prime minister required only a plurality. Second, they estimated that MKs would be more willing to support a reform that seemingly did not influence their own chances of re-election. In short, the reformers promised that Israel would enjoy a more stable and efficient system of governance, and at the same time the representative nature of the Knesset, a central element of the inclusive political culture, would stay intact.

The organized and well-funded reformers played a central role in putting reform on the agenda and in passing the first legislative stages. They managed successfully to channel the massive public demand for ‘change’ that erupted in early 1990, into pressure on MKs to support the initiative for the direct election of the prime minister (Sprinzak and Diamond 1993; Hermann 1995; Hazan 1996). Continuous pressure by the reform’s proponents, who recycled the public outcry and used opinion polls to prove that support for change was still alive, helped keep the reform process moving along even after the public protests had calmed.

A second major motivation for MKs’ support of the reform was a perception that developed before the second and third readings of the bill in 1992, according to which the reform would serve the electoral prospects of the centre-left camp. The direct election of the prime minister, which required an absolute majority, would, it was argued, empower the centre-left camp by turning the hitherto extreme-left Arab vote into a relevant and even decisive one. There was, however, a small minority of right-wing MKs who did not accept this argument. Otherwise, the right-wing and religious camp, which held the majority, would have defeated the reform bill.

The direct election of the prime minister produced outcomes that were mostly not anticipated by the proponents of the reform, while those that were expected never actually materialized.¹⁴ The unexpected ramifications were thus largely responsible for the subsequent abolition of direct elections.

Beyond their desire to strengthen the prime minister, and thereby to enhance governability, the reformers hoped that the direct elections would also reduce the size, number, and influence of the smaller parties in the Knesset, without changing the proportional nature of the system used to elect it (Ottolenghi 2001). That is, the proponents of reform hoped that a separate ballot for the prime minister, with its requirement of an absolute majority, would reduce the prime ministerial race to the two main parties and encourage 'straight-ticket' voting in the second ballot for the Knesset. The 1996 and 1999 elections had, however, quite the opposite effect. The availability of 'split-ticket' voting actually increased the multiparty composition of the Knesset, while the two main parties were decimated. In other words, the reform not only failed to attack the problem for which it was designed but actually made it worse.

The results of the only two instances of separate executive and legislative elections were dramatic. The availability of two ballots allowed each voter not only to split the ballot, but also to create a hierarchy of voting intentions for each ballot based on different motivations. Since the two prime ministerial candidates competed primarily on the dominant dimension in Israeli politics of foreign affairs and security, the voters adopted this dimension as the criterion for choosing a candidate. At the Knesset level, where the parties presented much more particular appeals—some of them correctly assessing that with more than one ballot it was now possible to compete on an entirely different dimension, while remaining neutral on that of foreign policy and security—the voters could now express a more particular, sincere identity. Instead of social groups being represented *within* parties, they increasingly became represented *by* parties. Incentives for compromise between social groups decreased, as sectarian group identity became a major electoral asset.

As a result, the 1996 and the 1999 elections produced very high volatility rates (Table 16.2). Votes shifted from the large parties to the sectarian parties, as voters took advantage of the opportunity to split their vote between the elections for the prime minister and the Knesset. The largest party list in the Knesset fell to its lowest point ever, the two largest parties together held the lowest number of seats they had ever won (Figure 16.2), and the parties representing the three subcultural minorities in Israeli society together gained in 1999, for the first time, more seats than the two largest parties in the Israeli party system (Kenig et al. 2005). The effective number of parties in parliament increased significantly in the 1996 elections (from 4.4 to 5.6), and reached a peak of 8.7 in the 1999 elections (Table 16.2).

¹⁴ Among the opponents of the direct election of the prime minister, the most prominent and notable group were political scientists. As the reform moved through the legislative process, political scientists gave expert testimony on its likely effects, and published accounts outlining its probable consequences (for example, Diskin and Diskin 1991). The advocates of reform, on the other hand, came disproportionately from a legal background.

The implications for governability in light of the decline of the large parties and the concurrent upsurge in sectarian representation were disastrous (Hazan 1997*b*). Once the prime minister was directly elected, coalition politics took on new behavioural characteristics: essentially, forming a coalition became much easier than maintaining one. In other words, although the directly elected prime ministers were able to create majority legislative coalitions relatively easily—since the smaller parties could no longer act as king-makers, but instead faced the simple decision of choosing to be ‘in’ or ‘out’—they each confronted the increasingly difficult tasks of keeping the coalition intact and sustaining its legislative discipline. The erosion in the size of the major parties undermined the nucleus of support for the directly elected prime minister. During the three coalition governments of 1996–2003, the prime minister’s party was actually a minority within the coalition—the only occasions on which this has occurred in Israel’s history.¹⁵

It became increasingly difficult for the prime minister to retain control of the legislative agenda, so he was forced to spend more time and effort than ever before on maintaining, rather than on heading, the government. The need to include an ever-growing number of parties, who were continuously increasing their share of parliamentary seats, forced the prime minister to allocate more government ministries and more of the national budget to the coalition partners, thereby further constraining the ability to govern and to control the agenda of government (Nachmias and Sened 1999).

Moreover, the reform influenced the behaviour of parliament as well. During the years of directly elected prime ministers, the coalition was defeated on numerous issues. Decisions taken by the government were overturned by the legislature due to the abstention of key partners, both in the coalition and within the prime minister’s own party, who were holding out for increased payoffs. The efforts of the government to thwart the opposition’s popular and costly bills largely failed.¹⁶ The loss of almost half of the seats by the two main parties, and the dramatic increase in the representation of sectarian parties, exacerbated centrifugal social pressures (Hazan and Rahat 2000). The already overloaded Israeli political system (Horowitz and Lissak 1989) thus became even more overloaded after the 1996 and 1999 elections.

Once the reform was enacted, it immediately became clear who gained from it and who lost. It is precisely because the reform’s consequences were unmistakable that its repeal became a political issue. That is, those who voted to abolish the direct election of the prime minister were much more cohesive throughout the legislative process than those who passed it. Moreover, their interests were obvious as well. Most supporters of repeal were, to a large extent, those parties that were hurt by the electoral reform, either because they lost seats or because their competitors gained seats.

¹⁵ This does not include the deviant cases of national unity (grand) coalitions, where neither of the two major parties comprised, by itself, a majority within the coalition.

¹⁶ However, the reform should not have been expected to lead to increased executive control over the legislature because, indeed, the direct election of the head of government in democratic presidential systems expands the independence, not the compliance, of the legislature (Laver and Shepsle 1994).

The return to a single-ballot, purely parliamentary system was the only viable alternative. No other possibilities were contemplated, largely because Israeli politicians refused to entertain any discussion of yet another attempt at implementing a reform with unknown consequences. Moreover, public opinion concerning the desirability of the direct election of the prime minister had by then eroded to the point where only one out of four Israelis considered the new system better than the previous one (Arian and Shamir 2002: 14).

The candidate who had just won the prime ministerial election of 2001, Ariel Sharon, also supported a return to a single ballot (Diskin and Hazan 2002). On the same day that the Sharon government was sworn in, the Knesset passed a bill that abolished the separate election of the prime minister and returned the country to a pure parliamentary form of government. This new/old system went into effect with the Knesset elections of 2003. The 2003 results show that the restoration of the old system reversed some of the trends brought about by the direct elections (see Table 16.1). First, the return to the old system substantially influenced voting behaviour. Votes, once again, shifted extensively, as evident from the high volatility rate of 27 per cent (Table 16.2). Yet this time the votes swung in the opposite direction to that of the 1996 and 1999 elections: the combined haemorrhaging of the two largest parties ceased and they climbed back from forty-five to fifty-seven seats, while the sectarian parties suffered and declined from forty-eight to forty-one seats (Kenig et al. 2005). Second, thirteen parties won seats in the 2003 elections, down from fifteen in 1999, and the effective number of parties declined from 8.7 to 6.2. Third, Likud gained the pivotal position in the Israeli party system, one that had been lost to the sectarian parties in the previous elections, with no majority to its right nor to its left. Fourth, Likud made up a clear majority in the coalition, something that had eluded the largest party in the government ever since the implementation of direct elections. Fifth, the coalition included only four parties, which was less than any government since 1996. In short, there are rather clear preliminary indications that abolishing direct elections immediately produced some of the expected results.

CONCLUSION: A FAILED ATTEMPT TO CURE THE ‘EXTREME’ ELECTORAL SYSTEM VIA INSTITUTIONAL ‘BYPASS SURGERY’

Israel did not experience electoral reform in the strict sense of a substantial change in the electoral system by which its parliament is elected. However, it did implement reforms that were aimed at solving problems related to its electoral system, and it also experienced the political consequences that one would expect as a result of an electoral reform—changes in the behaviour of voters, parties, and politicians. Thus, it may be more precise to say that Israel experienced ‘electoral reform through bypasses’, from above (direct election of the prime minister) and from below (party primaries).

The ‘electoral reform through bypasses’ of the 1990s showed that institutions matter. Some long-term trends dramatically intensified and some new patterns of

behaviour developed almost immediately, or were reversed, with the implementation and subsequent abolition of these reforms. The Israeli case also tells us that the failure to fine-tune an electoral system is not a guarantee of maintaining the political status quo. On the contrary, the inability to adapt the electoral system to incremental changes in the perceptions of the polity and the behavioural patterns of the relevant actors (voters, parties, and politicians) are what led to ‘electoral reform through bypasses’. These cures turned out to be worse than the illness itself. Subsequently, these errors were corrected and Israel remains with an electoral system that has been largely unchanged since independence.

In some ways it is surprising that a majority could bring about a critical institutional change but cannot succeed in raising the threshold a few points. Given that the introduction of primaries and the direct election of the prime minister were both responses to a problem that still exists, one would think that reform of the electoral system would be high on the agenda. This is not the case. There are at least two reasons for this. First, the electoral system is perceived as sacred. Efforts to address the problems that still plague Israel must therefore focus on bypass approaches—with consequences that can be no less dramatic. Second, the experiments of the 1990s have strengthened the conservative elements in Israel. Even those who see the need for electoral reform are unwilling to support any change whose consequences are not guaranteed.

This means that a fine-tuning of the electoral system is still needed. Hopefully, any future reform will deal with the real problems—the extremely proportional and party-centred electoral system. Otherwise, sooner or later, another ‘innovative’ bypass will inevitably be promoted.

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South Africa: One Party Dominance Despite Perfect Proportionality

*Amanda Gouws and Paul Mitchell**

The transition to democracy that took place in South Africa entailed the design of a new set of political institutions, among which was the electoral system. The system that was adopted has played its part in shaping the subsequent nature of South African politics. Before we examine it in detail, we will explain the unique political context in which it was devised.

POLITICAL BACKGROUND

On 14 April 2004 South Africa held its third democratic general election almost exactly ten years after its inaugural free election and 94 years after its unification and independence. Before 1994 South Africa had some of the formal institutions of a representative democracy, but these lacked legitimacy due to the apartheid regime in which only white South Africans were properly enfranchized.¹ Thus the main feature of electoral politics prior to the 1990s was that the vast majority of South Africans were permanently excluded on racial grounds.²

This exclusion and political oppression in general fuelled the flames of a popular uprising that was internally organized and coordinated in the 1980s by the United Democratic Front (UDF) with the aim of making the country ungovernable (Seekings 2000). The government labelled the uprising as a ‘total onslaught’ against which a ‘total strategy’ was deemed necessary. In an escalation of violence a partial state of emergency was declared in 1985, followed by a total state of emergency in 1986 during

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¹ The *Representation of Natives Act* of 1936 completed political segregation throughout the country by removing black African voters from the common electoral roll in the Cape Province; henceforth blacks were placed on a separate roll, from which they could elect three white members to represent them in the House of Assembly (Davenport 1991: 284; Giliomee and Schlemmer 1989: 14–16).

² The tricameral parliament introduced by the 1983 Constitution did not materially alter this pattern of effective exclusion. It introduced separate chambers for ‘Indian’ and ‘Coloured’ representation but these Houses enjoyed ‘no effective veto’ over the decisive whites-only House (Giliomee and Schlemmer 1989: 132). This new dispensation found little support among the targeted communities with only 16–18 per cent of eligible coloured and Indian citizens choosing to vote in the 1984 election—and of course black Africans were still entirely disenfranchised.

which time the state used draconian security measures to bring the popular uprising under control. This led to further economic sanctions and international opprobrium. Economic isolation, the end of the cold war, and a 'third wave' democratization, combined with continued liberation struggle and a change in leadership in the ruling party, brought about conditions for political transition at the beginning of the 1990s.

Given this background, by holding successful elections in 1994 according to universal suffrage South Africa entered a brave new democratic world. The election culminated a frenetic four-year period of negotiations between the National Party government and the principal opposition groups. While most democratic transitions have various pre-negotiation phases, the 'official launch' of a search for a new approach in South Africa was encapsulated in the address of State President F.W. de Klerk to parliament on 2 February 1990, when among other things he announced the unconditional release of Nelson Mandela and the unbanning of the main opposition parties, including the African National Congress (ANC). Mandela was released nine days later, and thus began a turbulent phase of a negotiated transition in the context of escalating political violence.³ The South African transition to democracy has been widely viewed as one of the greatest success stories in the history of transitions from authoritarian rule. During the negotiation process the white minority agreed to relinquish power and form part of a transitional power-sharing arrangement in cabinet to establish a popularly elected government (see Sisk 1995).

South Africa emerged from this process as a parliamentary democracy with three levels of government: a National Assembly, provincial legislatures in the nine provinces, and local and municipal councils. The *Interim Constitution and Electoral Act of 1993* established that Parliament would consist of a 400-member National Assembly and a 90-member Senate (which later became known as the National Council of the Provinces—NCOP). While ordinary legislation must pass both houses, money and appropriation bills must originate in the National Assembly and cannot be amended by the NCOP. The NCOP is an indirectly elected body, with each of the nine provincial legislatures selecting ten delegates. The focus of this chapter will be on the electoral system for the National Assembly, the decisive house, from which the executive cabinet emerges.⁴

Given that most South Africans would be voting for the first time in a context of a difficult transition to democracy, and with violent threats both to the election itself and to the integrity of the state, there was a prudential need to select a simple, fair, and inclusive voting system for the inaugural election. Closed-list proportional representation (PR) in large constituencies allowed voters easily to pick the party of their choice, and allowed them to vote wherever they currently were on election day, thus avoiding the difficulties (such as requiring electors to vote at a specific place) of creating a district system.⁵ The details and process by which the electoral

³ It has been estimated that between 1984 and the end of 1991 about 14,000 people died in political violence (Sisk 1995: 115).

⁴ The President of South Africa is elected by the National Assembly, and he or she then selects the cabinet.

⁵ The apartheid-era Group Areas Act had displaced many people, but in any case there was no electoral register that could be used for the 1994 elections.

system was chosen are examined in the next section. For now, it is enough to note that despite inevitable difficulties the Independent Electoral Commission (IEC) declared the 1994 election 'substantially free and fair'.

With a turnout that has been estimated at 86 per cent (Reynolds 1999: 187), the ANC attracted 63 per cent of the votes and 252 seats (63 per cent), a very comfortable overall majority in the 400-seat National Assembly. While six other parties won seats, only two achieved more than ten seats. The National Party (NP) won 82 seats on the basis of 20 per cent of the vote, attracting large numbers of coloured and Indian voters who had previously been unable to vote for the party. The Inkatha Freedom party (IFP) of Chief Mangosuthu Buthelezi came third with 11 per cent of the vote nationally and forty-three seats, with most of its support concentrated in its heartland of KwaZulu-Natal.⁶ By agreement a government of national unity was established, with a proportionally composed cabinet (eighteen ANC members, and six and three respectively from the NP and IFP). Apart from electing a legislature and indirectly a cabinet, the other purpose of the 1994 election was that the National Assembly and Senate would jointly comprise a Constitutional Assembly with the role of writing what became the final 1996 constitution. When the results became known, (soon to become President) Mandela declared that black South Africans were 'free at last' (Sisk 1995: 297), though both he and new Deputy President de Klerk primarily stressed the need for reconciliation.

ORIGINS OF THE ELECTORAL SYSTEM

When electoral systems change, it is to be expected that parties will carefully consider how they might fare under possible alternatives. From 1910 until 1994 the electoral system in South Africa was single member plurality (SMP).⁷ It is well known that plurality rule in single member districts (SMDs) tends to reward the leading party with overkill victories in parliament. Many authors cite the crucial 1948 election at which the NP came to power as the classic illustration of the disproportional nature of SMP in South Africa: the NP/Afrikaner Alliance attracted 42 per cent of the vote and won 79 seats (52 per cent), whereas the United/Labour party won the popular vote with 52 per cent but was rewarded with only 71 seats (46 per cent). While the 1948 result was literally perverse, the general pattern (eleven elections from 1948-89) was that the NP enjoyed an average seat bonus from the electoral system of nearly 16 per cent (its vote averaged 53 per cent and this delivered just under 69 per cent of the seats).

During the process of deciding on the new electoral system, the ANC as a popular national liberation movement could reasonably expect to become not only the largest party, but possibly also a majority winner in the inaugural election. The ANC's commitment to non-racialism and an avoidance of ethnically based political institutions meant that its central political demand was to create a universal franchise

⁶ The IFP had been boycotting the elections until less than a week before polling.

⁷ Usually known in South Africa as first-past-the-post (FPTP).

on a common voters roll in a unitary state. Thus, there was a widespread expectation that the ANC would be happy to become the new recipient of the disproportional effects of South Africa's existing SMP electoral system—though the ANC had not formulated, or at least had not declared, its preference.

The remainder of this section will briefly consider the 'advice' of selected political scientists, before outlining the emerging preferences of the key political parties.

Electoral systems for divided societies

Perhaps ironically, the collective wisdom of political scientists writing about voting rules for divided societies was best summed up by a Nobel Prize-winning economist writing in 1965. Sir Arthur Lewis in his book *Politics in West Africa* noted that 'the surest way to kill the idea of democracy in a plural society is to adopt the Anglo-American electoral system of first-past-the-post' (1965: 71).⁸ Plurality electoral systems can nevertheless be defended in stable democracies largely on the grounds that there are sufficient 'floating voters' for parliamentary oppositions realistically to expect that they have some chance of becoming the future plurality winner. However, in countries with plural segmental cleavages, based on some kind of ethnic, racial, or language division, there is a tendency for group identity and political preferences to assume an ascriptive character. There is a danger of developing ethnic party systems in which elections take on a 'census-like' quality and the pattern of competition becomes centrifugal. In these circumstances, the almost universal wisdom of political scientists is that SMP risks turning plurality winners into majority dictators, and tends to result in the near permanent exclusion of minorities.

While in democratic terms majority rule in South Africa would be an eminent improvement on minority rule, most observers recommended some form of PR as the best choice, especially for a society in transition and just establishing a new party system. One notable dissenter, who was much read in the South African context, was the eminent expert on ethnic conflicts, Donald Horowitz. Horowitz (1985, 1991) cautioned against the consociational logic associated with Arend Lijphart, and argued that proportionality followed by post-election executive coalitions have often proven highly unstable in divided societies. Empirically, there is of course some truth to this: stable power-sharing coalitions in divided societies are difficult to maintain. Horowitz (1991: 171) explains that 'the incentive to compromise, and not merely the incentive to coalesce, is the key to accommodation'. This leads Horowitz to caution against Lijphart's preference for list PR. Horowitz argues in favour of the need to create pre-ballot incentives towards 'vote-pooling'. The general idea is that providing incentives for candidates of one group to attract the votes of other groups would encourage parties to moderate their appeals. This might be possible using an electoral system with an ordinal ballot structure, but judging that the effective

⁸ Lewis's conclusions have been cited approvingly by Lijphart (1977: throughout; 1991: 6) and Horowitz (1991: 164–5).

threshold is usually too low under proportional representation by the single transferable vote (PR-STV) to encourage cross-ethnic appeals, Horowitz in a logical but ultimately maverick recommendation favours the Alternative Vote (AV) over PR-STV, precisely because the much higher effective threshold under AV will induce more vote-pooling (Horowitz 1991: 191). However, given that party proliferation and breaking down ethnically exclusive alignments is a central aim for Horowitz, he suggests that AV in large multimember constituencies may be required (Horowitz 1991: 194–5).

The fundamental problem with the Horowitzian prescription is that, although undoubtedly well intentioned, it calls for the adoption of a majoritarian electoral system in a divided society. Lijphart (1991) shows that in terms of incentives towards compromise and levels of disproportionality AV and SMP are not significantly different. In addition, Horowitz's aim of promoting multipartism is empirically much more likely to be achieved with an inclusive PR system than with AV. Finally, Horowitz is misguided in believing that running AV in multimember-districts solves the problem of second preferences being irrelevant to the allocation of the seat. The general rule is that 'in PR systems proportionality increases as district magnitude (the number of representatives per district) increases, but the relationship is just the other way round for majoritarian electoral systems. AV's disproportionality will rise sharply when it is applied in multimember districts' (Lijphart 1991: 96).⁹ In short, AV is not a good recommendation for divided societies and some form of proportional representation is much to be preferred.

Preferences of the South African parties 1990–4

It was not a surprise that the smaller parties on the basis of enlightened self-interest would favour some form of PR for the new South Africa. Although the NP expected to attract 20–25 per cent of the vote due to its expanded support base, its constitutional plans rested on power-sharing, which in return required it to be a sizeable force in parliament. And the NP was under no illusions about the likely fate of a party of medium size in a plurality election, so it favoured list PR. The Democratic Party, highly likely to be an even smaller minority, also proposed PR, but a version designed to take account of the fact that its support bases were concentrated in the white suburbs of Durban, Cape Town, and Johannesburg. It proposed a system with 300 members elected from 100 three-seat constituencies, plus 100 compensatory seats from a separate national list (Reynolds 1999: 186).

The ANC was the only party likely to be big enough to have a self-interested motivation to retain SMP. Indeed, Mattes (1994: 6) states that 'the ANC's initial preference, when it returned from exile, was the plurality system'; after all, this would seem to be the easiest manner to effect the transition to majority rule and

⁹ Reynolds (1999) using real data from Australia (from 1919 to 1946 when AV-MMD was used) and ten simulated cases from five African countries, empirically demonstrates that Lijphart is correct. AV-MMD was more disproportional than SMP, and of course much more so than any form of PR.

prevent minority vetoes. The ANC apparently shifted to PR in October 1990 at a meeting of party officials and constitutional experts, at which Kader Asmal presented a paper in which he advocated list PR with two separate lists (200 to be elected from regional lists and 200 from a national list) (Mattes 1994: 6). The ANC's changing position seems to have been caused by a mixture of principled, pragmatic, and self-interested reasons. The principled reason was quite simply that a very proportional version of PR would allow the fairest representation of interests, while on pragmatic grounds the ANC must have known that a stable transition would require partners (at least in the short term) and adopting PR would be perceived as a concession to the NP and other smaller parties. An inclusive electoral system would help to co-opt potentially anti-system minority parties and give them a stake in the new constitutional dispensation.

There were also other more clearly self-interested considerations. First, Mattes suggests that the ANC's shift from SMP to preferring PR occurred around the time that new opinion polls showed that the ANC would not only be the largest party but also a majority winner of the popular vote (Mattes 1994: 7). Thus the ANC would not need the seat bonuses afforded by SMP. Second, the construction of 'non-racial' SMDs would have been very difficult in a country whose electoral demography had been so distorted by the apartheid-era *Group Areas Act*. Third, closed list PR had many advantages for the ANC. Given high levels of illiteracy among many of its likely supporters, it would benefit from a simple system that would focus attention on its most popular symbols and leaders—supporters could, more or less, just 'vote Mandela'.

Thus, from fairly early in the transition process to the first election a consensus emerged around the desirability of PR, although the negotiating parties were not bound to any specific type of PR.¹⁰

HOW THE ELECTORAL SYSTEM WORKS

The South African electoral system has so far been used for three elections, held in 1994, 1999, and 2004. The electoral system for the National Assembly and the nine provincial legislatures is essentially the same.¹¹ It is closed-list PR, and elections to national and provincial legislatures occur simultaneously. Voters have two completely separate ballots: one is a provincial ballot and elects the provincial legislature, while the other elects the National Assembly. Both ballots are a closed list of parties, not candidates, and the voter simply selects one party by marking an 'X' in the box next to the party selected (see Figure 17.1).

¹⁰ The interim constitution of 1993 and the final constitution of 1996 do not specify a particular electoral system, but state that the electoral system should 'result[s], in general, in proportional representation'. (Constitution, ch. 4, subsection 46(1))

¹¹ The one significant difference is that the electoral system for the national assembly has two tiers of seat allocation (national and provincial lists), whereas for the Provincial Assemblies there is only one tier (the provincial list).

NATIONAL 1999



Make your mark next to the party you choose.

Essa letshwao pela molkgato oo o o kgethang.

Yenza luphawu eceleni kwelicembu lolikhetzako.

Endla mfungho ethelo ka vanda leri u ri hlawulaka.

Baya letshwao go lebagana le leloko la gago.

Yenza uphawu lakho eduze nehlangano oyikhetshako.

Plas u merk langs die party van u keuse.

Dira letswao la gago go lebana le phathi yeo o e kgethago.

Kha vha ite luswayo phanda ha dzangano line vha khetha.

Yenza uphawu lwakho ecaleni kweqela elo ulikhetshayo.

Dweba uphawu esikhataleni esiseduze kwenhlangano oyikhetshayo.

RSA 1999

AFRICAN CHRISTIAN DEMOCRATIC PARTY		ACDP		
AFRICAN NATIONAL CONGRESS		ANC		
AFRIKANER EENHEIDSBEWEGING		AEB		
AZANIAN PEOPLE'S ORGANISATION		AZAPO		
DEMOCRATIC / DEMOKRATIESE PARTY		DP		
FEDERAL ALLIANCE FEDERALE ALLIANSIË		FA		
INKATHA FREEDOM PARTY		IFP		
MINORITY FRONT		MF		
NEW NATIONAL PARTY NUWE NASIONALE PARTY		N ^{ew} , NP		
PAN AFRICANIST CONGRESS OF AZANIA		PAC		
THE GOVERNMENT BY THE PEOPLE GREEN PARTY		GPGP		
THE SOCIALIST PARTY OF AZANIA		SOPA		
UNITED CHRISTIAN DEMOCRATIC PARTY		UCDP		
UNITED DEMOCRATIC MOVEMENT		UDM		
VRYHEIDSFRONT / FREEDOM FRONT		VF/FF		
ABOLITION OF INCOME TAX AND USURY PARTY		AITUP		

Journalist

Figure 17.1 South Africa ballot paper, 1999

The electoral system for the National Assembly has two tiers of allocation, but only a single ballot. Two hundred members are elected on the basis of regional lists in the nine provinces (in effect large multimember districts with magnitudes ranging from four to forty-six), while the remaining 200 members are elected from national lists that compensate for any disproportionality in the provincial allocation.¹² For the National Assembly the method of seat allocation (at both tiers) is application of the Droop quota (see Appendix A), with the destination of unallocated seats being determined by a minor adaptation of the largest remainder method. Thus, seats from the regional lists are allocated first, with the national list seats next so that any adjustments for disproportionality can be made. There is no legally imposed threshold.

The first step is to calculate how many seats each party is entitled to in each province, which is done by the LR-Droop method (see Appendix A). For example, in 2004 there were forty-five seats to be allocated in the Gauteng province, and the ANC won thirty-one of these on the basis of simply dividing its vote in that province by the Droop quota.¹³ When this was done for all parties, forty-one seats had been allocated. The remaining four are then allocated by the largest remainder method. This procedure is replicated in all provinces, thus resulting in the allocation of the 200 seats from the regional lists. All votes cast in the provinces are then aggregated at the national level: this is of course a crucial point since it means that the upper tier is decisive in determining the overall allocation to parties (see Elklit and Roberts 1996). Thus, after application of the Droop quota at national level, all but 8 of the 400 seats were allocated to parties. The unusual ‘minor adaptation’ mentioned above is that the next five seats are allocated by the largest remainder method, but the system then changes to the highest average method for any subsequent seats. Thus, in 2004, 392 seats were allocated by means of the Droop quota, five by largest remainders, and three by the highest average method.¹⁴ Then the number of seats Party A was allocated from the first tier (provincial) allocation is subtracted from the number it is nationally entitled to, thus deciding how many top up seats (if any) it gets from national list allocation.¹⁵

¹² To contest an election a party must be registered as a party in terms of the Electoral Commission Act 1996, must pay a deposit, and must submit a list of candidates in the required manner. Deposits are refunded to all parties that gain at least one seat.

¹³ Note that the ‘STV Droop’ quota is used: $Quota = [V / (M+1) + 1]$, rather than the normal ‘LR Droop’ version in which the quota = $V / (M+1)$. But this makes no practical difference. For a full worked example see the excellent website of Manuel Álvarez-Rivera (<http://electionresources.org/za/>).

¹⁴ The highest average method that is used is to divide the number of votes that each party has won nationally by the number of seats that it has so far won by virtue of the Droop quota and the largest remainder allocation. For details, see Electoral Act 73 of 1998, Schedule 1A, Section 6(c).

¹⁵ One further complication is that parties are not required to submit national lists. In 2004 the DA and the NNP submitted only provincial lists. So the national list seats that these parties were proportionally entitled to (twenty-four and five respectively) were distributed among their respective provincial lists in proportion to how many seats they won in each province.

The current South African electoral system is thus very much a party-centred system in which voters cast a single vote for their favoured party, and it is the party that decides which of its candidates will be elected. In terms of disproportionality the results of three general elections suggest a simple conclusion: it is virtually non-existent. For example, the ANC in 2004 attracted 69.68 per cent of the votes and received 69.75 per cent of the seats. To confirm this extreme proportionality we can see from Table 17.1 that the overall disproportionality scores on the Gallagher index have ranged from 0.30 to 0.37, virtually no range at all. Thus, given that South Africa has no legally imposed threshold,¹⁶ uses PR allocation rules, and has a much larger assembly size than either Israel or the Netherlands, it may well be the most proportional electoral system in use in any democracy.

Finally, there is one 'unusual' aspect of South African electoral law that requires further comment; this concerns 'floor-crossing'.

Anti-defection provisions

In order to maintain the proportionality of the PR system (and provide for strong parties), representatives, according to the original constitutional design, could not defect from their parties and join other parties without losing their seat in the National Assembly.¹⁷ The concern seems to have been that any trend towards 'floor-crossing' (in a context in which parties contesting their first few elections are in a sense less 'institutionalized') would distort the proportionality of the outcome at the previous election; and also that allowing defections from parties deprives those parties of their right to replace defectors from their own party lists (see Electoral Task Team 2003: 25).

However, this risks turning MPs (in crude Westminster language) into 'lobby fodder'; MPs can lose their seats if they fall out of favour with the party leadership. In practice the operation of the clause appears to have gone well beyond MPs 'voluntarily' resigning. Lodge (1999: 20–1) notes that 'during the 1994–99 administration, a significant number of ANC MPs and MPLs were "redeployed"—not always voluntarily—as a consequence of decisions by the ANC's National Executive. Between parliament's first sitting in 1994 and September 1998, 101 members of the National Assembly resigned'—a quarter of all members!¹⁸

Nevertheless, the ban on floor-crossing was qualified by a further constitutional clause (Item 23A(3)) which stated that 'An Act of Parliament, may . . . be passed to amend this item'; thus there was no ultimate constitutional ban on defections. Indeed, legislation was adopted in 2002 to allow floor-crossing. Following a legal

¹⁶ The 'effective threshold' is just 0.19 per cent (see Appendix C, and Elklit and Roberts 1996: 223).

¹⁷ Annexure A to Schedule 6 of the Constitution, Item 23A(1).

¹⁸ Lodge (1999: 21) goes on to say: 'Strictly speaking, in the event of any vacancy parties are meant to replace resigned or deceased representatives with people from the original list in order of their nomination; in practice all parties have ignored this constitutional stipulation and parliamentarians have been moved between the national and provincial legislatures, as well as in and out of the public service and the party bureaucracies irrespective of their inclusion or positions on lists'.

Table 17.1 Election results for the National Assembly

Party	2004				1999				1994			
	Votes	Vote %	Seats	Seats %	Votes	Vote %	Seats	Seats %	Votes	Vote %	Seats	Seats %
African National Congress (ANC)	10,878,251	69.7	279	69.8	10,601,330	66.4	266	66.5	12,237,655	62.7	252	63.0
Democratic Party (DP) / Democratic Alliance (DA)	1,931,201	12.4	50	12.5	1,527,337	9.6	38	9.5	338,426	1.7	7	1.8
Inkatha Freedom Party (IFP)	1,088,664	7.0	28	7.0	1,371,477	8.6	34	8.5	2,058,294	10.5	43	10.8
New National Party (NNP)	257,824	1.7	7	1.8	1,098,215	6.9	28	7.0	3,983,690	20.4	82	20.5
United Democratic Movement (UDM)	355,717	2.3	9	2.3	546,790	3.4	14	3.5	—	—	—	—
African Christian Democratic Party (ACDP)	250,272	1.6	6	1.5	228,975	1.4	6	1.5	88,104	0.5	2	0.5
Vryheidsfront Plus (VF+) Freedom Front (FF)	139,465	0.9	4	1.0	127,217	0.8	3	0.8	424,555	2.2	9	2.2
United Christian Democratic Party (UCDP)	117,792	0.8	3	0.8	125,280	0.8	3	0.8	—	—	—	—
Pan-Africanist Congress (PAC) Federal Alliance (FA)	113,512	0.7	3	0.8	113,125	0.7	3	0.8	243,478	1.3	5	1.3
Minority Front (MF)	—	—	—	—	86,704	0.5	2	0.5	—	—	—	—
Afrikaner Eenheids Beweging (AEB)	55,267	0.4	2	0.5	48,277	0.3	1	0.2	13,433	0.1	0	0
Azanian People's Organisation (AZAPO)	—	—	—	—	46,292	0.3	1	0.2	—	—	—	—
Independent Democrats (ID)	41,776	0.3	2	0.5	27,257	0.2	1	0.2	—	—	—	—
Others ^a	269,765	1.7	7	1.8	113,161	0.7	0	—	159,296	0.8	0	—
Total	15,612,667	100.0	400	100.0	15,977,142	100.0	400	100.0	19,533,498	100.0	400	100.0
Spoilt	250,887				251,320							

(Continues)

Table 17.1 (Continued)

Party	2004				1999				1994			
	Votes	Vote %	Seats	Seats %	Votes	Vote %	Seats	Seats %	Votes	Vote %	Seats	Seats %
Disproportionality (GI)	0.31				0.3				0.37			
Effective number of elective parties	1.97				2.16				2.24			
Effective number of legislative parties	1.96				2.15				2.21			
Volatility (aggregate; Pedersen)	8.6				17.6							

^a Parties attracting less than 0.2% are aggregated in the 'Others' row for purposes of presentation only. They are disaggregated and included in the calculated indices. In 2004, there were nine parties in this category, in 1999 there were four, and in 1994 there were twelve.

Source: Independent Electoral Commission, Republic of South Africa (<http://www.elections.org.za/>).

challenge the Constitutional Court found that the legislation to permit floor-crossing was not unconstitutional, and argued that ‘the fact that political representatives act inconsistently with their mandates is a risk of all electoral systems...’ (*Sunday Times*, 6 October 2002).

The new law allows occasional floor-crossings but only at the President’s discretion. Given that the President is the head of the government, the timing of floor-crossings, like the strategic timing of elections, becomes another power vested in the discretion of the chief executive. To employ a European football metaphor, it essentially allows for ‘transfer windows’; that is, twice during any five-year parliament there will be periods when politicians at all levels (MPs, MPLs, etc.) can defect to a different party or form a new party without losing their seats. This seems to have had quite an effect. The first ‘transfer window’ opened on 28 March 2003 and lasted for fifteen days. In the National Assembly the ANC gained nine members, taking it from 266 at the 1999 election to 275 (and above the two-thirds majority needed for constitutional amendments); most of these defections were from the UDM, which was reduced from fourteen to four MPs. However the Democratic Alliance was also a beneficiary, gaining eight MPs, many at the expense of the New National Party (NNP). Five new parties were formed during the window, taking the total number of parties to eighteen; though of course most are small.¹⁹

There are, however, some arguments in favour of the anti-defection clause. First, given that the electoral system is closed-list PR, voters cast ballots for a particular party rather than for a candidate. For example, the Electoral Task Team (ETT, majority report), when reviewing this matter, took the view that while floor-crossing is appropriate in open-list systems it is ‘incompatible with closed-list PR... If the argument is that floor-crossing is actually an interim manifestation of a shift in public opinion, then the best way to test this is by holding elections’ (Electoral Task Team 2003: 25). A second argument is that anti-defection clauses may be prudent in a context of an ongoing process of democratic consolidation. Lodge (2002: 165) points out that several African democracies in the 1960s effectively became one-party states as a result of large-scale floor-crossings.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

Although twelve parties won seats at the 2004 election, 89 per cent of the seats were held by the largest three parties and full 70 per cent were won by the ANC. The highly proportional electoral system means that barriers to entry for new parties are extremely low, so that even parties that attract only 1 per cent of the vote nationally can reliably expect to win three or four seats in parliament. Such a low

¹⁹ See *Mail and Guardian*, ‘Defectors Swarm to Ruling Party’, 4 April 2003; <http://archive.mg.co.za>

threshold of inclusion makes a large number of parties very likely. But in comparative terms, South Africa actually has a very concentrated party system with an effective number of elective parties (see Appendix B for this concept) of only 1.97 in 2004. The intuitive meaning is that the party system is as fragmented *as if* it contained exactly 1.97 equal-sized parties (this compares with an average of 4.1 in twenty-seven democracies that use PR; Lijphart 1994: 101; see also Table 26.4 in the final chapter of this book). Given that the South African electoral system is ultraproportional, we can expect the effective number of parties calculated on the basis of votes and seats to be very similar. Table 17.1 shows that they are virtually identical: the electoral system has almost no 'reductive effect'. Of course, this 'comparatively concentrated' party system, despite highly inclusive electoral rules, is primarily a function of the electoral dominance of the ANC, rather than an outcome of the electoral system per se.

In Sartori's terms South Africa is a predominant party system, which is a system in which the leading party consistently wins a majority of the seats. As Sartori (1976: 200) puts it, predominant party systems 'stand at the edge of the competitive arena... [but they are] a type of pluralism in which—even though no alternation in office actually occurs—alternation is not ruled out'. Of course, with 63 per cent of the vote in 1994, and 70 per cent in 2004, the ANC would have easily 'won' an absolute majority under any electoral system (short of one perversely designed to turn winners into losers). As a popular national liberation movement rather than just a party the ANC is likely to be dominant in the foreseeable future. In the short term, the only development that could transform the party system would be a serious split in the ANC. The ANC's alliance with the trade unions to its left (formalized in what is called the Tripartite Alliance—the Communist Party, the Congress of South African Trade Unions (COSATU), and the ANC) bolsters the ANC's election support. The only viable alternative to the left of the ANC would be a labour party that could be founded if COSATU were to break away from the tripartite alliance. Despite serious conflict between the ANC and COSATU over the government's adoption of neoliberal economic policies, and recriminations on both sides, a split in the tripartite alliance has up to this point not materialized.

While the fairness and inclusive nature of the electoral system are seen as virtues, one consequence is that the extremely low threshold of representation has perhaps not induced much electoral coordination among the opposition parties. The Democratic Alliance is the only other party that can now make any claim to being a national party, though its vote averages only 12 per cent.²⁰ The IFP (the third largest party) is really only a regional party in KwaZulu-Natal (in 2004, 89 per cent of the party's vote was from that single province). The NNP has been decimated, declining terminally from 20 per cent at the first democratic election to less than 2 per cent in 2004.²¹

²⁰ Although the claim is not entirely convincing: in 2004 59 per cent of the DA's total vote came from the two provinces of Gauteng and the Western Cape.

²¹ In August 2004 it was announced that the NNP would contest no further elections and most of its leaders would join the ANC. In April 2005 it formally disbanded.

Parties in South Africa still seem to have support bases that can be related to their traditional support in the past. Scholars have analysed what is called ‘the racial census’ theory of voting in South Africa, with some arguing that elections in South Africa are merely registering the support for political parties according to race. This argument has been seriously criticized by others who have made a case for more sophisticated voting patterns (see Mattes et al. 1995; Mattes 1995; Mattes et al. 1999).²² Yet, it has been very difficult for parties to canvass across racial lines and for traditionally white parties to attract significant black support.

Impact on the parties

The following account of how candidate selection and list design are arranged in the African National Congress is illustrative, though further study is needed to establish how representative it is.²³ Each branch makes nominations according to criteria such as gender, demography and—most importantly—‘continuity’ and loyalty to the ANC. These branch submissions are tallied at regional conferences and the names that have been nominated most frequently are placed at the top of the regional list. The regional lists go in turn to provincial list committees. In addition to the delegates with voting rights, other stakeholders such as the Women’s League, the Youth League, the Provincial Executive Committees, and the Alliance partners (the South African Communist Party and COSATU) also have voting status. In the Western Cape, for example, they each have ten votes, and certain other ex officio members also have voting status. The provincial lists are passed up to a national list conference overseen by a national list committee at which priorities are determined. Finally the list goes to the ANC National Executive Committee, which can adjust it if some of the criteria—such as gender or age balance—are not adequately fulfilled. Usually no major changes are made, but the NEC makes sure that experienced candidates are at the top of the list. The NEC decides the ranking of the candidates. The final list is then submitted to the Independent Electoral Commission.

Clearly the closed-list PR electoral system greatly strengthens the power of the party leadership over their MPs. The leaders determine who the candidates will be and where their names are put on the list. This creates the expectation that accountability is primarily to parties not to voters. The restrictions on floor-crossing further enhance this central party discipline.

Impact on parliament

The adoption of a closed-list PR electoral system, especially with such a large district magnitude, is ideally suited to achieving a high degree of descriptive

²² Using a discriminant analysis of 1998 survey data they conclude that ‘the simple and fundamental finding is that with absolutely no knowledge of voters’ race, language or class, we have been able to predict successfully the partisan tendencies of the vast majority of survey respondents, based on no more than their evaluations of political performance and economic trends’ (Mattes et al. 1999: 244).

²³ Interview with Mr Clinton Bronn of the Membership Office of the ANC, Western Cape.

representation. This has proved to be the case in South Africa, which now has a parliament that in a short period of time has moved from being a racially exclusive institution to one that is a much better representation of the nation. Certainly it is now much more diverse than before with regard to both ethnicity and gender. The closed-list system allowed parties to present ethnically heterogeneous groups of candidates that would hopefully have a cross-cutting appeal (Reynolds 1997: 70). After the 1994 elections the National Assembly was 52 per cent black African (this included members of the following ethnic groups: Xhosa, Zulu, Sotho, Venda, Tswana, Pedi, Swazi, Shangaan, and Ndebele-speaking), 32 per cent white, 8 per cent Indian, and 7 per cent coloured.

One of the most remarkable aspects of the second National Assembly elected in 1999 is that more than half of the MPs had not been elected in 1994. This large-scale legislative turnover was partly because of electoral volatility (especially the improved vote of the ANC and DP and the losses of the NNP) but also came about in significant measure because of the large number of ANC members who resigned or were 'redeployed' by the party to other jobs outside the National Assembly. In 1999 the number of black South African MPs increased to 58 per cent, while the number of whites fell to 26 per cent, which is still roughly double their percentage in the population (Reynolds 1999: 199).

The closed-list system—combined with a commitment, especially from the ANC, to the use of gender quotas for candidate selection—has resulted in dramatic improvements in gender representation. While merely counting the number of women in a parliament is of course an inadequate proxy for 'gender representation', nevertheless it is clear that many more women are now members of the National Assembly. At the end of the apartheid era there were only six women MPs out of 165 (4 per cent). In 1994 111 women were elected, amounting to 28 per cent of all MPs. At subsequent elections the number of women MPs increased to 119 in 1999 and 131 in 2004 (33 per cent). While it is well known that closed-list systems are the easiest method by which a party can change the demographic composition of its parliamentary party, the party must also of course have the will to do so when structuring its lists (see Dahlerup 1998; Matland 1998). The ANC led the way in 1994 by ensuring that 30 per cent of its candidates were women, and in 1999 it increased the proportion of women to 39 per cent and placed them in higher positions (Gouws 1999: 167). Of the 131 women elected in 2004, 82 per cent are from the ANC; thus it is fair to say that it was the ANC's use of a quota system that made the biggest difference to descriptive representation.

Government formation

South Africa's electoral system has, at least so far, had very little direct effect on government formation. While highly proportional forms of PR tend to lead to fragmented multipartism and coalition politics, the ANC's unrivalled electoral dominance means that it can either govern alone or co-opt coalition partners. After the 1994 election, part of the transitional arrangements towards writing a

new constitution mandated the inclusion of the NP and IFP in a Government of National Unity (a consociational coalition that would lapse in 1999). The NP withdrew from the government after the constitution was finalised in 1996, but the IFP remained up to and after the 1999 election.

Perhaps one indirect effect of the electoral system is that it facilitates continuing fragmentation among the opposition parties rather than providing strong incentives to merge. As can be seen from Table 17.1 there are three opposition parties that in 2004 achieved at least 2 per cent of the vote, but even the largest of these attracted just 12 per cent. The tactics and strategies of these parties have frequently changed. For example, the NNP left the government to become an opposition party and formed an alliance with the DP in June 2000, to be called the Democratic Alliance (DA).²⁴ Following policy and personnel disputes the NNP split from the DA and quickly moved closer once again to the ANC (Kotze 2001; Lodge 2002). Finally, it was announced in November 2003 that the DA and IFP would form an alliance to fight the 2004 election, despite the fact that IFP leader Buthelezi was still the Minister for Home Affairs in the ANC-led government! Following an increasingly acrimonious relationship between the ANC and IFP, President Mbeki took the opportunity to drop Buthelezi from his cabinet after the 2004 election, thus ending a decade-long coalition.²⁵

The progress towards fuller gender representation in parliament has also been reflected in government. In the cabinet formed in 2004, twelve out of twenty-eight (43 per cent) cabinet ministers are women, including many of the big portfolios, such as foreign affairs, education, justice, and health. In addition, 48 per cent of deputy ministers are women.

THE POLITICS OF ELECTORAL REFORM

Before the 1994 election there was relatively little controversy over the choice of an electoral system. The point, after all, was to hold the first successful democratic election, and there were much weightier questions of democratic transition on the political agenda than the debate about which form of PR might be optimal for South Africa. Thus the 1994, 1999, and 2004 elections were held under the closed-list system that we have just discussed. Although Taagepera (1998: 68) has advised that once an electoral system is chosen it should be kept for at least three elections, it seems fair to say that the advantages and disadvantages of South Africa's electoral system were apparent after only two elections. Many writers (as well as the ETT, to be discussed below) have taken the 'core values' for selecting an electoral system to be fairness, inclusiveness, simplicity, and accountability. To summarize, we can say that there is a widespread consensus that the current electoral system has performed extremely well on the first three criteria, while most disagreement is focused on

²⁴ Because of the electoral law preventing floor-crossing these parties could not in any case have merged without one of them losing all their MPs.

²⁵ Mbeki offered the IFP two deputy ministerial positions but these were declined.

'accountability'. And while 'fairness', 'simplicity', and 'inclusiveness' may be virtues for any electoral system, they were particularly important given South Africa's immediate needs. First-time voting combined with high levels of illiteracy suggested that a 'simple' ballot paper would be prudent, the virtues of 'fairness' are self-evident, while a highly 'inclusive' National Assembly might help maximize the chances of a smoother transition to democracy.

The issue that systematically recurs in electoral reform debates in South Africa is the lack of perceived 'accountability' of MPs (and MPLs) directly to voters (Faure and Venter 2003). This is a direct consequence of closed-list PR in which the tiers of seat allocation are large regions and/or a national list. By design, 'accountability' in such a system is to the party and not directly to the voter, since geographic representation does not really exist. Thus the principal criticisms are that the electoral system gives too much power to the party leaders and that since MPs do not feel 'responsible' for particular areas, voters feel very distant from MPs and in a sense do not feel adequately 'represented' by them. Of course, the lack of constituencies was no accident: some of the 'drafters of the constitution believed that constituency representation might encourage ethnic or racial bloc voting' (Lodge 1999: 20). Some parties have attempted to compensate for this perceived 'accountability gap' by assigning MPs to individual 'constituencies' on a *post hoc* basis. This appears to have operated unevenly both between and within parties. Many MPs did not live in 'their constituency' and had little contact with it. It would be surprising if this had worked well, since these are not 'real' constituencies in the sense of being the basis of allocating seats. Faure (1999: 16) concluded that 'the *post hoc* allocation of constituencies to party members after an election does not function satisfactorily at all'.

Electoral reform has remained on the agenda partly because the question of selecting an electoral system was never really 'settled' in 1993 (the interim constitution) or even in 1996 (with the final constitution). What continually happens is that despite lots of discussion, the proximity of the next general election leads the government to decide on each occasion to retain the '1994 system', first for the 1999 election and then again for 2004, with a commitment to revisit the matter again after each of these elections. Parliament remains able to change the electoral system through legislation, subject to the constitutional provision that the system should 'result, in general, in proportional representation'. Thus following the 1999 election, the implication was that there was legally no electoral system in place for the 2004 election, and this presented a new opportunity for electoral reform.

However, while there was much activity among academics and commentators, it was not until March 2002 that the cabinet appointed an Electoral Task Team (ETT), headed by Dr Frederik van Zyl Slabbert, to draft legislation for an electoral system for the 2004 national and provincial elections. As part of its research the ETT commissioned an opinion survey to gauge voters' feelings about the existing electoral system. This revealed quite high levels of satisfaction with most aspects of the existing system: 74 per cent were satisfied with the way the government was elected, 72 per cent felt it was fair to all parties, and 78 per cent that it gave voters a means to change the party in power (Southall and Mattes 2002: 4–5). However,

71 per cent wanted closer interaction with the politicians who represent them, and the same number wanted to vote for a candidate from the area in which they lived.

The Electoral Task Team

The ETT operated under severe time constraints. It was appointed only about two years before the projected date of the 2004 election, and in any case the Minister of Home Affairs wanted its report in six months. Its meetings with the political parties revealed that the ANC and NNP were in favour of retaining the existing system, whereas the DP and IFP, PAC, and UDM favoured a move towards a multimember constituency system.

The ETT also failed to reach agreement and ultimately issued majority and minority reports (the split was 8–4). The four members who presented the minority report argued for the retention of the existing electoral system with no changes.²⁶ Their essential argument was that parties in parliament who represented 77 per cent of the voters wanted to retain the existing system. On the main issue of dispute, the ‘accountability gap’, the view of the minority report was essentially that there is no problem. The existence of regular elections allows voters to ‘revoke or renew the mandate they gave to a political party or a candidate’ (Electoral Task Team 2003: 67–8). The minority report argued that the country was still ‘in transition’ and concluded that there was no good case for changing the electoral system.

The majority report noted that the existing system ‘enjoys considerable support’ and ‘has contributed greatly towards transitional stability’ (Electoral Task Team 2003: 12).²⁷ However, the majority view was that the ‘constituencies’ provided by the provincial lists of the existing system are simply much too large to foster close voter–MP links. They thus proposed that 300 members should be elected from 69 smaller districts (of between three and seven seats), and 100 from a compensatory closed national list. The majority took the view that present literacy rates made open lists ‘impractical’ (Electoral Task Team 2003: 24), but that once the districts are in place, moving to open lists in the future would be an attractive evolution. Finally, the majority, reporting in January 2003, recognized that there was too little time to implement this system for the 2004 election, given the need to create the districts and engage in a voter education campaign.

It was reported in March 2003 that the cabinet had decided to retain the existing electoral system for 2004, and then the new government following that election could decide whether or not to change the system for subsequent elections. Van Zyl Slabbert was quoted as saying: ‘It was obvious that the government, from the outset, didn’t really have a serious appetite for changing the system’ (*The Mercury*, 11

²⁶ The four included Pansy Tlakula, the Chief Electoral Officer, and Zamindlela Titus, a special ministerial adviser to the Minister of Provincial and Local Government.

²⁷ The eight authors of the majority report included the chairperson, Dr Frederik van Zyl Slabbert, Norman du Plessis (the Deputy Chief Electoral Officer), and Professor Jørgen Elklit, the author of Chapter 22 in this book.

March 2003: 5). Thus, Taagepera's advice has, after all, been followed, though not necessarily wholly for his reasons: the first three democratic elections in South Africa were held under the same two-tier compensatory list electoral system, so that the '1994 system' has, most likely, become the established system.

CONCLUSION

Given that all prior elections in South Africa during the twentieth century had been held using SMP electoral rules, the convergence on a list-PR system during the transition to democracy was prudential, and greatly helped to consolidate democracy. The '1994 system' lived on to be used in 1999 and 2004. By most of the standard criteria that are used to evaluate electoral systems it has performed well: very proportional, fair, and inclusive. The one exception, identified by many observers since 1994 and by the majority of the ETT, is that it provides party leaders with too much power over their MPs and does little to foster accountability links between MPs and voters. But, of course, how much 'accountability' is optimal, and whether it should primarily be a direct link between voters and MPs or between voters and parties, is largely a question of taste and judgement.

Just as there is sometimes a naive belief that electoral reform is the best fix for an ailing political system, so there is also a tendency to see causal links that do not really exist. For some, the biggest problem in South African electoral politics is that one party is so dominant and that the other parties are too small and too fragmented to form an effective opposition. This is not a direct consequence of the electoral system. Any party that, like the ANC in 2004, wins 70 per cent of the popular vote deserves to win an overwhelming parliamentary majority under any democratic electoral rules. Of course, it is possible to argue that the main problem with the current *party* system is that the lack of a sizeable floating vote reduces elections to very predictable affairs, at least in the sense that alternation of the executive branch is not really at question. Given that South Africa has one-party dominance despite perfect proportionality, a more competitive party system can only develop if either the ANC splits or a realistic alternative emerges.

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Spain: Proportional Representation with Majoritarian Outcomes

*Jonathan Hopkin**

Spain is a ‘young’ democracy, rather than a ‘new’ democracy. The current constitutional arrangements date from 1978, and despite suffering an interruption of a few hours during a failed coup attempt in 1981, Spanish democracy is now a quarter of a century old. The current electoral institutions emerged during the tense but ultimately successful transition to democracy which took place after the dictator Francisco Franco died in 1975. It is therefore worth making a few short comments about this transition period in order to place the development of Spanish electoral politics in its proper context.

Democratization in Spain came about as a result of a complex and often ambiguous process of negotiation: between hardliners and moderates within the regime, between regime moderates and opposition forces, and, to some extent, between moderates and extremists within the opposition. A brief attempt to introduce limited political change and secure the future of a non-democratic regime failed by mid-1976, and Franco’s successor as head of state, King Juan Carlos, appointed a young regime bureaucrat (Adolfo Suárez) as prime minister. Suárez set about winning support from the opposition for a democratic reform ‘from within’, whilst reassuring regime hardliners that the existing constitutional order would remain intact. His reform (Law for Political Reform, November 1976), whilst apparently protecting the regime’s structures, also paved the way for free elections with universal suffrage, and the new parliamentary elite set about rewriting the constitution in such a way as to dismantle completely the institutions of the dictatorship. The transition process was marked by a strong degree of apparent continuity with the past (emphasizing *reforma* (reform) rather than *ruptura* (break)), and a pretence that a constitutional void had been averted. At the same time the transition integrated the full range of political forces (including Communists and Basque and Catalan nationalists) in the decision-making process—a process known as ‘consensus’. The ambiguity between continuity and change, on the one hand, and the inevitable tensions and

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contradictions resulting from consensual constitutional reform, on the other, have left their mark on the democratic institutions, including the electoral system.

ORIGINS OF THE ELECTORAL SYSTEM

The current electoral arrangements in Spain were established in their essentials by the 1976 Law for Political Reform, and then by a decree-law passed in March 1977, little more than two months before the first democratic elections took place. These arrangements were in part incorporated into the 1978 constitution, and then confirmed almost in their entirety by an Electoral Law passed in 1985. Spain's current electoral rules are therefore a result of the peculiarities of the early stages of the transition process. In particular, the institutional structure of the Francoist dictatorship provided blackmail potential to groups that shortly afterwards were consigned to the political margins, yet whose preferences helped shape the electoral institutions that are still in force almost three decades later.

The Law for Political Reform sought to pave the way for democracy without appearing to break formally with the existing institutional order, and therefore had to obtain the support of the unelected parliament (Cortes) of the dictatorship. A conservative grouping in the Cortes, headed by former Franco minister Manuel Fraga, favoured a majoritarian system because of a (misplaced) belief that conservative forces would benefit. The Suárez government was quite prepared to go along with these majoritarian pressures for equally self-serving reasons; through its control of the state machinery it was confident that the majoritarian distortions would work in its favour. The opposition parties tended to favour proportional representation (PR), and Suárez's commitment to consensus ensured a compromise between PR and majoritarianism.

The Law for Political Reform established that the elections to the lower house (Congress of Deputies) would be governed by PR, but that measures would be adopted to avoid 'excessive fragmentation' of representation (LPR, *disposición transitoria 1^a*). The Law established constraints on district size: the electoral districts were to be Spain's fifty provinces (plus the 'enclaves' of Ceuta and Melilla on the North African coast) and the number of deputies was set at 350, ensuring that most districts would be too small for proportionality to be achieved. Given the demographic imbalances between Spanish provinces and the minimum representation accorded to each province, these restrictions also implied a significant over-representation of rural Spain (see below), which Fraga's conservative faction deliberately engineered. The arrangements for the upper house (Senate), in turn, also implied a demographic imbalance, with each province¹ electing four senators through a 'limited vote' system (Lijphart et al. 1986). The decree-law (20/1977) that fleshed out the electoral rules within this framework did not change the essential features of the electoral system. Perhaps the most important decision taken at this

¹ With two senators each for Ceuta and Melilla, and at least one senator for each island in the Canaries and the Balearics.

stage was to set the minimum representation of each province in the Congress of Deputies at two seats, whilst establishing 350 deputies as an upper limit, both measures that constrained district size.

This electoral law made an important contribution to re-electing Suárez to the prime minister's office (Montero et al 1992: 16), as well as helping secure the support of Francoist elites for political reform. It was also successful in preventing the excessive fragmentation of the party system threatening the rest of the transition process. Fears of weak parties and a fragmented party system were also behind the decision to adopt closed party lists, in order to strengthen the position of party leaderships (Herrero de Miñón 1993: 103). As will become clear in the course of this chapter, the rationale for these measures made sense at the time, but has to an extent been overtaken by events.

HOW THE ELECTORAL SYSTEM WORKS

Spain is a bicameral system, and the two parliamentary chambers have different electoral systems: the Congress of Deputies uses PR, the Senate the limited vote. Spanish bicameralism is weak: the Senate has no significant specific powers of its own, and although it can vote against legislation, its objection can simply be overridden by a majority vote in the Congress. The investiture and censure of the prime minister, and the ratification of decrees, are prerogatives of the lower house alone. In practice, therefore, the Senate has been a largely irrelevant body, particularly since its majoritarian electoral system tends to reproduce the governing majorities of the lower house. This chapter therefore focuses on the electoral system of the Congress of Deputies, although it is worth briefly outlining the electoral arrangements of the Senate.

The Senate is, according to the 1978 Constitution, a 'Chamber of Territorial Representation'; in practice this implies that provinces receive equal representation regardless of their population, and that the parliaments of the Autonomous Communities (regional administrations) also select a number of representatives to sit in the upper house (currently forty-nine).² The 'limited vote' system adopted for the Senate allows voters to cast three votes for individual candidates (presented in a single list) in their province, and the four candidates receiving the most votes are elected.³ This arrangement, as in the lower house, tends to over-represent large parties: for instance, in 1982, the Socialists won 65 per cent of the seats with 47 per cent of the votes (Lijphart et al. 1986). Given this tendency to reflect and even magnify the results of the lower house, the Senate has up to now made no attempt to challenge the dominance of the Congress of Deputies.

² Replacing the royal appointees envisaged in the 1977 decree.

³ Except in the enclaves of Ceuta and Melilla, which elect only two senators each, and the Balearics and the Canaries, where the provinces are further subdivided into smaller constituencies (with between one and three senators depending on population) representing each of the islands (see note 1). In two- and three-member constituencies, voters have one and two votes respectively; in one-member constituencies, just one.

The most important feature of the electoral arrangements for the Congress of Deputies is the choice of the province as the electoral constituency. Spain's fifty provinces were almost all established by the 1833 administrative reform that sought to reorganize the Spanish state along the lines of the French centralized model. The provincial boundaries therefore reflect the distribution of the Spanish population in the first half of the nineteenth century, and take no account of the demographic upheavals resulting from the subsequent process of economic and social modernization. The provinces display a very wide variation in population, with the numbers of registered voters in March 2004 ranging from just under 80,000 in Soria to over 4,000,000 in both Madrid and Barcelona, the two largest districts. The minimum of two seats for each province (one each for the enclaves), and the small size of the Congress of Deputies (350 members),⁴ produces a high degree of malapportionment: 102 of the 350 seats are allocated as of right, and the remaining 248 seats, allocated according to density of population, are insufficient to achieve an adequate representation for the most urbanized provinces. Madrid is allocated one seat for every 127,387 voters, whilst Soria has one seat for every 26,177 voters. Between these two extremes a large number of provinces are significantly over- or under-represented (mostly the former), with rural provinces gaining and the most populous provinces losing out. As Table 18.1 illustrates, most of the Spanish electoral districts are rather small: the median district elects just five deputies, and twenty-nine of the fifty-two districts elect five or fewer.

Spanish voters are called upon to make only one choice in their vote for the Congress of Deputies. The ballot consists of a selection of party lists, one of which has to be placed in an envelope and inserted into the ballot box (for an example see Figure 18.1). There are no alternative votes or personal votes, and the voter cannot make any alterations to the order in which candidates are placed on the list: the lists are 'closed' (*cerradas y bloqueadas*). Spanish voters therefore choose a party rather than a candidate, although the quality of the candidates can, of course, influence the choice of party. However, it remains the case that it is party officials, rather than voters, who decide which individual candidates will be elected if the party wins a given number of seats: the candidates in the lower positions on party lists, especially in the larger constituencies, have no realistic chance of being elected. This gives the party officials responsible for drawing up the lists a great deal of influence over the composition of parliament.

Once the votes are counted, the D'Hondt system (see Appendix A) is used to allocate seats in each electoral district (a 3 per cent threshold applies, although this is irrelevant in practice outside the two largest constituencies). The D'Hondt system is known for tending to over-represent larger parties, and in the relatively small constituencies adopted for the Spanish electoral system this effect can be very strong. Moreover, there are no arrangements for remainders to be

⁴ According to the 1985 Electoral Law, Article 162.1. However, the 1978 constitution permits between 300 and 400 deputies, so a majority of the Congress could achieve a fairer distribution of representation if it wished.

Table 18.1 Frequency of different district magnitudes in elections to Spanish Congress of Deputies, 2004

District magnitude (number of seats)	Frequency (number of districts)	Seats allocated in districts of that magnitude
1	2	2
3	9	27
4	9	36
5	9	45
6	5	30
7	5	35
8	3	24
9	4	36
10	1	10
11	1	11
12	1	12
16	1	16
31	1	31
35	1	35
Total	52	350

Mean district magnitude: 6.73

Median district magnitude: 5

counted at central or regional level; votes that fail to elect a deputy in their electoral district are simply lost.

Table 18.2 shows some examples of the effects of district size on the disproportionality of the allocation of seats. Although the overall disproportionality of the system is rather high by the standards of most PR systems, this disproportionality varies considerably across constituencies. In the 2000 elections, disproportionality (measured by the Gallagher index) in the largest constituency, Madrid, was a relatively low 3.39, and Barcelona had only a slightly higher score, mainly because the greater fragmentation of the Catalan party system leads to more votes being distributed to relatively small parties. However, the remaining fifty districts are much smaller and disproportionality is correspondingly higher. In the three medium-sized provinces shown in Table 18.2 it was more than twice as high as in the large districts, and in Cuenca, a very small district, it was higher still. Small statewide parties can win some representation in Madrid and Barcelona, but stand little chance in most other districts, where the big two statewide parties, and the strongest non-statewide parties, win practically all parliamentary seats.

Even though the electoral system was designed to constrain the number of parties, fragmentation of the vote has remained relatively high in Spain (Montero 1994, 1998). The main reason for this is that it rewards the most successful non-statewide parties, whose votes are concentrated in a handful of districts, to just as great an extent as the big two statewide parties. In the 2004 legislative elections (Table 18.3),

ELECCIONES AL PARLAMENTO EUROPEO 1994

DIPUTADOS



Doy mi voto a la candidatura presentada por:

**PARTIDO SOCIALISTA OBRERO ESPAÑOL
(PSOE)**

FERNANDO MORAN LOPEZ
FRANCISCA SALQUILLO PEREZ DEL ARCO
ENRIQUE BARON CRESPO
LUDIVINA GARCIA ARIAS
JOSEF VERDE I ALDEA
ANA CLARA MARIA MIRANDA DE LAGE
PEDRO APARICIO SANCHEZ
JOSE MARIA MENDILUCE PEREIRO
MANUEL MEDINA ORTEGA
MARIA IZQUIERDO ROJO
JOSEF ENRIQUE PONS GRAU
JOAN COLOM I NAVAL
JUAN LUIS COLINO SALAMANCA
CARMEN DIEZ DE RIVERA ICAZA
JUAN DE DIOS IZQUIERDO COLLADO
JESUS CABEZON ALONSO
BARBARA DUHRKOP DUHRKOP
ANTONIO GONZALEZ TRIVIÑO
FRANCISCO JAVIER SANZ FERNANDEZ
MANJELA DE FRUTOS GAMA
FERNANDO PEREZ ROYO
ANA TERRON I CUSI
CARLOS BRU PURON
JUAN DE DIOS RAMIREZ HEREDIA
CARMEN MARON BELTRAN
LEOCADIO MARIN RODRIGUEZ
JUAN JOSE GARCIA ESCRIBANO
FRANCISCA CATALAN FABO
CARMEN PAYA ABAD
MARIA DEL CARMEN BLAZQUEZ MARTINEZ
LUIS MARCO AGUIRIANO NALDA
INMACULADA ORTEGA MARTINEZ
VALENTIN VALENCIANO LOPEZ
MARINA BRU I PURON
MANUEL OSUNA RUIZ
JOSEF-RAMON MODOL I PIFARRE
ANTONIO FERNANDEZ POYATO
FRANCISCA SAMBLAS LLORENS
VICTOR RUIZ DE DIEGO
SARA SUAREZ SOLIS
JUAN ALBERTO MARTIN MARTIN
BERTA GIL-MERINO RUBIO
FRANCISCA TARAZAGA SEGUES
MARIA CRUZ CARRIO BOQUERA
ADELA SANCHEZ BUSTOS
ISABEL RODRIGUEZ GONZALEZ
MARTIN GUILLERMO RAMIREZ
MARIA DOLORES MARTINEZ RISQUEZ
OSCAR BERGASA PERDOMO
ANTONIO SANCHEZ TRUJILLO
MARIA DEL MAR ROSA MARTINEZ
MIRIAM ALVAREZ PAEZ
CARMEN MARGARINA VALDERRAMA CURRAS
ENRIQUETA VALLS TORMO
EDUARD GISBERT I AMAT
PEDRO MOLINA GARCIA
MARIA CONCEPCION TCLOSA MINGUEZ
PERE MARGALEF I MASIA
FERNANDO PUERTO FERNANDEZ
ESTHER BALESTRA MARTINEZ
ANTONIO TROYANO PEREZ
MARIA NIEVES CASAS IGLESIAS
TIMOTEO SEOANE PALAZUELOS
PILAR MUNDET I TORRES

Suplentes

MARIA LUCIA GOMEZ GARCIA
MARIA DEL CARMEN CARRERA FUENTES
BENAISA AHMED BEN MOH

Figure 18.1 PSOE list, Spanish European Parliament election, 1994

Note: Voters cast a vote by placing the list of their chosen party in the ballot box. They are unable to amend the list.

Source: Andrew Reynolds' ballot paper site at <http://www.unc.edu/~asreynol/ballots.html>.

Table 18.2 Index of disproportionality in selected Spanish electoral districts, 2000 elections to Congress of Deputies

District	District size	Disproportionality (LSq)
Large		
Madrid	34 seats	3.39
Barcelona	31 seats	4.24
Medium		
Murcia	9 seats	7.75
Jaén	6 seats	9.10
Guipúzcoa	6 seats	9.72
Small		
Cuenca	3 seats	11.29
Mean	6.73 seats	6.10

Table 18.3 Results of 2004 elections to the Spanish Congress of Deputies

Party	Votes	Seats	% votes	% seats
PSOE	11,026,163	164	43.2	46.8
PP	9,635,491	146	37.8	41.6
CiU	835,471	10	3.3	2.8
IU	801,821	2	3.2	0.6
ERC	652,196	8	2.6	2.3
PNV	420,980	7	1.7	2.0
CC	235,221	3	0.9	0.9
BNG	208,688	2	0.8	0.6
ICV-EUiA	234,790	2	0.9	0.6
UPN-PP	127,653	2	0.5	0.6
ENTESA	123,611	1	0.5	0.3
EA	80,905	1	0.3	0.3
CHA	94,252	1	0.4	0.3
Na-Bai	61,045	1	0.2	0.3
Others	945,217	0	3.7	0
Total	25,483,504	350	100.0	100.0

Source: *Boletín Oficial del Estado*, number 109, 5 May 2004.

the third statewide party, IU, obtained just two seats with over 800,000 votes, whilst the Catalan nationalist CiU won ten seats with just 35,000 votes more. This is almost entirely the result of district size: IU's two seats were both won in the largest constituency, Madrid.

In short, the choice of small districts favours large statewide parties and the most successful non-statewide parties; it penalizes small parties of any description, but particularly harshly those whose votes are geographically dispersed rather than concentrated.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

This electoral system, naturally enough, has had a significant impact on the development of the Spanish party system. On the one hand, it has been very successful in preventing fragmentation at the statewide level, an objective that was implicit in its design. On the other, it has been powerless to prevent the territorial fragmentation of the party system, since its majoritarian characteristics privilege the largest parties in any given electoral district, whether statewide or non-statewide. As a result, Spain is in the curious position of having developed what is effectively an ‘imperfect’ two-party system, in which power alternates between two large statewide parties, whilst at the same time having a relatively high number of relevant parties. The aspiration contained in the Law for Political Reform—to contain ‘excessive fragmentation’—is therefore only partially fulfilled.

In terms of the number of parties present in the Congress, Spain is very much a multiparty system, with on average twelve parties present in parliament, a level of fragmentation similar to Belgium or Italy (Table 18.4; see also Montero and Linz 2001: 170). However, the effective number of parties (both electoral and parliamentary) is more in line with moderate multipartism (see Table 18.4), and significantly below the average for Western democracies (Montero and Gunther 1994: 24; Gallagher et al. 2006: 364). Here the impact of the electoral system can be seen clearly: the difference between the effective number of electoral parties and the effective number of parliamentary parties was very high in the first democratic

Table 18.4 The Spanish electoral and party systems—some basic indicators (1977–2004)

Election	Disproportionality (Gallagher)	Number of parties (Congress)	Effective no. of parties (Electoral)	Effective no. of parties (Congress)	Volatility (Pedersen)
1977	10.6	11	4.16	2.85	—
1979	10.5	14	4.16	2.77	10.8
1982	8.1	10	3.33	2.32	42.3
1986	7.3	12	3.57	2.63	11.9
1989	8.9	13	4.16	2.77	8.9
1993	6.8	11	3.53	2.70	9.5
1996	5.3	11	3.28	2.72	4.4
2000	6.1	12	3.12	2.48	8.9
2004	4.9	14	3.00	2.54	10.0
Mean	7.6	12	3.59	2.64	13.3

Sources: Montero and Gunther 1994, Montero and Linz 2001, Eleweb (www.eleweb.net).

elections, and has declined to a much lower level over time as some of the parties most penalized by the electoral system have disappeared or converged into other formations. The rather brutal treatment of small parties by the D'Hondt system applied to small districts is reflected in the high levels of disproportionality shown in Table 18.4 (which are even higher than in some single-member majoritarian systems—see Gallagher et al. 2006: 364). Although the index of disproportionality has also fallen in the more recent period, suggesting some degree of adaptation, a large number of voters are still voting for parties that are penalized by the electoral system, suggesting a limit to the 'psychological' effects of the electoral system (see Gunther 1989). Part of the explanation for this could lie in Spaniards' apparent detachment from the established political parties, which is confirmed by the rather low levels of party affiliation (see Mair and van Biezen 2001) and the relatively high levels of electoral volatility found in post-Franco Spain (see Table 18.4; also Gunther and Montero 2001). Although the electoral rules encourage the concentration of votes around the two largest parties, a combination of antipathy towards these parties and enthusiasm for non-statewide parties mobilizing on territorial and identity issues sustain a comparatively high number of parties.

The way the party system developed can be observed in Table 18.5, which gives the percentages of votes and seats won by the major statewide parties, and the two most prominent non-statewide parties, since the first democratic elections in 1977. During the transition period (comprising the 1977 and 1979 elections), a kind of imperfect two-party system prevailed, with the two large centre-oriented parties (UCD and PSOE) competing for power, flanked by two smaller parties (AP on the right and the Communists on the left). At the non-statewide level, the two largest parties in the 'historic nationalities', CiU (Catalan nationalists) and PNV (Basque nationalists), had already established themselves as leading parties in their own territories. These six parties together won over 85 per cent of the vote share, and over 96 per cent of parliamentary seats, in this period. The two largest, UCD and PSOE, and the Basque and Catalan nationalist parties benefited strongly from the electoral system, whilst the two smaller statewide parties were penalized, creating pressure for a redistribution of the vote in favour of the large formations. Strikingly, over 14 per cent of the vote in 1977, and over 13 per cent in 1979, went to a large variety of other parties (both statewide and non-statewide), the vast majority of which won no parliamentary representation at all. Over time, however, the vote share going to marginal parties has tended to decline.

In 1982 significant political changes occurred, partly as a result of the pressures of the electoral law, but largely as a result of other factors. Surprisingly, the chief victim of these changes was one of the early beneficiaries of the electoral rules, the governing UCD, which fell apart due to its own internal conflicts, losing most of its electoral support in the 1982 election and disappearing shortly afterwards (Hopkin 1999). This realignment, which benefited both the Socialists and the conservative AP, still left four significant statewide parties, as the centre party CDS emerged as a successor to UCD. However the centre, squeezed by its two powerful neighbours, failed to reconquer the dominant position it had enjoyed during the transition period.

Table 18.5 Shares of votes and seats in Spanish parliamentary elections (Congress of Deputies), 1977–2004

Party	1977		1979		1982		1986	
	%V	%S	%V	%S	%V	%S	%V	%S
PSOE	29.3	33.7	30.4	34.6	48.1	57.7	44.1	52.6
AP	8.2	4.6	6.1	2.9	26.4	30.6	26.0	30.0
UCD	34.4	47.4	34.8	48.0	6.8	3.1	—	—
CDS	—	—	—	—	2.9	0.6	9.2	5.4
PCE/IU	9.3	5.4	10.8	6.6	4.0	1.1	4.6	1.7
Other SW	8.8	1.8	6.9	0.3	1.8	0	3.4	0
CiU	2.8	3.1	2.7	2.3	3.7	3.4	5.0	5.1
EAJ-PNV	1.6	2.3	1.7	2.0	1.9	2.3	1.5	1.7
Other NSW	5.6	1.8	6.6	3.3	4.4	1.2	6.2	3.4
Total	100	100	100	100	100	100	100	100

Party	1989		1993		1996		2000		2004	
	%V	%S	%V	%S	%V	%S	%V	%S	%V	%S
PSOE	39.6	50.0	38.8	45.4	37.5	40.3	34.1	35.7	43.2	46.8
PP	25.8	30.6	34.7	40.3	38.9	44.6	44.5	52.3	37.8	41.6
CDS	7.9	4.0	1.8	0.0	—	—	—	—	—	—
IU	9.1	4.9	9.6	5.1	10.6	6.0	5.5	2.3	3.2	0.6
Other SW	4.0	0	1.4	0	0.6	0	1.3	0	1.3	0
CiU	5.0	5.1	4.9	4.9	4.6	4.6	4.2	4.3	3.3	2.8
EAJ-PNV	1.2	1.4	1.2	1.4	1.3	1.4	1.5	2.0	1.7	2.0
Other NSW	7.4	4.0	7.6	2.9	6.5	3.1	8.9	3.4	9.5	6.2
Total	100	100	100	100	100	100	100	100	100	100

Key:

Other SW: other statewide parties

Other NSW: other non-statewide parties

Source: Spanish Ministry of Interior, elaboration Ingrid van Biezen and Jonathan Hopkin.

Non-statewide parties consolidated their position in the 1980s, with CiU consistently winning 4–5 per cent of the vote, and a number of smaller parties persistently winning enough votes to gain some parliamentary representation.

The near impossibility of small statewide parties winning seats in the current electoral system, and the opportunities open to non-statewide formations, became abundantly clear by the 1990s. In 1993 the CDS lost its parliamentary representation as statewide party competition became increasingly bipolar. Non-statewide parties continued to prosper, and in the 2000 and 2004 elections the vote for non-statewide lists hit record levels: over 14 per cent, much less than half of which was accounted for by the two largest non-statewide parties. However, the statewide left coalition *Izquierda Unida* survives despite its consistent under-representation,

suggesting that majoritarian electoral institutions cannot entirely suppress longstanding and well-organized political subcultures.

There is therefore considerable evidence that the electoral law has curbed fragmentation at the statewide level, and to a more limited extent overall. There is a clear trend towards the statewide vote being concentrated around the two biggest parties: the PSOE and UCD won 65 per cent of the vote in 1979, whereas the PSOE and PP together won over 80 per cent of the vote in 2004 (also Montero 1994, 1998). The institutional advantages accorded to the two largest parties by their consistent overrepresentation have provided them with the resources to consolidate and strengthen their electoral position.⁵ Although IU has resisted the pressures of the electoral system, it is striking that no statewide political force outside the four largest has won any parliamentary representation since 1979.

At the same time, the electoral rules have not been able to check fragmentation at the non-statewide level. Moreover, the growth in the vote for non-statewide parties has not been confined to the largest ones, CiU and EAJ-PNV, which have made little progress since 1989. Unlike small statewide parties—such as the Greens, or left and right extremists—emerging non-statewide parties can aspire to win seats, and a large number of such parties have managed to win representation at some stage (thus gaining access to significant state party funding). However, small parties are still penalized by the electoral system, whatever their geographical range. The emergence of parties such as the Galician nationalist BNG (*Bloque Nacionalista Galego*), the persistence of radical nationalist parties such as the Basque *Eusko Alkartasuna*, and the extraordinary recent success of ERC (*Esquerra Republicana de Catalunya*), have as much to do with the potency of the territorial cleavage in Spain as with the incentives provided by the electoral system.

Impact on the parties

The most relevant feature of the electoral system as far as party organization is concerned is the nature of the party lists. Under the current rules, there is no way for voters to express a preference for any particular candidate, nor to influence the order in which candidates are elected. This provides party leaders with significant room for manoeuvre, and undermines the voter's freedom of choice (Vargas-Machuca 1998). This was a deliberate decision on the part of the institutional engineers of the transition: the forty-year parenthesis in democratic life left Spain without functioning political parties, and the new political formations that emerged to contest the 1977 elections were weakly structured and prone to internal division as aspiring leaders fought amongst themselves (Gunther et al. 1986: chs. 3–4). The choice of closed lists helped to strengthen the position of party leaders in relation to their candidates, and prevented candidates from effectively developing personalized

⁵ The relatively generous system of state party funding in Spain allocates money on the basis of votes cast and parliamentary representation.

electoral clienteles (as had been the case in Italy, whose PR system permitted the preference vote).

Even with closed lists, party leaders still had difficulty imposing order on their candidates and parliamentarians. Party lists were formally presented to the electoral authorities at district level, and therefore party leaders had to ensure the compliance of their provincial organizations with the central decisions. Not all parties were equally successful in centralizing control of candidate selection. In the first democratic elections, the UCD leadership in Madrid maintained close control of the drawing up of the electoral lists (Hopkin 1999: ch. 2) whereas AP was less able to do so (Gunther et al. 1986: 90) and the PSOE also faced some difficulties in bringing local parties into line (Gunther et al. 1986: 163–4). On one occasion, provincial party activists of AP defied central instructions to include members of another party (the Christian Democrat PDP) on their list and locked the aspirant candidates in a room until the deadline had passed (Montero 1986: 352)! Over time, the parties have become more institutionalized, so that central leaderships are able to exert considerable influence over candidate selection, although this influence is mitigated by the formal responsibility of the provincial party organizations for presenting the electoral lists.

Over time, the fears about weak, internally divided parties were replaced by concerns that parties had become too cohesive and centralized (Pradera 1996), as the Socialist majority of the 1980s and early 1990s faithfully rubber-stamped government decisions. The effective central control of the party by leader Felipe González and his deputy Guerra through most of this period was reinforced by the closed-list system, as troublesome deputies were pushed into unelectable positions on the list or even excluded altogether. Such practices were not restricted to the large parties, as Communist leader Julio Anguita was able to engineer the exclusion of the *Nueva Izquierda* (New Left) faction from electable positions on the IU lists for the 1993 elections, ultimately forcing them out of the party. The discredit into which the political class (and in particular the PSOE leadership) fell as a result of the corruption scandals of the 1990s stimulated further opposition to the closed-list system. One particularly controversial episode was the PSOE's decision to place former Interior Minister José Barrionuevo, under investigation for his role in the 'dirty war' against Basque terrorism, in a prominent position in the party list for Madrid, thus ensuring his election and, as a result, parliamentary immunity from prosecution. The corruption issue put many voters in a difficult position, as the electoral law offers no way of distinguishing between a party and its individual candidates.

One response to this problem came from the Socialist Party itself after its 1996 election defeat. The new party leader Almunia agreed to adopt a system of internal party 'primaries', in which party members would select candidates for public offices (Vargas-Machuca 1998; Boix 1998; Hopkin 2001a). This did not amount to a wholesale change of candidate selection, as the primaries only concerned the parties' candidates for particular offices, such as prime minister, mayor of a city, or president of an autonomous community; all other candidates would continue to be

selected outside the public gaze. The primaries had an immediate impact as members of the internal opposition won notable successes, most dramatically in the candidacy for prime minister: Almunia himself was defeated by former minister Borrell. The limitations of the primary system became clear when Borrell resigned before contesting the elections, frustrated by the lack of support from the party machinery controlled by Almunia. This suggests that more radical changes to the electoral law itself are necessary to open up the parties.

A further consequence of the closed-list system is that it has undermined any possibility of Spanish parliamentarians getting involved in 'constituency service' of the kind well established in the United Kingdom and elsewhere. In constituencies such as Madrid or Barcelona, voters have over thirty representatives, none of whom has any particular incentive to address particular local concerns of individual voters. Although most districts have smaller numbers of representatives, there is still little incentive for candidates to take constituency service seriously, as the political benefits will be shared with other candidates. Moreover, parliamentarians in Spain tend to owe their position more to the party central leadership than to local activists or voters, and therefore reliability in parliamentary votes is a surer guarantee of continued selection than constituency service. This, of course, does help deal with the problem of clientelism and patronage. The preference vote in Italy became a key feature of the sophisticated clientelistic system developed by the Christian Democrats in southern Italy in particular, to such an extent that anti-corruption campaigners successfully sponsored a referendum to have the preference vote abolished (see Chapter 12). Some regions of Spain—most notably Galicia and Andalusia—do present evidence of clientelistic links between parties and voters, but this appears to be much more limited than in the Italian case (Hopkin 2001*b*). Although there are important differences between Italy and Spain, not least the timing of democratization in the two cases, the closed-list system may have contributed to limiting electoral clientelism in post-Franco Spain.

Impact on parliament

The electoral law's impact on parliament is more difficult to gauge. One area in which it appears to be important is in the cohesion of the parliamentary groups, for reasons discussed above. In line with comparative findings, the closed-list system in Spain has given party bosses a great deal of power over parliamentarians, encouraging a relatively high degree of roll-call discipline and few defections from parliamentary groups (with the exception of the 1980–2 period). For most of the democratic period, parliament has therefore been seen as relatively docile, and most criticism has focused on its inability to act as an adequate check on the executive (for instance, Pasquino 1995; Pérez-Díaz 1996). This indicates that the choice of closed lists has been if anything too successful, obtaining party cohesion and stable government at the expense of an effective system of parliamentary scrutiny.

In terms of the representativeness of the parliamentary institutions, the impact of the electoral rules is less clear. The current electoral rules have remained constant as

Spain has moved from having a comparatively low level of female parliamentary representation in the 1980s (around two-thirds of the western European average), to the comparatively high level of almost 29 per cent in 2003 (higher than the western European average; see Table 18.6), and an impressive 39 per cent after the 2004 elections. Although it has been argued that party list systems do favour female parliamentary representation, this does not account entirely for Spain's good performance; Greece and Portugal, whose electoral arrangements are not entirely dissimilar, have much smaller numbers of women in parliament (Table 18.6). Whatever the reason, Spain has managed to get far more women into parliament than France, Italy or the United Kingdom under the present arrangements, and has quickly overcome the legacy of an authoritarian dictatorship that actively suppressed women's rights.

There is more evidence of an impact of the electoral system on parliamentary turnover. Spain is one of the democracies where turnover is highest (Matland and Studlar 2004; see Table 18.6), with an average of only 56 per cent of deputies returned to the Congress in any given election, compared with a western European average of over 66 per cent. Although hard data on the causes of Spanish parliamentary turnover are difficult to come by, comparative research suggests some impact of the electoral system. Matland and Studlar found that new democracies, party list PR, and electoral volatility mediated by low district magnitude all had a positive effect on turnover, suggesting that features of the electoral law are important in curtailing the careers of Spanish parliamentarians. The relatively high levels of turnover in the other young southern European democracies appear to confirm this. The strong control of central party leaderships over candidate selection, and the limited role of constituency service and the personal vote (see above), place parliamentarians in a vulnerable position and encourage party leaders to change their parliamentary personnel. This has the effect of enhancing the dominance of party leaders over their parliamentary delegations, in turn exacerbating the imbalance of power between executive and parliament in the Spanish political system.

Table 18.6 Women parliamentarians and parliamentary turnover in the Spanish Congress of Deputies in comparative perspective

	Women parliamentarians (% of lower/single house)			Parliamentary turnover*	
	1980s	1990s	2003	(incumbency return rate)	(annual turnover)
Spain	8.5	18.8	28.3	56.0	12.4
Greece	4.7	5.9	8.7	64.4	13.4
Portugal	7.0	10.9	19.1	54.8	19.1
W. Europe	14.4	21.0	26.0	66.2	9.9

* Lower/single house, 1979–94

Sources: Lane and Ersson 1999; Interparliamentary Union 2003 (www.ipu.org); Matland and Studlar 2004.

Government formation

Although the Spanish electoral system has been able to do little to prevent the proliferation of small parties in parliament, it has succeeded in avoiding the kind of unstable coalition government characteristic of polarized pluralism. Because of the concentration of parliamentary representation around the two large statewide parties, Spain has had single-party governments throughout the post-Franco period, although for around half of that period these have been minority administrations. Moreover, government stability has been high, with few changes of prime minister and most governments able to see out their legislative terms. Finally, the development of a kind of adulterated bipartism has permitted alternation in power.

Table 18.7 shows the various governments that have held power in the 1977–2004 period. In the transition period (1977–1982) the largest party, the UCD, formed minority governments, initially with broad support, later through ad hoc agreements with small parties (mainly non-statewide). This provided an early illustration of a curious feature of the Spanish party system: the ‘hinge’ role played by non-statewide parties. There followed a period of majority government under the Socialists until 1993, when a further period of minority government began. From 1993 to 2000 non-statewide parties (of which the Catalan nationalist CiU was the most decisive in terms of parliamentary seats) held the balance of power, sustaining minority governments of first the Socialists then the Popular Party (PP). In 2000, the PP won an absolute majority and was able to manage without the support of the non-statewide parties. However, the 2004 election saw a return to minority government, with the Socialist Zapatero’s shock victory bringing a further alternation of power.

Although there have been periods of weakness, prime ministers have mostly been in a strong position, bolstered by the electoral law, which over-represents their parties, and by the constructive censure motion in the 1978 constitution, which makes no-confidence votes difficult (none has succeeded so far). At the same time, government stability has not impeded alternation in power. The relatively balanced

Table 18.7 Governments, prime ministers, and parliamentary support in Spain, 1977–2004

Dates	Prime minister	Parliamentary support (%)	Supporting parties
1977–79	Suárez (UCD)	47.1 (Minority govt.)	UCD (+ various)
1979–81	Suárez (UCD)	48.0 (Minority govt.)	UCD (+various)
1981–2	Calvo Sotelo (UCD)	48.0 (Minority govt.)	UCD (+various)
1982–6	González (PSOE)	57.7	PSOE
1986–9	González (PSOE)	52.6	PSOE
1989–93	González (PSOE)	50.0	PSOE
1993–6	González (PSOE)	45.4 (Minority govt.)	PSOE (+ CiU)
1996–2000	Aznar (PP)	44.6 (Minority govt.)	PP (+ CiU, PNV)
2000–4	Aznar (PP)	52.3	PP
2004–	Zapatero (PSOE)	46.8 (Minority govt)	PSOE (+IU, ERC)

bipolar competition between the two large statewide parties has allowed governing majorities to be entirely replaced by alternative majorities at election time. The potential for governing parties to be defeated in elections enhances the accountability—or at least the perception of accountability—of the executive. The institutional engineering of the transition period has therefore been mostly successful in its objective of averting multiparty government—and particularly polarized pluralism—in Spain.

A major problem is the electoral system's tendency to favour non-statewide parties and penalize small statewide parties, which has the effect of bringing the territorial cleavage sharply into relief when minority governments need to be formed (Aguilera de Prat 2001). When the two large parties have failed to win a majority, the non-statewide parties have demanded benefits (mostly financial) for their own Autonomous Communities in exchange for sustaining governments. Their reluctance to enter the government has tended to reinforce the perception that such coalitions benefit particular territories at the expense of the rest of the state, which does little to defuse the tensions surrounding territorial cleavage in Spain. Further difficulties result from the instinctive hostility of the PP, and much of its electorate, to Basque and Catalan nationalism. Although Aznar was able to work relatively successfully with Basques and Catalans in 1996–2000, the PP's more combative attitude towards Basque nationalism after 2000 in particular could undermine cooperation if the party were to return to power as a minority administration in the future. The Zapatero government formed after the 2004 election also depended on the support of a non-statewide party, the radical Catalan nationalist ERC, which also offered its support to the Socialist administration in Catalonia.

Finally, it is worth pointing out that the achievement of government stability and alternation are to a considerable extent the consequence of the electoral law's systematic over-representation of large parties, which has allowed parties to form minority administrations with as little as 35 per cent of the vote (1977–82), and majority administrations with as little as 39 per cent (1989–93). The price of moderate pluralism is therefore a low degree of representativeness of voters' preferences.

THE POLITICS OF ELECTORAL REFORM

Electoral reform has yet to become a big political issue in democratic Spain. Although there has been a lengthy and lively academic and journalistic debate about how the electoral rules could be improved (Montero et al. 1992: 8; Montero 2000), the major parties have shown little interest and still less enthusiasm for the subject. This is in part a function of the natural inertia of electoral systems: electoral reforms are difficult to achieve without the mobilization of excluded political groups, and the most powerful new political movements in Spain have been regionalist and nationalist forces that are not particularly disadvantaged by the current electoral arrangements.

A number of proposals for reform were made by political parties during the democratic transition, mainly arguing for greater proportionality (although Alianza

Popular continued to support a formally majoritarian arrangement). Initially, these proposals were backed by the Socialists, the second largest party in the system (Montero et al. 1992: 21). However, the Socialists quickly abandoned these claims after their 1982 landslide, effectively scuppering any prospect of reform (Vallès 1986). Since the existing arrangements were formalized by the 1985 Law, the main political parties have neglected the issue. The consensus amongst the major state-wide parties up to now has been that the constitutional arrangements established in the transition should as far as possible be left untouched in order to facilitate the consolidation of the democratic institutions. Given that some of the most contentious features of the electoral system—such as the small number of deputies and the choice of the province as electoral district—are constitutionalized, this acts as a deterrent to serious electoral reform. In consequence, most proposals for reform have emanated from the academic world and have been discussed mostly in scholarly or intellectual publications.

Perhaps the most feasible reform concerns the closed lists presented to voters in elections to the Congress of Deputies. As we have seen, the power this bestows on party elites was deliberately engineered in order to aid the consolidation of a new party system in which the parties were mostly weakly structured and potentially fissiparous. After a quarter of a century of democracy, this measure has outlived its usefulness in that the parties now seem to have the opposite problem of being too oligarchical and centralized (Montero 1991; Gunther and Montero 1994; Santamaría 1996; Montero 2000). A number of proposals have therefore sought to open up the electoral system in order to allow voters more choice over the individual candidates they can elect to parliament: these include preference votes, open lists (Montero 1997: 37–40), and primaries (see Vargas-Machuca 1998).

The second main area where changes have been proposed is that of the representativeness and proportionality of the electoral arrangements. It has frequently been pointed out that Spaniards' votes are not all of equal value: voters in rural districts, and voters of large parties, are privileged over urban voters and those who support smaller parties (Ramírez González 1990; Montero et al. 1992; Montero 1997). Two main ways to address these problems have been suggested, often together. On the one hand there have been a number of proposals for redrawing the boundaries and/or increasing the number of deputies in order to permit larger districts, (for example Martínez Cuadrado 1980; Soriano and Alarcón 2001; for a review, Montero 1997: 28–34). On the other, a variety of alternative methods of translating votes into seats have been advocated: for example a German-style mixed system, as well as other variants (Torres del Moral 1997; Soriano and Alarcón 2001; Montero 1997: 34–7).

Finally, the formation of minority governments dependent on the support of non-statewide parties for much of the 1990s (and again from 2004) has led to proposals for a comprehensively majoritarian electoral system in order to generate artificial parliamentary majorities for the large statewide parties (for a discussion of these proposals see Montero 2000). These proposals have not been developed anything like as seriously as the other reforms discussed above, and appear to be politically inconceivable.

CONCLUSION

The Spanish electoral system is in some ways an unusual hybrid. In common with other systems of PR, it has permitted a relatively large number of parties to obtain representation, leading to frequent episodes of multiparty parliamentary majorities. In common with majoritarian systems, it has disadvantaged and excluded some smaller political forces, and allowed parties to win absolute majorities with relatively low vote shares. On balance, the electoral rules adopted in 1976–7 seem to have had rather beneficial effects: they have contributed to democratization by facilitating government formation even in moments of high political tension. At the same time, the distortions inherent in the system have not prevented the plurality of political forces (and particularly the territorial diversity of Spain) from being reasonably adequately represented in the institutions, although a high degree of proportionality has been sacrificed. To the extent that the electoral system is a success, this success is only partly by design; many of its features were the consequence of horsetrading by Francoist elites seeking their political survival. The lack of real impetus for reform suggests that these electoral arrangements have won a degree of acceptance, if not necessarily enthusiasm, amongst Spanish politicians and voters.

GLOSSARY OF PARTIES

PSOE	Partido Socialista Obrero Español (Spanish Socialist Workers' Party)
AP/PP	Alianza Popular/Partido Popular (Popular Party—conservative)
UCD	Unión de Centro Democrático (Union of the Democratic Centre—centre-right)
CDS	Centro Democrático y Social (Democratic and Social Centre—centre)
PCE/IU	Partido Comunista de España/Izquierda Unida (Spanish Communist Party/United Left—communist and radical-left coalition)
CiU	Convergència i Unió (Convergence and Union—Catalan nationalists)
EAJ-PNV	Eusko Alderdi Jeltzalea—Partido Nacionalista Vasco (Basque Nationalist Party)
BNG	Bloque Nacionalista Galego (Galician nationalists)
CC	Coalición Canaria (Canary Islands nationalists)
PA	Partido Andalucista (Andalusian nationalists)
ERC	Esquerra Republicana de Catalunya (left Catalan nationalists)
ICV-EUiA	Iniciativa per Catalunya-Verts/Esquerra Unida I Alternativa (Catalan left and Greens/Alternative United Left)
EA	Eusko Alkartasuna (left Basque nationalists)
CHA	Chunta Aragonesista (Aragon regionalists)
UPN-PP	Unión del Pueblo Navarro (Navarrese Union—allied with PP)
ENTESA	Coalición Esquerra Unida País Valencià-Izquierda Republicana: Entesa (Coalition of Valencian United Left and Republican Left)
Na-Bai	Nafarroa Bai (Navarrese Party)

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PART V

**PREFERENTIAL LIST
SYSTEMS AND PR-STV**

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Austria: A Complex Electoral System with Subtle Effects

Wolfgang C. Müller

INTRODUCTION

In 2002, after completion of no more than half of the parliamentary term, the Austrian Chancellor Wolfgang Schüssel unilaterally announced early elections.¹ Once the votes were counted and the 183 seats allocated to the parties, his party, the People's Party (ÖVP), could celebrate a gain of twenty-seven seats (+15 per cent of the votes) while the Freedom Party (FPÖ), which previously had held fifty-two seats, could mourn the loss of thirty-four of them (−19 per cent). One of the first questions a neophyte might ask is how much this spectacular shift owes to the electoral system. However, the ÖVP's gain in seats was not manufactured by the electoral system, nor was the loss of the FPÖ. As Table 19.1 shows the ÖVP and the FPÖ seat shares almost equal their vote shares. The same applies to the other parliamentary parties, the Social Democratic Party (SPÖ) and the Greens. In short, the Austrian electoral system is a proportional representation (PR) system and within the universe of real-world PR systems one of those closer to the end of full proportionality.

Yet, even Table 19.1 shows a deviation from full proportionality. Under this principle the Liberal Forum (LF) would have obtained two seats and the Greens would have won one additional seat² (while the Communists (KPÖ) would have remained without a seat). The Austrian electoral system can yield more disproportional results under other circumstances. Also, the translation of votes into seats is not straightforward. Since 1920, Austria has always had an electoral system based on 'complex districting' (having more than one level of electoral districts—see Appendix A) and has used different electoral formulas at the various levels. More specifically, the current Austrian system combines three-tier districting with a national threshold clause for determining the allocation of seats among parties and allocating the seats to individual MPs.

¹ The Chancellor does not have the right to a dissolution but correctly took it for granted that parliament would agree to his proposal.

² Under perfect proportionality the SPÖ would have obtained two seats less and the ÖVP one seat less.

Table 19.1 The Austrian parliamentary elections of 2002

	ÖVP	SPÖ	FPÖ	Greens	LF	KPÖ	Total
Votes	2,076,833	1,792,499	491,328	464,980	48,083	27,568	4,909,645
Votes %	42.3	36.5	10.0	9.5	1.0	0.6	100
Seats	79	69	18	17	0	0	183
Seats %	43.2	37.7	9.8	9.3	0	0	100

Note: Minor parties: Die Demokraten (The Democrats) 2,439 votes (0.05%), Christliche Wählergemeinschaft (Christian Voters Association) 2,009 votes (0.04%), Sozialistische Links Partei (Socialist Left Party) 3,906 votes (0.08%).

Source: Bundesministerium für Inneres.

POLITICAL BACKGROUND

The electoral system is, of course, endogenous to other political institutions that in turn comprise political actors with goals and interests. These institutions were established with the constitution of 1920 and its reform in 1929 (Müller 2003). Constitutionally, Austria has since 1929 been semi-presidential, though in practice the parliamentary side has continued to prevail. Although Austria has a two-chamber system, which reflects its federal constitution, it is a very asymmetrical one. The upper chamber, the Bundesrat,³ with the exception of changes to the constitution that shift the jurisdiction between the federation and the Länder, can only delay legislation passed by the Nationalrat (by about two months).⁴ Hence, it is parliamentary elections that decide the distribution of political power and consequently the electoral system is a crucial feature of the political system. Yet, observers, and foreign ones in particular, are often inclined to think that parliamentary majorities are not that important in Austria, given the country's traditions of consociationalism and corporatism. Note, however, that these features of post-war Austrian politics are not embedded in the constitutional framework. It is the parliamentary majority that decides the extent to which it will allow these arrangements to tie its hands. Empirically, this has been increasingly less the case since the 1980s, and the early years of the twenty-first century in many respects represent a sharp break with the country's consociational and corporatist past.

Ever since full democratization in 1918, following the breakdown of the Habsburg monarchy, three political camps have dominated Austrian politics. In their present party-political form they are the SPÖ, ÖVP, and FPÖ. Since the 1980s the Greens have been a permanent addition to the party system. In the 1990s the Liberal Forum (LF), initially a breakaway of five MPs from the FPÖ, temporarily increased the number of parliamentary parties to five. The SPÖ and ÖVP traditionally have

³ The Bundesrat represents the Länder and its members are elected by the Land diets according to a quota system that takes into account the size of each Land's population and party strength.

⁴ For reasons of simplicity I will henceforth refer to the popular elected chamber, the Nationalrat, as the parliament.

been the major parties and in the post-war period have alternated in holding the lead position. In the 1990s the FPÖ become a serious challenger and in 1999 polled 415 votes more than the ÖVP. As we have already seen, these fortunes were completely revised in 2002, and in some sense the 'old order' was re-established (Müller 2004).

ORIGINS OF THE ELECTORAL SYSTEM

Throughout the republican period (i.e. since 1918) Austria has subscribed to the principle of PR (Ucakar 1985). According to Neisser (1996: 91), Austria's experience with a plurality system in single-member districts (SMDs) during the monarchy was entirely negative as it consisted of acrimonious campaigns, electoral alliances of heterogeneous parties, and many spoiled votes. Neisser (1996: 85) also claims that the principle of proportionality has never been seriously challenged since its introduction.⁵ This does not mean, however, that the country has not experienced electoral engineering. Since 1920 Austria has employed three electoral systems that were in force in the periods 1920–70 (with the exception of the 1933–45 period),⁶ 1971–92, and since 1992. While all three were PR systems, they had different designs and produced different effects regarding the electoral outcome (Müller 1996).

The present electoral system was introduced in 1992 and first became operational at the 1994 election. The electoral reform was passed with the votes of the SPÖ and ÖVP, the then government parties, and opposed by all opposition parties (then the FPÖ and the Greens). From these facts it might be expected that the government parties introduced an electoral system tailor-made for their needs. That would have been relatively easy as both parties shared important objective criteria, in particular size, and had many, mutually exclusive, local strongholds. Holding the two-thirds majority required for constitutional amendments between them, the SPÖ and ÖVP would have had the ability to squeeze the opposition parties. Yet, this was not the case. The principle of PR was maintained and, as we have already seen from the 2002 example, a very proportional system was chosen.

Why then was a new electoral system introduced in 1992? To begin with, a discussion about electoral reform had been going on in Austria since the late 1970s (see Fischer 1992; Neisser 1992; Ucakar 1994, 1995). Reformers in both major parties considered the large electoral districts (up to 1.1 million voters) of the 1971 electoral system as a (potential) source of popular dissatisfaction with political representation. The fact that the Greens were able to establish themselves in parliament in 1986 and that the FPÖ enjoyed spectacular gains in the 1986 and 1990 elections seemed to give credibility to that claim. However, what gave particular urgency to (some kind of) electoral reform was the re-emergence of grand coalition government between the SPÖ and ÖVP in 1986. The coalition of the two major parties, then jointly commanding more than 85 per cent of the seats, caused many observers concern. Intellectuals and journalists were quick to point out that the return

⁵ Intellectual pleas for majoritarian rules (e.g. Neisser and Pelinka 1971) never had much impact on the electoral reform debate; there was no popular consensus for such a change and political elites never came close to enacting a majoritarian proposal.

⁶ Between 1933 and 1945 there was no democracy in Austria and no elections were held.

of grand coalition government constituted too great a concentration of power and risked restoring levels of democratic accountability (or rather the lack of it) that had been associated with the 'old' grand coalitions of the 1950s. As the government parties recognized the potential electoral damage that could result, they committed themselves to democratic reform: empowering the voters and the parliamentary opposition by reform of the electoral law and the parliamentary rules of procedure became the order of the day. Hence, including electoral reform in the grand coalition's programme was first and foremost an attempt at agenda management, that is, an attempt to remove the issue of declining democratic accountability from the public debate.

The electoral reform from the very beginning of its discussion was meant to strengthen the accountability of MPs while maintaining roughly the current level of proportionality. The original plan was to introduce about 100 SMDs and, in a second tier, to adjust for proportionality by allocating the remaining seats (while maintaining the total of 183 seats). This plan failed because it was rejected not only by the opposition parties but also by many of the government parties' backbenchers. With a proposal to change almost everything, too many of them were concerned about the reform's impact on their individual chances of holding their seats. Moreover, many MPs believed that the holders of constituency seats would be 'first class' MPs and that the list-PR MPs would be demoted to 'second class' status. This concern was shared by those regional party organizations of the SPÖ and ÖVP that are electorally weak and therefore anticipated a monopoly of 'proper' regional representation by their opponents. And such a monopoly, in turn, was expected to lead to further electoral decline of the weaker parties. The government parties therefore resorted to the alternative of strengthening the accountability of MPs by increasing the number of electoral districts less dramatically (from nine to forty-three), maintaining multimember districts, and strengthening the preference voting system (Müller and Scheucher 1994).

While the agenda management motivation was predominant, to some extent the government parties were also concerned about the negative effects of very large constituencies (until 1992) on voter-MP relations. Furthermore, they originally expected to improve their relative positions through the new electoral system. They hoped (and the opposition parties were concerned) that the logic of personalized campaigns in the forty-three electoral districts would automatically increase the vote of the SPÖ and ÖVP as these parties were initially expected to win almost all of the first tier seats.⁷ Election campaigns that were personalized at the level of individual candidates (rather than at the level of party leaders) would also benefit the two traditional major parties since they have a larger reservoir of suitable candidates. More recently, Cox and Shugart (1996) have shown that 'district magnitudes of about five or below' (1996: 300), which applied to 79 per cent of the Austrian regional districts in 1994, are likely to encourage strategic voting. Their argument is for one-tier electoral systems and hence cannot be applied to the Austrian system *per se*. If, however, voters value first tier seats more than higher tier seats (because here they elect *local* representatives) a similar effect may materialize.

⁷ Due to the rise of the FPÖ that expectation was not met before that party's electoral collapse in 2002.

HOW THE ELECTORAL SYSTEM WORKS

According to the constitution the Austrian electoral systems at all levels of the polity have to comply with some basic principles such as elections being general, equal, free, direct, and secret (Art. 26) (Poier 2001: 230–57). The requirement of equality in elections has been interpreted as requiring some form of PR electoral system. The constitution also constrains districting: electoral districts need to consist of intact territorial areas (i.e. entire municipalities) and fall within the boundaries of one of Austria's nine Länder. Since 1992 the electoral law demands that the regional electoral districts (which are established via the electoral law) must not cut through the country's traditional administrative (and party organization) units, the political districts (*politische Bezirke*). These are the middle layer between local communities and the Länder. Finally, the constitution leaves no room for malapportionment: seats are allocated to the electoral districts according to the number of Austrian citizens living there (according to the most recent census) or being registered there although living abroad. Note that the constitution takes the number of citizens rather than those eligible to vote as the basis for the allocation of seats to the electoral districts (the *Bürgerzahlprinzip*).

Elections to the parliament are to be held every four years—or earlier if the parliament decides.⁸ Voters are automatically registered on the basis of their declaration of residence. Voting in parliamentary elections is not compulsory.⁹ The voting age is eighteen, while running as a candidate requires a minimum age of nineteen years. Any change to the constitution (and hence the principles of electoral law outlined above) requires a two-thirds majority in parliament. In contrast, electoral law is ordinary statute and can be changed by a simple majority. The remainder of this section summarizes the basic features of the electoral system, as found in the electoral law, beginning with the requirements for contesting elections.

Apportionment proceeds as follows: all seats are assigned to the nine Land electoral districts (*Landeswahlkreise*, identical with the Länder) according to their population (not their proportion of those entitled to vote) plus those Austrians living abroad who are contained in the voters' list. Each electoral district is subdivided into two to eight regional electoral districts (*Regionalwahlkreise*); altogether there are forty-three regional electoral districts. In the 1994–2002 period the mean regional district comprised 4.2 seats, the median district five seats.¹⁰ Within the Land electoral districts the seats are assigned to the regional electoral districts, again in proportion to the number of citizens.

⁸ Other constitutional means to reduce the term of the parliament exist but have not proved relevant.

⁹ Until 1992, the Länder had the right to make voting compulsory for their territory by Land statute, an option chosen by three of them for elections to the parliament.

¹⁰ The 1991 census determined apportionment in the first three elections, the 2001 census for the 2002 elections.

Voters have one vote each. They can indicate their party preference and/or one preferred candidate each at the regional and the Land levels (see Figure 19.1). Party lists in the third tier are fixed, that is, voters cannot change them. The names of the regional candidates are fully listed on the ballot paper (each party is allowed to nominate twice as many candidates as seats available or twelve candidates per district, whatever figure is larger). Technically, each voter has a much greater variety of choices with regard to the Land candidates (each party is allowed to nominate twice as many candidates as seats are available in the Land). Preference votes are given by ticking one of the regional candidates and by writing-in the name of a Land level candidate at a specific place on the ballot paper. Yet, to make a vote valid the electoral law requires only that the will of the voter is clear. Hence, striking out all parties or candidates except one or making their preference clear by other means also produces a valid vote. Preference votes for candidates that are not accompanied by indicating a party preference count as party votes (except in the case that the name of a Land level candidate is written in under the wrong party label—this invalidates the vote).

Once the votes are counted, *all* of them go through all three tiers of the electoral system. For each of the Land electoral districts the number of votes required for a seat is calculated by the Hare system. This quota (*Wahlzahl*), however, is first used in the first tier, at the regional electoral district level. Hence, all regional seats in one Land require the same number of valid votes irrespective of the number of votes cast in the individual districts. Each party is allocated seats depending on how often it has obtained the Land quota in each of the regional districts.

In the second tier, seats are distributed at the Land electoral district level. Only those parties participate that have won at least one seat at the regional electoral district level or have received at least 4 per cent of the valid votes nationwide. Note that one seat in *any* of the forty-three regional districts is sufficient to qualify a party for obtaining further seats at the Land level all over the country (second tier) and at the national level (third tier). All votes (including those that have already been converted into seats at the regional electoral district level) enter the calculation of second-tier seats. Once again each party wins seats depending on how many multiples of the Land quota it has obtained. For each party, seats already distributed at the regional level are deducted from the number of seats calculated at the Land level.

Finally, in the third tier, seats are distributed at the national level (there are a total of 183 seats). Again, only those parties participate which have won at least one seat at the regional electoral district level or have received at least 4 per cent of the valid votes nationwide. The number of votes required for a seat is calculated on the basis of all valid votes by the D'Hondt system. Seats already distributed at the regional and Land levels are deducted from the number of seats calculated for each of the parties at the national level. Theoretically it is possible that a party might be entitled to fewer seats on the basis of its national vote than it has already won in the regional and Land electoral districts (something that has never happened so far). In this case the allocation of seats in the first and second tier prevails.

Amtlicher Stimmzettel

für die Nationalratswahl am 24. November 2002

Regionalparteiliste 2 A – Klagenfurt

Liste Nr.	1	2	3	4	5	6
Parteibezeichnung	Sozialdemokratische Partei Österreichs	Freiheitliche Partei Österreichs	Österreichische Volkspartei	Die Grünen – Die Grüne Alternative	Kommunistische Partei Österreichs	Die Liberalen (Liberales Forum)
Kurzbezeichnung	SPÖ	FPÖ	ÖVP	GRÜNE	KPÖ	LIF
Für die gewählte Partei im Kreis ein X einsetzen.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
VORZUGSSTIMME – LANDESWAHLKREIS Für die Vergabe einer Vorzugsstimme an einen Bewerber der Landesparteiliste der gewählten Partei die Bezeichnung des Bewerbers in die entsprechende Spalte einsetzen.						
VORZUGSSTIMME – REGIONALWAHLKREIS Für die Vergabe einer Vorzugsstimme an einen Bewerber der Regionalparteiliste der gewählten Partei im Kreis links vom Namensfeld ein X einsetzen.	1 Mag. Turrik <input type="radio"/> Melita, 1955	1 Dr. Kanovsky-Winlermann <input type="radio"/> Renate, 1957	1 Mag. Scheuchter-Pficher <input type="radio"/> Elisabeth, 1954	1 Köchl <input type="radio"/> Matthias, 1977	1 Frank <input type="radio"/> Christopher, 1976	1 Mag. Hammerer <input type="radio"/> Georg, 1977
	2 Scherwätzl <input type="radio"/> Andreas, 1966	2 Dolinschek <input type="radio"/> Sigisbert, 1954	2 Dr. Pirker <input type="radio"/> Hubert, 1948	2 Hebein <input type="radio"/> Esther, 1951	2 Rehm <input type="radio"/> Anja, 1967	
	3 Dr. Meitel <input type="radio"/> Ilse, 1943	3 Mag. Ebner <input type="radio"/> Walter, 1952	3 Luxer <input type="radio"/> Reinhold, 1957	3 Heßlb <input type="radio"/> Rolf, 1958	3 Feuscher <input type="radio"/> Alois, 1935	
	4 Dr. Kalseer <input type="radio"/> Peter, 1958	4 Dipl.-Ing. Klement <input type="radio"/> Karlheinz, 1963	4 Gaggl <input type="radio"/> Hildegard, 1950	4 Mag. Wulfz <input type="radio"/> Andreas, 1962	4 Einspieler <input type="radio"/> Margaretha, 1957	
	5 Glockengießler <input type="radio"/> Ingrid, 1951	5 Scheidter <input type="radio"/> Christian, 1964	5 Geiger <input type="radio"/> Markus, 1972	5 Mag. Schinner <input type="radio"/> Reinhard, 1962		
	6 Rumpold <input type="radio"/> Julius, 1956	6 Lang <input type="radio"/> Dorothea, 1955	6 Jordan <input type="radio"/> Thomas, 1971	6 Hödl <input type="radio"/> Angelika, 1981		
		7 Gunzer <input type="radio"/> Albert, 1960	7 Leilgeb <input type="radio"/> Peter, 1963	7 Dr. Merkac <input type="radio"/> Franz, 1946		
		8 Wedt <input type="radio"/> Markus, 1973	8 Ing. Johannessen <input type="radio"/> Carsten, 1938	8 Mag. Konrad <input type="radio"/> Doris, 1970		
		9 Jost <input type="radio"/> Siegfried, 1958	9 Schtäger <input type="radio"/> Gerald, 1955	9 Mag. Dr. Hammerschmid <input type="radio"/> Gerhard, 1953		
		10 Kleber-Ortner <input type="radio"/> Magli, 1966	10 Ing. Lippitz <input type="radio"/> Gerald, 1951	10 Mag. Lesjak <input type="radio"/> Barbara, 1970		
		11 Stark <input type="radio"/> Adolf, 1950	11 Mag. Zarkian <input type="radio"/> Kevin, 1959	11 Wiegmann <input type="radio"/> Wolf-Dietor, 1950		
		12 Dr. Sinutz <input type="radio"/> Martin, 1961	12 Dr. Wutte <input type="radio"/> Klaus, 1959	12 Primrosch-Irnshilf <input type="radio"/> Ulrike, 1955		

Figure 19.1 Austrian ballot paper

At all levels of the electoral system, voters are confronted by party lists. As we have seen, they can choose one preferred candidate at both the regional and Land levels. In translating votes into seats the party list prevails unless specific candidates have received a sufficient number of preference votes. If this is the case, these candidates are moved to the top of the party lists (if this applies to more than one candidate, their order is determined by the number of preference votes). To take a seat at the regional district level by virtue of preference votes it is sufficient for a candidate to win either half as many preference votes as the Hare quota, or preference votes amounting to a sixth of the party vote in that district—provided, of course, that the party wins enough votes to be entitled to take a seat in the relevant regional electoral district. At the level of the Land districts a candidate needs as many preference votes as votes are required to win a seat.

The electoral system in practice

With a 'perfect' vote distribution, all seats would be filled in the first tier. This, of course, is not the case. Table 19.2 shows that in the 1994–2002 period slightly more than half of the seats were filled in the first tier, about a third in the second tier, and 13 per cent in the third tier. Hence, roughly 87 per cent of the seats were allocated according to the Hare system and 13 per cent according to the D'Hondt system (but see below). Party strength is positively correlated with the regional electoral districts' share in party seats. This proves true both when comparing different parties in one election and parties that have experienced important changes of strength over time. Hence, the SPÖ and ÖVP in the 1992–2002 period have won more than 60 per cent of their seats in the first tier while the small parties have not won a single regional seat. The FPÖ's dramatic losses in 2002 deprived the party of all its previously held twenty-nine regional seats.

Table 19.3 shows that no party wins seats in all regional electoral districts. Typically, the vote is too dispersed to elect candidates in a few districts. The country's only SMD (East Tyrol) has never elected an MP directly: this would require a party to win more than 80 per cent of the vote (recall that a fixed quota, calculated at the Land level, must be reached to win regional seats). Likewise, none of the three regional seats in Innsbruck has ever been filled in the first tier and only a stunning victory by the ÖVP in 2002 allowed this to happen for the first time in one of the three regional seats in the city of Salzburg.¹¹

Note, however, that in terms of regional representation it does not make much difference if a regional seat is filled or remains vacant in the first tier since this automatically increases the number of Land seats. In practice there is great overlap between candidate lists in regional and Land electoral districts. Of the 183 MPs who served in the 1995–9 parliament only sixteen (9 per cent) had been candidates in regional districts exclusively. 108 MPs (59 per cent) were placed on both a regional

¹¹ That is due to a relatively low level of electoral participation in the cities (recall that the Hare quota is calculated at the Land level) and a relatively high level of party system fragmentation.

Table 19.2 Seats allocated in the first, second, and third tiers of the electoral system, 1994–2002

	Tier	1994	1995	1999	2002	1994–2002 (in %)
SPÖ	I	43	48	41	46	65.7
	II	18	18	14	16	24.9
	III	4	5	10	7	9.5
Seats		(65)	(71)	(65)	(69)	100
ÖVP	I	32	32	32	59	61.1
	II	14	16	13	13	27.4
	III	6	5	7	7	11.5
Seats		(52)	(53)	(52)	(79)	100
FPÖ	I	16	17	29	0	46.3
	II	21	19	17	15	42.5
	III	5	4	6	3	11.2
Seats		(42)	(40)	(52)	(18)	100
GA	I	0	0	0	0	0
	II	9	5	9	12	63.9
	III	4	4	5	5	36.1
Seats		(13)	(9)	(14)	(17)	100
LF	I	0	0	0	0	0
	II	7	5	0	0	57.1
	III	4	5	0	0	42.9
Seats		(11)	(10)	(0)	(0)	100
Total	I	91	97	102	105	54.0
	II	69	63	53	56	32.9
	III	23	23	28	22	13.1
Seats		(183)	(183)	(183)	(183)	100

and a Land list. Thirty-six MPs (20 per cent) had been candidates both at the Land and at the national level, while twenty-three MPs (13 per cent) had been running at the national level exclusively (Müller et al. 2001: 35). Typically, the parties try to anticipate the distribution of regional seats when deciding on the ranking of the Land candidates and hence ensure that their top candidates in Innsbruck and Salzburg have a good chance of winning a Land seat.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

The Austrian electoral system employs two alternative thresholds: winning one seat in one of the forty-three regional electoral districts or winning 4 per cent of the valid votes nationwide. Small parties—the Greens, the Liberal Forum, and the FPÖ in

Table 19.3 Number of regional electoral districts in which the parties won seats, 1994–2002

	1994	1995	1999	2002
SPÖ	34	35	34	34
ÖVP	27	27	27	38
FPÖ	16	17	28	0
GA	0	0	0	0
LF	0	0	0	0

2002—have been unable to win a seat in one of the regional electoral districts. Their parliamentary representation depends on their ability to cross the 4 per cent threshold. Hence, the legal national threshold is the effective threshold. It is 1.4 per cent higher than Lijphart's (1994) effective threshold in the 1971–90 period.¹² Note, however, that when the threshold was introduced no party in parliament had won less than 4 per cent of the vote in their entire lifetime as parliamentary parties. Yet, the Greens had been dangerously close to that mark in 1986, 1990, and—after the electoral reform—again in 1995 (4.8 per cent in each case). Nevertheless, the number of parties in parliament increased under the new electoral law. It needs to be pointed out, however, that the only new party in parliament, the Liberal Forum (LF), was an internal creation that faced the electorate as a quasi-established party. As a breakaway from the FPÖ of five MPs who formed their own parliamentary party in 1993, from the very beginning it had resources available that externally created parties lack as long as they do not enjoy parliamentary representation. Despite this head start, in 1999 the Liberal Forum not only failed to win a regional seat but also missed the required 4 per cent threshold (by 0.35 per cent) and hence lost parliamentary representation. It would have won seven seats under perfect proportionality and under the previous electoral system.¹³

So far I have discussed the direct or mechanical effects of the 4 per cent threshold. Yet, it also has an indirect or 'psychological' effect (Duverger 1959; Blais and Carty 1991), that is, it invites strategic voting (Cox 1997). The 4 per cent threshold immediately exercised pressure on small parties. The parliamentary Greens engaged in negotiations to join forces with the VGÖ (United Greens of Austria), a green splinter that is not represented in parliament but which had won 2 per cent of the vote in 1990. While the Greens recognized that their parliamentary representation might be endangered under unfortunate circumstances, the VGÖ could no longer hope for an electoral breakthrough. These negotiations were already successfully completed in 1993 when it turned out that the VGÖ leader had

¹² As Lijphart's effective threshold is probably too high (see Taagepera 2002; Müller 1996), the 1992 electoral reform increased the effective threshold more dramatically.

¹³ The actual results are (hypothetical results under old system in parentheses as calculated by Poier (1999: 268)): SPÖ 65 (62), ÖVP 52 (50), FPÖ 52 (50), Greens 14 (14), Liberal Forum 0 (7).

approached other parties as well, including the FPÖ. This led the party executive of the Greens to withdraw from the agreement. However, the intended effect materialized nevertheless as the affair caused a serious split in the VGÖ with large parts of two Land party organizations deserting to the Greens. After another failure at the ballot box in 1994, the remainder of the VGÖ dissolved itself.

The LF's decline from just under 4 per cent in 1999 to 1 per cent in 2002 might be seen as further 'proof' of the 'psychological' factor. However, in this case the 1999 defeat was followed by party-infighting, the resignation of a charismatic leader, frequent leadership turnover, and the loss of important resources, which may equally account for it. The 4 per cent threshold has also had an impact on maintaining party cohesion in the most fundamental sense—helping to avoid breakaway factions. In the 1990s the Business League seriously considered splitting from the ÖVP but eventually decided that this would be too risky an enterprise given the threshold.

Leaving aside parties that do not cross the effective threshold, does the electoral system have an impact on parliamentary party strength? Table 19.4 shows how many votes the parties represented in parliament needed per seat in the four elections conducted under this system. To some extent differences are unavoidable and the existing ones are relatively small but not totally irrelevant. In all cases the party with the least favourable votes:seats ratio was a small one and the party with the most favourable a big one. The differences in two out of four cases amount to more than 5 per cent of the number of votes effectively required per seat. This is due to the use of the D'Hondt system—the least proportional of the main PR formulas (Lijphart 1986, 1994: 23; Gallagher 1991; Benoit 2000: 387)—in the third tier of the electoral system.¹⁴ However, under the previous electoral systems—1945–70 and 1971–90—the D'Hondt method had been used only for those votes not already used in the first tier. In contrast, in the current electoral system *all* votes enter the calculation of seats according to the D'Hondt method. While under the 1971–90 system the

Table 19.4 Valid votes per seat and Gallagher index, 1994–2002

	1994	1995	1999	2002
All parliamentary parties (a)	24,902	26,091	23,838	26,369
SPÖ	24,889	25,967	23,576	25,978
ÖVP	24,651	25,858	23,916	26,289
FPÖ	24,817	26,504	23,924	27,296
GA	26,041	25,915	24,447	27,351
LF	25,144	26,708	—	—
Maximum difference between parties	1,390	850	871	1,373
Gallagher index	1.098	1.060	3.603	1.332

¹⁴ Of course, this method has the advantage of allocating *all* seats, which is certainly a virtue in the last tier (the Hare system would need additional rules, such as LR, to allocate all seats). For that reason the D'Hondt formula had been used before the 1992 change of the electoral system in the last tier.

Table 19.5 Effects of the electoral system on individual parties and the party system, 1994–2002

SPÖ	ÖVP	FPÖ	GA	LF
+1.2	+0.8	+0.6	+0.1	0.0

Note: Mean differences of the *parliamentary* parties' shares of votes and seats. + indicates a higher share of seats than votes; – indicates the opposite.

numbers of unused votes did not differ greatly between the parties, such differences exist if *all* votes enter the calculation. This benefits the larger parties. Although only a small proportion of the seats are actually allocated in the third tier (13 per cent of the seats in the 1992–2002 period) the allocation of seats in the first and second tiers affects the proportionality of the system only if parties are able to win more regional and Land seats (under the Hare system) than they are entitled to win nationwide (under the D'Hondt system). This has not yet been the case and, given the nature of the parties and the number and shape of electoral districts, it is not likely to happen in the future. Therefore, with regard to proportionality the Austrian electoral system effectively works as a nationwide, 183-member constituency under the D'Hondt system.

Table 19.4 also includes the Gallagher index of disproportionality. In the Austrian case, it has been relatively high only when parties with a sizeable number of followers failed to cross the threshold of parliamentary representation (the Liberal Forum in 1999 and 2002, and the Independents (DU) in 1999). The index takes a value of 3.6 in 1999; the mean for the 1994–2002 period is 1.8. These figures clearly show that the electoral system is a relatively 'weak' one (in the Sartorian sense; see Sartori 1986, 1997). Nevertheless, it can be more disproportional than Table 19.1 might have suggested.

Table 19.5 takes another view of the mechanical effects of the electoral system for those parties that crossed the threshold of representation. By international standards its disproportionality is very modest. Indeed, in the public debate no demands are aired to make the electoral system more proportional. Even the 4 per cent threshold now seems to be generally accepted. This, of course, is not really astonishing. Of the three parties initially critical of this threshold—the FPÖ, Greens, and Liberal Forum—the former two are now well established, their parliamentary representation no longer being under threat, while the latter practically has in effect passed away after failing to cross the threshold.

Impact on the parties

In the individual parties different party bodies de facto decide on the candidate lists at the different levels of the electoral system. Unfortunately no official aggregate

data are available on the use of preference votes. In 1994, however, 25 per cent of the voters ticked a name of a regional candidate and 8 per cent wrote in the name of a Land candidate (Müller and Scheucher 1994: 178–80). The national party leadership is typically limited to compiling the third tier list and perhaps selecting a few Land list positions either by the means of special quotas (which exist only in the SPÖ) or persuasion. Composing the lists at three different levels is a kind of ‘art’, since it involves building safety nets for some politicians and providing for some post-electoral flexibility in determining who will take a seat in parliament. Thanks to the double-candidacies of most politicians (see above) some of them will be entitled to assume either one or the other type of seat (e.g. a regional or a Land seat) and their (or rather their party’s) choice determines which other candidates will take a seat in parliament (the next one on the Land or the regional list in our example). The average MP generally prefers to hold a regional district seat. While there is not much difference in terms of constituency demands (and hence work), it tends to be easier for them to control candidate renomination (and hence to get returned to parliament) than at the Land level. Indeed, a long-serving MP in a 1996 podium discussion, chaired by the author, defined his claimed ‘independence’ from his party as ‘holding a direct (i.e. regional) seat’ and ‘already having pension rights acquired’.

The preference vote system in practice does not intervene strongly in the process of allocating seats to individual candidates. While several regional candidates win enough preference votes to take a seat in parliament, most of them have already been placed at the top of their party lists, precisely because they are known to be ‘popular’. Thus, the preference votes do not change the lists (Müller and Scheucher 1994). In 1999, a candidate with unique characteristics—combining intraparty standing (as a former MP and chairman of the party’s organization for the elderly) and a reputation as a well-respected television personality—was elected by preference votes in Vienna. This deprived his party’s general secretary of her seat. In 2002, a locally popular politician was elected by preference votes in the Burgenland, depriving his party of its spokesman for internal security. Both cases affected the ÖVP, the party that by most accounts has the greatest diversity of preferences anchored in its organizational structure (Müller and Steininger 1994). Although only two candidates made it to parliament through preference votes, under the 1992 electoral system there has been a substantial increase in intraparty competition compared to the period under the previous electoral system. Campaigning for preference votes can be individually beneficial even if their number remains insufficient to win a seat. The party organizations typically recognize preference votes as evidence of a candidate’s popularity and enthusiasm on the campaign trail and will take account of this when preparing the list of candidates for the next elections. Consequently, incumbents who have a challenger in their constituency also tend to campaign for preference votes.

At the Land level the picture is different. Candidates not nominated for ‘eligible’ list positions have not even come close to the required number of preference votes (twice as many as for a regional seat). This may suggest that the popularity of candidates is less important than the technique of voting: ticking a candidate is less

demanding than writing him or her in. Here an informational problem comes in: many voters do not know for sure whether they are obliged to tick one of the names on their ballot paper in order to produce a valid vote. Typically, there is hardly any mass media information prior to the elections on how to conduct the 'simple act of voting'. Thus, many voters tick the first name on the list just to be sure that their vote will be valid. Hence, there is a bias in favour of giving preference votes with regard to first tier seats. In contrast, writing in a name requires a relatively high level of information on both the voting system and the candidates on offer. Hence, there is a bias against the use of preference votes with regard to second tier seats.

The empirical record of preference voting indicates that Austrian voters still think of elections very much in terms of parties rather than individual candidates. Survey evidence compiled since 1980 confirms this. Nonetheless, the increased use of preference voting and the candidates' competition for preference votes has been accompanied by an increase in the role that candidates play in influencing voters' decisions (Müller and Scheucher 1994).

In sum, until 1992 the party organizations were virtually free to determine who would obtain a seat in parliament. Although accidents may happen, the 1992 reform has not substantially reduced that freedom. Intraparty candidate selection remains much more decisive than the general election for parliamentary representation.

Impact on parliament

The political parties' de facto monopoly in determining the composition of parliament results in MPs who in the aggregate are much better educated than the population. It also leads to an over-representation of the public sector and of some small social groups, for example lawyers, industrialists, and medical doctors, representatives of which are considered essential for the composition of more than one parliamentary party. Compared to SMD electoral systems women are clearly better represented in the Austrian parliament, but their representation is less than in the most 'female' parliaments in western Europe (Norris 2004) and not nearly close to their share in the population (Müller et al. 2001: ch. 2). The 2002 elections resulted in sixty-two (of 183) female MPs (34 per cent). Yet, it is less the electoral system that has to be blamed for representational deficits than the selection mechanisms of political parties.

Finally, does the electoral system impact on the behaviour of MPs and does this in the aggregate influence the practice of parliamentary democracy in Austria? The strong role of parties in the electoral process¹⁵ clearly provides incentives for MPs that make it easier to achieve the very high levels of party cohesion typical of the Austrian parliament (Müller et al. 2001: ch. 5). Indeed, although individual MPs occasionally resort to abstention or, more rarely, vote against the party line, this has never been consequential in the sense of turning a majority into a minority.

¹⁵ Note, however, that most MPs do not directly depend on the *national* party for their renomination at an 'eligible' place on the party list.

The three ‘types’ of seats make Austria a laboratory for studying *within*-system differences resulting from the electoral system. Does the behaviour of MPs vary according to the type of seat that they hold? A survey of Austrian MPs conducted in the 1996–9 parliament (Müller et al. 2001) provides some answers.¹⁶ Here I report some relationships that proved statistically significant at the 5 or 10 per cent level in multivariate OLS and logistic regression models testing for the relevance of a total of eleven independent variables.¹⁷ Accordingly, MPs who hold a regional (first tier) seat are *more* likely than MPs with a second tier (Land) seat to have specific role perceptions and engage in certain types of behaviour while MPs with a third tier (national) seat are least likely to do so. Thus in open-ended questions regional MPs perceive their primary role as representatives of the voters (rather than specific social or occupational groups) and tend to see their job as providing communication between the geographic constituency and parliament. In the constituency, party work impacts more heavily on their workload (relative to other constituency-oriented activities), they see citizens as their most important contacts, and they practise a direct communication style with them (rather than via the media). Regional MPs are *less* likely to put their emphasis on plenary activities in parliament, to have civil servants and journalists among their most important contacts, and to show up in the (national) media. All this suggests that MPs who hold a regional seat are more parochial, and more district-and service-oriented, than their colleagues who hold Land and national seats.

The critical question, of course, is whether all MPs would display the attitudinal and behavioural characteristics of, let’s say, third tier MPs if all MPs were elected via a fixed national list. Certainly not. The three types of seats should better be understood as an opportunity structure that allows the allocation of seats with specific demands to candidates with given characteristics and inclinations. Yet, there is no perfect equilibrium between different types of candidates and the three types of seats. More national seats would make it easier to recruit a greater share of policy experts while more regional seats would make it harder to maintain the current level of expertise in parliament.

Government formation

The electoral system’s impact on government formation is minimal (in the sense of Sartori’s ‘no effect’ systems). Potentially, it keeps very small parties out of parliament and hence may ease government formation under specific circumstances. It does not, however, manufacture parliamentary majorities. Given the parties’ lust for government office (which with a single exception has prevented the formation of

¹⁶ The study is based on personal interviews with all 183 MPs, a questionnaire (response rate 75 per cent), a comprehensive quantitative analysis of their parliamentary behaviour, and quantitative surveys of their media presence.

¹⁷ The other variables measure several party characteristics, government/opposition status, type of candidature, district characteristics, district ties, parliamentary seniority, political hierarchy, interest group affiliation, and gender.

minority cabinets), all governments under the 1992 electoral system have been interparty coalitions. In principle, a major party may have incentives silently to encourage a limited number of its supporters to vote for a small party that is required as a future coalition partner in order to ensure it exceeds the 4 per cent threshold, rather than to maximize its vote share at the expense of that party. This, however, has not yet happened and given the current strength of the parties the electoral system is very unlikely to promote party cooperation in the electoral arena. Moreover, unlike the German electoral system, where the ‘first vote’ of small party supporters can benefit their larger partners, the Austrian system does not provide for such an immediate ‘return’ in the electoral arena.

THE POLITICS OF ELECTORAL REFORM

The electoral system analysed here had, by the 2002 election, been in force for only eleven years and only eight years lay between the first and the last elections under this system. Due to two early dissolutions of parliament a total of four elections have been conducted under it. Thus, the experience with this system is quite limited and hence it is not surprising that electoral reform is not once again on the agenda. However, only five elections had been conducted under the previous system (which nevertheless had lasted for twenty-two years), and as we have seen the electoral reform debate was fully flourishing even after the system had been employed in only four elections. Although this is not yet the case with regard to the current system, a few reform proposals have been tabled.

In the 1999–2002 parliamentary term and more recently, the opposition parties, the SPÖ and Greens, proposed lowering the voting age to sixteen years, but there was no majority for this proposal.

In 2002 the leader of the SPÖ, Alfred Gusenbauer, who had been charged with the task of preparing a strategy for the Socialist International which wanted to contain the parties of the extreme and populist right, came forward with the proposal of introducing a majoritarian electoral system.¹⁸ The idea was not entirely new, as his party’s now chief whip, Josef Cap, had made the same proposal previously (Neisser 1996). While this may not be a particularly fruitful approach when it comes to doing more than depriving extremist parties of their parliamentary representation (Carter 2002), it was considered to be an exceptionally unfriendly act by the potential allies of the SPÖ, the Greens, and was rejected by the other parties.

¹⁸ Gusenbauer was not precise about the details but favoured a plurality system. An unofficial proposal by the SPÖ’s electoral system expert is more detailed: between 110 and 122 of the 183 seats would be allocated according to the plurality rule in single-member districts, and between 73 and 61 seats according to PR. In contrast to the SPÖ model prior to the 1992 electoral reform the plurality seats would not be taken into account when the PR seats are allocated (in other words, this would be a mixed parallel system—see Chapter 1). The threshold for parliamentary representation would be reduced to 3 per cent (Stürzenbecher 2003). Given the current strength of parties, the most likely outcome would be one party winning a majority of seats.

Both proposals were self-interested and this is why they were rejected. When the Greens and the SPÖ promoted a lowering of the voting age, they had reason to expect that they would be the main beneficiaries. Likewise, when the SPÖ leader promoted the virtues of a majoritarian system, the SPÖ was the strongest party and had virtually no reason to expect that this might change. After the 2002 election, however, the ÖVP has assumed the role of the leading party and the SPÖ should be glad that the majoritarian proposal was not swiftly accepted by the other parties. Interestingly, the ÖVP has nominated the author of a book promoting a 'minority-friendly majoritarian electoral system' (Poier 2001), that is, a system that allows small parties to survive but gives a bonus to the plurality party, as one of its delegates to the constitutional convention established in 2003. The ÖVP has also raised the idea of giving parents additional votes in order to represent their children.

The task of this convention was to discuss and prepare a major revision of the constitution, which is now more than eighty years old; it has undergone hundreds of amendments, and so it can be quite a complex task to find out what is actually in it. The convention was not necessarily confined to suggesting constitutional amendments in the narrow sense and hence might have suggested electoral reform. Yet, electoral reform turned out not to be a prominent item on the convention's agenda and no reform of the electoral system was recommended.

Sweeping electoral reform would require a constitutional amendment and hence a two-thirds majority in parliament. This, in turn, would require the SPÖ and ÖVP to agree.¹⁹ Yet, simple parliamentary majorities have some leeway with regard to electoral reform. A considerably less proportional system would probably be possible within the confines of the constitution (though that would mean testing the Constitutional Court). Real empowerment of the voters by allowing them to strike out candidates and hence give the preference system more bite would be unproblematic from a constitutional point of view. Yet, nowhere else is politics so much a zero-sum game as in the realm of elections: the gains of one party will be the losses of another. Political parties, therefore, will opt for the system that promises them the greatest advantages (i.e. more seats) under all but the most exceptional circumstances. Of course, they have incomplete information and can be wrong in their assessment of their future position in the party system (as can be seen from the SPÖ's proposal to switch to a majority system before the 2002 election). In most cases, however, Austrian parties tend to be risk-averse. The same holds for individual MPs. While often docile when it comes to implementing the policy decisions of party leaders, they are very willing to take a firm stand with regard to those decisions that affect their most vital interests (such as decisions about the electoral system and the payment and pension rights of politicians).

The electoral reform dilemma then is that the effect a proposal is likely to produce and the prospects of enacting it are inversely related (Müller 2002). A reform proposal that has little effect is likely to meet little resistance. Con-

¹⁹ In two parliaments (1994–5 and 1996–9) the SPÖ and ÖVP did not hold a constitutional majority between them, which made the task of building such a majority even more complex.

versely, a proposal for sweeping reform will face severe and often overwhelming resistance.

CONCLUSION

This chapter has described the design of the Austrian electoral system and analysed its operation in practice. In short, the system is a complex three-tier PR system that allocates seats at the regional, Land, and national levels. Only those parties that can win a seat in one of the forty-three regional districts (first tier) or that cross a national threshold of 4 per cent win parliamentary representation. In the first two tiers, which in the 1994–2002 period have allocated roughly 87 per cent of the seats, the Hare system is used. The remaining seats are allocated in the third tier, at the national level, by the D'Hondt system. Yet, *all* votes are used again in the third tier. As long as parties do not win more seats in the first two tiers than they are entitled to win according to the calculation in the third tier, the electoral system effectively works as a nationwide, 183-member constituency under the D'Hondt system with regard to overall proportionality. The first and second tier, however, largely decide where the parties take seats and who represents them in parliament. In these tiers the party ranking of candidates can be corrected by a preference vote system, which, however, has not had much effect so far in overturning the parties' rankings. The complexity of the system is meant to allow for close voter–MP relations (in the regional districts), to give the important Land level a stake in the electoral system, and to ensure a high degree of proportionality. The latter goal is certainly achieved, as is shown by the results of comparing the Austrian electoral system to other real-world systems. Yet, the in-built thresholds, and more subtle rules with such as using all votes again in the third tier, have introduced a small bias in favour of the large parties.

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Belgium: Empowering Voters or Party Elites?

Lieven De Winter

In 1899 Belgium was the first country to introduce proportional representation (PR) as a general principle for organizing elections at all levels. Since this major shift from majoritarian rule, the electoral system remained relatively stable, at least until the mid-1990s (Rihoux 1996). Since then, and especially during the 1999–2003 government (Verhofstadt I), comprehensive reforms have been introduced.

POLITICAL BACKGROUND

The Belgian party system was initially based on an opposition between two camps, Catholics and anti-clerical Liberals. In the second half of the nineteenth century, the government gradually enlarged the franchise and thereby allowed the entry of the first Socialist deputies to the Chamber in 1894. At the turn of the century, the traditional two-party system was replaced by a three-party system, and after the introduction of universal suffrage in 1919, it moved to a two-and-a-half party format based on a religious and class divide in which the Liberals were gradually reduced to third place.

The centre–periphery divide for which Belgium is now much noted emerged fully only in the 1960s (apart from a short-lived success of extreme-right Flemish-nationalist parties in the 1930s). The economic and political fortunes of the main regions and ethnic groups have been reversed over time (De Winter 1998*a*). While Flanders was originally a political, linguistic, cultural, and economic periphery, the Flemish-nationalist movement successfully challenged francophone ascendancy and gradually achieved a predominant position on all dimensions vis-à-vis the previously dominant regions of Brussels and Wallonia.

In each region, ethno-regionalist parties mushroomed in the 1960s: the *Volksunie* (VU) in Flanders, the *Rassemblement Wallon* (RW) in Wallonia, and the *Front Démocratique des Francophones* (FDF) in the Brussels region. By the early 1970s, they attracted 20 per cent of the Flemish and Walloon vote, and 40 per cent in Brussels. The growing saliency of the linguistic and regional cleavage internally divided the Christian Democrat, Liberal, and Socialist unitary parties, and each split

into two organizationally and programmatically independent Flemish and French-speaking branches (respectively in 1968, 1972, and 1978). The last expansion of the party system and cleavage structure occurred at the end of the 1970s, with the emergence of the Flemish separatist and xenophobic *Vlaams Blok* (VB) and the Green parties (*AGALEV* in Flanders and *ECOLO* in the Francophone areas). Thus, to understand the impact of electoral system change on party competition it is crucial to remember that there are no 'national parties' left in Belgium; that is, parties that contest all constituencies. All parties are homogeneously Flemish or Francophone, and contest only Flemish or Francophone constituencies (with the exception of the huge bilingual Brussels-Halle-Vilvoorde constituency).

From the 1960s, incremental steps were taken towards federalism. In 1993, the most significant of many revisions of the constitution transformed Belgium into a fully-fledged federal state based on three partially overlapping cultural 'communities' (Flemish-, French-, and German-speaking¹) and three socio-economic 'regions' (Flanders, Brussels, and Wallonia), with numerous connections between them (e.g. the Flemish community and region decided to merge). The 1993 reforms created for each region and community a directly elected legislature² and an executive headed by a Minister-President with its own civil service. This substate level of government controls over one-third of overall public spending. Regional competencies include the definition of their own electoral systems and those of subregional levels, such as the communes and provinces.

The old symmetrical and congruent bicameralism was modified, creating new electoral rules and a new role for the Senate, which lost several powers including those relating to government investiture, delaying powers, legislative veto power, and budgetary control (De Winter 1998*b*). Today only the Chamber of Representatives can invest or dissolve a government, approve the budget, and conduct interpellations of ministers. All government bills are introduced in the House. Despite this, the Senate and the House remain equally competent as regards constitutional and other institutional reforms, regional and linguistic matters, ratification of treaties, and the organization of the judiciary. The Senate is exclusively competent for conflicts between the national and regional/community legislatures. Conflicts between chambers are solved through *navette*³ or conference committee. The Senate has the right to discuss and amend bills approved by the House, but the latter has the final word, even on bills initiated by the Senate. While the Senate was intended to evolve into a 'chamber of reflection' and a meeting place between the federal and regional/community levels of government, in reality it has declined into a 'second

¹ After the First World War (Treaty of Versailles), a small German-speaking territory was annexed as war retribution.

² In 1995, the regional/community legislative assemblies were directly elected for the first time. Before then, they were composed of representatives of the Chamber and directly elected senators. MPs 'wore two hats', in the sense that one week they would sit as a federal MP and the other week as a regional and community MP. Since 1995, regional and federal elected offices have been incompatible.

³ '*Navette*' literally means 'shuttle': the bill is sent back and forth between the two chambers until they agree on a final version of the text.

order' chamber whose utility is repeatedly questioned. Therefore we will focus on the electoral reforms regarding the Chamber of Representatives.

ORIGINS OF THE ELECTORAL SYSTEM

Following independence in 1830, the constitutional congress of 1830–1 opted for a plurality system that was based on one or, if necessary, two rounds of voting. Candidates were elected in the first round only if they obtained an absolute majority of valid votes in a constituency. If this did not occur, the leading candidates went forward to a second round contested by twice as many candidates as there were seats left to be filled. District magnitude varied from one to eighteen: when this system was last used (in 1892) most constituencies were multimember. Before 1877 electors cast their votes (as many as there were seats in the constituency) by writing the candidate name(s) on a piece of paper (i.e. Belgium used the block vote—see Appendix A). When the printed voting ballot was introduced in 1877, candidates were grouped by list (i.e. party), and one could cast a single list vote or continue to vote for individual candidates. Each list vote was added to the number of preference votes of the candidates on the list and those with the most preference votes were deemed elected.

A well known disadvantage of block voting is that when electors cast all of their votes for candidates of the same party, the result tends to be highly disproportional, usually even more so than under single-member plurality systems. And, indeed, in Belgium voters usually did not vote for candidates of different parties, so in many constituencies all seats were captured by either the Liberal or Catholic party, often by very small margins. On several occasions, a shift of only a few hundred votes could bring the opposition party into power with a large parliamentary majority (Stengers 2000).

This system was therefore mostly criticized for its failure to give proper representation to political minorities, the lack of a clear relationship between electoral and parliamentary majorities, and the executive instability that this created. In addition, legal challenges to the counting procedures, manipulations of voter registration and of eligibility rules, and pressure on voters' choice were common practice,⁴ and, therefore, the process of gaining parliamentary majorities and executive power were not immune to electoral fraud.

Gradually the system also started to affect the relationship between ethnic groups. Increasingly the catholic seats and parliamentary majorities were won in Flemish constituencies, while liberal majorities were based on Walloon and Brussels seats. With the breakthrough of the socialists, the overlap between ethnic and denominational cleavages was at risk of coinciding with the third emerging cleavage, class. Clearly, the alarming prospect of a Catholic, bourgeois, and Flemish bloc permanently opposed to a free-thinking, francophone, and revolutionary (in the eyes of the conservatives) working-class party (as the socialists threatened to replace the

⁴ In the period 1882–92, 145,000 cases were contested in the courts (Barthelemy 1912: 217)!

Liberal party as second party) was a political cocktail that scared the ruling conservative forces (bourgeoisie, church, aristocracy) to such an extent that PR was introduced. The new system saved the Liberals from extinction, and in dividing the anti-Catholic bloc into conservative Liberals and socialist reformists, guaranteed a large Catholic majority in parliament until 1914. The system was not highly proportional, since many of the small constituencies delivered seat bonuses to the Catholics. As well as being the first country to introduce PR at all levels, Belgium was also innovative in introducing the (now) famous method of seat allocation developed by the law professor Victor D'Hondt.⁵ The introduction of PR did not lead, as some had predicted, to a proliferation of parties. Instead, the three parties that had emerged before the introduction of PR went on to dominate Belgian politics in the subsequent decades.

The plurality electoral system was based on a poll tax for the Chamber, which gave suffrage to about 1 per cent of the 1831 population, and even less for the Senate! Incremental suffrage extension occurred thereafter until male general plural suffrage was introduced in 1893,⁶ thereby expanding suffrage to about 22 per cent. Suffrage was granted in 1919 to all men as well as widows and mothers of fallen soldiers. Only after the Second World War (1948) were women unconditionally allowed to vote.

HOW THE ELECTORAL SYSTEM WORKS

Under the current system, introduced in 2003, the number of constituencies is set at eleven, comprising the number of provinces plus the large capital constituency Brussels-Halle-Vilvoorde.⁷ District magnitude varies from four to twenty-two. The number of seats allocated to constituencies is proportional to the number of legal inhabitants in the constituencies, not the number of Belgians or voters. This leads to a certain over-representation of Wallonia, and especially Brussels, given the higher number of non-Belgians residing in these regions. A reapportionment occurs every ten years after the census held at the beginning of a decade, following the LR–Hare method. Parties in each constituency normally nominate a number of candidates equal to the number of Representatives to be elected.

⁵ D'Hondt was a professor at Ghent University. The electoral system reform was not uncontroversial. There was violence in parliament, a general strike, and widespread popular demonstrations. Carstairs (1980: 55) goes as far as to say that 'The coming of PR was a triumph of public opinion over the repugnance of many members in parliament' (who won their seats under the majority system and thus were concerned about the implications of change).

⁶ But before making the definitive shift to PR (in 1899), in 1893 plural, general male suffrage was introduced, giving up to two extra votes to family fathers, property owners, and more highly educated voters. In addition to the introduction of the 'plural general suffrage', compulsory voting was also debated and introduced. Abstention fell from 16 per cent in 1892 to 5 per cent in 1894 (Dupriez 1901).

⁷ The number of constituencies for the elections for the Chamber was thirty in the 1945–93 period, with district magnitude varying from two to thirty-three in the Brussels constituency, electing a total of 212 deputies. At the 1995 and 1999 elections, the 150 deputies were elected through PR in twenty constituencies, varying between two and twenty-two seats.

Since 1995, the Senate has been composed of seventy-one members, of whom twenty-five and fifteen respectively are directly elected in two huge constituencies, the Flemish and Francophone communities respectively, which overlap only in the Brussels region. Added to this are twenty-one delegates of the Communities to the federal Senate: the 'Flemish Parliament' and the 'Francophone Community Council' each nominates ten members and the Council of the German-speaking Community, one. Ten senators are co-opted by the first two types of senators. Thus voters have no direct influence on the selection of thirty-one out of seventy-one senators.⁸

The electoral reform of 2003 has simplified the allocation of seats in the House considerably, by applying the D'Hondt system in each of the eleven constituencies. Also, a 5 per cent threshold at the constituency level was introduced, abolishing the former system of second tier allocation at the provincial level.⁹

The method of allocating seats to candidates was introduced together with PR in 1899 and underwent only a minor change in 2000. The electoral code stipulates that there are two alternative ways of casting votes (for the House as well as the Senate): a list vote, endorsing the order of candidates on the list that is presented, and a preference vote. Every candidate whose number of preference votes reaches the eligibility figure (calculated by dividing the party's total constituency vote by the number of seats it won, plus one) receives a seat. Usually, only candidates at the top of party lists are elected in this manner. If the head of the list receives fewer preference votes than the eligibility figure, list votes are added to his preference votes until the required number is reached. This procedure is repeated until all the party's seats have been allocated. However, if the list votes are depleted before all the seats have been assigned, then the remaining seats are given to those remaining candidates who have the largest number of preference votes. In practice, voters rarely manage to alter the ordered list (indeed this happened in the cases of less than 1 per cent of all MPs elected since the First World War!), in spite of the fact that the incidence of preference voting increased from 16 per cent in 1919 to 60 per cent in

⁸ In addition, the legal children of the King are *ex officio* members of the Senate, but in practice they show up only for ritual duties.

⁹ Before 2003, the allocation of first tier seats to parties was accomplished using the Hare quota. For the remaining seats, a second tier allocation was organized at the level of the nine provinces, which aggregated remainder votes for all the constituencies of a given province. To be eligible for second tier allocation a party had to have won one-third of the electoral quota in at least one constituency (before 1995 it was two-thirds). On average, about a third of the Chamber seats were allocated through the second tier. Hence, a considerable number of these seats were unsafe, in the sense that even when an incumbent's party did not lose any votes in the constituency, the chances were high that the seat would still be allocated at the next election to the party's list in another constituency. This provincial 'lottery' system made MPs even more dependent on their party. First, they could acquire electoral safety only by reaching the safe places on the list, and these were decided by the constituency parties. Second, in case of loss of seat due to the effect of the second tier allocation, the only hope of a non-elected candidate was to be rescued by the national party organization nominating him or her as a co-opted senator. The second-tier threshold combined with small constituencies put the average effective threshold for many parties over 10 per cent and for the smallest constituencies sometimes over 20 per cent (Blaise 2003). Only the large constituencies of Brussels, Antwerp, and Liège had effective thresholds lower than the current 5 per cent formal provincial threshold.

1999 (Wauters 2003).¹⁰ Hence, in practice, voters only really decide the number of seats a party won, not who fills the seats.

A reform in 2000 partially modified the system and aimed at enhancing the voters' influence on the question of which of a party's candidates are elected. The solution agreed among the government parties appears a fair political compromise: it was decided that only half of the number of list votes cast for a party in a given constituency would be available to upgrade the preference votes of those high up on that party list. However, in practice, the new system does not seem to have ended the grip of the parties on the selection of the actual deputies. At the 2003 general election, when preference voting peaked at 67 per cent, eighteen deputies were elected 'out of order', bypassing candidates placed higher on the lists. Of these, eleven would not have been elected if the old system of allocating the entire reservoir of list votes had still been in use (Wauters 2003).

The spectacular rise in the number of deputies elected 'out of order' is also due to the strategy, adopted by most parties, of putting their well-known regional ministers (and some MEPs as well) on the federal election lists. In this strategy of 'all hands on deck', many of these 'regional' candidates had no intention of giving up their regional leadership position for a mere seat in the federal Chamber or Senate. Instead, they supported their party, by 'pushing' the list as its last candidate. Given their high profile, they obtained quite respectable scores, often enough to bypass a candidate higher on the list. Hence, while the voter was more empowered in picking between the actual candidates, twenty-two of the 'chosen ones' did not take up their federal seats and carried on at another (usually regional) level. Finally, the ruling coalition allowed another exception for the 2003 election, that is, the possibility for a candidate simultaneously to contest both the Chamber and Senate elections. The intention was to allow the top leaders of parties to run for the Senate with its region-wide constituencies, and also run for the Chamber in a large province-wide constituency. If elected to both chambers, they had to make a choice within three days, since holding both mandates simultaneously is not allowed.

Until 2003 the 'effective' candidate list was followed by a 'reserve' list of candidates (up to a maximum of half the number of effective candidates).¹¹ If an elected member left office (due to death, illness, or promotion to an executive office, etc.) he/she was replaced by the first person on the reserve list. Hence, in

¹⁰ For the Senate elections, the number of preference votes cast is even higher (68 per cent). Preference votes are the highest in the rural provinces of Luxembourg and Limburg. For the Chamber elections, the Socialists and Christian Democrats receive significantly more than average preference votes, while the lowest scores are for the Front National, Vlaams Blok, and the Greens. For the Senate, the Liberals also obtain a more than average score (Wauters 2003). Our own bivariate calculations on the basis of the national election survey of 1999 (PIOP-ISPPO) indicates that preference voting increases with socio-economic status, education, income, and age (with the exception of those older than sixty-five).

¹¹ In 2000, the government decided that vacancies should be filled by the candidate who would have been elected if the party had gained one more seat (applying the new system of distribution of list votes). Hence, the filling of vacancies would depend on the verdict of the preference voters, rather than on the choice of stand-in made by the party selectorates. However, the coalition parties agreed in 2002 to allow an exception to this principle for the federal elections of 2003.

constituencies in which a party had candidates who were *ministrables*, the first reserve position was nearly guaranteed a seat in parliament (because government ministers in Belgium cannot simultaneously be MPs). Thus, a further fifteen MPs were replaced due to their subsequent promotion to the cabinet after having been sworn in. As a result, of the 150 candidates formally elected on 18 May 2003, no fewer than a quarter (37) were replaced by reserve candidates, either because they became ministers or because they preferred to continue to work as a regional minister, senator, or MEP. Clearly, this practice of ‘bringing on a substitute’ further reinforces the power of the candidate selectorates within the parties.

Co-opting thirty-one of seventy-one senators also distorts the simple direct chain of delegation and accountability (De Winter and Dumont 2003). The parties decide whom they will back as candidates and to what extent their electoral popularity will be a consideration. Most co-opted senators are candidates who failed to win a seat in the general election.

Nonetheless, preference votes are not entirely irrelevant to a candidate’s political career. Selectors do take into account a candidate’s previous electoral performance. Still, many selectors prefer to give safe places on the lists to privileged candidates—pressure group representatives, parliamentary specialists, national party leaders, or even ministers—who sometimes receive fewer preference votes, rather than candidates with a larger personal vote.

Since 1991 computer voting has been gradually introduced so that by the 2003 election about half of the electorate voted electronically. This has slightly reduced turnout because it took citizens, especially senior citizens, much more time to cast their vote in the computerized cantons. Gigantic queues occurred with voting bureaux having to close hours after the legal closing time. Understandably, many people did not feel like wasting hours of their Sunday leisure time standing in queues. One can also assume that computer-illiterates decided not to show up in order not to display their incompetence. The number of blank and invalid votes decreased, as it has become impossible to vote invalid on the screen, and voting blank was rendered complicated.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

The growing fragmentation triggered by the emergence of the regionalist parties in the 1960s boosted the size of the party system: the effective number of parties rose from 2.6 in the 1950s to extreme degrees in the 1990s (9.1 in 1999). This extreme fragmentation expresses a multitude of cleavages and policy dimensions: left–right, clerical–anticlerical, regional–linguistic, materialist–postmaterialist, system–anti-system, and postmaterialist versus silent counter-revolution. It is important to note that during the entire period of the expansion of the party system, not a single modification of the electoral system was introduced.

However, the recent reduction in the fragmentation of the party system (bringing the effective number of legislative parties down to 7.0) is partially due to electoral engineering, that is, the introduction of the 5 per cent threshold (see Table 20.1). While thresholds had been debated only sporadically as a means of reducing party system fragmentation, it became a salient issue within the wider political reform project of the Blue–Red–Green coalition launched in 1999. Certainly one of the facilitating factors was that for the first time in decades, several parties had declined

Table 20.1 The Belgian federal election of 18 May 2003

	Votes	% votes	Seats	% seats
VLD	1,009,223	15.4	25	16.7
SPA	979,750	14.9	23	15.3
CD&V	870,749	13.3	21	14.0
PS	855,992	13.0	25	16.7
Vlaams Blok	767,605	11.7	18	12.0
MR	748,952	11.4	24	16.0
CDH	359,660	5.5	8	5.3
N-VA	201,399	3.1	1	0.7
ECOLO	201,118	3.1	4	2.7
AGALEV	162,205	2.5	—	—
Front National	130,012	2.0	1	0.7
VIVANT	81,337	1.2	—	—
CDF	38,346	0.6	—	—
Others	165,841	2.5	—	—
Total	6,572,199	100	150	100
Effective number of elective parties	8.84			
Effective number of legislative parties	7.03			

Note: The figure for ‘others’ is an aggregate vote total of thirty lists each of which attracted less than 0.5% of the vote, none winning a seat.

Main parties:

VLD: Vlaamse Liberalen en Democraten (Flemish Liberal Party)

SPA: Socialistische Partij (Flemish Socialist Party)

CD&V: Christen Democratisch & Vlaams (Flemish Christian Democratic Party)

PS: Parti Socialiste (French-speaking Socialist Party)

Vlaams Blok (Flemish Block—Flemish far right party)

MR: Mouvement Réformateur: cartel between the Parti Réformateur Libéral (French-speaking Liberal Party) and the Front Démocratique des Francophones (French-speaking Nationalist Party—Area of Brussels)

CDH: Centre Démocrate Humaniste (French-speaking Christian Democratic Party)

N-VA: Nieuw-Vlaamse Alliantie (Flemish Nationalist Party)

Ecolo: the acronym is based on the first five letters of the word ‘Ecologie’ (i.e. the French-speaking Green Party)

Agalev: the acronym is based on the contraction of the three words ‘Anders gaan leven’ (‘Another Way of Living’, i.e. the Flemish Green Party)

FN: Front National (French-speaking far right party)

to the extent that they became vulnerable to elimination by threshold. In fact, in 1999, the tenth party won 5.6 per cent of the national vote, against only 14.3 per cent for the largest! Apart from the small Front National, the new potential victims were the successor parties to the Flemish-nationalist Volksunie, which after a decade of struggle for survival and renewal decided to split in 2001. From its ashes rose the 'postnationalist' left-liberal SPIRIT, which, in order to survive the electoral threshold, formed an electorally beneficial cartel with the Flemish Socialists for the 2003 elections. Meanwhile the traditional Flemish separatists formed the Nieuw-Vlaamse Alliantie (N-VA), though apart from its leader this party did not gain any parliamentary representation. More importantly, the Greens, which as one of the government parties had voted for the threshold, were blown away. The Flemish Greens were annihilated, while the francophone Greens were only left with a handful of representatives and senators. However, this bloodshed was mostly due to simple electoral losses rather than to the threshold.¹² Still, the 2003 massacre certainly enhanced feelings of insecurity amongst minor parties and pushed them to look for alternatives, including the formation of electoral cartels. In fact, the Greens were invited by the Socialists to form a cartel, while the N-VA started talks with the Flemish Christian Democrats and formed a successful cartel at the 2004 regional and European elections.

The recent changes in the electoral system (in the number of constituencies, their size, the introduction of the threshold, and the end of a higher-tier allocation) also resulted in a considerable net increase in disproportionality. Gallagher's index nearly doubled from 2.8 in the 1999 general election for the Chamber to 5.2 at the 2003 election.¹³

Impact on the parties

Belgian parties have active and relatively autonomous constituency and local organizations. The constituency parties make most candidate selection and de-selection decisions and interference by national party headquarters used to be rare. All traditional parties, apart from the Francophone Socialists (PS), gradually shifted away from the poll procedure (a type of 'party primary' in which all party members could participate) in the 1960s and early 1970s (De Winter 1988). In most parties, the local and constituency party activists gained control of the candidate selection process, while in the CVP (Flemish Christian Democrats), the process is controlled by the three intraparty factions (the organizations of workers, farmers, and middle classes).¹⁴ Selectors' preferences are influenced by the candidates' background

¹² Of the nine Chamber seats lost by AGALEV, only two can be attributed to the electoral threshold, which was also responsible for a loss of one seat for the N-VA. None of the other parties suffered from the threshold.

¹³ Note that disproportionality is structurally boosted through the allocation of seats to constituencies on the basis of inhabitants rather than voters. This favours the francophone parties, given the unequal spread of foreign residents over the three regions.

¹⁴ In ECOLO and AGALEV, as well as in the VLD since 1992, candidates are selected by the regular rank-and-file members.

characteristics¹⁵ as well as their behaviour inside and outside parliament. Selectors can sanction an MP who does not live up their expectations by deselecting him or her at the following election. The candidate preferences of the selectorates do seem to have an impact on the behaviour of MPs (De Winter 1992), independent of the type of selection method that is used.

The 'provincialization' of the district magnitude for the Chamber since 2003, together with the 'regionalization' of the Senate constituencies since 1995, have in one decade drastically shifted the power of candidate selection to a higher, if not the highest, level of decision-making within parties. Before 1995, in each party the constituency parties were quite autonomous in selecting their representatives to parliament: these were usually picked by local bosses, but in some parties also by the rank-and-file membership. The central party leadership was already decisive in choosing candidates for the region-wide constituencies used for the Senate and the European Parliament. Due to the recent drastic reduction in the number of constituencies, the central parties now also acquired a stronger say in the composition of the lists for the Chamber. Formally, candidates for the Chamber are chosen by the provincial party organizations, but these were never very powerful in Belgian parties, and were thus traditionally more subject to national party interference, which often took the form of parachuting in strong vote-catchers to head the province-wide list. Frequently, hard-working backbenchers are passed over in favour of 'surprise' candidates attracting a lot of media attention.

However, the national party selectorate continued to offer a territorially balanced ticket between the subregions in each province. Hence, provincial constituencies do not necessarily widen the communication gap between elected officials and citizens. They also allow parties to exploit the regional or nationwide popularity of their main figureheads and non-political TV-celebrities (such as leaders of humanitarian or environmental NGOs, sports champions, charm singers, pop concert organizers, fashion models, etc.).

Impact on parliament

Parliamentary government in Belgium can function properly only if the MPs of the numerous parties needed to form a majority are able to guarantee stable support for the government. Until the introduction of the constructive motion of censure in 1995, the cabinet had to mobilize support from the majority parties on every single governmental initiative introduced in parliament. Consequently, parliamentary groups are very disciplined in voting (De Pauw 2000).¹⁶ Apart from investiture voting, there are no systematic longitudinal data available, but disparate

¹⁵ Most parties in the late 1960s and 1970s set an age limit of sixty-five for candidates, but allowed rather generous exceptions. Since the flash success of Pensioners' Parties in the early 1990s, some parties relaxed or even dropped these limits.

¹⁶ For the formal party statutes and informal party constraints that further enhance voting discipline, see De Winter and Dumont (2000).

data spanning the 1954–98 period suggest that on ordinary legislative activities, discipline comes close to *Kadaverdisziplin*—the discipline of a corpse.¹⁷

A variety of structural constraints undermine the ability of MPs to represent the policy preferences of their respective voters.¹⁸ First, the highly fragmented party system obliges MPs to position themselves programmatically on more dimensions and issues than ever before. Given their strict obligation to adhere to the national party manifesto, it is not easy to adopt a profile that best suits their specific constituencies. In addition, government MPs are obliged to honour the coalition agreement (see below). Many MPs try to circumvent these constraints by generating electoral support through non-policy related activities, for example, case work, local office-holding, pork barrel politics, and local symbolic representation (De Winter 1992). However, the increase in the territorial size of the constituencies has undermined the capacities of MPs to engage in these small-scale activities. With province- or even region-wide constituencies, constituency service and active participation in the social life of the constituency becomes unmanageable (too many clients to serve, too many local events to show up to), so the local impact of MPs becomes negligible and the benefits of ‘pork barrel politics’ are too diffused to be effective. We notice a serious decline in the time devoted to constituency casework, local office-holding, and local and constituency party work in the 1980–96 period (De Winter 1992, 2002). This suggests that MPs are trying to reach wider audiences in the enlarged constituencies in order to attract preference votes and are increasingly using the regional and national media, especially television, as their first instrument of communication with potential voters.

However, the modification of the electoral system since 1995 does not explain variation in constituency activities over time. First, the size of the constituency does not have the expected effect: the 1993 constitutional reforms installed a region-wide constituency for the Senate. One would expect that senators would have a much harder time to serve all Francophone or all Flemish constituents. It must be much harder, even inconceivable, to communicate with such large constituencies through casework, local office-holding, and participation in social life. Hence we would expect Senators to engage less in such activities. Second, there are two main types of senators: those elected directly, and those nominated by the regional assemblies or nationally co-opted ones. One would expect that the directly elected senators would engage more in constituency contacts than those nominated by other assemblies. Neither hypothesis is validated by our 1996 parliamentary survey. Senators have more casework than representatives and directly elected senators less than

¹⁷ At investiture votes over the period 1945–99, 0.6 per cent of the majority deputies voted against the new government and its government agreement (De Winter et al. 2000).

¹⁸ The small staffs of the average backbencher and the relatively well subsidized party research centres add to MPs’ dependency on their party organization. MPs often rely on information provided by their research centre in drafting bills, amendments, and interpellations (De Winter 1992). For most policy sectors, a group of paid experts and volunteer specialists associated with the party research centres prepare the party’s proposals in collaboration with the MPs who specialize in these areas. Thus MPs to a large extent depend on their party’s brain trust.

nominated senators. The same is true for the time spent on casework. Hence, electoral system variation does not seem to affect the presence or absence of 'home style' politics.

With the decline of some of the major cleavages (especially the left–right and denominational divides), parties find it increasingly difficult to adopt a distinctive policy programme. Hence, election victories are believed to depend more on presenting attractive candidates than on promising particular policy programmes. Thus, most parties invest more and more effort in finding and developing 'media-attractive' candidates, such as those who are youthful and appealing and, increasingly, children of famous politicians. Many of these new types of candidates lack political experience. In fact, the average age of MPs has further declined from forty-seven years in 1999 to forty-five in 2003. Turnover skyrocketed as fewer than half (74/150) of the current deputies were deputies in the previous term (generally, see Fiers 2000)! This turnover weakens social cohesion, acquaintance, and political trust amongst MPs, which may undermine the efficacy of committee work.

MPs who have followed the traditional long *cursus honorum* from local to provincial and parliamentary offices, and then spent a few terms in parliament to prove their worth in committee work, suddenly discover in their early fifties that they have become 'too old', and are bypassed by TV-promoted candidates in their thirties who are believed to be more attractive to the new province-wide constituencies. It is too early to identify with confidence the impact on effective governance of these recent attempts at party renewal. But given the extreme complexity of political decision-making in the Belgian consociational model, vital bargaining and compromising skills are usually only acquired through long experience. Hence, the traditional capacity of accommodation and pacification of the Belgian elites may be jeopardized (Lijphart 1981; Huyse 1970).

Most parties started to introduce internal gender quotas for the representation of women in the party bodies and electoral lists (usually a 20 per cent norm was used). In 1994 a law was passed that gradually introduced the principle that on a candidate list, at least one-third of the candidates had to be of each gender. By 2000 all types of election were fully subject to this law. In addition, in 2000 the principle of parity on the candidate lists was introduced, with the obligation that the first two places on the list had to be filled by candidates of different genders.¹⁹ The effects of both laws were dramatic (Mateo Diaz 2002). While before 1995 the proportion of women in the Chamber was always below 10 per cent, it rose from 12 per cent in 1995 to 24 per cent in 1999, and then jumped to 37 per cent at the 2003 election (these are the figures after government formation and replacement by reserve candidates; among the 'directly' elected, 35 per cent were women).

¹⁹ For the 2003 elections, a transition measure stipulated that of the top three places on the list, at least one had to be male and one female. In addition, it was decided that in every executive body, from the local college of aldermen to the federal cabinet, there should be at least one person of each gender.

Government formation

Due to party system fragmentation, facilitated by a PR system, cabinets since the 1970s have been rather unstable coalitions of between four and six parties (thirty-nine cabinets between 1945–2003). The multiplication of coalitionable parties (in Sartori's terms, all current parties—except the single-deputy FN and N-VA—are 'party system relevant'), and thus of the complexity of the bargaining situation, has prolonged government formation considerably (to sixty-seven days for post-electoral formations between 1968 and 2003, against only twenty-eight days in the 1946–66 period; Dumont and De Winter 1999).

To guarantee a minimal degree of cohesion and stability government parties have to minimize the interference of other political actors: voters, party rank-and-file, MPs, individual ministers, civil servants, and even the judiciary. Policy-making within parties is highly centralized in the hands of the party executive—mainly the president and his entourage. Within the government, power is concentrated in the hands of the prime minister and deputy prime ministers (the governing party heavyweights). Given the instability of multiparty coalitions, parties have invented and to some extent institutionalized particular coalition maintenance mechanisms, such as the inner cabinet, the watchdog role for junior ministers, large ministerial staffs, party summits, and central patronage committees (Dumont and De Winter 1999).

The reduction of party system fragmentation in 2003 (partially due to electoral reform) made the Greens redundant and thus reduced the number of government parties to four, which had been the usual situation in the 1980s and 1990s. In the long term, the threshold will force the smallest parties to conclude pre-electoral cartels, reinforcing the main left (socialist) and right (liberal) party families. The key to radical party system change still remains in the hands of the pivotal Christian democrats. The trend towards the bipolarization of the party system may split this family on the left–right divide, but could also re-establish its bargaining power and coherence as a pivotal centre party.

THE POLITICS OF ELECTORAL REFORM

Electoral reform has been high on the government agenda only since 1999 due to the arrival of Prime Minister Verhofstadt, who whilst in opposition had been advocating the empowerment of 'the citizen'. Since then, the Verhofstadt I government has voted and implemented important changes, following a hybrid strategy. First, a special bicameral parliamentary Committee on Political Renewal (also called New Political Culture) was installed, and was tasked with examining all potential shortcomings in the entire political system. The committee constituted expert groups composed of constitutionalists and political scientists carefully picked from different universities and political leanings.

The first expert group produced a comprehensive inventory of the pros and cons of direct democracy and the second group worked on electoral system reform.

The third expert group on the status of MPs, conflicts of interests, clientelism, absenteeism, and so on never reached a conclusion. Media interest in the topic of political renewal gradually vanished, and so did public attention.²⁰ Hence, committee absenteeism was growing dramatically. But most importantly, the committee had been bypassed several times by the prime minister, who had pre-empted discussion of particular electoral reform issues and integrated these into wider packages of deals including other institutional reforms such as the deepening of federalism (agreements of 19 May 2000 and 26 April 2002). The committee knew that once a compromise was reached at the top levels of the government (in the inner cabinet or during a party leaders' summit), any further parliamentary work on the topics became purely academic, and so the third expert group dissolved itself.

The current Verhofstadt II government, which is the same as the previous one but without the Greens, is trying to complete some parts of the electoral reform programme, primarily the extension of the reforms (threshold, larger constituencies) achieved at the federal level to regional elections. At the local level, the main issue concerns the direct election of mayors. This policy is defended by the current government parties, who are once again opposed to the conclusions of a government-appointed academic working group on enhancing local democracy. Occasionally, too, the direct election of the prime minister is raised in this context.

But, basically, the newly established system is no longer a contentious issue. The only issue that has popped up after every election since the 1991 breakthrough of the extreme right Vlaams Blok and the libertarian ROSSEM party is compulsory voting, the abolition of which has become an important element in the tactical calculations of political parties. These and subsequent victories of the Vlaams Blok were interpreted as a protest vote that could be partially curbed by rendering voting non-compulsory. Thus, several parties proposed abolishing compulsory voting, which is not surprising because according to the available data (Ackaert et al. 1992; Ackaert and De Winter 1993; De Winter and Ackaert 1994) this would reinforce their electoral strength.²¹ However, analyses of the 1995 and 1999 national post-electoral surveys indicated a considerable shift in winners and losers (De Winter et al. 2003). By now, only the Flemish Greens and Liberals unambiguously reject compulsory voting, while all Francophone parties fully endorse it. Hence, the century-old obligation to vote will be maintained for quite some time, even though the debate about it is alive in Flanders.

CONCLUSION

Electoral reform was high on the agenda in the 1990s. The arrival of the Blue–Red–Green coalition set in motion an ambitious, multilevel electoral reform programme,

²⁰ Eurobarometers and other surveys indicated a spectacular restoration of trust in institutions and actors, which by 1997 in Belgium had, in terms of satisfaction with democracy, sunk even below Italian levels!

²¹ Violations of the obligatory vote are mainly sanctioned by fines. However, on average only a few dozen absentees per election (out of about half a million) are actually fined.

and the coalition managed to implement most of it during its first term of office. Officially, the aim was to 'put the citizen back into the centre of the political process'. One might, however, wonder whether the reforms really have empowered the citizen. Clearly the system has not become more transparent, due to many transitional arrangements that increase differences in electoral systems used at different levels and at consecutive elections within each level. Also, systematic multilevel candidacies and frequent movement of candidates between different levels of representation have added to the already considerable public confusion about the different levels.

The reduced impact of the list vote only slightly increased voters' influence on the choice of candidates. The reforms enhanced the personalization of campaigns, undermining the parties' programmatic debates, and thus the likelihood of responsible party government. Also the replacement of a quarter of freshly elected deputies by their 'reserves' does nothing to enhance the accountability of the representatives vis-à-vis the represented. While disproportionality has increased significantly, so some political minorities are excluded from representation, this loss in democracy has not been compensated by enhancing the voters' impact on coalition formation. But it has simplified government formation for party leaders, at least in terms of coalition composition.

While the voter has not been significantly empowered by these measures, they have certainly increased the power of the national party leadership over their elected office-holders and local party branches. Hence, while in the 1990s parties were gradually restoring the participation of the rank-and-file member in candidate selection, the recent reforms signify a retrenchment of internal party democracy. The electoral reform enhances the internal power of the party oligarchies while at the same time these leaders are maximizing their votes by running in different elections in increasingly large electoral districts.

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Chile: The Unexpected (and Expected) Consequences of Electoral Engineering

Peter M. Siavelis

It is an axiom of electoral theory that political actors are loath to change the structures that bring them to power. Yet in Chile we find an electoral system that was not designed by the elites that compete within it, and that is extraordinarily difficult to reform. Following seventeen years of authoritarian rule, the Chilean military imposed a constitution aimed at transforming what it perceived as the unhealthy nature of political competition in the country. A fundamental part of this transformational agenda included the imposition of a two-member district (or 'binominal') electoral system for parliamentary elections in a country where proportional representation (PR) and multiparty competition were historically the norm. Thus, Chile provides some important insights for electoral system theorists. Do small magnitude systems result in a decrease in the number of parties? Do they encourage coalitions? How does this type of electoral system affect candidate selection and internal party politics generally? Can electoral systems transform party systems?

POLITICAL BACKGROUND

While its South American neighbours were often notorious for civil conflict, instability, and strongman rule, Chile stands out for its long history of democratic politics. Though Chile experienced a brutal seventeen-year military dictatorship beginning in 1973, this regime was an exception in a country that gradually evolved from an oligarchic democracy to a participatory one, much in the pattern of the US and the UK (Gil 1966; Valenzuela 1978). Despite the country's relative poverty, by the mid-twentieth century its party politics in many respects more closely resembled those of the developed countries of Europe than those of its Latin American neighbours. The system was characterized by strong, ideologically diverse, and institutionalized parties, with deep roots in society and connections to other social organizations including trade unions, producer organizations, and business associations (Scully 1992). While analysts tend to overstate the significance and coherence of Chile's three historic ideological pillars (Montes et al. 2000), a predictable pattern

in coalition formation developed after the promulgation of the 1925 constitution, characterized by alternating coalitions of the centre-left and centre-right, organized around a well-institutionalized party of the centre (the Radicals until about 1960 and then the Christian Democrats) (Scully 1992; Valenzuela 1994).

Chile's highly representative and competitive democracy was tied closely to the nature of its electoral system. The 1925 constitution established a PR system, with district magnitudes ranging between one and eighteen, with an average magnitude of about five. The system employed closed lists until 1958 when open lists were adopted, though this reform did little to change the dynamics of coalition formation (Valenzuela 1994: 126–8). Chile's PR system produced two consistent patterns. First, its extraordinarily low thresholds provided wide representation for Chile's many parties. In comparative international perspective, Sartori (1976: 313) shows that for the period 1945–73, Chile ranks fourth after Finland, Switzerland, and the French Fourth Republic in levels of fractionalization. In order to win a parliamentary seat in some of the larger districts of Santiago, the threshold was often less than 6 per cent. Though the effective number of parties declined moderately in the lead-up to the 1973 coup (Faundez 1997; Navia and Sandoval 1998), the electoral system was generally permissive in its representation of many parties.

Second, because of high levels of fractionalization, no party could garner a majority and, relatively early in the country's history, politics became a complex game of coalition formation, where parties necessarily hammered out coalitions to govern and to present joint presidential candidates. Though they often fell apart once the business of government was under way, these coalitions were crucial to structuring competition and avoiding the election of minority presidencies.

While the power of the two branches of government has varied throughout Chilean history, conflict between the president and the legislature has been an enduring product of the country's institutional structure. Indeed, the 1973 crisis of democracy is partially attributable to a breakdown in the pattern of consistent coalition formation that supported the awkward combination of presidentialism and a multiparty system (Valenzuela 1978). In the lead-up to the 1970 presidential election, the centrist Christian Democrats, eager to avoid association with the left in an increasingly ideological electoral environment, believed they could win alone. The left, in turn, was resistant to ally with the centre, given its desire to remain attractive to its core leftist constituency. A similar dynamic on the right made it resist a coalition with the centre in order to remain attractive to the hard right. In the end, the long-standing pattern of pre-election coalition formation failed, and in 1970 Socialist President Salvador Allende was elected with a plurality of the popular vote, and lacking a majority in Congress. Chile's democratic breakdown is ultimately tied to the international ideological polarization of the late 1960s and 1970s, domestic political crisis, and US intervention. The immediate cause was, of course, the 11 September 1973 attack on the presidential palace led by Army General Augusto Pinochet Ugarte.

Pinochet ruled for seventeen years, during which he consolidated a brutal one-man dictatorship and he and his civilian allies sought fundamentally to transform the

country's economic and political system. Chile's well known neo-liberal economic reforms were accompanied by lesser known reforms to the political system, and the electoral and party systems were prime targets. Pinochet criticized Chile's party system as the very root of the evils that had infected the country's long-standing constitutional democracy, and set out to transform it. Indeed, while many bemoan the lack of institutionalization of Latin American political parties, it was the very mobilizational power of Chile's parties that the military targeted as being instrumental in the corruption of democracy. The 1980 constitution, drafted by Pinochet and approved in a plebiscite of questionable propriety, reflects the transformational goals of the regime (see Siavelis 2000). The constitution establishes an exaggerated presidential system, guarantees for the military and the forces of the right, and most importantly for the interests of this chapter, a relatively restrictive electoral system for parliamentary elections.

In October of 1988, Pinochet held a plebiscite on his continued rule which he expected to win handily. His unexpected defeat (by 55 per cent to 43 per cent—with roughly 2 per cent abstentions and spoiled votes) handed the democratic opposition a victory. Still, it was a partial victory. With the return of democracy in 1989, Chile's democratic authorities were victorious in wresting power from Pinochet, but they inherited an institutional structure designed by him and his allies. The system imposes strong restrictions on representation and provides important benefits for the right. On the other hand, despite constitutional engineering aimed at demobilizing the opposition, the plebiscite actually provided an important rallying point, which allowed the opposition to succeed in forming a broad-based centre-left coalition among its more than dozen parties. This coalition, called the Concertación, has governed Chile since the return of democracy, electing three presidents (Christian Democrat Patricio Aylwin 1990–4; Christian Democrat Eduardo Frei 1994–2000; and Socialist Ricardo Lagos 2000–6), and maintaining a legislative coalition. The Concertación comprises the major parties of the left (PPD—Party for Democracy, PS—Socialist Party) and centre-left (PDC—Christian Democratic Party, PR—Radical Party, SD—Social Democratic Party), as well as a number of smaller parties and independents. Though the names of some of these parties have changed, and there have been mergers and splits since the return of democracy, the core supporters and leadership of each have remained essentially the same. The Concertación has proven the most enduring coalition since 1925.

Also unprecedented is the bipolar coalitional dynamic, with the Concertación competing with an equally durable coalition on the right. The Alianza por Chile comprises the right's two major parties (RN—National Renewal and UDI—Independent Democratic Union), as well as a number of small parties and independents. It has proven an increasingly formidable competitor for the Concertación since the return of democracy. Table 21.1 provides election returns for the 2001 election, and Table 21.2 for the 1999 presidential election.

Table 21.1 Election results for 2001 Chamber of Deputies

Coalition and party	Votes (N)	Votes (%)	Seats (N)	Seats (%)
Concertación	2,942,989	47.9	62	51.7
PDC	1,162,210	18.9	23	19.2
PRSD	248,821	4.1	6	5.0
PS	614,434	10.0	10	8.3
PPD	782,333	12.7	20	16.7
IND	135,191	2.2	3	2.5
Alianza por Chile	2,720,195	44.3	57	47.5
RN	845,865	13.8	18	15.0
UDI	1,547,209	25.2	31	25.8
IND	327,121	5.3	8	6.7
Partido Comunista (PC)	320,688	5.2	0	0.0
Partido Humanista (PH)	69,692	1.1	0	0.0
Independents (Non-coalition)	86,964	1.4	1	0.8
Total	6,140,528	100.0	120	100.0

Source: Ministerio del Interior (<http://www.elecciones.gov.cl/>).

Parties: Christian Democratic Party (Partido Demócrata Cristiano), PRSD—Radical Social Democratic Party (Partido Radical Social Demócrata), PPD—Party for Democracy (Partido Por la Democracia), PS—Partido Socialista (Socialist Party), RN—National Renewal (Renovación Nacional), UDI—Independent Democratic Union (Unión Demócrata Independiente).

Table 21.2 Chilean presidential election results, first and second rounds (1999–2000)

Name	Party	First round (12/12/1999)		Second round (16/01/2000)	
		Votes	% votes	Votes	% votes
Ricardo Lagos	PS	3,383,339	47.96	3,677,968	51.31
Joaquín Lavín	UDI	3,352,199	47.51	3,490,561	48.69
Gladys Marín	PC	225,224	3.19		
Tomás Hirsch	PH	36,235	0.51		
Sara María Larrain	PALC	31,319	0.44		
Arturo Frei	IND	26,812	0.38		

Source: <http://www.elecciones.gov.cl/>

Party key: See Table 21.1. PALC—Partido Alternativo de Cambio (Alternative Party for Change).

ORIGINS OF THE ELECTORAL SYSTEM

While elites usually choose an electoral framework from which they stand to benefit, Chile's binominal electoral system was imposed. Pinochet was hostile to party politics, and set out to transform Chile's ideological multiparty system through electoral engineering. Still, Pinochet and his advisers faced a dilemma. Duverger's (1954) well known law suggests that the best option to reduce the number of parties in a country is to adopt a first-past-the-post (FPTP) system, which also presumably

elicits the formation of a two-party system—a system that Pinochet saw as an improvement over Chile's unfavourable experience with multipartism. However, Pinochet's advisers knew from the results of the 1988 plebiscite that the right could expect to garner roughly 40 per cent of the vote, which was distributed relatively evenly across districts in the country. With this level of support, the classic first-past-the-post system would have likely shut the right out of parliament. To balance Pinochet's goal of reducing the number of parties with the additional goal of benefiting the right, his advisers ultimately recommended a two-member district, or binominal, system.

HOW THE ELECTORAL SYSTEM WORKS

Elections for both the Senate and the Chamber of Deputies employ the binominal formula. Chile is a bicameral system with both chambers playing a role in the legislative process. The distribution of powers between the two chambers is typical of most presidential systems. Legislative proposals can originate in either house, or in the executive branch, and must be approved by both houses of Congress. The Chamber of Deputies is charged with the exclusive responsibility of overseeing and investigating the acts of the executive branch, and initiating judicial proceedings against high level officials in cases of dereliction of duty or legal wrongdoing. The Senate, in turn, is exclusively charged with acting as a high court for the cases initiated by the Chamber of Deputies, though it is explicitly proscribed from playing an oversight role of the type performed by the lower house.

For Senate elections, the country is divided into nineteen *circunscripciones* (Senate districts), each of which elects two senators for a total of thirty-eight. In addition, the Pinochet constitution provided for the appointment of nine non-elected 'institutional senators'. The president appoints two (one who must be a former minister of state, and one a former rector of a university), the Supreme Court appoints three (one who must be an ex-Controller General of the Republic, and two who must be ex-members of the Court), and the National Security Council appoints four (who must be ex-commanders of each of the four armed forces). Former presidents who have served for more than four years are also entitled to a lifelong seat in the Senate (former president Frei assumed his seat, and Pinochet assumed his but was later forced to resign). The 'institutionals' were, of course, intended to guarantee veto power for the right. Most of the institutions responsible for choosing senators were packed with conservative Pinochet appointees in the immediate post-authoritarian period (and in some cases up until today). The appointed senators have consistently voted with the right on important legislation. Though the Concertación coalition has garnered an electoral majority in every Senate election since the return of democracy, the appointed senators have deprived the coalition of a legislative majority. As time goes on, new presidential appointees will occupy positions of power and we should expect less of an institutionalized advantage for the right. However, the limitations on the pool from which the institutional senators can be selected still provide a majority for the right in the

Senate (even after three Concertación presidents), given the continued dominance of conservative forces within the military, Supreme Court, and National Security Council.

There are 120 members of the Chamber of Deputies. They are elected in sixty districts with magnitudes of two. For both the Senate and Chamber, electoral lists can include up to two candidates per party or coalition, and voters opt for a single candidate on their preferred list (see Figure 21.1). Since the return of democracy, the Concertación and the Alianza have presented single lists of their constituent parties, making for a pattern of two-list competition throughout the country. Even though voting is candidate centred, votes for the two candidates on each list are first pooled to determine how many seats each list wins, allocating seats via the D'Hondt method (see Appendix A). The effect of employing D'Hondt in two-member districts is that the strongest list in each district must double the vote total of the second placed list in order to win both seats. So, if the top polling list doubles the vote share of the second place list it garners two seats. If it does not, each of the two top-polling lists wins one seat. After determining whether a list wins one or two seats, seats are allocated to individual candidates based on their vote shares. The system thus establishes very high thresholds for representation within each district.

It is difficult for a coalition or party to muster the super-majority necessary to win two seats in a district (or to 'double'). For the last four democratic elections in the Chamber (1989, 1993, 1997, and 2001), the Concertación succeeded in doubling eleven, eleven, nine and four times respectively. The Alianza has doubled only twice during this time in Chamber elections, once in 1993 and once in 2001. Thus, in most districts each coalition expects that the seats will be split 1–1, and the fiercest competition is centred in the districts where one of the coalitions has the potential to 'double'. In addition, because incumbents are assumed to have an automatic right to renomination, there is very little turnover within districts, and where it occurs it is usually the result of intraparty or intracoalitional defeat, or the nomination of a new candidate.

This formula provided an ingenious solution to Pinochet's problem. In essence, Concertación lists would have consistently to double the vote of the Alianza lists to have any hope of significantly outdistancing the right in parliamentary elections. In effect, this solution allowed the right to garner 50 per cent of the seats with only roughly 35–40 per cent of the vote.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

As noted, Chile was notorious for its level of party fractionalization. The new electoral system was designed with the express intention of decreasing the number of political parties. Has it? Evidence from the first four elections suggests that the system has failed to exert the reductive tendencies for which its designers had hoped. Table 21.3 shows that between 1925 and 1973, the effective number of electoral

60° DISTRITO ELECTORAL		SERIE NN
 A. PARTIDO HUMANISTA	 B. UNION POR CHILE	DIPUTADOS 1997
<p>— 7 ERIKA DONICKE VILLEGAS</p>	<p>— 8 JOSE DOMINGO CALDICHOURY RIOS Renovación Nacional</p> <p>— 9 RODRIGO ALVAREZ ZENTENO Independiente</p>	N 0000000
 C. CONCERTACION DE PARTIDOS POR LA DEMOCRACIA	 D. LA IZQUIERDA	
<p>— 10 PEDRO MUÑOZ ABURTO Socialista de Chile</p> <p>— 11 NOLBERTO DIAZ SANCHEZ Demócrata Cristiano</p>	<p>— 12 JOSE RENE CARDENAS EUGENIN Comunista de Chile</p>	

Figure 21.1 Sample Chilean ballot paper, 1997 election

Table 21.3 Effective number of electoral and parliamentary parties in the Chilean Chamber of Deputies in the pre- and post-authoritarian period

Year	Pre-authoritarian (Mean)	1989	1993	1997	2001
Electoral parties (1925–73)	6.8	7.8	6.3	7.1	6.8
Parliamentary parties (1932–73)	5.0	5.1	4.9	5.3	5.9

Sources: Siavelis 1997 and Ministerio del Interior de Chile (<http://www.interior.gov.cl/index2.html>). All indices computed by author.

parties (see Appendix B) averaged about seven, with a range between about four and twelve. The effective number of parliamentary parties averaged about five (with a range between about three and seven). The table also presents this data for the four elections since the return of democracy. The number of effective number of electoral and parliamentary parties has held steady in Chile during the post-authoritarian period, and is roughly the same as before the dictatorship.

Why has the electoral system failed to have the expected results? First, theories on the relationship between the electoral and party system, like those of Duverger (1954), work quite well in theory but less so in practice. While small magnitude electoral systems may have the reductive effect attributed to them in the formative stages of party development, once parties are well institutionalized and have deep roots in society, it is difficult to change parties through simple electoral engineering (for comparative evidence, see Coppedge 1997).

Second, larger parties have had strong incentives to include smaller parties in their coalitions, both to increase vote shares across districts in legislative elections, and to be able to rely on the supporters of smaller parties in presidential elections. By including smaller parties on legislative lists, large parties can stave off potentially small party presidential candidacies that might detract from their vote totals. One would expect in a system with district magnitudes of two that barriers to entry would be high for small parties. Nonetheless, multilist candidate negotiations and the awarding of seats to small parties permit them to pass the electoral system's barriers. Small parties that ally with a larger coalition often garner a higher percentage of legislative seats than their disaggregated national support levels would suggest that they should. For example the PRSD (Radical Social Democratic Party) received only about 4 per cent of the vote nationally in the 2001 Chamber of Deputies election, leading one to expect that the electoral system's high thresholds would deprive it of seats. Still, the party garnered six seats or 5 per cent of the total in the Chamber. On the other hand, the Communist Party, which did not join the Concertación, won over 5 per cent of the vote in the same election, and failed to garner a single seat (Ministry of the Interior of Chile, <http://www.interior.gov.cl>). For ideological reasons the Communists have been unwilling to ally with the Concertación, and have garnered up to 7 per cent per cent of the national vote (in 1997) without winning any seats. In this sense, despite high thresholds to entry, small parties still can achieve parliamentary representation through an alliance with larger parties, and larger parties have an

incentive to strike coalition deals with their smaller counterparts. The barriers to entry are still higher than in Chile's pre-authoritarian system, and without coalitions, important partisan tendencies would be deprived representation in Congress.

These results might also puzzle electoral theorists who would predict three-party competition based on the findings of Reed (1990) and Cox (1997: 159–61). While their work suggests that we should generally expect $M+1$ parties (where M = district magnitude), such definitive statements regarding the relationship between election systems and party outcomes have been roundly challenged in the literature (Coppedge 1997; Weyland 2002), and the Chilean case provides additional empirical evidence that there are good grounds for these challenges. Because the smallest of parties can survive and win seats through carefully crafted coalitions, the number of significant parliamentary parties remains much higher than simple predictions based on magnitude would suggest.

Something similar can be said about proportionality. At first glance, the Chilean system appears moderately proportional. Using Gallagher's least squares measure of disproportionality (see Appendix B), Chile's system scores 6.8, 7.4, 8.5, and 5.1 for each of the four Chamber of Deputy elections (1989, 1993, 1997, and 2001 respectively) since the return of democracy. This places Chile roughly in the middle of the scale of the developed countries analysed by Gallagher (1991: 46), along with Japan, Greece, and Australia. Nonetheless, should coalition-making fail, many more small parties would be excluded (à la the Communist Party in 1997) and larger parties would reap significant benefits in terms of proportionality, both of which would make the system significantly less proportional. The binominal system provides strong incentives for parties to remain united both because of the necessity of coalition for presidential races, and because if one of the two blocs of a coalition goes its separate way, it is uncertain which would be edged out by the electoral system's strong thresholds (Siavelis and Valenzuela 1996). Similarly, to garner support for presidential races, large parties are willing to cede candidacies to small parties, who would otherwise be excluded from parliament. Thus, there is more to proportionality than the simple structural characteristics of the electoral system.

Impact on the parties

The complexity of assembling two candidate lists among many parties every four years makes negotiations more crucial and more complex than at any time in the past, complicating the internal life of parties (Siavelis 2002). First, there is a *cuoteo* (or quota) for the representation of parties on coalition lists. The number of candidacies that each party in each coalition receives is subject to arduous negotiations before the elections. Parties offer evidence of their performance in previous elections, their standing in polls, and what they can potentially contribute to the coalition as bargaining chips. While the major 'anchor' parties in each of the coalitions can be assured of a number of seats, smaller partners attempt to extract as many seats as possible.

However, because it is unlikely that any coalition will ‘double’, every party knows that one of the coalition’s two candidates is likely to lose. This makes pairing on individual lists crucial. Parties seek to place their candidate on the same list either with an extremely weak candidate (whom they can handily beat), or an extremely strong candidate (who can carry the list to a two-seat victory). Negotiations are further complicated because smaller parties want to be placed not just on lists, but on lists where they can win. It is likely that representatives from major parties will trounce candidates from small parties, making small parties demand even weaker list partners. Strong parties, in turn, need weak parties to maintain the coalition and support of small parties in presidential elections. The divergence in actors’ goals makes for counterintuitive results. While coalitions seek to maximize list votes, candidates are not necessarily interested in doing the same, if maximizing their list vote means that their partner polls more than they do. Internecine list competition also emerges, especially if both candidates on a list are running neck-and-neck in the polls.

Political actors’ divergent goals profoundly affect the internal life of parties. Party leaders become much more influential than the rank-and-file in choosing candidates. Still, party leaders are in an unenviable position. In placing candidates they must worry not only about whether their candidate can beat the opposition’s. They must also determine whether their candidate will beat the coalition’s list partner, how inclusion of another party will affect the presidential election, how it will affect overall coalition vote totals, and whether or not to cede candidatures in order to placate other coalition members, even at a cost to their own party. Party leaders must often offer sacrificial lambs on the altar of coalition peace and unity. Because smaller parties want to win seats, not just gain positions on coalition lists, larger parties must sometimes intentionally place weaker candidates on lists, where they know their candidate will lose.

Despite calls for democratization, the exigencies of the electoral formula make it impossible for leaders to cede more power to party activists, because the party is concerned with much more than the simple victory of its candidate in a particular district. Because of the divergent goals between parties, candidates, and coalitions, party leaders often overrule the decisions of local party councils who, according to party statutes, are charged with candidate selection. This exacts a cost on party leadership who must endure accusations that the party *cuoteo* means more than constituents’ interests and that talk of internal party democracy is simply rhetoric that masks the actions of a power-hungry leadership.

Impact on parliament

There is a well developed literature on the influence of candidate selection on party unity and legislative behaviour. The presumption is that where party elites control nominations, party discipline will be higher because of the sanctioning ability of the party (Mainwaring and Shugart 1997: 421–9). Still, a legislator’s decision to support a proposal has to do with more than legislative ambition and the prospects for renomination. This is especially the case in Chile, where so much rides on

coalition unity and where there was an important moral imperative for post-authoritarian governmental success. Nevertheless, this chapter has shown that the electoral system has undoubtedly affected recruitment patterns. How do nomination structures within Chile's $M = 2$ system affect legislative unity and policy-making? Carey finds that both parties and coalitions exhibit remarkable levels of unity in floor voting when compared to other presidential systems, arguing that coalitions are important organizational elements for understanding Chilean democracy. This coalitional cohesiveness, Carey argues, is 'a product of the $M = 2$ reform of the electoral system' (Carey 2002: 247).

Still, in terms of comparative levels of voting unity, Chile does not rank the highest among the most studied Latin American cases. For example, Morgenstern finds that voting unity is lower in Chile than in Argentina or Mexico, where party leaders (at either the national or the state level) exert more control over candidate selection. Part of this relatively lower voting unity (which is still quite high in comparative cross-national perspective) certainly has its roots in the $M = 2$ system (Morgenstern 2002: 421). The electoral system works at cross purposes when it comes to discipline. Coalition leaders' strict nomination control breeds unity, while the competitive mechanics of the electoral system breed dissent. Because each coalition can reasonably expect to split seats in each district, we see real competition emerge between list partners of the same coalition, rather than between coalitions. At this level, and once coalition lists are established, party leaders exert little influence on the final winners, perhaps limiting party discipline when compared with other countries, and heating up competition between list partners. Over the long term, and when repeated in district after district, this competition probably dampens the legislative unity of the parties and the coalition.

The electoral system also affects the legislative behaviour of deputies. There is extensive research on the incentives for legislators to cultivate personal as opposed to party votes, which profoundly affects legislative behaviour and party unity (Carey and Shugart 1995; Samuels 1999). Typically, analysis focuses on party control over nominations, and whether voters can differentiate between candidates on ballots. Centralized control over nominations and the ability of voters to opt for individual candidates puts Chile in an intermediate position in terms of the incentives for candidates to cultivate a personal vote. The most common way to cultivate this vote is to provide particularistic benefits for constituents. Still, this incentive is influenced by more than just the electoral system. Pork, patronage, and particularism supported the election and re-election of deputies before the breakdown of democracy (Valenzuela and Wilde 1979). Particularly after 1958, when individual votes rather than list position determined the winner in Chile's PR system, candidates had strong incentives to differentiate themselves from their opponents in order to cultivate a personal following. Chile's current open-list system and the candidate-centred nature of competition would seem to provide incentives for candidates to differentiate themselves from their opponents, and especially from their list partners. However, the Pinochet constitution limits the ability of members of congress to propose personalistic legislation and, indeed, any legislation involving expenditures,

for which the president has a virtual monopoly (Siavelis 2002: 16–17). Still, the urge to differentiate oneself from opponents is irresistible given the candidate-centred nature of, especially, intralist competition. Therefore, most deputies' campaign literature provides a long list of actions that they have taken on behalf of constituents. Often these involve intervention with the appropriate ministry or municipal authority, rather than proposing any legislative solutions to constituents' problems.

Chilean members of parliament traditionally have been able to stand for re-election and there are no term limits. Rates of re-election seeking and incumbency victory have been quite high in Chile in the post-authoritarian era, as Table 21.4 suggests. The table presents these data for the last four elections before the advent of authoritarian rule, and for the four elections since the return of democracy. While the binominal system seems to have encouraged an increase in re-election seeking and re-election rates, we should be cautious in tying this increase solely to the electoral system. While most theory related to the effect of incumbency in the US Congress presumes that legislators will seek re-election (Mayhew 1974), in Latin America differing career patterns make comparative analysis of re-election rates difficult. For example, Samuels (2002) finds that Brazilian legislators have relatively low re-election rates because they seek careers outside the legislative branch in state governments after serving in parliament. Still, Chile's high re-election rates themselves suggest that deputies do indeed seek to build careers in Congress.

These realities and other measurement problems make it difficult to isolate the precise effect of the electoral system on incumbency and re-election, though there certainly is some effect in enhancing incumbency advantage. Careful analysis of electoral system change suggests some reasons why re-election rates may be higher than in the past. First, parties across the spectrum consider incumbents to have a right of renomination, barring incompetence or gross disregard for the dictates of the party (Siavelis 2002: 426). While this is not a direct result of the mechanical characteristic of the electoral system, small district magnitude, combined with the exigencies of coalition formation, translate into a narrower constellation of rewards for candidates. The previous PR system allowed more challengers both within and

Table 21.4 Incumbency and re-election rates for the Chilean Chamber of Deputies

Election Year	Incumbents seeking re-election	Incumbents re-elected
1961	n.a. of 147	74 (n.a)
1965	99 of 147 (67.3%)	52 of 99 (54.7%)
1969	98 of 150 (65.3%)	70 of 98 (71.4%)
1973	100 of 150 (66.7%)	67 of 100 (67.0%)
Mean %	(66.4%)	(64.3%)
1993	88 of 120 (73.3%)	71 of 88 (80.1%)
1997	84 of 120 (70.0%)	72 of 84 (85.7%)
2001	84 of 120 (70.0%)	69 of 84 (82.1%)

Source: Navia (2000), and author's calculations for 2001.

outside of the same party and enhanced the ability of challengers to defeat incumbents. Because fewer total candidates are now nominated, the potential for a challenger to defeat an incumbent from his or her own party is certainly lower than would be the case in a large magnitude PR system, where there were often multiple candidates from each party. The two-coalition pattern further limits the potential for defeating incumbents simply because Chile's many parties are forced to come to an agreement on two candidates from all their constituent parties. Thus, rarely will one list contain two candidates from the same party, providing incumbents the luxury of not facing intraparty competition, at least in the electoral arena.

Second, because incumbents have the upper hand, it is difficult to defeat them without defeating the entire list. The flipside of the high electoral threshold to win both seats in Chile is that it is extraordinarily difficult to defeat an entire list, in the context of two-list competition. Therefore, in order to reject an incumbent, voters must reject an entire list. In this sense, it is difficult to single out a particular incumbent for defeat (for an elaboration see Navia 2000). Because votes are pooled, a vote for one candidate on a list is in many respects a vote for both. Voters bent on sanctioning a particular candidate would either have to abandon completely their ideological convictions, and vote for another list, or grudgingly provide support for the entire list, actually contributing potential support to the incumbent they would like to defeat.

The strategic complexity of these choices stacks the deck in favour of incumbents. The most appropriate conclusion, then, when it comes to the influence of the election system on re-election and incumbency, is that the electoral system facilitates re-nomination and re-election in a system where other incentives also help to produce high rates of incumbency.

Finally, in terms of the socio-economic composition of parliament there is little comprehensive data on the backgrounds of members of the Chilean parliament, though anecdotal evidence based on names (many foreign and of the traditional moneyed class) and racial makeup (overwhelmingly light skinned and not indigenous or mestizo) suggests domination by the traditional elite. In terms of gender composition, Chile has no gender quotas, and the binominal system provides an important barrier to gender equality in representation. For all of the democratic period there have been no more than two popularly elected women senators. For each of the four legislative periods since the return of democracy, the number of women deputies has been successively 7, 8, 14, and 15 of a total of 120 deputies. So while gender representation is surely improving, small district magnitude, male domination of the elite ranks of political parties, and tight party control over candidacies have conspired to limit women's representation in parliament.

Government formation

Perhaps the most significant effect of Chile's electoral system on government is how it has transformed incentives for coalition formation and maintenance. While coalitions are the norm in parliamentary systems, the disincentives for coalition

government in presidential systems have been repeatedly noted in studies of Latin American politics (Valenzuela 1994; Stepan and Skach 1994; Mainwaring 1993). In Chile, while coalitions held up during presidential elections, the centrifugal characteristics of the party system often undermined presidents' ability to form coherent governing coalitions once the business of government was under way (Valenzuela 1994: 116–25). With sights set on the next elections (both presidential and parliamentary), parties often had an incentive to distance themselves from the president's party in order to enhance their attractiveness for future electoral races. In light of this historical record, it is noteworthy that the current coalitional pattern has lasted for more than fifteen years. Indeed, the current presidential electoral system would seem to provide fewer incentives than in the past for unifying common presidential candidates. According to the 1925 constitution, presidents were required to garner a majority to win. When they did not, Congress chose from among the two highest polling candidates. The 1980 constitution, in contrast, provides for a ballottage system, where a run-off between the two top-polling candidates takes place shortly after the initial election. Run-off systems are acknowledged to enhance the incentives for candidates to enter presidential races, because a candidate can come in second in the first round and still go on to ultimate victory.

How do we explain, then, the durability of the coalitions in the 1990s and 2000s? To say that Chile's parliamentary electoral system completely explains the pattern of coalition formation would be an exaggeration. The continuing threat of an authoritarian intervention and the desire to defeat pro-Pinochet presidential candidates provided the initial impetus for unity among the parties of the Concertación. Still, the parliamentary electoral system has underwritten these already strong incentives for coalition maintenance in three ways. Coalitions are: (a) more likely to be formed; (b) longer lasting and more likely to be maintained; and (c) more intimate.

First, the electoral system's thresholds make it extraordinarily difficult for parties to win legislative elections without forming a pre-electoral coalition. No party has come close to garnering a majority in the post-authoritarian period, and the most popular parties have reached levels of support of only around 30 per cent (the PDC in 1989 and the UDI in 2001). In addition, without a two-coalition dynamic, the system is riskier and more complex, because dropping a few percentage points below a competitor can mean exclusion from Congress. A coalition is the best insurance policy to pass crucial thresholds. Chile's previous, permissive PR system did not have this effect because the costs for failing to form a pre-electoral coalition were significantly lower.

Second, the mutually reinforcing dialectic between presidential and congressional elections provides strong incentives to maintain coalitions. In the past it was easy for parties to form alliances for presidential elections, and run separate lists for Congress. The highly representative character of the electoral system meant parties could win on their own without a legislative coalition and still support a common presidential candidate. Now, electoral thresholds make such separate lists impractical because legislative slates are the only pay-off parties have to offer other parties in the same presidential coalition.

Third, coalitions are more intimate and complicated, and a good deal of this intimacy is explained by the electoral system. Carey (2002) suggests that for many purposes, and especially in terms of predicting voting unity, coalitions may be as important as parties in Chile. He also finds that coalitions are decisive in determining patterns of floor voting in the legislature and in organizing the committee system. The coalitional intimacy engendered by the electoral system also extends to the executive branch and cabinet formation. Informal rules also establish a *cuoteo* in the executive branch, where high-level cabinet positions and the appointment of significant ministerial staff is determined in accordance with agreements to represent proportionally the coalition's parties. While the *cuoteo* has come under fire for valuing partisan identification over skill, by guaranteeing cross-party input into government, this system has cemented the governing coalition and made it more intimate and solid than pre-authoritarian coalitions. Governments have been remarkably successful, both in managing the affairs of government and in legislating.

The timing and sequencing of presidential and parliamentary elections have also reinforced the dynamic of coalition maintenance in the executive branch, because the price of coalition dissolution is increased by Chile's only occasionally concurrent elections. While parliamentary elections are held every four years, presidential elections are held every six, and municipal elections every four (though not necessarily concurrently with either of the others). Because there is always an election in the offing, the shadow of the next elections tends to hold coalitions together because of the unpredictability of running alone, and the uncertainty of the difference a few percentage points can make in crossing a crucial electoral threshold if a party runs unallied.

Those who argue for the strong transformational effects of the electoral system point to these transformed coalition patterns and suggest that this may be the harbinger of the formation of a two-party system (Guzmán 1993; Rabkin 1996). This conclusion is hasty for a number of reasons. These analysts often use the logic first elaborated by Downs (1957) to suggest that Chile's low magnitude electoral system causes centripetal competitive drives, as parties converge to compete for the ideological centre. This logic is extended to argue that this pattern of competition helps to explain the country's bipolar coalitional pattern and might translate into the consolidation of the two-party system for which Pinochet hoped. Still, the clear predominance of bipolarity does not necessarily suggest centripetal competition, nor an imminent two-party system. Downs based his theory on analyses of single-member districts. Two-member districts produce a different dynamic. Indeed, spatial analyses suggest that the binomial system may actually create two electoral equilibria, where competition between lists is centrifugal, but where individual candidates on the same list compete for the same ideological space (Dow 1998; Magar et al. 1998). Because two-candidate victories are rare, and most defeats are likely to result from intralist competition, centripetal competition takes place around the ideological 'centre' of each *coalition*, rather than around the ideological 'centre' of the party system as a *whole*.

In addition, while coalitions are important actors, parties still have separate interests, organizational bases, leadership, and influence among the rank-and-file, all of which make them influential political actors. Thus, while coalition-making has been transformed, this does not translate into a permanent two-coalition dynamic, nor the birth of an incipient two-party system.

THE POLITICS OF ELECTORAL REFORM

The binominal system is a contentious political issue. The very genesis of the system reflects the deepest divisions in Chilean politics left over from the Pinochet era. The system embodies Pinochet's desire to depoliticize Chilean society and root out the most negative elements of the country's party-based democracy. It is also a constant reminder that though the former dictator has been unable to continue to cast his political shadow over Chilean democracy, his institutional shadow is long. Thus, in large part, the debate over electoral reform is a partisan one, with members of the Concertación consistently advocating deep reform, and the parties of the Alianza opposing it.

Leaders of the Concertación object to the clear benefits the system provides for the right. They also charge that the system limits representation, by shutting parties out of Congress, and that it harms electoral transparency because parties negotiate with instrumental goals related to coalition maintenance, rather than allowing citizens and party activists to designate candidates. Recently coalition leaders have contended that the Pinochet constitution creates an effective bipolar deadlock that has hung over the political system since the return of democracy. For them, this deadlock should be broken by the party system fluidity that an electoral reform would encourage. Finally, they see the electoral system as another of the many illegitimate institutions and laws imposed by Pinochet that are difficult, but necessary, to reform if the political system is to be genuinely legitimate.

For the right, the electoral system provides important benefits. In the immediate post-authoritarian period, the unified right saw no reason to reform the electoral system. Initially these parties pointed to the electoral system as an important legacy of the Pinochet constitution. However, as the right has increasingly shed its association with Pinochet to present a more 'modern' agenda, its rationale for retaining the electoral system has focused more squarely on issues of stability and governability. Proponents contend that the system solves the perpetual problem of missing majorities in Chilean politics by consistently generating majorities and providing important incentives for parties to form coalitions. Though one might argue that there is an outside chance of deadlock growing out of an even two-coalition split, the age-old problem of the inability of a single party to generate a majority has been solved to a great extent by the extant pattern of coalition interaction. While proponents of the binominal system recognize that it exacts a cost on representation, they argue that this cost is more than paid for by the benefits the system provides in terms of governmental effectiveness. They contend that small and extremist parties are

forced to join coalitions, which both tempers their potentially destabilizing activities and can lead to a moderation of their policies.

Despite proposals by all three post-authoritarian presidents to reform the electoral system, efforts have consistently failed. Many analysts trace these failures to a lack of public concern with the issue and high legislative quorums. This is certainly the case. Still, lack of movement on the reform horizon also has to do with other variables as well.

First, though electoral reform has been contentious, there is a wide gap between elites and the electorate in the perceived importance of the issue. In public opinion surveys, constitutional reform (including electoral reform) consistently ranks at or near the bottom when citizens are asked about the most important tasks to which the government should devote its efforts. In 1996, those surveyed ranked constitutional reform dead last from a list of fifteen issues, with only about 2 per cent of those marking it as one of the three most important issues facing the government. In 2002 it ranked a bit higher, but still placed thirteenth, with roughly 5 per cent of those surveyed ranking it as one of the three most important issues facing the country (CEP 1997: 3; CEP 2002: 1). With the passage of time, the urgency of electoral and constitutional reform has faded from the agenda, as voters become more concerned with issues such as crime, unemployment, and macroeconomic management.

Despite limited public concern for institutional reform, the issue has been of constant concern for members of Congress and the three Concertación administrations, each of which has proposed the adoption of a moderate proportional representation system. President Lagos' reform, presented in early 2003, sets out a formula that includes the elimination of the designated senators, and the abandonment of the binominal system for the Senate, in favour of a system with district magnitudes of 5. It proposes a similar proportional system for the lower house.

Second, there are institutional impediments to significant reform. Pinochet sought both to impose his constitutional legacy, and to ensure that it would be difficult to reform by establishing high legislative quorums. To reform the article of the constitution having to do with the institutional senators, 3/5 of the votes of each of the chambers are necessary (seventy-two deputies and twenty-nine senators). The electoral law itself is classified as an organic law, which requires a 4/7 majority in both houses for reform, or sixty-nine deputies and twenty-seven senators. For most of the post-authoritarian period there have been sufficient votes to reform the electoral system in the Chamber of Deputies, but the government has lacked votes in the Senate to do so. The benefits provided to the right by the electoral system and the appointed senators together make it unlikely that a super-majority of this type can be achieved.

Finally, from the perspective of short-term electoral calculations, shifting partisan winds affect parties' attitudes toward reform. In the early 1990s, when support for the right began to flag in the polls and it appeared that combined vote for the right might drop below the effective 33 per cent threshold of exclusion to win legislative seats (assuming a two-bloc pattern of competition), the right began talking seriously about the possibility of electoral reform, and some members of the Concertación

tentatively suggested that the electoral system was not as bad as they had thought. As soon as support for the right rebounded, parties quickly reassumed their original positions with respect to electoral reform.

Recent divisions between the hard right UDI and the more moderate RN suggest a small and tentative window for significant electoral reform. The RN has been more willing to negotiate with President Lagos with respect to the terms of the reform. For example, in June 2003 RN President Sebastian Piñera presented President Lagos a counterproposal with respect to electoral reform for the Senate, which in principle accepts many of Lagos's proposals. This created divisions within his own party, and a virulently negative reaction from the UDI, whose leadership threatened to abandon the alliance over the issue. Piñera's stance also created divisions among RN's leadership, and the voting positions of the party's legislative contingent remain unclear.

Thus, fundamental electoral reform will be likely only with a significant transformation of the current coalitional dynamic, which will allow the government to marshal the support necessary to pass the high constitutional barriers to electoral reform. However, as noted, the system itself provides many incentives to maintain the very coalitional dynamic which prevents significant electoral reform. Should the right splinter, it would have an enhanced incentive to support the adoption of a moderate proportional system as the only way for each of its parties to secure legislative seats. The Concertación would pay a high price for backing out of its electoral reform proposal should a division on the right come to pass, despite the temptation that would come from its ability to trounce a divided right with the binominal system. At the same time, fundamental electoral reform would significantly weaken the very coalitional glue that holds the Concertación itself together. Finally, the country's current political trajectory is not propitious for electoral reform. If the UDI's presidential candidate Joaquín Lavín were to win the 2005 election, electoral reform is unlikely to be on his agenda. Thus, if nothing is done during the Lagos administration, the prospects for fundamental electoral reform are likely to dim as time goes on.

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Denmark: Simplicity Embedded in Complexity (or is it the Other Way Round)?

Jørgen Elklit

The Danish constitution was last amended in 1953, when provision was made for a unicameral parliamentary system with 179 members. Of these 179 MPs, 175 are elected by proportional representation (PR) in the southern part of the realm, while two are elected from Greenland and two on the Faeroe Islands, also by PR (but a different, much simpler PR system).

The current electoral system is rather similar to the one introduced as far back as 1920 (Elklit 1993). The system is very proportional in its effects, which explains why Denmark since then has had five to ten parties represented in parliament, none of them ever commanding a majority of seats. One consequence has been that over the years most governments have been coalition governments and also—particularly since the 1970s—many have been minority governments. The Danish political system is nevertheless best described as a working multiparty system (Pedersen 1987), partly because of elements in the political culture as it has developed over many decades, partly (maybe even mainly) because most governments have been either centre-left or centre-right, with their opposition on both sides on the traditional left–right continuum and therefore easier to deal with (Damgaard 1992; Skjæveland 2003).

ORIGINS OF THE ELECTORAL SYSTEM

From 1849 to 1915, the Danish electoral system was a traditional plurality system with single-member constituencies. In 1894, the number of seats was increased to 114, primarily by increasing the number of urban constituencies. The secret ballot was not introduced until 1901 (Elklit 1988*a*).

The 1905 census documented that the Social Democrats were paying a higher price in votes than other parties for their seats—most of them urban, particularly metropolitan. Consequently, the Social Democrats demanded a redrawing of the country's electoral boundaries. The other parties were divided on the issue. The

Agrarian Liberals benefited greatly from the existing districting, which gave them a clear majority of seats in the Lower House for less than a majority of votes. The Conservatives were eagerly arguing for PR, since their scattered votes meant that they ended up with a much smaller share of seats than their share of votes. The position of the Social Liberals (founded in 1905 as a splinter party from the Agrarian Liberals) was less clear-cut.

Any change of the electoral system—beyond redistricting and addition of more constituencies—would require constitutional amendments. However, such amendments were difficult to implement, because the Conservatives had a safe, manufactured majority in the Upper House, which allowed them to block proposals not to their liking. Therefore, the other parties would not discuss the Conservatives' PR ideas unless the Upper House combined election and appointment system were changed simultaneously. Thus, both sides were caught up in a complicated tangle (Elklit 1988*b*).

Against the background of the First World War, a solution was nevertheless found in 1915 as the Conservatives realized that theirs would be the greater loss if no solution was found. They also hoped that the simultaneous introduction of parliamentary suffrage for women would eventually be to their advantage.

The 1915 electoral system is interesting as a very early example of a mixed-member proportional (MMP) electoral system, even though the use of a list D'Hondt system at the lowest tier in the metropolitan region (one of the country's three main regions) complicates classification (Elklit 1992; Elklit 2002: 30–7; see also Shugart and Wattenberg 2001*a*: 580; further, Massicotte and Blais 1999: 343). The system combined single-member constituencies outside the metropolitan region, compensatory seats allocated independently of each other in two of the three main regions (The Islands and Jutland) to ensure proportionality within the regions, list PR in the metropolitan region, and a few additional compensatory seats to ensure overall national proportionality (Elklit 1992: 194). The system worked with only one ballot paper, so the Danish 1915 system appears to be the missing case of simultaneous seat and vote linkage in Shugart's and Wattenberg's classification scheme (2001*b*: 15–16).

This system was a tremendous advance, not only from a proportionality point of view, but also because it did not sacrifice the relationship between constituents and representatives, so highly valued by many. However, the system was used only once (in 1918), as it still produced over-representation of the Agrarian Liberals, much to the displeasure of the other parties. The technical explanation of this over-representation is that the plurality seats were allocated in two unconnected regional MMP systems, with only three compensatory seats available for additional adjustment (compensation) at the national level.

Changes to the system were being debated unsuccessfully in parliament, when a dramatic political situation (the 'Easter Crisis') suddenly arose in March 1920. Among the main causes of the crisis were the social and political unrest in the

aftermath of the war together with emotionally charged discussions about the reunification of parts of Schleswig with Denmark, which was one of the questions on the agenda of the Paris Peace Conference after the plebiscites in February and March in Schleswig, south of the then Danish–German border. One outcome of the parliamentary crisis (as part of a skilfully negotiated solution) was the swift enactment of a new electoral law including a new electoral system, which basically is the one still used today. The main features of the 1920 lower house electoral system were:

1. Overall national PR was aimed at, for which purpose the regional and national compensatory seats were pooled and their combined number increased.
2. Lower tier seats were distributed to multimember constituencies, where they were allocated proportionally to parties using the D'Hondt divisor method. Administrative counties were used as constituencies, except in the metropolitan region (Copenhagen and Frederiksberg municipalities), where three such constituencies were established. The Faeroe Island constituency continued as before, that is, as a plurality single-member seat.
3. Compensatory seats were allocated only to parties with a vote support higher than one of two rather low electoral thresholds. The number of compensatory seats allocated to a party was the difference between the party's overall seat entitlement (calculated on the basis of the Hare quota method + largest remainders) minus the party's number of seats won in the multimember constituencies.
4. Each constituency was subdivided into nomination districts, corresponding to the former single-member constituencies, in order to preserve the traditional relationship between representative and constituents. Parties nominated their candidates in these nomination districts, and in the first election, in April 1920, semi-closed party lists were mandatory. However, parties were soon allowed to decide for themselves if they would field a semi-closed party list or allow their seats to be filled only on the basis of the sum of votes obtained by each candidate. This sum consisted of two elements: (a) all personal (preferential) votes cast for the candidate throughout the constituency and (b) all votes cast for the party in the nomination district where he or she was nominated.

The 1920 electoral system is interesting as it attempts to strike a politically viable compromise between parties strongly concerned with maximizing their own seats. The Social Democrats, the Social Liberals, and the Conservatives were keen to see the over-representation of the Agrarian Liberals disappear, the Social Democrats were eager to have (closed) party lists, the Agrarian Liberals wanted to keep the some kind of single-member constituency or district, while the Social Liberals now agreed with the Conservatives that some kind of multimember constituencies and PR at both the lower and the higher levels would be a good idea. The Conservatives' main negotiator was also eager to achieve the implementation of a system that would allow voters to cast personal (preferential) votes for all a party's candidates in each multimember constituency. The solution—reached under considerable stress and

time pressure because of the parliamentary crisis—therefore necessitated a few technical refinements before the next general election, allowing the parties considerable flexibility regarding the form of list organization, which could even be different in different multimember constituencies.

It is remarkable that since 1920, the *Folketing* electoral system has only been changed incrementally. The basics have been kept, but the following elements have been changed, most changes taking place in 1948 and 1952–3:

- electoral thresholds (strengthened in 1953, lowered again in 1961);
- the finality of constituency seat allocation was abolished in 1948 (but reintroduced in 1953);
- the number of seats has been increased (in September 1920 because of North Schleswig's reunification with Denmark, in 1948, and in 1953);
- the percentage of compensatory seats has been changed (increased in 1948, reduced again in 1953);
- the number of multimember constituencies was increased from twenty-two to twenty-three in 1920 following reunification with North Schleswig (*Sønderjylland*) and reduced to seventeen in 1970 because of a comprehensive administrative reform of municipalities and counties;
- the allocation formula for lower-tier constituency seats was changed from D'Hondt to modified Sainte-Laguë in 1952–3 (Elklit 1999);
- the complicated computational rules used to determine when a party list was *not* to be followed were simplified; the new rules have been used since 1990;
- registration requirements for new parties wanting to participate in an election were tightened in 1989 (by making the collection and verification of signatures more cumbersome for the parties); and
- a system for quinquennial recalculation of the distribution of constituency as well as compensatory seats was introduced in 1948 to cater for demographic development, internal migration, and so on (Elklit 2002: 41–2).

The changes implemented in 1948 were a punitive action against the Agrarian Liberals. The background was that the party's metropolitan branch in 1947 decided to run as an independent party in the general election, which it did, fulfilling to the letter all legal requirements. The result was that the party *as a whole*—because of this trick—won more compensatory seats than it would otherwise have been able to. The other parties saw this as a conscious violation of the spirit of the Electoral Act and various retaliatory measures were implemented the year after.

However, these measures were abolished again in 1952–3, when a complicated constitutional amendment process required the support of all major parties to ensure popular approval at the obligatory constitutional referendum. This gave the Agrarian Liberals considerable bargaining power and most of the 1948 measures were abolished—at the same time as the bicameral parliament was changed to a unicameral system with more seats in the *Folketing* (also for Greenland and the Faeroe Islands) and the rather inconsequential introduction of the modified Sainte-Laguë divisor method at the lower tier.

HOW THE ELECTORAL SYSTEM WORKS

For electoral purposes, Denmark is still divided into the same three regions as in 1920: Metropolitan Copenhagen (along with Frederiksberg, which it encloses), the Islands, and Jutland. Greenland and the Faeroe Islands, each electing two parliamentary representatives by D'Hondt PR, may also be considered small regions in their own right. However, these North Atlantic seats are not further dealt with below. The three main regions are still subdivided into multimember constituencies, three in Metropolitan Copenhagen and—since 1970—seven on the Islands and seven in Jutland. These seventeen constituencies are the key elements of the electoral system and are themselves subdivided into nomination districts (from two to ten, depending on geographical size, population size, tradition, etc.). All in all, there are 103 nomination districts. The nomination districts have no direct bearing on seat allocation; their relevance is related to candidate nomination and selection within each of the multimember constituencies, and to election administration.

The *Folketing* now has 179 seats. With Greenland and the Faeroe Islands disregarded, we are left with 175 seats, 135 of which are called constituency seats (*kredsmandater*). They are allocated to the seventeen constituencies in such a way that numbers proportionally reflect a combined measure of population size, size of the electorate, and the geographical area. The remaining forty seats are compensatory seats (*tillægsmandater*); they are distributed among the three electoral regions, even though eventually they are allocated to parties (in individual constituencies) as part of the higher tier (i.e. national) seat allocation (see below for details).

These overall distributions are conducted every five years and the resulting allocations of constituency seats to constituencies and compensatory seats to main regions are valid for all elections during the ensuing five-year period. Thus, stakeholders know before each election how many of the 135 constituency seats each of the seventeen constituencies will return (the average is 7.9, the minimum 2, the current maximum 16) and how many compensatory seats there will be in each of the three regions. The actual election outcome obviously determines how the forty compensatory seats—within the numbers distributed to each region—are further allocated to under-represented parties and constituencies.

The illustrative 2001 ballot paper shown below (Figure 22.1) comes from the constituency immediately north of the Danish–German border. The constituencies outside the metropolitan area overlap precisely with the fourteen counties, so the county of *Sønderjylland* (North Schleswig) is also the constituency (*Sønderjyllands Amtskreds*). In the 2000 computations, this constituency was allocated seven constituency seats, which by coincidence is identical to the number of nomination districts it has had since 1920. With 102 nomination districts overall but 135 constituency seats, most constituencies will have more constituency seats than nomination districts, so *Sønderjylland* is unusual in this respect.

A voter in this constituency will—after having been checked against the voters' roll—be given a ballot paper more or less similar to the one reproduced

below. As can be seen, this particular ballot paper was prepared for the 2001 parliamentary election, only for use in this particular constituency and only in the 3rd nomination district (consisting of the municipality of Sønderborg and two small municipalities) as indicated at the very top.

The voter votes by placing a cross to the right of the name of his or her preferred party (see Figure 22.1). The parties appear in the alphabetical order of their traditional ‘party letters’, which function very much as party logos or symbols do elsewhere. However, the voter can also—within the preferred party—vote for a preferred candidate. Such a vote still counts as a vote for the party, but simultaneously it will also increase that candidate’s chances of actually being elected to parliament. The voter should put only one cross on his or her ballot paper, but if there are two crosses on a ballot paper, one being for the party with the other for one of its candidates, this is still considered a valid vote (and for the candidate, not only for the party).

Votes are counted and made public in such a way that the vote for each party—and each candidate—within each nomination district is reported, since these numbers are needed in order to determine which candidates will eventually go to parliament.

First, however, one must know how many seats each party has won overall and where all its constituency seats and compensatory seats have fallen. For this purpose, votes (party votes and personal votes combined for each party and personal votes for every independent candidate) are aggregated, first from nomination district level to constituency level, then from constituency level to the regional level, and eventually to the national level.

From the perspective of the individual voter, elections in Denmark are simple: one votes for a party (and/or a candidate running under that party’s label) and one’s preferred party gets exactly as many seats in parliament as it is entitled to proportionally (provided it does not fall short of all three electoral thresholds, which are detailed below). Furthermore, one’s preferred candidate goes to parliament as one of the party’s representatives, if he or she has got more votes (for details, see below) than the other hopefuls among the party’s candidates in the constituency.

From the perspective of a person wanting to understand the entire seat allocation system, the picture is more complicated. However, a step-by-step approach allows one to comprehend more easily the six steps in the allocation procedure, which is the responsibility of the Ministry of Home Affairs, subject to final approval by the incoming *Folketing*.

The first step is the allocation of constituency seats based on the votes cast for parties and independent candidates in the seventeen constituencies. Seat allocation in this step is by the modified Sainte-Laguë divisor method, introduced in Scandinavia in 1952–3 (Elklit 1999; for description of this method, see Appendix A). The seven constituency seats placed in *Sønderjylland* in the 2000 overall seat distribution were allocated to parties as shown in Table 22.1, that is, the Social Democrats and the Liberals got three each, and the Danish People’s Party one. This allocation is final.

Sønderjyllands Amts
3. opstillingskreds

Folketingsvalget 2001

Sæt × til højre for en listebetegnelse (et partinavn)
eller et kandidatnavn.
Sæt kun ét kryds på stemmesedlen.

A. Socialdemokratiet

Frode Sørensen
Inger Bierbaum
Dorte Dinesen
P. Qvist Jørgensen
Eva Roth
Lise von Seelen
Søren Ebbesen Skov

B. Det Radikale Venstre

Nicolas Lund-Larsen
Per Kleis Bønnelycke
Bente Dahl
Inger Harms
Bjarke Larsen
Henrik Larsen

C. Det Konservative Folkeparti

Kaj Ikast
Martin Andresen
Bent P. Have
Jens M. Henriksen
Bente Lassen
Lars Munk
Klaus Rehkopff

D. Centrum-Demokraterne

Henning Nielsen
Henning Borchert-Jørgensen
Helmuth Carstens
Flemming Hübschmann
Holger Madsen
Peter Berthel Nissen
Kai Paulsen

F. Socialistisk Folkeparti

Bjarne Eliassen
Bent Iversen
Jesper Petersen

F. Socialistisk Folkeparti

Bjarne Eliassen
Bent Iversen
Jesper Petersen
Kirstine Rask Lauridsen
Jørn Ulrik Larsen
Jørgen Jørgensen
Mathias Gotthardsen

O. Dansk Folkeparti

Søren Krarup
Kell Kristiansen
Jørn Larsen
Jytte Lauridsen
Theis Mathiesen
Niels Oluf Michaelsen Petersen
Lars Rydhard

Q. Kristeligt Folkeparti

Michael Lund Markussen
Vibeke Christensen
Bjarke Frils
Knud Erik Hansen
Henning Holm

V. Venstre, Danmarks Liberale Parti

Bjørn Scherbarth
Sven Buhrkall
Peter Christensen
Allan Emiliussen
Gunnar Hattesen
Helga Moos
Hans Chr. Schmidt

Z. Fremskridtspartiet

Ole Jensen
Heine Andresen
Henning Brandt
Carl Hahn
Margit Petersen
Preben Ravn
Jens Willatzen

Ø. Enhedslisten - De Rød-Grønne

Baltser Andersen
Svend Brandt
Signe Færch
Jette Hedegaard
Egon Laugesen
Niels-Erik Aaes

Figure 22.1 Ballot paper from the 3rd nomination district in the *Sønderjylland* multimember constituency, Danish election, November 2001.

Note: The ballot paper is printed in one column; for convenience it is presented here in two columns.

The second step is to establish which parties are entitled to participate in the allocation of compensatory seats. Parties are so entitled if they meet any of the following three requirements (or electoral thresholds): (a) winning a constituency seat in any of the seventeen constituencies, (b) winning at least as many votes as the regional vote/constituency seat ratio in two of the three main regions, or (c) winning

Table 22.1 Allocation of seats in the *Sønderjylland* multimember constituency, 2001 general election

	Votes	Votes divided by 1.4	Votes divided by 3	Votes divided by 5	Votes divided by 7
A. Social Democrats	44,067	31,476 (2)	14,689 (5)	8,813 (7)	6,295
B. Social Liberals	5,388	3,849			
C. Conservatives	12,174	8,696			
D. Centre Democrats	2,064	1,474			
F. Socialist People's Party	5,939	4,242			
O. Danish People's Party	22,507	16,076 (4)	7,502		
Q. Christian People's Party	4,091	2,922			
V. Liberals	61,453	43,895 (1)	20,484 (3)	12,291 (6)	8,779
Z. Progress Party	1,581	1,129			
Ø. Unity List: The Red-Greens	1,479	1,056			
Total	160,743				

Note: numbers in parentheses and boldface indicate the order in which the seven constituency seats were allocated.

Source: Official election statistics.

at least 2 per cent of the valid national vote. In 2001, only the largest six parties (A, B, C, F, O, V) fulfilled the first requirement (these parties met the other two requirements as well). One other party (Ø) fulfilled the second requirement (*vide* the votes for The Islands and the Jutland regions in Table 22.2), while two other parties (Q and Ø) fulfilled the 2 per cent requirement, both having a vote total of 68,994 or more votes. Thus, only two of the ten parties running for parliament (D and Z) did not gain parliamentary representation.

The third step is the overall, national proportional seat allocation to the parties fulfilling one or more of the three threshold requirements. As determined by the second step, eight parties were included in this allocation at the 2001 parliamentary election (see Table 22.3).

The overall seat allocation is a simple proportional distribution of the available overall number of seats (175 minus the number of independent candidates elected in the constituencies, which is usually zero). The basis for the calculations is the total national vote for the parties in question (3,368,281 in 2001), and seats are allocated using the Hare quota in combination with largest remainders to allocate seats not allocated by full quotas.

When each party's full seat entitlement is known (e.g. that the Conservatives were entitled to sixteen seats in 2001) the number of constituency seats already won by that party (i.e. ten in this case) is deducted. The difference (six) is the number of compensatory seats to which the Conservatives are then entitled. If it should happen (as it often did before 1953) that a party wins more constituency seats than its overall seat entitlement, a second round of compensatory seat allocation will be conducted

Table 22.2 Information needed to decide if parties without constituency seats fulfil the other two requirements for inclusion in the allocation of compensatory seats, 2001 parliamentary election

	Entire country	Copenhagen– Fred.berg	The Islands	Jutland
<i>Condition 2: Valid votes per constituency seat</i>	—	26,267	26,098	24,911
<i>Condition 3: 2 per cent of the total valid vote</i>	68,994	—	—	—
D. Centre Democrats	61,031	8,905	27,706	24,420
Q. Christian People's Party	78,793	5,954	24,202	48,637
Z. Progress Party	19,340	1,274	6,661	11,405
Ø. Unity List: The Red–Greens	82,685	24,201	32,388	26,096

Source: Official election statistics.

for parties with fewer constituency seats than their overall entitlement, and some of these parties will end up with fewer than their 'fair' share. This reflects the fact that the *constituency* seat allocation is final and that the Danish electoral system does not operate with surplus seats, as Germany does (see Chapter 10). Table 22.3 shows the computations for the 2001 election.

The fourth step concerns the further distribution of the forty compensatory seats. During the third step it was established how many compensatory seats should go to

Table 22.3 Allocation of compensatory seats to parties, 2001 Danish general election

	Total vote in proportion to total party vote	Seats allocated in proportion to total party vote, rounded	Seats allocated	Constituency seats	Compensatory seats
Total	3,368,281	175.000	175	135	40
A. Social Democrats	1,003,323	52.128	52	50	2
B. Social Liberals	179,023	9.301	9	3	6
C. Conservatives	312,770	16.250	16	10	6
F. Socialist People's Party	219,842	11.422	12	5	7
O. Danish People's Party	413,987	21.509	22	18	4
Q. Christian People's Party	78,793	4.094	4	0	4
V. Liberals	1,077,858	56.000	56	49	7
Ø. Unity List: The Red–Greens	82,685	4.296	4	0	4

Source: Official election statistics.

each of the parties entitled to such seats. Now the compensatory seats have to be 'placed' in the seventeen constituencies, respecting not only the distribution to parties (cf. Table 22.3), but also the regional distribution of the forty compensatory seats (for the period 2000–4: four to metropolitan Copenhagen and Frederiksberg, sixteen to the Islands, and twenty to Jutland). The procedure is as follows: each party's total vote in each of the three regions is divided by (pure) Sainte-Laguë divisors (see Appendix A). For each party in each region, as many of the party's top quotients as equal the party's number of constituency seats in the region are disregarded. The forty highest *remaining* quotients then entitle those parties in those regions to a compensatory seat. However, when all compensatory seats in a region have been allocated (e.g. the four in the small metropolitan region), further allocations will only be in regions that have not yet 'hit the ceiling'. Normally, the last (and therefore cheapest) compensatory seats go to Jutland. Of the six compensatory seats won in 2001 by the Conservatives, one landed in the metropolitan region, two on the Islands, and three in Jutland.

The fifth step is the intraregional distribution of each party's number of compensatory seats, for example, the three Conservative compensatory seats in Jutland. This is where the 'Danish' divisor sequence of 1, 4, 7, 10... (Taagepera and Shugart 1989: 34; Elklit 2003: 22–5) is used. Each party's vote total in each multimember constituency is divided by the 'Danish' divisor sequence, and the large difference (i.e. 3) between successive divisors means that parties have a chance of winning a compensatory seat even in constituencies where they are relatively weak. Again, as many of the top quotients in each constituency as equal the party's number of constituency seats are disregarded. In this way, a spread of seats also to smaller constituencies is secured. In 2001, the first of the three Conservative compensatory seats allocated to Jutland landed in *Sønderjylland*.

The sixth step is the one where it is established which individual candidates will eventually go to parliament. For each party in each constituency it is now known how many constituency seats the party has (cf. the first step in the seat allocation procedure) and also how many compensatory seats the party is entitled to (cf. steps two to five), that is, all 175 seats have been allocated to parties and constituencies. For the constituency of *Sønderjylland* the final result is the following: the Social Democrats won three constituency seats and no compensatory seats, the Conservatives got a compensatory seat, the Danish People's Party got a constituency seat, and the Liberals won four seats, namely three constituency seats and one compensatory seat. So even though the constituency has only seven nomination districts and seven constituency seats, it returns nine parliamentarians.

Regarding the status of individual MPs, there is no difference between the two kinds of seat, as they are distributed in the same round, even though compensatory seats are formally allocated after constituency seats. It is only now that the personal (or preferential) votes for individual candidates become important, as the exact impact of a personal vote for a particular candidate depends on the type of list organization used by the candidate's party in the constituency in question.

Each candidate is credited with all personal votes cast for him or her throughout the constituency *plus* a share of the votes cast for the party as such (the party votes). This share of the party votes and its calculation depends on the type of list organization used by the party. For the purpose of these calculations, the nomination district is the basic unit. The two main forms of organizing party's lists are:

1. 'Standing by (nomination) district' (*kredsvis opstilling*). Under this option, a party may also submit 'a party list' of candidates, that is, an (almost) closed list, the order of which can only be changed under specific conditions, and
2. 'Standing in parallel' (*sideordnet opstilling*). Under this option, most parties also nominate a candidate in each nomination district. The consequence of such nomination is that the candidate in question appears as the party's top candidate on the ballot papers used in his or her nomination district. The default option is that all candidates appear in alphabetical order.

On the ballot paper reproduced above two of these four possible forms of list organizations can be identified. In this constituency (as indeed in most of the country) most of the parties (A, B, C, D, O, Q, V, and Z) use option (2) in combination with nomination of a candidate in each nomination district. An example is the Social Democrats' Frode Sørensen, nominated in this third nomination district. For this reason, he appears first on the list of candidates on this ballot paper, while his six running mates appear below him in alphabetical order. Their names are all printed in boldface, indicating that they are 'really' standing as candidates in this nomination district and will have their proportional share of the Social Democratic Party votes cast here. This share of the party votes is calculated in exact proportion to the share of all personal votes cast for the party's seven candidates in this particular nomination district. The same procedure is used in the six other nomination districts as well, and each candidate's total sum of votes is then his or her personal votes plus his or her proportional share of the party votes from all seven nomination districts. In the case of a locally well-established candidate, one often sees that this person gets most of the personal votes in the nomination district and therefore also the lion's share of the party votes.

When the party chooses the form of list organization called 'standing by (nomination) district', *vide* parties F and Ø, this is indicated typographically by the bold face script being used only for the candidate from the nomination district in question. In the case of the Socialist People's Party (F), Bjarne Eliassen is the party's candidate here, while the others are the candidates of the other six nomination districts. Under this form of list organization, a candidate's total vote in the constituency is the sum of his or her personal votes in all seven nomination districts plus all the party votes cast in the nomination district where he or she 'stands'. Quotation marks are used because even though Eliassen is the party candidate in this nomination district, it is still important to remember that all seven candidates are candidates throughout the constituency, and all voters can cast a personal vote for each and every one of them, and this vote will increase that particular candidate's chances of becoming a MP.

The Unity List (Ø) also stood by district but did not submit a party list, which is why Baltser Andersen, the candidate of this nomination district, appears first. The party presented only six candidates, but Andersen was also nominated in the 4th nomination district. However, it is not mandatory for a party to present candidates in all nomination districts in a constituency.

Under both main forms of list organization, the party's candidates are then ordered according to the total number of votes allocated to them, and—starting from the highest—the relevant number of candidates are then entitled to a seat in parliament, that is, in this constituency the top three Social Democrats (Sørensen, Qvist Jørgensen, and Bierbaum), the Conservative with most votes (Ikast), the candidate from the Danish People's Party with most votes (Krarup), and the four Liberals with most votes (Schmidt, Moos, Buhrkall, and Christensen). As the Liberals (V) won three constituency seats and one compensatory seat here, Christensen, the fourth of them, gets the compensatory seat, but this has no practical consequences. It is interesting to note that no fewer than three of the candidates nominated in this particular district were actually elected.

Candidates not elected will be substitutes for their party's MPs from the constituency, the order also here reflecting their vote totals. Therefore, by-elections are not necessary under the Danish electoral system.

However, the Socialist People's Party here not only decided to use the first option, the constituency party branch also decided to present their slate of candidates as a 'party list'. This subspecies of list organization has two consequences. The first is that candidates not standing in a nomination district are not listed in alphabetical order, but in the party's order of priority, normally decided in a party member poll. The second consequence is that if a party using this form of list organization is entitled to seats in a constituency, MPs will be picked in the list order, that is, as

Table 22.4 Result of the Danish 2001 general election

	Votes	% votes	Seats	% seats
A. Social Democrats	1,003,323	29.1	52	29.7
B. Social Liberals	179,023	5.2	9	5.1
C. Conservatives	312,770	9.1	16	9.1
D. Centre–Democrats	61,031	1.8	—	—
F. Socialist People's Party	219,842	6.4	12	6.9
O. Danish People's Party	413,987	12.0	22	12.6
Q. Christian People's Party	78,793	2.3	4	2.3
V. Liberals	1,077,858	31.2	56	32.0
Z. Progress Party	19,340	0.5	—	—
Ø. Unity List: The Red–Greens	82,685	2.4	4	2.3
Independent candidates	1,016	0.0	—	—
Total	3,449,668	100.0	175	100.0

Source: Official election statistics. Greenland and Faeroe Islands not included.

decided by the party, not by the voters. The only exception is when a candidate has more votes than a party-and-constituency specific electoral quota, which equals the total vote for the party in the constituency divided by the number of seats to fill + 1. But the Socialist People's Party did not win any seats in this constituency, so there are no exemplary calculations to show (see, however, Elklit and Pade 1996: 50–1; Elklit 2003: 30; or official election statistics).

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

The Danish electoral system has two main objectives: to ensure the highest possible degree of proportionality among the political parties passing the electoral threshold(s), and simultaneously to provide for at least some direct representation of the more peripheral parts of the country. Because the decisive part of the seat allocation takes place at the national level (the third step referred to above), the degree of proportionality above the thresholds is high, that is, on average for the thirteen general elections since 1971, only 1.66 (Gallagher's Least Square Index). The reason for this high level of proportionality is the use of an unbiased allocation formula (LR–Hare) at the overall, national level (Lijphart 1994: 96ff; Taagepera and Shugart 1989: 104ff; Elklit and Roberts 1996) in combination with the low electoral threshold(s).

As a consequence, no political party has been able to win a majority of seats in the *Folketing* since the current system was introduced in 1920. One school of thought claims that this should create political havoc because of consequences for the work of parliament and the constant political problems facing the government of the day, which often does not control a parliamentary majority.

However, it can also be argued that the need to compromise when negotiating the formation of government coalitions (which may be minority coalitions) and legislative coalitions thereafter develops into a healthy and constructive political consensus-seeking culture, which in the long run has been a major and welcome cause of the social and political stability that, in spite of all day-to-day problems, characterizes Denmark—and has done so for decades (see, for two analyses of the period after the 1973 political earthquake, Pedersen 1987 and Svensson 1996).

For the non-specialist (including the ordinary voter) trying to comprehend the Danish electoral system, it may appear complicated. But the seat allocation system presented above need not be fully comprehended for a voter to function effectively. All one needs to know is this:

1. the more votes a party gets (above 2 per cent), the more seats it will have. Ten per cent of the votes gives a party close to 10 per cent of the seats, no matter what—and much less is needed if the votes are concentrated in one constituency, as the 'last' seat in an average constituency will—depending on the actual vote distribution—cost 13,000–18,000 votes; and

2. a vote cast for a candidate increases his or her chances of actually making it into parliament, no matter what kind of list organization the constituency party branch has chosen (or the national party on behalf of all its lower level units, as is the case for some of the parties).

The direct link between a party's vote and its share of seats in the *Folketing* is probably an important explanatory factor behind the high turnout in Denmark. Turnout has even been on the increase in the three latest parliamentary elections (in 2001 it was 87 per cent)—and it should be remembered that all potential voters in Denmark are registered automatically, so even diehard non-voters are on the voters' list. The fair reflection of partisan preferences and political attitudes as well as the high turnout both contribute to the high level of legitimacy that the Danish political system enjoys. But the high level of proportionality cannot be the only reason behind the high turnout level, as declining turnout has recently been seen in a number of other PR systems. An explanation of the difference in turnout development between Denmark and other PR systems is beyond the scope of this chapter, but a satisfactory explanation would probably have to include factors such as differences in political culture, cleavage structure, and party system.

Steps 4 to 6 in the seat allocation process constitute—in spite of the somewhat complicated character of that process—a robust way of ensuring that some of the compensatory seats eventually go to the smaller constituencies and the smaller parties. This adds an important element of direct political representation for the peripheral parts of the country, yet without violating the overall national proportionality. In this way, one problem often associated with closed-list PR systems (voters feeling that they have not been allowed to vote for individual candidates and representatives) is avoided; this probably adds to the system's legitimacy.

Impact on the parties

The sixth and final step of the allocation procedures provides for an element of direct representation as the personal votes cast for individual candidates are crucial for their eventual election to parliament. Denmark obviously has a list system, but most parties in most constituencies (84 per cent of all cases in 2001) present open lists; ten per cent are semi-open (in practice, however, almost closed as it is difficult for the voters to circumvent the party list order); and the remaining 6 per cent are simple cases of parties standing by district (plus a few other complicated combinations). The different forms of list organization allow for different strategies for different parties (and sometimes also constituency branches within parties), reflecting ideological as well as tactical considerations. Thus, the party list option (when standing by district) has traditionally been preferred by left-wing parties, arguing that their members know better than the voters which candidates will make good parliamentary representatives. In such cases there is no interconstituency variation.

The relative stability of the support pattern for parties—not just nationally but also locally, that is, at the constituency level—means that some party branches at the

nomination district level can get frustrated when for a number of elections they have not been able to get their candidate elected. If it looks too difficult to win more seats for the party at the constituency level, a solution could be to use a different form of list organization (if allowed by national party regulations) or to try to attract (by whatever means available) more personal votes for one's candidate from voters sympathetic to the party in *other* nomination districts in the constituency.

This kind of intraparty fighting over votes for individual candidates has apparently been on the increase over recent decades, even though it is not much spoken of because it is considered ill-mannered in most parties to campaign for one's local candidate in other parts of the constituency. It is, however, well understood among candidates and campaign managers that it might be easier to take voters from other candidates of one's own party than to convince supporters of other parties to vote for one's party. So intraparty competition for personal votes is a well-known phenomenon, which is sometimes conducted in a very subtle way, other times less subtly, but always with the aim of increasing local visibility. Another reason for what may look like increased intraparty competition is that the development in local and regional media makes it difficult to focus on narrow local areas (such as a nomination district) because most media now have a regional focus, whereas they used to be more locally oriented.

This tendency has been particularly strong in constituencies where a popular party leader stands. Such a person will be well-known—partly by virtue of his or her national appearances—and will take a substantial amount of personal votes from all over the constituency, even though he or she may actually be following the party's code of conduct and campaigning only in their own nomination district. The high share of personal votes won in all nomination districts nevertheless means that this candidate will be allocated a corresponding high share of party votes in all nomination districts and will eventually be elected first from among the party's candidates in the constituency, with a very substantial sum of votes. One consequence is that relatively few votes are then available for the party's other candidates and chance may therefore, to some degree, decide who will accompany the popular party leader into parliament—the popularity and high public profile of the party leader may even account for the election of some of the political dwarfs from the constituency. When a party leader hovers the constituency for votes in this fashion, the level of intraparty competition among other candidates of that party may obviously increase.

Recent decades have seen most parties in most constituencies switching to 'standing in parallel' (as indicated above, in 2001, 84 per cent of all lists were by this system). This being the case, it is surprising that Danish voters, despite their long-time familiarity with the system and the importance of casting personal votes for the selection of individual MPs, do not do so in greater numbers: in 2001, only 47 per cent of all voters cast a personal vote, while 53 per cent voted only for the party. A certain variation between regions and constituencies in this regard has always been apparent (the level being only 30 per cent in the metropolitan region)—and also between parties, partly reflecting that parties doing well in an election attract voters who are not too familiar with the local candidates. Therefore,

such voters tend to cast a vote for the party (if no well-known politician appears on the ballot paper).

If, however, a popular party leader appears on the ballot paper, for example, the Liberal leader, Fogh Rasmussen (the current prime minister), or Pia Kjaersgaard from the xenophobic Danish People's Party, the percentage of personal votes increases. In 2001, 82 per cent and 75 per cent, respectively, of their two parties' total vote in their nomination district were personal votes cast for them. Even more remarkably, 62 and 67 per cent of all Liberal and Danish People's Party votes, respectively, in the entire multimember constituency (Copenhagen County in the Islands region, not to be confused with the municipality of Copenhagen) were personal votes for these two high-profile parliamentarians.

Impact on parliament

By international standards, the Danish electoral thresholds are liberal, as demonstrated by the number of parties with a total vote share between 2 and 5 per cent that have been able to make it into parliament. The average number of such small parties making it into parliament in the thirteen general elections since the beginning of the 1970s has been 3.4, while the number of parties with a national support of five per cent or more has been 5.8. This does not necessarily entail a high level of parliamentary instability as small parties are often eager to avoid a snap election, which might mean that they will be out of parliament.

In the 2001 election, 29 per cent of the 984 candidates were women, but of the 175 MPs elected in the southern part of the realm, 67—or 38 per cent—were women (both percentages are almost identical to those from 1998). Female candidates are apparently doing slightly better than their male competitors and the question arises as to whether the working of the electoral system provides at least a partial explanation for this. The question is not easy to answer as many factors are intertwined and as there is no systematic analysis of whether or not female candidates attract relatively more personal votes from other nomination districts than from their own, or of whether they are nominated in more easily winnable nomination districts. A recent, small—and somewhat inconclusive as regards explanations—analysis (Pedersen 2002) nevertheless demonstrates that the success rate of female candidates has improved over recent decades. This probably reflects a deliberate choice by voters, facilitated by the procedural provisions of the electoral system and by the increased use of the 'standing-in-parallel' form of list organization.

Well-established MPs stand a good chance of re-election under this system and incumbents' re-election rate has been over 80 per cent during the last twenty-five years (Pedersen 2002: 59). But the chances for newcomers also depend on deaths and voluntary retirement, so the proportion of new MPs is nevertheless between a quarter and a third after each election, which means that the system is quite open to renewal (as is also demonstrated by the increasing share of women MPs).

Government formation

As already mentioned, this electoral system has never produced a majority party in parliament and consequently coalitions (often minority coalitions) have become the order of the day in Denmark—much to the benefit of the working of parliament, where the need for cooperation and compromise is well understood. However, parties cannot formally form electoral alliances in relation to elections to parliament—and they will often try to be a little unclear about their post-election government preferences to allow some room for unexpected electoral outcomes and the government formation negotiations. On a few occasions, it has been clear which kind of government was preferred by some of the parties, but this is exceptional, normally occurring only when parties in a coalition government expect to do reasonably well in electoral terms.

THE POLITICS OF ELECTORAL REFORM

The electoral system is not a political issue in Denmark. The balanced and incremental development since 1920 has given the country an electoral system that is only rarely debated, and never by politicians in central positions. Obviously, politicians and academics realize that other electoral systems—or combinations of specific electoral system elements—are possible, but as the current system is generally seen as working well (in spite of its complexity when it comes to seat allocation procedures), it is not often that electoral system related issues are raised in public debate. And it is important to understand that the system's legitimacy is never challenged and there have not for many years been serious calls for simplification or greater transparency.

Proportionality is generally considered a major advantage, and even though there is an argument about the electoral threshold, the current level (especially the 2 per cent threshold) is considered a reasonable middle position between those who would like it increased and those who would rather see it either decreased (e.g. to the 'price' in votes of a full seat, that is, 0.57 per cent, 1/175 of the total valid vote) or abolished. Specific details can always be discussed (Elklit 2001), but the only issue that has been discussed lately is the extent to which Danish citizens living abroad should be permitted to vote (Betænkning no. 1432 2003).

The overall conclusion is that the electoral system has for many years been a non-issue in Denmark. The ideas first developed in tense negotiations in 1919–20 have certainly stood the test of time, not least because a number of incremental changes—particularly in the early 1950s and 1960s—allowed the system to develop gradually, in accordance with political and social changes.

At the time of writing, however, the government is finalising its plans for a major restructuring of local and regional government units, including a decrease in the number of units on both levels, something that was last done in 1970. As the municipalities are the building blocks in the nomination districts and the counties

(outside the capital) are also used as multimember constituencies, the government's local government reform must be followed by changes both at the nomination district and the multimember constituency level. However, the legislative coalition behind the local government reform has made it clear that only districting changes at the various levels (regional, constituency, and nomination district) will be considered. So, to all intents and purposes, the system described above will remain the same for the foreseeable future, even when districting changes occur.

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Finland: One Hundred Years of Quietude

Tapio Raunio

Finland's electoral system celebrates its centenary in 2006. In this chapter we will examine the origins and effects of one of the world's most durable electoral systems, certainly one of the most durable proportional representation (PR) systems. First, we will examine the political and institutional context in which it operates.

POLITICAL BACKGROUND

The Finnish political system has normally been categorized as semi-presidential, with the executive functions divided between an elected president and a government that is accountable to the parliament. This formal division of powers is stated in the constitution that entered into force in 2000: 'The legislative powers are exercised by the Parliament, which shall also decide on State finances. The governmental powers are exercised by the President of the Republic and the Government, the members of which shall have the confidence of the Parliament'.¹

The president is elected for no more than two consecutive six-year terms. Until 1982, the president was elected by an electoral college of 300 members (301 in 1982) that was elected by the same PR system as members of parliament (MPs). A one-time experiment was conducted in the 1988 election involving a mixed two-ticket system of direct and indirect voting. To be elected by a direct vote, a candidate needed to receive 50 per cent of the votes. As no candidate reached this share, the election was passed on to a simultaneously elected electoral college. From 1994 the president has been directly elected by means of the majoritarian two-ballot system. In other words, if no candidate wins a majority in the first round, the top two candidates contest a decisive second ballot, which is usually held on the third Sunday after the first round.

During the latter part of the twentieth century the president dominated Finnish politics, particularly during the long reign of President Urho Kekkonen (1956–81). The balance between the government and the president was both constitutionally and politically strongly in favour of the latter until the constitutional reforms enacted in the 1990s, which were indeed a response to the excesses of the Kekkonen era. As a

¹ The Constitution of Finland, Section 3. The constitution is available at www.om.fi/constitution.

result of the new constitution, Finland is effectively now a standard parliamentary democracy. While the president does still enjoy quite significant powers, particularly in foreign policy, the political culture, at least among the elite, seems to be developing towards the consolidation of parliamentary governance with the president in the background in domestic politics. Nevertheless, the simultaneous move to direct presidential elections may in the future produce friction between the prime minister and the president, particularly if they represent different political parties (Arter 1999; Paloheimo 2001; Nousiainen 2001).

Finland is a unitary country and has no directly elected regional bodies. The national parliament, the Eduskunta, is unicameral and has 200 members. Government formation used to be strongly influenced by the president, and until the 1980s Finland was characterized by short-lived and unstable governments. Cabinet duration has in recent decades increased considerably, with all except one of the governments formed since the 1983 elections surviving the whole four-year electoral term. The new constitution parliamentarized government formation, with the role of the president limited to formally appointing the prime minister and other ministers in accordance with the decision of the Eduskunta. Therefore elections are now much more important determinants of government membership, at least as far as the prime minister's party is concerned (Mattila and Raunio 2002).

Recent governments have been formed around two of the three main parties: the Social Democrats, the agrarian/centre-right Centre Party, and the conservative National Coalition. The tradition of having cross-bloc coalitions reflects the pragmatic and consensual nature of Finnish politics. While ideological differences between the left and the right were sharp and highly salient in government formation until the 1970s, the moderation of ideological tensions has led to a situation where practically all coalitions are possible. Since the declaration of independence in 1917 no party has come anywhere near controlling a majority of seats in the Eduskunta, and this party system fragmentation has contributed to the high level of cooperation between the political parties. Moreover, Finland remains a corporatist country, with decision-making based on extensive consultation with key interest groups.

ORIGINS OF THE ELECTORAL SYSTEM

The Parliament Act of 1906 forms the basis of the Finnish electoral system.² Its three core principles were: universal and equal suffrage, with Finland becoming the first European country to give women the vote; PR with large constituencies; and the D'Hondt method of distributing seats to parties within the electoral districts. A key rationale behind the adoption of these rules was the need to foster national unity by ensuring that all adults are eligible to vote and that the various societal groups achieve representation in the parliament. Finland, as an autonomous Grand Duchy of

² Unless otherwise stated, the historical account in this section is largely based on Tarasti and Taponen (1996) and Törnudd (1968).

the Russian empire, had just experienced a period known as Russification, and this explains why the political elite, both the Finnish-speakers and the Swedish-speaking minority, could reach unanimity on reforms that were quite far-reaching and radical for that time.

According to the Parliament Act of 1906, the representatives were to be elected by a direct and proportional ballot every three years. The country was to be divided into no fewer than twelve and no more than eighteen electoral districts, with no nationwide adjustment seats. However, if local conditions required an exception from electoral proportionality, one or more electoral districts could be formed for the election of a single representative. The voting age was set at twenty-four. The constitution or secondary legislation did not mention political parties at all. Hence the parties had to establish constituency associations and electoral alliances for their candidates. A constituency association, established by at least fifty enfranchised persons, had the right to nominate candidates and to form a candidate list with a maximum of three candidates. The constituency association had the right to form electoral alliances with other constituency associations.

When Finland became independent in 1917 and enacted its first constitution two years later, all the leading principles of the 1906 Act were retained. Since independence the electoral system has been amended several times, particularly regarding the role of parties in candidate selection and the change to the current preference-voting system. Since 1954, parliamentary elections have been held every fourth year (three years from 1906 until 1954). The share of enfranchised persons has increased significantly. In the first parliamentary election held in 1907, 45 per cent of the population had the right to vote, but by the time of the 1995 election the figure had reached 77 per cent. This results from two factors. Voting age has been lowered from the initial twenty-four years to twenty-one years in 1944, to twenty years in 1969, to 'the age of 18 years before the election' in 1972, and to 'the age of 18 no later than election day' in 1995 (Sundberg 2002a: 79–80). And, secondly, the various restrictions on the right to vote—for example, due to serving in the conscript army, living on poor relief, or not paying taxes—have over the decades been abolished.

From 1906 to 1935 the voters were entitled to vote for a maximum of three candidates with the same ballot. A voter chose between the lists of candidates containing three names put forward by the constituency associations. The voter could choose to support the entire three-person list, but he or she could also alter the order of the candidates on the list or write the names and addresses of three eligible citizens from outside the list. Most voters opted for the first, and easiest, alternative (Sundberg 2002a: 77). That vote was then divided so that the first candidate on the list got one vote, the second half a vote, and the third one-third of the vote. Within an electoral alliance, the order of the candidates was decided according to the number of votes given to each candidate. In 1935 the number of candidates the voters could vote for was reduced to two. Also the opportunity to alter the order of the candidates was withdrawn but voters still had the right to introduce their own candidates from outside the lists. A more far-reaching change occurred in 1955.

From then on the candidates have appeared on the lists in alphabetical order, i.e. no longer according to the ranking done by the parties themselves. Another important change was that from 1955 onwards voters could only vote for one candidate.

The Electoral Act of 1969 and the Election Act of 1975 brought major changes to the process of selecting candidates. Prior to this legislation the party leadership was largely able to control candidate selection, with the lack of any legal regulations giving the parties a relatively free hand in making their own arrangements. Not surprisingly, this resulted in processes that were strongly influenced or even determined by national party executives. The only party that actually used party primaries before they were legally required was the Social Democrats. An important tool for parties was the right to field the same candidates in several constituencies. However, since 1969 candidates can compete in only one constituency, thereby reducing the influence of the party leadership and ending the practice (which had been particularly attractive to small parties) of using high-profile individuals as vote-catchers in multiple constituencies. The law also stipulated that voters could no longer enter their own candidates but had to choose one candidate from one of the official lists. These new legal regulations also homogenized internal party practices, so that there were fewer differences in the way parties selected their candidates. Some parties, such as the National Coalition and the Swedish People's Party, nevertheless continued to have highly centralized selection procedures until the introduction of primaries (Kuitunen 2002: 65–8). Since the reforms carried out in 1975, candidate selection within parties has been based on district-level primaries, with the local branches in a dominant role.

The new Election Act of 1998 united the provisions regarding all national (Eduskunta, European Parliament, presidential) and municipal elections into one law. The next section explains how the current electoral system operates.

HOW THE ELECTORAL SYSTEM WORKS

The basic provision regarding electoral districts in parliamentary elections has been unchanged since 1906.³ The number of electoral districts is derived primarily from the number of traditional administrative provinces, and it has undergone only minor adjustments. From 1906 to 1938 Finland was divided into sixteen constituencies, with the electoral district of Lapland returning only one representative, but in 1938 Lapland became a multimember constituency. From 1947 onwards the autonomous Åland Islands region has instead constituted a single-member electoral district. From 1938 to 1952 the number of constituencies was fifteen; in 1952 the capital Helsinki became the sixteenth constituency. In 1962 the number of constituencies was reduced to its present level, and since then Finland has been divided into fourteen multimember constituencies and one single-member district (Åland).

³ For information about electoral legislation and election results, see www.vaalit.fi. Detailed statistics concerning both candidates and election results are available at the home page of Statistics Finland (www.tilastokeskus.fi).

The seat distribution between electoral districts has also experienced some adjustments, caused primarily by internal migration from the more rural areas to the southern and south-western parts of the country.

The range in district magnitude since 1907 (excluding the single-member constituencies) has been from six to thirty-three. In the 2003 elections the district magnitude ranged likewise from six (South Savo) to thirty-three (Uusimaa). With fifteen constituencies, the average district magnitude is 13.3. The government decides before each election on the basis of census data how many seats each district is allocated. Seats are allocated by the method of largest remainders with the Hare quota, i.e. LR–Hare (Kuusela 1995: 24; for details of LR–Hare see Appendix A). Finland has no legal thresholds or nationwide adjustment seats.

Candidates can be nominated by parties that have been entered into the party register kept by the Ministry of Justice and by constituency associations established by enfranchised citizens. At most fourteen candidates may be nominated by each party in every electoral district or, if more than fourteen representatives are elected from the district, at most the number of MPs to be elected. Hence there is an upper limit for the number of candidates the political parties and constituency associations can nominate. Only parties may form electoral alliances, but the number of candidates nominated by the electoral alliance may not exceed the maximum number of candidates for a single party. The nomination of candidates takes place by submitting a list of candidates separately in each electoral district. Candidate lists can thus be submitted by political parties, electoral alliances (formed only among two or more parties), constituency associations, or joint lists (formed only among two or more constituency associations).

Since 1975 parties are legally required to use membership primaries to select candidates in constituencies where the number of aspirant candidates exceeds the official upper limit of candidates the party has the right to nominate. Parties are given the freedom to decide how the primaries are conducted, but in practice their regulations tend to closely resemble those found in the election law. District primaries are rarely used in small parties, whereas the large parties use them in the majority of electoral districts. The SDP has used party primaries more often than the other parties. Smaller parties use them less frequently either because they have weaker recruitment potential or because they often enter into electoral alliances.

Within the electoral district, a local branch of the party or, alternatively, a group of at least fifteen members from the same branch has the right to nominate candidates. A group of at least thirty members from different local branches has the same right. Party members living in the constituency have the right to vote in the primaries. The district party executive has the right to replace up to a quarter of the aspirant candidates who gained enough votes in the primary to win a place on the list. In the Social Democratic Party the district party executive can replace one-fifth of the aspirant candidates (Kuitunen 2002: 69). While list manipulation by the district party executive does occur in most districts, it is normally not a conflictual element in the process and is primarily explained either by candidate refusals or the need to form a more balanced list by correcting, for example, the geographical or

occupational bias of the candidates.⁴ The goal is therefore to produce a list that is geographically, socio-economically, demographically, and ideologically as representative as possible.

To illustrate how candidate selection operates in the electoral districts, Table 23.1 shows the main stages of the process in the four largest parties (SDP, Centre Party, National Coalition, Left Alliance) in the 1995 parliamentary elections.

After candidate selection is completed, the Electoral District Committee places the candidate lists into an order so that the lists of parties come first, followed by joint lists, and finally the lists of constituency associations. Once this order is established, candidates are numbered consecutively, starting with number 2. The candidates are placed on the party lists in alphabetical order,⁵ with the exception of the Social Democratic Party, which employs a system in which the placing of the candidates on the list is determined by their success in the district primaries, with the candidate winning the most votes heading the list. Having a surname that begins with letters early in the alphabet appears to provide no electoral advantage (Helander 1997: 58–9; Helander et al. 1997). The final candidate lists contain the following information about the individual candidates: number, name, municipality of residence and title, and profession or position. The candidate lists are displayed widely in the media (newspapers and the Internet) and in posters before the elections, and also inside the polling stations and in the actual polling booths on election day (see Figure 23.1).

Since 1969 all Finnish citizens have the franchise regardless of their domicile. Citizens living permanently abroad can vote in Finnish embassies or on Finnish ships abroad. There are approximately 200,000 enfranchised persons living abroad, most of them residing in Sweden. Normally only a small minority of the Finns living abroad vote,⁶ and the official turnout statistics usually report only turnout among voters residing in Finland. When the persons living abroad are taken into account, the turnout is normally about three percentage points lower.⁷

The day of the election is normally the third Sunday in March.⁸ On election day the polling stations are open between 9 a.m. and 8 p.m. There is at least one polling station in every municipality, with a total of approximately 3,000 polling stations across the country. Advance voting begins on the Wednesday eleven days before election day, and ends abroad on Saturday eight days and in Finland on Tuesday five days before election day. One distinctive feature of Finnish elections since the 1991

⁴ For the precise rules adopted by the main parties and the actual practices concerning candidate selection, see Kuitunen (2002).

⁵ This is not a legal requirement. It is up to the parties themselves to decide the order in which the candidates appear on their lists.

⁶ For example, in the 1999 elections 6 per cent, and in 2003 just 8 per cent, of the enfranchised Finns living abroad voted.

⁷ Turnout has fallen below the western European average, with fairly consistent decline since the 1960s. Whereas in the elections held in the 1960s, on average 85 per cent of the electorate cast their votes, the figure was 81 per cent in the 1970s, 79 per cent in the 1980s, and 71 per cent in the 1990s. In the 2003 election turnout was 70 per cent.

⁸ Before the 1991 election polling stations were open for two days, Sunday and Monday.

Table 23.1 Candidate selection procedures of the four main parties in the 1995 election

Party procedure	Left Alliance	Social Democratic Party	Centre Party	National Coalition
Enfranchisement in constituency primaries	Members over 18 years	Members over 18 years; membership for four months before the primary	Members over 15 years; membership for two months before the primary	Members over 18 years
Eligibility requirements for candidacy	None	Membership for four months before the primary	None	None
List manipulation by the district executive	1/4 of the candidates	1/5 of the candidates	1/4 of the candidates	1/4 of the candidates
Share of constituencies with list manipulation (%)	100	69	75	80
Share of constituencies with primaries (%)	55	100	57	75
Average turnout (%)	49	63	20	43

Source: Kuitunen (2002: 71, 77).

Helsingin vaaliipiirissä 16 päivänä maaliskuuta 2003 toimitettavia eduskuntavaaleja varten laadittu ehdokaslistojen yhdistelmä

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Figure 23.1 Candidate lists in Helsinki constituency, 2003 election
 Note: 21 MPs were to be returned from the constituency.

election has been the exceptionally high numbers of ballots cast in advance by post. All citizens with the right to vote may cast their votes in advance. In 1991, 41 per cent of the votes were cast in advance, in 1995 the figure was 43 per cent, in 1999 40 per cent, and in 2003 38 per cent. This means that in 2003, 26 per cent of the electorate cast their votes in advance, and 44 per cent voted on the day of the election. The active use of postal voting is reflected in campaigning, as political parties cannot simply focus their efforts on the last week or two preceding the actual day of election. The voter casts one vote for one candidate by writing the identification number of the candidate in the empty circle on the ballot sheet supplied.

With the voting over, the seats are distributed to parties (and electoral alliances, constituency associations, or joint lists) within the electoral districts according to the D'Hondt system. Within parties the success of individual candidates depends entirely on the number of votes they get. The political parties, their district-level organizations or the national-level leaderships, have no scope to intervene in the

Sammanställning av kandidatlistor för det riksdagsval som förrättas den 16 mars 2003 i Helsingfors valkrets

<p>Kansallinen Kokoomus r.p. / Samlingspartiet r.p.</p> <p>129 Ahvoniemi, Pasi (Ella) kansanedustaja</p> <p>129 Aho-Selonen, Eija kansanedustaja</p> <p>127 Bergroth, Hanna kansanedustaja</p> <p>128 Eranti, Matti kansanedustaja</p> <p>129 Hakola, Jukka kansanedustaja</p> <p>130 Hallanen, Leena kansanedustaja</p> <p>131 Häkkinen, Kari kansanedustaja</p> <p>132 Kaher, Marja kansanedustaja</p> <p>133 Kahkonen, Matti kansanedustaja</p> <p>134 Kanninen, Pasi kansanedustaja</p> <p>135 Karvonen, Mika kansanedustaja</p> <p>136 Laitinen, Jarmo kansanedustaja</p> <p>137 Lohman, Sirkka kansanedustaja</p> <p>138 Miettinen, Sirkka kansanedustaja</p> <p>139 Orvola, Olli kansanedustaja</p> <p>140 Penttinen, Eero kansanedustaja</p> <p>141 Rissanen, Matti kansanedustaja</p> <p>142 Saarelma, Lea kansanedustaja</p> <p>143 Saarelahti, Jari kansanedustaja</p> <p>144 Sillanpää, Mikko kansanedustaja</p> <p>145 Tahvanainen, Eero kansanedustaja</p>	<p>Suomen Kristillisdemokratian (KD) - Kristillisdemokraterna i Finland (KD) r.p.</p> <p>146 Elämä, Matti kansanedustaja</p> <p>147 Hietaniemi, Jyrki kansanedustaja</p> <p>148 Holopainen, Jukka Matti kansanedustaja</p> <p>149 Holonen, Teijo kansanedustaja</p> <p>150 Karhu, Esa Ilja kansanedustaja</p> <p>151 Kokkonen, Timo kansanedustaja</p> <p>152 Kuusela, Eero kansanedustaja</p> <p>153 Kuusela, Matti kansanedustaja</p> <p>154 Kuusisto, Leena kansanedustaja</p> <p>155 Lounela, Antti kansanedustaja</p> <p>156 Miettinen, Ville kansanedustaja</p> <p>157 Miettinen, Hanna kansanedustaja</p> <p>158 Miettinen, Antti kansanedustaja</p> <p>159 Miettinen, Mikko kansanedustaja</p> <p>160 Skorova, Taru kansanedustaja</p> <p>161 Penttinen-Miettinen, Pasi kansanedustaja</p> <p>162 Rissanen, Eero kansanedustaja</p> <p>163 Saarelma, Pasi kansanedustaja</p> <p>164 Saarelahti, Jari kansanedustaja</p> <p>165 Saari, Taru kansanedustaja</p> <p>166 Vain, Raine kansanedustaja</p>	<p>Vasemmistoliitto r.p. / Vänsterförbundet r.p.</p> <p>167 Ahola, Jari Erik kansanedustaja</p> <p>168 Ahtola, Olli kansanedustaja</p> <p>169 Ahvenainen, Pasi kansanedustaja</p> <p>170 Englund, Anja kansanedustaja</p> <p>171 Gäster, Matti kansanedustaja</p> <p>172 Halla, Jari kansanedustaja</p> <p>173 Halla, Olli kansanedustaja</p> <p>174 Halla, Eero kansanedustaja</p> <p>175 Kannala, Teijo kansanedustaja</p> <p>176 Kannala, Pasi kansanedustaja</p> <p>177 Luukkainen, Eija kansanedustaja</p> <p>178 Suola, Olli kansanedustaja</p> <p>179 Pajala, Eero kansanedustaja</p> <p>180 Rissanen, Mikko kansanedustaja</p> <p>181 Rissanen, Matti kansanedustaja</p> <p>182 Saarelahti, Pasi kansanedustaja</p> <p>183 Saari, Kari kansanedustaja</p> <p>184 Sivonen, Hanna-Kaisa kansanedustaja</p> <p>185 Sivonen, Matti kansanedustaja</p> <p>186 Vain, Jari kansanedustaja</p> <p>187 Virtanen-Nyman, Tuija kansanedustaja</p>	<p>Yhteisvastuu puolue r.p.</p> <p>188 Virtala, Taru kansanedustaja</p> <p>189 Saarela-Kannala, Antti kansanedustaja</p>	<p>Rauhan ja Sosialistisen puolueen - Kommunistien Työväestöpuolue r.p. / För Fred och Socialism - Kommunistiska Arbetarpartiet r.p.</p> <p>190 Elämä, Pasi kansanedustaja</p> <p>191 Eranti, Matti kansanedustaja</p> <p>192 Kanninen, Taru kansanedustaja</p> <p>193 Kanninen, Mikko kansanedustaja</p> <p>194 Kanninen, Raine kansanedustaja</p> <p>195 Pajala, Eero kansanedustaja</p> <p>196 Rissanen, Matti kansanedustaja</p> <p>197 Tahvanainen, Eero kansanedustaja</p> <p>198 Virtanen, Mikko kansanedustaja</p>	<p>Suomi Nousee - Kansaa Yhdistäy r.p.</p> <p>199 Sivola, Teijo kansanedustaja</p> <p>200 Hallanen, Pasi kansanedustaja</p> <p>201 Hallanen, Mikko kansanedustaja</p> <p>202 Kanninen, Leena kansanedustaja</p>	<p>Suomen Kommunistinen Puolue - Finlands Kommunistiska Parti r.p.</p> <p>203 Halla, Teijo kansanedustaja</p> <p>204 Halla, Raine kansanedustaja</p> <p>205 Kanninen, Mikko kansanedustaja</p> <p>206 Kanninen, Mikko kansanedustaja</p> <p>207 Kanninen, Teijo kansanedustaja</p> <p>208 Kuusela, Eero kansanedustaja</p> <p>209 Kuusela, Matti kansanedustaja</p> <p>210 Kuusela, Matti kansanedustaja</p> <p>211 Kuusela, Pasi kansanedustaja</p> <p>212 Kuusela, Teijo kansanedustaja</p> <p>213 Laitinen, Jarmo kansanedustaja</p> <p>214 Laitinen, Kari kansanedustaja</p> <p>215 Laitinen, Matti kansanedustaja</p> <p>216 Lounela, Antti kansanedustaja</p> <p>217 Miettinen, Teijo kansanedustaja</p> <p>218 Niska, Leena kansanedustaja</p> <p>219 Rissanen, Eero kansanedustaja</p> <p>220 Sivola, Teijo kansanedustaja</p> <p>221 Sivola, Matti kansanedustaja</p> <p>222 Sivola, Pasi kansanedustaja</p> <p>223 Tahvanainen, Teijo kansanedustaja</p>	<p>224 Halla, Teijo kansanedustaja</p> <p>225 Halla, Raine kansanedustaja</p>
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process. The system is therefore very candidate-centred as preference votes alone determine the success of candidates within parties. Within electoral alliances the distribution of seats is determined solely by the plurality principle, regardless of the total number of votes won by the respective parties forming the alliance. Hence no account is taken of the relative vote shares of the alliance partners. For example, let us assume that an electoral alliance between party A and party B wins a total of 20,000 votes in an electoral district, and that this entitles the alliance to three MPs, with 15,000 of the votes going to candidates of party A and 5,000 to candidates of party B. However, what matters are the vote totals of the individual candidates, and hence party B can benefit from the alliance if it can concentrate its votes on one candidate in that district, as the three candidates with the most votes will be elected to parliament. Thus smaller parties have tended to enter electoral alliances with larger parties (Kuusela 1995: 28). The Social Democrats and the National Coalition since 1979 have traditionally not formed electoral alliances, whereas the Centre

Party has systematically entered into alliances with smaller parties such as the Christian Democrats (Sundberg 1995: 49).

Table 23.2 shows the distribution of votes and seats in the most recent Eduskunta elections, held in March 2003. The Centre Party emerged as the largest party after eight years in opposition. The Social Democrats, the leading government party since 1995, also increased their vote share but lost to the Centre by a margin of just 6,000 votes. The National Coalition lost six seats in the Eduskunta and won only 19 per cent of the votes. The D'Hondt system favours larger parties, and hence the three main parties all captured a higher share of the seats than of the votes. Turning to the smaller parties gaining representation in the Eduskunta, the Left Alliance suffered a minor loss, while the Green League achieved its best ever result. The Christian Democrats (the Christian Union until 2001) lost three seats despite increasing its vote share slightly. The Swedish People's Party, a language party established to defend the interests of the Swedish-speaking minority, won 5 per cent of the votes. And finally, the populist right-wing party True Finns won 2 per cent of the votes. The vote shares of these five parties were all higher than their respective seat shares.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

The proportional electoral system with large constituencies has contributed to the fragmentation of the party system. Between 1945 and 2000 the average effective number of parties in the parliament was 5.0, making the Eduskunta one of the most

Table 23.2 The results of the 2003 election in Finland

Party	Votes	% votes	Seats	% seats
Centre Party	689,391	24.7	55	27.5
Social Democrats	683,223	24.5	53	26.5
National Coalition	517,904	18.6	40	20
Left Alliance	277,152	9.9	19	9.5
Green League	223,564	8.0	14	7
Christian Democrats	148,987	5.3	7	3.5
Swedish People's Party	128,824	4.6	8	4
True Finns	43,816	1.6	3	1.5
Communist Party	21,079	0.8		
Others	44,245	1.6		
Åland Islands	13,572	0.5	1	0.5
Total	2,791,757	100.0	200	100.0

Note: The representative from the Åland Islands sits with the group of the Swedish People's Party.

Source: Statistics Finland.

fragmented legislatures in western Europe. During the same period the average number of government parties was 3.5 (Mattila and Raunio 2002: 264). No party has at any point since the declaration of independence come even close to winning a majority of the seats in parliament, and the lack of a clearly dominant party (such as the Social Democrats in Sweden) has necessitated cooperation between the main parties. Indeed, in Finland it is rare for a single party or electoral alliance to win a majority of the votes even within a single electoral district.

As the class cleavage was crucial in the emergence of Finnish parties, it is not surprising that class dealignment has contributed to increasing electoral instability, both in terms of party system fragmentation and electoral volatility. Nevertheless, despite the entry of new parties such as the Christian Democrats, the Green League, and the now defunct Rural Party (predecessor of the True Finns) to the Eduskunta, overall the party system has remained rather stable, with the three main parties, the Social Democratic Party, the Centre Party, and the National Coalition, largely holding on to their vote shares in recent decades (Sundberg 1999, 2002*b*). Larger parties are protected against new challengers not only by the D'Hondt system but also by the regulations concerning the public funding of political parties. Only parties represented in the Eduskunta are entitled to public funding, and hence new parties find it difficult to break through in the electoral arena, particularly as the cost of campaigning has increased substantially over recent decades.

Overall the Finnish electoral system produces rather high proportionality, but the smaller constituencies contribute to the existing lack of proportionality (Nurmi 1990). National disproportionality has consistently been lower than the average disproportionality at the district level, because the latter tend to even themselves out rather than be cumulative (see also Appendix C). Measuring disproportionality first with the Loosemore–Hanby index, the nationwide high is 10.6 per cent from the 1987 election, while the lowest level of 2.3 per cent occurred in 1951 (Kuusela 1995: 37–8). Using instead the least squares index (LSq) developed by Gallagher, the range has been between a low of 1.52 in the 1917 election and a high of 5.00 in the 1987 election. The level of disproportionality has remained fairly stable, with an average LSq of 2.98 in elections held between 1907 and 1999 (Sundberg 2002*a*: 86). As the D'Hondt formula favours large parties, in Finland most small parties join electoral alliances, and without this option proportionality between votes and seats would be lower.

Impact on the parties

Examining the changes in candidate selection, we note that amendments to the constitution and secondary legislation enacted in the 1960s and 1970s have substantially weakened the ability of national party leaderships to control MPs. Notably, the national-level party organization is practically completely excluded from the process of selecting the candidates. The national party leaderships have only 'limited and theoretical possibilities' of influencing candidate selection in the electoral districts, with such interference restricted to cases of severe internal conflicts within

the party (Kuitunen 2002: 64). The weak involvement of the national-level party organization is also reflected in campaigning. During the campaign, the national party organization and leadership primarily act as a background resource, providing the local branches with necessary campaign material and with the party leader giving the party a public face. The actual work of collecting funds and spreading the message is the responsibility of the candidates and their support groups, with private donations important in financing candidates' campaigns (Sundberg 1995).⁹

In addition to the normal competition between political parties, there is also intense competition between individual candidates from the same party. Hence candidates compete at least as much against rival candidates from their own party as they do against other parties. While parties do have their own campaign advertisements in the press, where all the names and faces of the candidates in the respective constituencies are presented, the individual candidates invest a lot of money on their own advertisements in printed and electronic media. Most of the personal advertisements are very simple, containing no information other than the name, the face, and the number of the candidate.¹⁰

The preference voting system also structures citizens' voting behaviour. In 1983 and 1991, a survey asked the respondents: 'Ultimately, which do you think was more important in your voting, the party or the candidate?' In 1983 just over half, 52 per cent, viewed the party as more important and 42 per cent the candidate. In 1991 the respective figures were 51 per cent and 43 per cent. There was no notable variation between the main parties, but younger people were less attached to parties than older people when making their voting decisions. Examining this question longitudinally, it would appear that the candidate dimension has become more prominent over the decades (Pesonen 1995: 115–17; see Pesonen et al. 1993). Hence the system is very candidate-centred, and this also has implications for parliamentary work.

Impact on parliament

The strongly decentralized candidate selection system means that the MPs have two main principals: their voters and local/district party branches, and the national party and its parliamentary group. MPs can increase the safety of their seats through cultivating strong links with their constituency, and this does occasionally happen at the expense of party unity. While Finnish parties can be characterized as rather centralized between elections (Sundberg 1996), the candidate selection process limits the disciplinary powers of party leaders vis-à-vis MPs. As a result, parliamentary groups typically include troublesome MPs with whom the party leadership is not entirely happy. The cohesion of party groups in the Eduskunta has tended to be

⁹ A new Act on Campaign Financing was introduced in 2000. Now each candidate must report her total campaign expenditure, her own financial contribution to the campaign, and any external financial support from the party or any other donor (Sundberg 2002a: 79).

¹⁰ An analysis of twenty large daily newspapers from 2 January until the election held on 17 March 1991 showed that out of 9,884 election advertisements, 8,700 were advertisements for individual candidates (Pesonen 1995: 122).

lower than in the other Nordic legislatures, and Finnish MPs place much less value on group discipline than their colleagues in the other Nordic parliaments (Jensen 2000; see also Heidar 2000).¹¹ Indeed, when asked in 1995 about the importance attached to performing various tasks in their work, only 9 per cent of the Finnish MPs thought it 'most important' to promote the policies of their parties. The corresponding figures were much higher in the other Nordic countries (Esaïasson 2000). Nevertheless, party groups in the Eduskunta can still be characterized as rather cohesive (Wiberg 2000).

Apart from the candidate selection mechanism, Finnish MPs are also otherwise strongly present in local politics. The majority of representatives are either members of municipal councils or belong to the executive organs of their local or district party branches, with the main argument for these double mandates being that this ensures that local interests are channelled to national politics and vice versa. On the other hand, the share of MPs with no previous experience of party politics has increased since the early 1980s (Ruostetsaari 2000), and it may well be that these representatives do not share the same norms regarding party behaviour as MPs with long service in the party before entering parliament. This might further weaken the connection between the candidates and the national-level party organization. Despite the strong constituency connection, both as a result of the electoral system and of the parliamentarians holding elected offices at the local level, Finnish MPs primarily focus on national level politics in their daily work. Looking after constituency interests is obviously an important part of the MPs' work, and MPs' specialization in committees and within party groups often reflects the nature of their constituencies. However, the traditionally strong role of the state, in terms both of legislative powers and of identity, means that MPs focus first and foremost on influencing national legislation.

When compiling the candidate lists in the electoral districts, parties try to ensure that the lists are as representative of the electorate or their potential voters as possible. Nevertheless, Finnish voters have been characterized as conservative, particularly in terms of voting for familiar incumbents. Since the 1979 election the re-election rate for incumbents has stabilized at around 60 per cent, including those who do not stand again in the elections (Kuitunen 2002: 92). In the Eduskunta rural municipalities, women, candidates over sixty and under thirty years of age, and those with no university education are normally under-represented. The share of women among all candidates and MPs has increased steadily since the Second World War. In the 1948 election 12 per cent of the candidates were women, and in the 2003 election the figure was 40 per cent. An all-time high was reached in the 1991 election when 41 per cent of the candidates were women. In 1948, 12 per cent of MPs were women and after the 2003 election their share was 38 per cent.

¹¹ In 1995/6 party cohesion in the Eduskunta, as measured by the Rice index of cohesion, varied between a low of 85.3 (Left Alliance) and a high of 91.5 (Christian Democrats). The indices were much higher in the other Nordic countries: in Denmark in 1994/5 the range was from 99.7 to 100, in Iceland in 1995/6 from 91.6 to 99.3, in Norway in 1993/4 from 97.4 to 99.2, and in Sweden in 1994/5 from 96 to 100 (Jensen 2000: 218–19).

Government formation

Until the early 1980s Finland had a tradition of short and unstable governments that operated in the shadow of the president. In western Europe, only Italy had more cabinets between 1945 and 2000 than Finland (Nousiainen 2000). Nearly half, 46 per cent, of these cabinets were surplus majority coalitions, 23 per cent were minority governments, 16 per cent were minimal winning coalitions, and 16 per cent were caretaker cabinets. The dominant coalition from the Second World War until 1987 was the Red–Green alliance between the SDP and the Centre Party, and the National Coalition was kept out of government until 1987 due to foreign policy imperatives. The Centre Party has traditionally occupied the median position on the left–right dimension, and this ideological centrism, together with backing from presidents, primarily explains its strong position in government formation.

As noted earlier, government stability has increased significantly since 1983. The increase in cabinet duration is explained by the size of the governments, reduced ideological polarization, and also, since the 1990s, the lack of presidential interference in the formation and work of the government. The governments formed since 1983 have all been oversized coalitions and have included two of the three main parties: the SDP, the Centre, and the National Coalition. An oversized coalition government, bringing together SDP, National Coalition, Left Alliance, Swedish People's Party, and the Green League, took office after the 1995 election, and this so-called 'rainbow government' renewed its mandate in the March 1999 election. According to Nousiainen (2000: 270) the formation of the five-party coalition indicated that 'the traditional bloc boundary of the party system has lost much of its importance'. After the most recent election held in March 2003, a government was formed by the Centre Party, the Social Democrats, and the Swedish People's Party. Not surprisingly, the oversized coalitions have ruled without much effective opposition from the Eduskunta.

The fragmented party system is the main explanatory factor behind the tradition of coalition governments. The majority of cabinets formed after the Second World War have been cross-bloc coalitions, bringing together parties from both the left and the right. Hence, Finnish parties are used to active cooperation in the government and in the Eduskunta. Parties do not make any public pre-election alliances or pledges about governing or not governing with certain parties. The formation of multiparty coalition governments has in turn contributed to ideological moderation and consensual decision-making, particularly in socio-economic matters. All Finnish parties are coalitionable, and parties in their campaigns are normally careful not to antagonize their competitors too much in order not to exclude themselves from post-election government formation negotiations. Another factor facilitating the formation of oversized coalitions was the deferment rule (Mattila 1997). Until 1992 one-third of MPs (67/200) could insist on the postponement of the final adoption of an ordinary law until after a new election; the proposal was adopted if a majority in the new parliament supported it. Since then the standard decision rule in the parliament has been simple majority. This qualified majority rule partially

explained the propensity to form oversized coalitions and contributed to the practice of inclusive, consensual decision-making that reduced the gap between the government and opposition.

THE POLITICS OF ELECTORAL REFORM

The main features of the Finnish electoral system have remained intact since the move to parliamentary democracy in 1906. The notable exceptions are the decentralization of candidate selection with the reforms carried out in 1969 and 1975 and the move to preference voting with non-ordered party lists in 1955. Apart from setting the voting age and the range of the number of electoral districts, the constitution merely states that MPs shall be ‘elected by a direct, proportional and secret vote’ (Section 25), with more ‘detailed provisions on the timing of parliamentary elections, the nomination of candidates, the conduct of the elections and the constituencies’ to be laid down by secondary legislation. Hence the Eduskunta can alter the electoral system by a simple majority vote. However, there is no major pressure to change the electoral system, with the rules of the electoral game seldom making the news and parties hardly ever publicly demanding changes to the system.

The modifications to the election system have been designed and implemented more as technical changes than as strategic manoeuvres by the parties. The committees responsible for drafting the changes consist of legal experts and representatives from the parties. Considering the fragmented nature of the party system, parties know that suggesting changes that would move the status quo radically in their favour are out of the question as all policy changes require broad support among the parties. Nevertheless, partisan objectives have played a role in maintaining the main features of the electoral system. The larger parties favour the D’Hondt method as it ensures that they get a higher share of parliamentary seats than of votes. Smaller parties have argued alternatively in favour of changing the sizes of the constituencies, introducing what are termed electoral rings¹² or nationwide adjustment seats, and moving from the D’Hondt method to the Sainte-Laguë formula,¹³ but their proposals have not won support among the three main parties (Sundberg 2002a: 75–7; Kuusela 2002).

¹² An electoral ring differs from an electoral alliance in that in addition to the vote totals of the individual candidates the respective vote totals of the parties forming the electoral ring are taken into account in seat distribution. The seats won by the electoral ring are first distributed proportionally between the parties in the electoral ring. Only then are the seats allotted to individual candidates within the parties on the basis of the vote totals of the candidates. Hence, unlike in an electoral alliance, a party would not benefit from concentrating its votes on one or two candidates. For example, if the electoral ring wins just one seat in the district, that seat goes to the party that won most votes with no consideration given at that stage to the vote totals of the individual candidates (Kuusela 2002: 186).

¹³ The use of Sainte-Laguë would improve proportionality, particularly in the smaller electoral districts. The adoption of Sainte-Laguë was particularly supported by the Swedish People’s Party in the 1950s and 1960s (Sundberg 2002a: 77).

CONCLUSION

Finland has one of the most candidate-centred electoral systems in the world. The way candidates are selected empowers the local and district party branches at the expense of the national party organizations. Preference voting in turn produces heated competition between candidates of the same party, and the personal qualities of the candidates weigh heavily in people's minds when making their voting decisions. While the present rules of the game thus to a certain extent undermine the cohesion of the parties, it is unlikely that the system will be changed in the near future. The present system is simple and familiar to voters. It continues to enjoy a high level of legitimacy among both the MPs and the citizens.

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The Netherlands: The Sanctity of Proportionality

Rudy B. Andeweg

THE INSTITUTIONAL CONTEXT

The Dutch political system does little to concentrate political power in the hands of a democratically legitimated majority (for an overview, see Andeweg and Irwin 2005). Lijphart (1999), for example, uses ten institutional criteria to classify political systems as more majoritarian democracies or more consensus-oriented democracies on two dimensions, and on both dimensions the Netherlands is close to the consensus end of the scale. With regard to the executives–parties dimension, the Dutch political system is characterized by a high number of relevant political parties, most of which originated in one of the social segments, known as ‘pillars’, that were divided by deep social cleavages of class and religion. Hence, these parties can be classified into three different political ‘families’. Within each of these families the main party (the Labour Party (PvdA) for the socialist left, the Christian Democratic Appeal (CDA) for the Christian democrats, and the conservative Liberals (VVD) for the liberals) face competition from smaller ideologically more radical or populist parties. None of these parties is close to obtaining a parliamentary majority, and the country is always governed by coalitions and relatively often by ‘oversized’ coalitions that include more parties than numerically necessary to obtain a parliamentary majority.

Although there are elements of separation of powers in the Dutch system (government ministers are not allowed to be members of parliament, for example), the government is dependent on the confidence of a parliamentary majority in order to survive. Several mechanisms (a detailed coalition programme, an elaborate system of consultation and coordination among the governing parties, and party discipline) result in a high degree of governmental stability. Still, opposition parties are not entirely without influence, especially through relatively powerful and specialized parliamentary committees. There is a tradition of consulting interest groups and preferably incorporating them into policy-making through formal and informal corporatist arrangements.

On Lijphart’s federal–unitary dimension, the Netherlands has a bicameral parliament. An electoral council composed of all members of the country’s twelve

provincial legislatures elects the upper house, confusingly referred to as the *Eerste Kamer* (First Chamber). It consists of part-time politicians, meets less frequently than the *Tweede Kamer* (Second Chamber), and lacks the power of amendment, but it has an absolute veto over all legislation. Procedural and numerical hurdles must be overcome to change the constitution, which serves to protect minority rights. The central bank is independent (even more so now that the most important of its functions have been taken over by the European Central Bank). In a consensus democracy the courts are expected to review the constitutionality of statutes. Although, formally, such judicial review does not exist in the Netherlands, in practice this does little to constrain the growing political role of the judiciary. Lijphart even classifies the Netherlands as a semi-federal country (Lijphart 1999: 191). He does so not because of a high degree of territorial decentralization in the Dutch political system; despite the country's plural name in many languages (Netherlands, *Pays Bas*, *Niederlande*) and its origins as a confederacy, today it is hard to find a more centralized political system. Instead, Lijphart bases his classification on the considerable degree of delegation to private associations ('sociological federalism'). This would seem to confound federalism with corporatism, but even if we disregard this controversial classification, the Netherlands remains very much a consensus democracy. Of the thirty-six countries that are included in Lijphart's analysis, the Netherlands is the fifth most consensus-oriented polity on the executives-parties dimension, and it takes ninth place on the federal-unitary dimension.

Not all of these characteristics are enshrined in the constitution, but those that are date back at least to 1848. Since that year, the Dutch political system has undergone very little change. There is one important exception to this picture of stability, however, and that is the electoral system that is the focus of this chapter.

ORIGINS OF THE ELECTORAL SYSTEM

The electoral system was changed radically from a majoritarian system to proportional representation in 1917. Before 1917, members of parliament (MPs) in the Second Chamber of parliament were elected by absolute majority from electoral districts. If no candidate obtained an absolute majority, a second round would be held in which the choice was restricted to the two candidates who received most votes in the first round. Originally, most districts elected two MPs, but it was unusual for them to be elected simultaneously, as every two years half of the MPs were elected. The number of MPs was linked to the size of the population (one MP for every 45,000 inhabitants). In 1888, the number of MPs was fixed at 100, to be elected simultaneously. In 1896 all districts became single-member districts (SMDs).

This system was abolished in what is known in Dutch history books as the Great Pacification of 1917 (Loots 2004). In the years preceding the First World War, intense political conflicts along the lines of the social cleavages mentioned above divided the country, primarily over the issues of universal suffrage and public funding of religious schools. At the beginning of the First World War, an attempt was made to resolve these issues by setting up two committees composed of the

parliamentary leaders of the main parties. It would take until 1917 for a package deal to be worked out. In this compromise the religious parties received full state financing of religious schools, and the Labour party got the universal (male) suffrage that it had campaigned for. Although not all Liberals rejected a widening of the suffrage, most had opposed both elements of the package deal. Moreover, the Liberal parties represented more affluent voters. The abolition of the *régime censitaire* without a change in the electoral system would most likely have wiped out the Liberal parties: the enfranchisement of less wealthy voters would have reduced the Liberals to a minority in most if not all SMDs. To win their consent to the package deal, a third element was added: a replacement of the electoral system of absolute majority in SMDs by nationwide proportional representation. Under that system, the Liberal minorities in various regions could be aggregated in order to obtain a share of the seats in the Second Chamber. In order not to endanger this fragile compromise, the parties agreed not to contest the last elections that had to be held under the old system in order to make the necessary constitutional amendments!

Apart from widening the suffrage to female citizens only two years later, in 1919, the most important change to the electoral system was the abolition of compulsory attendance at the polls (customarily, if incorrectly, referred to as compulsory voting) in 1970. Compulsory voting was introduced in 1917 to guarantee that proportional representation (PR) of all segments in society would not be affected by low turnout. This aspect of the electoral system never obtained the legitimacy that the other aspects would soon acquire, and several attempts were made to abolish it. Nevertheless it was not until 1970 that the eighth abolition attempt was successful. Paradoxically, protection of existing political parties was an important motivation for both the introduction and the abolition of compulsory voting. In 1967, the established political parties had been shocked to see a right-wing populist party (the Farmers' Party) and a centre-left reformist party (Democrats '66) together take fourteen seats, a landslide in those days of still unquestioned party loyalty. Although this was not admitted openly, the established parties calculated that the voters of these parties were 'protest voters', most of whom would have abstained had it not been for compulsory voting. By abolishing compulsory voting, it was argued, the risk of such electoral upsets would be reduced. When turnout decline in more recent years prompted proposals for the reintroduction of compulsory voting, some opponents again argued that forcing alienated citizens to come to the polls would only benefit the extreme right.

HOW THE ELECTORAL SYSTEM WORKS

Voting is made exceedingly simple in the Netherlands. Registration is automatic (through the population register) and, some weeks before election day, voters receive a list of candidates and a card informing them of the opening hours and location of their polling station (the procedure for Dutch citizens residing abroad is more complicated). The ballot structure (or rather the display on the voting machines that have replaced paper ballots in all but a few municipalities) and the

electoral system in general is virtually identical for the elections to the Second Chamber of the national parliament, the provincial legislatures, the local councils, and the Dutch delegation to the European Parliament (the description that follows focuses on the Second Chamber and ignores the small differences regarding the other elections). A ballot paper—or, to be precise, part of a ballot paper—from the days of manual voting is shown in Figure 24.1.

Yet, this simple electoral system is also misleading. Voters can only express a choice for an individual candidate, but the electoral system treats their vote primarily as a choice for a particular party. Voters vote in one of nineteen electoral districts, and the candidates or even the parties on the ballot are rarely identical in all districts, but, as we shall see in a moment, the electoral system does not result in any form of geographical representation.

Political parties present lists of candidates in one, several, or all of the nineteen districts. The lists of parties already represented in parliament are put on the ballot in the order of their support in the previous elections. They are followed by the lists of new parties, ordered according to the number of electoral districts in which they participate. In case of a tie, lot determines the order. Today, parties can register a name that is then printed on top of the party's list. Before 1956 this was not possible, which explains why Dutch election posters prominently displayed the list number under which a party's candidates were to be found on the ballot that year, a tradition that continued until quite recently.

There is no provision on the ballot for casting a vote for the party as such. Each voter has one vote, which is cast for one of the candidates on one of the lists by marking the white dot next to the candidate's name with a red pencil, or by pushing the button for that candidate. Voters who have a preference for a party but not for any particular candidate usually cast their vote for the first candidate on the list, the so-called 'list-puller' (*lijsttrekker*). Customarily, this position is reserved for the party leader. All votes for other candidates lower on the list are known as preference votes (*voorkeurstemmen*), as they indicate a preference for a particular candidate over all other candidates on the list. Such preference votes, however, have little impact on the original ranking by the party. The votes that are cast for all candidates on a list are aggregated, and this total number of votes determines a party's total number of seats. These seats are allocated to the candidates in the order in which they appear on the list. The only exception is that any candidate who has received at least 25 per cent of the Hare quota will be elected regardless of his or her position on the list, provided the party has won sufficient seats. It is relatively rare for a candidate to be elected in defiance of the party's ranking: since the threshold for preference votes to take effect was lowered to this 25 per cent of the electoral quota, two out of the 150 MPs would not have been elected in 1998 had it not been for preference votes, in 2002 only one candidate was thus elected, and in 2003 two. Obviously, political parties do not encourage preference voting and in the past some parties even made their candidates sign an undated letter of resignation, or a pledge not to accept election by preference votes without the approval of the party executive. Thus, votes cast for persons are effectively counted as votes for parties.

Stembiljet voor de stemming ter verkiezing van de leden van de Tweede Kamer der Staten-Generaal

LIJSTEN VAN KANDIDATEN

1	2	3	4	5	6	7
CDA	Partij van de Arbeid	V.V.D.	D66	Staatkundig Gereformeerde Partij (gecombineerd met 7 en 8)	6 Groen Links	Gereformeerde Politiek Verbond (gecombineerd met 5 en 8)
<p>Labben, R.F.M. Rotterdam</p> <p>de Vries, B. Benschoten</p> <p>van den Broek, H. Wassenaar</p> <p>Braks, G.M.M. Kahkebek geb. van Rooij (v), Y.M.G.T. 's-Gravenhage</p> <p>Deelman, W.J. Gouda</p> <p>Briskman, L.C. Leiden</p> <p>Bakman, P. Voorst</p> <p>van Voorst tot Voorst, B.J. 's-Gravenhage</p> <p>de Jong, G. Voorburg</p> <p>van Iersel, J.P. 's-Gravenhage</p> <p>de Leeuw, J.J. 's-Gravenhage</p> <p>de Hoop Schaffer, J.B. 's-Gravenhage</p> <p>Gaillardus van Weest, J.S.L. 's-Gravenhage</p> <p>van de Camp, W.G.J.M. 's-Gravenhage</p> <p>Krijnenbroek, J.S.M. Betsiwick</p> <p>Bleekvelt, P.J. 's-Gravenhage</p> <p>Vreugdenhil, Th. G. 's-Gravenhage</p> <p>Hagendoorn, J. 's-Gravenhage</p> <p>Ramtel, D. 's-Gravenhage</p> <p>van Dijk, J.A.W. 's-Gravenhage</p> <p>van Dijk, J.A.W. 's-Gravenhage</p> <p>Boel, J. Boshuop</p> <p>Grazman (v), R.G.M. 's-Gravenhage</p> <p>Huijls geb. Verschuur, J. 's-Gravenhage</p> <p>de Geel geb. Simons, M.B. 's-Gravenhage</p> <p>van der Sluis, T. F. 's-Gravenhage</p> <p>Dräger, J.B.K. Hillegom</p> <p>Holt geb. Brink, M. 's-Gravenhage</p> <p>de Savornin Lohman, J.P. 's-Gravenhage</p> <p>Wink, J. 's-Gravenhage</p> <p>Bergambacht</p>	<p>Kok, W. (Wim) Amsterdam</p> <p>van Otterloo, Gerrit Jan P. 's-Gravenhage</p> <p>Kukler, Mely Zoutmeer</p> <p>Kahkebek geb. Jaspers, N.A. (Ella) Zoutmeer</p> <p>Faber, Mient Jan 's-Gravenhage</p> <p>Chandos, I. (Johan) 's-Gravenhage</p> <p>Plemper geb. Venman, W.G.M. (Wolke) Hazen</p> <p>Kluis, G.P. (Paul) Hazen</p> <p>Knutsga, N. (Piet) 's-Gravenhage</p> <p>Roygraaf, H.G.W. (Willem) Amsterdam</p> <p>Huizen, J.W.S. (Johan) 's-Gravenhage</p> <p>van Neerven, J. 's-Gravenhage</p> <p>Jagersma, N. (Henk) 's-Gravenhage</p> <p>Frank, J.P. (Aast) 's-Gravenhage</p> <p>Vermend, W.A.F.S. (Wim) Leiden</p> <p>Moor, Frans 's-Gravenhage</p> <p>Hoek van Holland 's-Gravenhage</p> <p>Jurgens, E.C.M. (Erik) Amsterdam</p> <p>ter Veer, Elske Leiden</p> <p>Wolgens, M.A.M. (Thijs) 's-Gravenhage</p> <p>Kembrink, J.C. (Hans) Rotterdam</p> <p>Slijders, G.H. (Harry) Gouda</p> <p>Hazz geb. Berger, R.M. (Ineke) Leek</p> <p>Intenborg geb. Roemen, T. (Tineke) 's-Gravenhage</p> <p>de Visser, M.J. (Piet) Rotterdam</p> <p>Willemsen geb. Hevinga, J.C. (Tineke) 's-Gravenhage</p> <p>Hertius, E.L. 's-Gravenhage</p> <p>Swinfers geb. Rozendal, W.J.C. (Wim) 's-Gravenhage</p> <p>Lefjens, F. (Frans) 's-Gravenhage</p> <p>Bolman, Dick 's-Gravenhage</p>	<p>Voorhoeve, J.J.C. Noordwijk aan Zee</p> <p>Jorritsma geb. Labadie, Assen</p> <p>Uitschoten, B.L.D. 's-Gravenhage</p> <p>Nijhuis, G.B. (Aag) Dordrecht</p> <p>Goedkoop, L.S. (Lies) 's-Gravenhage</p> <p>Blouw, M.P. (Piet) Veendam</p> <p>Karthaas, A.H. Rotterdam</p> <p>van Exp. A.A.M.E. (Bert) Best</p> <p>Kamp (v), M.H.H. (Margriet) Vianen</p> <p>Blasius, J.D. (Jan Dirk) Zeist</p> <p>Reijnt geb. Holmwerdt van de Jongh, K. (Len) Wassenaar</p> <p>van Rey, J.F.B. (Jan) Roermond</p> <p>Laastemaars, R.Th.M. (Herman) 's-Hertogenbosch</p> <p>van der Wal, P.J. (Piet) 's-Gravenhage</p> <p>Labbeus, P.R. (Piet) 's-Gravenhage</p> <p>van Hoot, H.A.L. Alkmaar</p> <p>Verhugt (v), P.J.L. (Pelle) 's-Hertogenbosch</p> <p>Luchtman, R.J. (Roos) Amersfoort</p> <p>Klein, Norbert P.M. Nijmegen</p> <p>Muntinga, J.K. Deventer</p> <p>de Graaf (v), van Meesteren, L.A. (Els) Delft</p> <p>Neub, Peter Breda</p> <p>van Beek, W.J. Maarheeze</p> <p>Britling geb. Oosterhuis, Sylvia D. Leiden</p> <p>Brunnert, M. Emmen</p> <p>Cupéus geb. Poelgen, R. (Rinus) 's-Gravenhage</p> <p>Coers, E.J. (Edy) 's-Gravenhage</p> <p>Graaf, Ben Heerlen</p> <p>Wissensel, M. 's-Gravenhage</p> <p>de Haze Wisselmann, R.A.E. 's-Gravenhage</p>	<p>van Merlo, H.A.F.M.D. (Hans) Amsterdam</p> <p>Wolffenslager, G.J. (Gerrit Jan) Amsterdam</p> <p>Kohstam, J. 's-Gravenhage</p> <p>Greenman, L.S. (Lies) 's-Gravenhage</p> <p>Tommel, D.K.J. (Dick) Norg</p> <p>Nati, A. (Aad) 's-Gravenhage</p> <p>Elmsa, D. (Doek) 's-Gravenhage</p> <p>Schiffema geb. de Ma, O. (Pijs) 's-Gravenhage</p> <p>Schimmel, A. (Arnie) Harlem</p> <p>van der Veer, P.K. (Piet) Leiden</p> <p>Versnel geb. Schmitz, M. J. (Machtig) 's-Gravenhage</p> <p>Ybema, G. (Gerrit) Leeuwarden</p> <p>Langenberg, P.J. (Piet) Leiden</p> <p>de Graaf, Th. C. (Thijs) Leiden</p> <p>van 't Riet, N.G. (Nicky) Utrecht</p> <p>Bakker, E.C. (Ernst) Amsterdam</p> <p>Gembe geb. van Geuns, J.W. (Ruske) Hoofddorp</p> <p>de Hij geb. van den Berg, M.A.J. (Marjolijn) Os</p> <p>Wessels, P.A.B. (Paul) Gennep</p> <p>Jessel, J.F. (Hans) 's-Gravenhage</p> <p>Siebel, H.M.T.M. (Henk) Gemert</p> <p>Jorritsma geb. van Oosten, J.A. (Joke) Middelburg</p> <p>van der Ven, J. (Jan) Eindhoven</p> <p>de Graaf, L. (Léa) Accury</p> <p>Nyphs, P.E.A. (Pietra) Rijswijk</p> <p>Hermans, Th.M.J.M. (Thijs) 's-Hertogenbosch</p> <p>Chassen, P.D.A. (Piet) 's-Gravenhage</p> <p>Tilburg, E.M. (Elske) 's-Gravenhage</p> <p>Levink, C.A.S. (Catrien) 's-Gravenhage</p> <p>Hollend geb. van der Kleij, L.M. (Leontine) Zierikzee</p>	<p>van der Vries, R. B.J. Maartendijk</p> <p>van Die, C.A. 's-Gravenhage</p> <p>van den Berg, mr. de J.T. 's-Gravenhage</p> <p>Scholten, L.M.P. Capelle aan den IJssel</p> <p>Holdijk, mr. G. Apeldoorn</p> <p>van Rey, drs. P.A.D. Lunteren</p> <p>van den Berg, G. Veerendaal</p> <p>Barendregt, H.G. Baarendrecht</p> <p>Boonstra, drs. D. C. Capelle aan den IJssel</p> <p>Wouterik, J.M. Rijssen</p> <p>Wester, dr. C.S.L. 's-Gravenhage</p> <p>Bolter, mr. L. Elspeet</p> <p>Dankers, J. Waddinxveen</p> <p>van der Waal, R. L. 's-Gravenhage</p> <p>de Jong, S. Ridderkerk</p> <p>van 't Hof, N.G. (Nicky) Staphorst</p> <p>Hevius, drs. W. Ghr. Katwijk aan Zee</p> <p>Bren, W. Staphorst</p> <p>Peters, R. Gennep</p> <p>Verdove, N. Gouda</p> <p>van der Plas, K. Hardinxveld-Giessendam</p> <p>Markosus, M.M. Amersfoort</p> <p>de Wit, drs. P.C. H.L. Ambacht</p> <p>Houtman, R. M. Gouda</p> <p>Coeter, drs. J.A. Elspeet</p> <p>Burggraf, drs. B. 's-Kompans aan den IJssel</p> <p>Houtgeval, W. 's-Gravenhage</p> <p>Taxil, M.C. Leersum</p> <p>van Heekelen, G.R.J. (Griet) Nieuwerkerk</p> <p>Stolk, B. Ridderkerk</p> <p>van der Staai, A.K. Phanen</p>	<p>Beckers geb. de Booij (v), M.B.G. (Pijs) Waddinxveen</p> <p>van de V. (v), A.C. (André) Amsterdam</p> <p>Brouwer (v), I. (Iris) 's-Gravenhage</p> <p>Rosenthal (v), P.A. (Pietra) Rotterdam</p> <p>Leukhorst (v), P.A. (Pietra) Amsterdam</p> <p>Willems (v), W.J. (Wilbert) Tilburg</p> <p>van Oik (v), A. (Arie) Amsterdam</p> <p>Ernsting (v), M. (Maris) Amsterdam</p> <p>Robles (v), E.M.A. (Elske) Amsterdam</p> <p>Spijks geb. van Zijl (v), L. (Leontine) Apeldoorn</p> <p>Ofman (v), C.J.P. (Cees) Wierik</p> <p>de Boer (v), W.T. Amsterdam</p> <p>Odendaal (v), M. (Marion) Rotterdam</p> <p>van Poelwijk (v), M. (Martien) Amsterdam</p> <p>van Leeuwen (v), M.J.W. (Marjon) 's-Gravenhage</p> <p>van Schijdel (v), B. (Bea) Amsterdam</p> <p>Lauer (v), G.R. (Geert) Groningen</p> <p>Rosner (v), A.H. (Arie) 's-Gravenhage</p> <p>Ploekhof (v), L.K.G. (Lies) Amsterdam</p> <p>van der Klundert (v), J. (Joke) Amsterdam</p> <p>de Jong, H.A.W.J. (Henk) Leiden</p> <p>Wierbeek geb. ten Den (v), W.M. (Wim) Haarle</p> <p>Van (v), M.B. (Marjolijn) Amsterdam</p> <p>Borghuis (v), J. (Jan) Heemskerk</p> <p>Albeda (v), H.D. (Hans) Amsterdam</p> <p>Schutte (v), A. E. (Annelies) Amsterdam</p> <p>van Datzijl (v), R. (Rita) Amsterdam</p> <p>van der Pijl geb. Loppes (v), J. (Janske) Amsterdam</p> <p>Branderhorst (v), H. (Henk) Zutphen</p> <p>van Bruchem (v), J.P. (Joannette) Doorn</p> <p>Utrecht</p>	<p>Schutte, G. J. Zeist</p> <p>van Middelkoop, E. Berkel ZH</p> <p>Blaikens, J. Capelle a/d IJssel</p> <p>van Hattem, M.P.H. 's-Gravenhage</p> <p>Cressen, S.J.C. Koog a/d Zaan</p> <p>Willeke geb. van der Linden, M. 's-Gravenhage</p> <p>de Vries, S. Groningen</p> <p>Groen, L.C. Bunschoten</p> <p>de Vries, J.P. Amersfoort</p> <p>Geerlings, K. Ferwerd</p> <p>Dierksen, J. Harderwijk</p> <p>Haasdoij, Th. Hoogland</p> <p>Timmermans, H. 's-Gravenhage</p> <p>Heerds geb. Stehouwer, H. M. Amersfoort</p> <p>de Boer, R. Kampen</p> <p>Ratona, W. 's-Gravenhage</p> <p>Kaestgen, A.T. Dordrecht</p> <p>Joekman, P. Amersfoort</p> <p>van Herwijnen, A. Zwolle</p> <p>Dijkstra, P. Drachten</p> <p>Stoetsma, J.S.A. Assen</p> <p>Sietema, H.H. Ermelo</p> <p>Assens, J.D. Aquard</p> <p>Wierbeek geb. Buitinga, J.M. Groningen</p> <p>Postman, A.H. Kampen a/d IJssel</p> <p>Boerma geb. Brouwer, J.S.A. Zaandam</p> <p>van der Putter, P. Hoek</p> <p>Roosendaal 's-Gravenhage</p> <p>Tijssen, L. Heerten</p> <p>Houtkruis, W. Uk</p>
<p>13 Realisten Nederland</p> <p>Arzeno geb. Vos, mr. v. Stedum</p> <p>van Baal, J.A.M. Herveld</p>	<p>14 Anti Werkloosheid Partij</p> <p>Wissink, A.A. (Albert) Doornichem</p> <p>van Steen, N.A. (Nico) 's-Gravenhage</p>	<p>15 Bejaarden Centraal</p> <p>Pullens, R.W. Leiden</p> <p>Raffert, R. 's-Gravenhage</p>	<p>16 Vrouwenpartij</p> <p>Roggeband geb. Baas, P.A. (Piet) Tholen</p> <p>Willems, P.G.M. 's-Gravenhage</p>	<p>17 Socialistische Minderheden Partij</p> <p>Mahaber (v), Chandraprasad Hivasum</p>	<p>18 Lijst Jaanmaat / Centrumdemocraten</p> <p>Jaanmaat, drs. J.B.H. 's-Gravenhage</p> <p>Schauman (v), W.B. 's-Gravenhage</p>	<p>19 De Groenen</p> <p>van Duijn, R.G.G. (Roos) Amsterdam</p> <p>Kalper, dr. B.E. (Bert) Houtenwijk</p>

Figure 24.1 Netherlands ballot paper, 1989

Note: This is just a part (approximately a quarter) of the ballot paper facing voters in The Hague in 1989. The full ballot paper contained 23 party lists and the names of 499 candidates. Since then paper ballots have been replaced by an electronic interface, which looks very similar.

As mentioned above, voters cast their votes in one of nineteen electoral districts. Although most parties contest the elections in all districts, there are usually a few parties participating in only one or in a few districts. Even the lists of the parties that take part in all districts usually vary from one district to another. Until the 1960s, some parties had different list-pullers in different regional clusters of electoral districts to facilitate campaigning in those days of canvassing, local rallies, and personal contact. With the arrival of television, campaigns became increasingly nationalized, and all parties now present lists with the same list-puller, and often with the same top three to five candidates, in all districts. It makes sense, however, to have variation lower down on the district lists: the Second Chamber of parliament has 150 seats, but the ballot papers or voting machines cannot accommodate between fifteen and twenty-five party lists with 150 or more candidates each. For that reason, the Electoral Law only allows a party to put no more candidates on one of its district lists than thirty or (for incumbent parties) twice its current number of seats in the Second Chamber, with a maximum of eighty candidates. By varying the composition of at least part of its lists across electoral districts, a party can field more candidates nationwide than if it were to submit an identical list in each district. Voters thus face a different ballot from one district to another. The potential this has for geographical representation, however, is thwarted by the use that political parties make of other options in the Electoral Law.

The number of seats that is to be allocated to a *district* list is based on the number of times that list has obtained the *national* electoral quota (the Hare quota). Usually not all seats are allotted on the basis of multiples of the electoral quota. The 'remainder seats' (*restzetels*) are allocated to the district lists on the basis of the system of highest averages (D'Hondt). If a party presents lists in all nineteen electoral districts, the electoral system does not treat it as a single party in the nationwide allocation of seats, but as nineteen separate parties. However, the Electoral Law does allow a party to combine its district lists so that all its district votes are aggregated into a national vote. Parties that participate in more than one district always make use of this option because the D'Hondt formula is slightly more advantageous to larger parties (see Appendix A). By combining its district lists, the party thus increases its chances of winning one or more of the remainder seats.

As an aside it is worth mentioning that two or more parties can even decide to combine their respective lists (*apparentement*). The existence of such an alliance is mentioned on the ballot paper and serves the same purpose as pooling district lists within a party: obtaining remainder seats. Curiously, when the seats that have been allocated to such a party alliance are distributed to the various parties within the alliance, the system of largest remainders (LR-Hare) instead of highest averages is used for allotting any remainder seats. This system does not advantage larger parties, which is probably the reason why it is exceptional for one of the bigger parties to join such an alliance. Instead, it is usual to see alliances of small parties on the left (Green Left and Socialist Party) and the religious right (Christian Union and Political Reformed Party (SGP)). In neither the 2002 nor the 2003 elections did these alliances affect the distribution of seats.

If we return to the pooling of district lists within a party, it is clear that this practice limits geographical representation. Moreover, parties do not seem to make widespread use of the possibility to field regionally popular candidates in a particular district (and preference votes appear to be motivated more by a candidate's gender than place of residence, although the latter is mentioned on the ballot). As a result, the nineteen electoral districts primarily serve administrative purposes (the organization of the elections, the coordination of the counting procedures, etc.). Effectively, the electoral system treats the whole country as a single 150-member district.

Although no legal threshold exists for the other elections, there is one for the elections to the Second Chamber: a party that falls below the electoral quota is also excluded from the distribution of remainder seats (even if the party is part of an *apparentement* that does cross the threshold). By linking the legal threshold to the electoral quota, it is determined by district magnitude, and by treating the whole country as a single district for the distribution of seats to parties, assembly size becomes the crucial factor. For a long time the electoral quota/threshold was 1 per cent, but with the enlargement of the Second Chamber from 100 to 150 in 1956 it automatically dropped to 100/150, or 0.67 per cent of the vote, which explains why the Dutch electoral system is often described as an extremely open one.

Using the 2003 elections to the Second Chamber as an example, Table 24.1 shows the procedure for allocating seats to parties and candidates in detail. Under this system, by-elections are not necessary. When a seat in parliament becomes vacant because an incumbent MP dies, resigns, or is appointed to the cabinet, the next candidate on the district list from which the ex-MP was elected is declared elected.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

'Duverger's law' states that systems of PR have a *tendance multiplicatrice*, that is, that they lead to a multiplication of the number of parties (Duverger 1951). Although the electoral system of the Netherlands described above is an extremely proportional one with a very low electoral threshold, it should be emphasized that it was introduced to protect a multiparty system that had already established itself under a system of absolute majority in SMDs: in 1913, the last elections that were actually contested under the old electoral system, seven political parties won seats; in 2003, the latest elections under the current electoral system, nine parties won seats. In the first elections under PR the number of legislative parties did go up to 17, but since then the average number of parties in parliament is 10.7. The effective number of parties (Laakso and Taagepera 1979) fluctuates between three and six, with an average of 4.7; in 2003 the effective number of parties was five. The Dutch case seems to confirm Lijphart's finding that proportional representation is correlated

Table 24.1 Distributing parliamentary seats: the 2003 Dutch election

Number of valid votes:	9,654,475 (79.9% of the electorate)			
Electoral quota/threshold:	64,363.17 (number of valid votes divided by 150)			
Number of competing parties:	19			
Parties	Votes	% vote	Seats	% seats
CDA	2,763,480	28.6	44	29.3
PvdA	2,631,363	27.3	42	28.0
VVD	1,728,707	17.9	28	18.7
<i>SP/GL</i>	1,105,525	11.5	17	11.3
[SP	609,723	6.3	9	6.0]
[GL	495,802	5.1	8	5.3]
LPF	549,975	5.7	8	5.3
D66	393,333	4.1	6	4.0
<i>CU/SGP</i>	354,999	3.7	5	3.3
[CU	204,694	2.1	3	2.0]
[SGP	150,305	1.6	2	1.3]
PvdD	47,754	0.5	—	—
Others	79,339	0.7	—	—

(Party alliances italicized)

Distributing seats to parties/alliances

Step 1 The electoral quota is determined by dividing the total number of valid votes by the 150 seats in the Second Chamber (Hare quota). In 2003 the electoral quota was 64,363.17. This is the electoral threshold. The PvdD (Party for the Animals), as well as nine even smaller parties, receive no seats.

Step 2 Seats to parties and alliances that did cross the electoral threshold are distributed according to the D'Hondt system.

Distributing seats to parties within an alliance

Step 3 For those parties that have linked their lists in an alliance (in this case SP and Green Left, and Christian Union and SGP), the seats that have been allocated to their alliance are distributed among them. An intraalliance electoral quota is calculated based on the number of votes cast for the alliance and the number of seats just allocated to the alliance (for SP/GL, for example, it was 65,030.88). Each party in an alliance receives a seat for each multiple of the intra-alliance electoral quota (in the SP/GL alliance, nine seats go to SP and seven to Green Left, with one remainder seat). Any remainder seat is allocated to the party with the largest remaining number of votes after subtracting its multiple of the electoral quota from its number of votes (in the case of the SP/GL alliance, the remainder seat goes to Green Left).

Distributing seats to district lists within a party

Step 4 For all parties that have linked their district lists (all parties in the 2003 case), the seats that have been allocated to them are distributed among their district lists. The procedure is similar to the one described above for allocating seats within party alliances, each district list being treated as a party within the national party.

Distributing seats to candidates on a district list

Step 5 Now that we know the number of seats that a party has won in a particular district, candidates can be assigned to those seats. As long as their party has won enough seats, candidates who have received more than 25 per cent of the national electoral quotient (16,091 votes in 2003) nationwide are declared elected regardless of their position on the list in the district in which they received most votes (twenty-seven candidates, or 18 per cent of all MPs, but twenty-five of them would also have been elected because of their position on the list).

Step 6 The party's remaining seats in a district are assigned to the remaining candidates on the district list, in the order of that list. Candidates who win a seat in more than one district are declared elected in the district in which they received most votes.

Note: Based on Andeweg and Irwin 2005: Box 4.1.

with higher numbers of parliamentary parties, but that it is not a very strong correlation (Lijphart 1994).

The electoral system affects the number and the size of the parties in the Second Chamber. Even the low legal threshold acts as a barrier. Immediately after the first elections under PR, the threshold was raised from 0.5 per cent to 0.75 per cent of the electoral quota and in the next elections the number of parties winning seats dropped from seventeen to ten (in 1933 it was further raised to equal the Hare quota). New political parties that seek representation face more barriers than just this low electoral threshold:

- party labels of new parties that resemble those of existing parties are not permitted;
- district lists of new parties must be supported by at least thirty voters in the district who have to declare their support in person at the town hall of their municipality. No such requirement exists for incumbent parties;
- new parties have to pay a deposit of €11,250 if they have combined their district lists (if not, the same deposit is required for each district list). The deposit is forfeited if the party obtains less than 75 per cent of the electoral quota (in 2003 nine parties lost their deposit). No deposit is required from incumbent parties (in 2003 the 'Livable Netherlands' party obtained only 60 per cent of the electoral quota, but as it was an incumbent party at the time, it had not paid a deposit);
- new parties do not receive state subventions whereas incumbent parties have received (modest) financial support during the preceding parliament. One form of state support (broadcasting time) does not differentiate between new and incumbent parties during the campaign: parties competing in all nineteen districts are given six blocks of three minutes on public television and a total of twenty minutes on public radio. They are also equally provided with funds to cover some of the production costs;
- new parties are allowed no more than thirty candidates on a list whereas incumbent parties may put forward thirty candidates or twice the number of seats currently held with a maximum of eighty candidates on a list;
- the lists of incumbent parties (and especially of the larger ones) are given the most prominent positions on the ballot;
- in the absence of compulsory voting, incumbent parties, which have already developed a loyal following, benefit from higher turnout of their supporters compared to new parties.

Despite such differential treatment, however, the fact remains that the Dutch system is extremely open: one or more new parties entered the Second Chamber in eleven out of the seventeen elections between 1948 and 2003.

The electoral system also affects the relative strength of the parties in parliament. The Dutch electoral system is no exception to Rae's assertion that 'Like the Sheriff of Nottingham, electoral systems are apt to steal from the poor and give to the rich' (Rae 1971: 86; also known as the 'Matthew effect' after the Gospel according to Matthew 13: 12), but the distortion of proportional representation in favour of bigger

parties is limited, as a comparison of the percentages of the vote and the percentages of the seats (Table 24.1) for 2003 illustrates: the largest deviation from perfect proportionality in that year was 0.8 per cent for the conservative Liberal VVD. In the 2003 elections that serve as the main example in this chapter, Gallagher's least squares (LSq) index of disproportionality was 1.19 (including all participating parties). For the eleven Dutch parliamentary elections between 1956 and 1989, Lijphart calculated the LSq index to average 1.32 (Lijphart 1994: 162, excluding some of the smaller parties that did not win any seats). These figures are quite low and, compared to other countries, the disproportionality of the Dutch electoral system is less than almost anywhere else, or—in the technical language of Taagepera and Shugart (1989: 196)—‘for the huge magnitude of the Netherlands' country-wide district, the calculated curve is practically indistinguishable from the ideal PR line’. What little disproportionality exists is accounted for entirely by the allocation of remainder seats: in 2003 all over-represented parties were recipients of remainder seats (CDA, PvdA, VVD) or of a remainder seat within an alliance (Green Left), and all underrepresented parties did not obtain remainder seats. Historically, there have been two opposing trends: the shift from LR–Hare to the D'Hondt formula in 1933 has increased disproportionality, and the later enlargement of the Second Chamber from 100 to 150 seats in 1956 has decreased it.

In combination, the two features (few barriers to new parties, high degree of proportionality) result in a high sensitivity of the composition of the Second Chamber to shifts in the electorate. On average, 12 per cent of the seats changed hands in each of the seventeen elections between 1948 and 2003, but as Figure 24.2 shows, there has been considerable variation. From 1948 to 1963 (the heyday of voters' loyalty to their social segment, or ‘pillarization’), 5 per cent of the seats went from one party to another in an average election. The onset of depillarization pushed the average proportion of seats changing hands up to more than 11 per cent. The onset of depillarization pushed the average proportion of seats changing hands up to more than 11 per cent. After a curious drop in 1989, an average of more than one-fifth of the seats changed parties in subsequent elections. Note that this increase is not caused by changes in the electoral system but by higher electoral volatility.

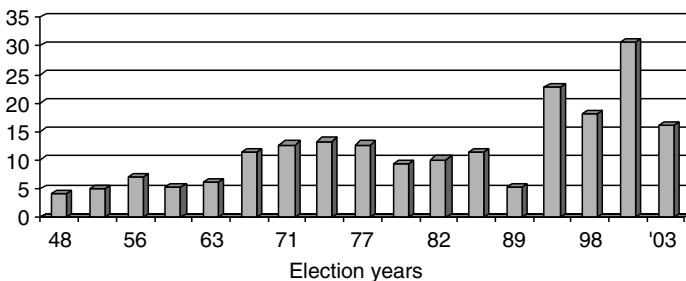


Figure 24.2 Percentage of seats changing hands at elections

Impact on the parties

Under the Dutch electoral system, individuals have a choice of two strategies for getting elected to parliament: they can either convince the party selectorate to give them an eligible (*verkiezbare*, i.e. high) position on the list, or they can convince party voters to give a preference vote to them rather than to any of their party's other candidates. The first strategy is more likely to be successful: preference votes have limited impact, and for voters to be able to cast a preference vote for you, you still depend on the party selectorate putting you on the list in the first place. Campaigning for preference votes does occur occasionally, but it is at a relatively modest level (small ads in local newspapers, displaying posters, and distributing flyers). Parties sometimes recruit candidates whom they expect will attract large numbers of preference votes from people who would not normally vote for the party, but this tends to be a mixed blessing when such candidates demand a special position in return. In 1998 the CDA put the hitherto non-partisan leader of the Dutch branch of *Médecins sans Frontières* on its list to attract additional votes, but after the election, he often ignored party discipline and eventually left the CDA. In 2002, the VVD recruited a prominent anti-Islam campaigner who had received death threats while she worked for the PvdA, but after her election several conflicts occurred within the parliamentary party when she publicly took positions without consulting the parliamentary party. The party selectorates therefore do not necessarily regard the ability to attract numerous preferences as an unqualified asset in an aspiring candidate. Thus, whatever intraparty conflict occurs tends to take place at the nomination stage, rather than during the election campaign.

Although the parties are autonomous in the ways in which they draw up their lists of candidates, the electoral system does have an indirect effect: the internal organization of the major parties is a reflection of the way in which the electoral system operates. Most parties have, for example, organizations at the level of the electoral district. The role of these district organizations in the nomination process varies by party and across time. In general, the parties seek to present a balanced list in terms of candidates' background (gender, region) and policy expertise. This goal may conflict with the democratic requirement of giving party members influence in the nomination process. Responding to calls for democratization in the 1960s, the major parties used a decentralized procedure in which the organizations at the district level played an important role during the 1970s and 1980s (Koole and Leijenaar 1988). In practice, decentralization reinforced the position of regional 'party barons' rather than produce high levels of rank-and-file involvement in the nomination process (Hillebrand 1992). Dissatisfaction with this result, together with calls for more female and young candidates, and for placing more emphasis on professional expertise and less on rewarding party service, led to a return to more centralized procedures in the major parties (Leijenaar and Niemöller 1997). This procedure usually entails the creation of a selection committee by the party's national executive board. This committee invites nominations from party members (sometimes

even from non-partisans who are willing to join the party, by putting an advertisement in the national newspapers) and proposes a rank ordering of candidates to the executive board. Local branches may be consulted, but eventually the executive board proposes a rank ordering to a national party congress for formal endorsement. For a long time the progressive liberal D66 formed an exception, by giving its members the opportunity to determine the ranking of the candidates by postal ballot. However, in 2002 the PvdA started to ballot its members on the designation of its list-puller, and other parties have announced similar plans.

Impact on parliament

The electoral system (and in particular the party lists and the limited impact of preference votes) allows the political parties to control the composition of their parliamentary party through the rank ordering of the candidates. In the past, the religious parties, in particular, sought to widen their appeal by reserving so-called 'quality seats' for representatives of affiliated interest associations. Together with a system of specialized parliamentary committees, this led to a tradition of MPs specializing in narrowly defined policy fields. However, representativeness with regard to gender, age, and so on (microcosmic or descriptive representation) is increasingly drawing attention.

Compared to countries with plurality SMDs, the Dutch Second Chamber may be quite representative, but the comparison with a number of Nordic parliaments in Table 24.2 shows that some other countries with PR systems do better with respect to descriptive representation. The fact that the periphery is considerably less well represented in the Netherlands than in the Nordic countries may be explained by the fact that the Dutch electoral system does not give more impact to its electoral districts, whereas the districts are important in the Nordic countries. However,

Table 24.2 The representativeness of the Dutch parliament in comparative perspective

Population category	The Netherlands	Denmark	Iceland	Norway	Sweden
Women	69.8	70.2	50.0	76.0	78.8
Periphery	74.7	100.1	148.0	104.8	99.7
Young (18–35)	25.3	21.9	8.6	28.9	22.2
Elderly (55+)	75.7	103.4	85.7	112.5	116.7
Blue-collar workers	7.2	10.5	0.0	30.3	40.0
Private sector	58.5	n.a.	77.3	86.9	77.4

Note: Entries are the proportion of MPs belonging to a particular population category as a percentage of the proportion of the population/electorate belonging to the same category. 100 per cent would indicate perfect representativeness, lower percentages stand for under-representation, and higher percentages for over-representation.

Periphery is defined as other-than-Randstad provinces (The Netherlands), other than the greater Copenhagen area (Denmark), the Districts (Iceland), Mid-Norway and the North (Norway), Götaland and Norrland (Sweden).

Source for the Netherlands: Dutch Parliamentary Study 2001 (Leiden and Twente Universities).

Sources for the Nordic countries: Narud and Valen 2000: 88 and Valen, Narud and Hardarson 2000: 116.

nothing in the electoral system leads us to expect the more pronounced under-representation of the elderly, of blue-collar workers, or of the private sector in the Netherlands. Apparently, the electoral system allows the parties to strive towards a socially or even geographically representative parliament, but it does not force them to do so. Under very similar systems, Nordic parties put a greater effort into descriptive representation than Dutch parties.

The combination of the electoral system and the highly centralized nature of the Dutch polity generally also leads us to expect that a high saliency of party and a low saliency of the districts are the most important consequences for legislative behaviour. This is borne out by the data presented in Table 24.3: compared to the Nordic countries where the political system does emphasize geographical representation, representing one's own region is seen as least important by Dutch MPs, whereas representing one's political party is seen as most important. Party cohesion is strong in the Netherlands, to such an extent that parliamentary votes are recorded by party rather than by individual MP, unless a roll-call is specifically requested. Parties clearly dominate life in parliament, although it should be noted that party discipline seems more relaxed for MPs in their role of specialist in a particular policy area, or for MPs participating in parliamentary inquiries (Andeweg 2000).

Another consequence of the absence of effective electoral districts is that there is no incumbency effect: there are no strong constituency feelings to be taken into account by the party selectorates when they decide whether or not to reselect a sitting MP. Turnover is therefore relatively high: in the seventeen elections between 1948 and 2003, on average 23 per cent of all elected MPs had not served in parliament before (Secker 2000: 301–2 (the permission to use the original data is gratefully acknowledged) and own calculations for 2002 and 2003). Turnover is partly accounted for by the accuracy of the electoral system in translating electoral volatility into seats changing hands, in particular when new parties enter parliament (e.g. in 2002, when a record 45 per cent of MPs were newly elected). However, the fact that the average percentage of new MPs is almost twice the average percentage of seats changing hands indicates that the nomination process of the parties has an effect on turnover independent from that of the electoral system's faithful translation of electoral volatility. The party nominations are probably the more important effect: under the pre-1917 electoral system, the average percentage of new MPs was already 19 per cent, which is only 4 per cent lower than in the post-war elections under the current system.

Table 24.3 MPs' views on the importance of representing regions and parties (% very important)

	The Netherlands	Denmark	Iceland	Norway	Sweden
Own region/constituency	15	18	24	22	39
Own political party	79	56	52	68	77

Source for the Netherlands: Dutch Parliamentary Study 2001 (Leiden & Twente Universities).
Source for the Nordic Countries: Esaiasson 2000: 59.

Government formation

I already mentioned that the introduction of PR in 1917 consolidated rather than created the multiparty system. Similarly, the fact that the country has always been governed by coalitions, even under the pre-1917 electoral system (at least from the time when the organization of parties makes it possible to distinguish single-party and coalition governments), should prevent any rash conclusion that the electoral system is the cause of coalition government. The difference is rather that the country was governed by either secular or religious coalitions before 1917, and by a much greater variety of coalitions (with less complete alternation of governing coalitions) thereafter. The likely cause is that the two-round majority system encouraged pre-election (or at least pre-second round) coalitions, whereas no such incentive exists under the current system. The possibility of *apparentement* may induce smaller parties into forming an electoral alliance, but it is widely regarded as a technicality rather than a political coalition with post-election consequences.

In some respects, there are even disincentives to form pre-election coalitions. If they are formed, they are usually (but not exclusively) incumbent coalitions that announce their intention to continue their cooperation in government. When such a pre-election coalition then falls short of the seventy-six seats needed for a parliamentary majority, the subsequent government formation tends to be complicated and cumbersome, inevitably resulting in at least one of the pre-election coalition partners breaking its campaign promise (as happened, for example, in 1972 and 1981). Usually, the parties keep their options open and do not advertise their coalition preference during the election campaign. This further weakens the impact of the election outcome on the composition of the government. There is also no tradition that winning or losing seats in the election should affect a party's fate in coalition formation. All that elections may do is deny a majority to some coalitions, but in general they leave several alternative majority combinations to choose from.

THE FAILURE OF ELECTORAL REFORM?

Apart from the abolition of compulsory voting and the lowering of the electoral quota (and threshold) that was the side effect of the enlargement of the Second Chamber, changes in the electoral system have been relatively minor, such as the successive lowering of the voting age from twenty-five before 1946 to the current eighteen, the introduction of (postal) absentee voting for Dutch expats, and giving preference votes more effect (more about that last reform later). This lack of change can be explained in part by satisfaction with the current electoral system: electoral reform is not an issue that mobilizes voters in any significant way. It continues to be debated by politicians and political commentators, and this might well have resulted in changes, had it not been for the widespread consensus that reforms should remedy PR's disadvantages without affecting the high degree of proportionality of the Dutch system, a circle that is difficult to square.

Originally, the problem that most concerned reformers was the tenuous link between elections and the composition of the government (also see Andeweg 1989: 48–52). It was realized that the electoral system was not the only or even the main culprit in denying voters any direct influence over the government's composition, and most attention focused on reforms other than changes in the electoral system. Some, primarily in the PvdA, sought to reform the party system by advocating the formation of two pre-election coalitions. On the left such a pre-election coalition was formed in 1971, presenting a shadow cabinet, and again in 1972, presenting a joint manifesto, but this 'progressive' coalition came nowhere near a parliamentary majority. In 1972 there was also no majority for a centre-right coalition and after protracted negotiations (163 days) the 'progressives' were forced to accept Christian Democrats in 'their' government. Since that episode, reform of the party system appears to have been shelved. Others advocated reform of the constitutional system, by introducing a directly elected prime minister, a reform that was later implemented (and quickly abandoned again) in Israel (see Chapter 16). The reformist party, D66, was founded expressly to press for this reform. The idea was also attractive to the Labour Party because it would induce parties to form pre-election coalitions (as prime-ministerial candidates nominated by just a single party would stand little chance of winning an overall majority). The reforms of the party system and/or the constitutional system were to be backed up by reform of the electoral system. D66 suggested the introduction of two- to three-member districts but later sided with the Labour Party in pressing for PR within 12–15 electoral districts (of 10–13 seats each). Even in the latter proposal, it was hoped that the higher electoral quota and threshold would give parties an incentive to join forces and reduce the fragmentation in parliament (e.g. PR in fifteen districts of ten seats rather than in one district of 150 seats would result in a legal threshold based on an electoral quota of 10 per cent within each district rather than 0.67 per cent nationally).

In 1969, an all-party Government Advisory Committee on Constitutional and Electoral Law (known as the Cals–Donner Committee) published a majority report recommending direct elections for the office of *formateur* and PR within electoral districts. When the governing coalition of Christian Democrats and conservative Liberals refused to endorse the recommendations, the three parties in the 'progressive' pre-election coalition (Labour, D66, and the Radicals (now part of Green Left)) introduced a private members' bill containing the Committee's proposals in 1971. The parliamentary debate that followed was probably the moment that reform of the electoral system came closest to being realized. It is likely that a majority of the Second Chamber would have voted in favour of introducing electoral districts had that proposal been put to a vote. However, the sponsors of the bill linked electoral reform to the directly elected prime minister. When all other parties rejected the latter proposal, the entire bill was withdrawn. When the three 'progressive' parties entered government with the Christian Democrats in 1972, the same combination of constitutional and electoral reform was introduced once more in 1974, and defeated in the same way.

Raising the electoral threshold could also have reduced the fragmentation of parliament, and thresholds of 1–2 per cent have been proposed repeatedly, primarily by the Catholic Party (now part of the Christian Democrats), but without success. When the enlargement of parliament effectively lowered the threshold in 1956, a majority in the Second Chamber actually favoured retaining it at the old 1 per cent level, but, curiously, they failed to follow this up with legislation on two occasions (Daalder 1975: 229).

Since the 1970s, democratic reformers seem to have given up on the idea of establishing a direct link between electorate and government *composition*, and now focus on establishing a direct link between electorate and government *policy* through the introduction of an abrogative referendum or popular veto. This does not mean that reform of the electoral system is no longer on the agenda, but it is now seen as a solution to a different problem: a widening confidence gap between voters and representatives. Discontent with the democratic institutions and cynicism about politicians is actually rather low in the Netherlands compared to other EU member states, and it shows no sign of a dramatic increase, not even in the turbulent election year of 2002. In the perception of politicians, however, the confidence gap is a reality: in the 2001 Parliamentary Study, 63 per cent of all MPs interviewed agreed that such a gap does exist. To bridge this gap, it is felt, MPs should be brought into closer contact with their voters and voters should be given more influence over the choice of MPs. There can be no doubt that voters value influence not just over the partisan composition of parliament, but also over its personal composition: the proportion of votes cast for candidates other than the list-pullers (preference votes) gradually increased from 3 to 4 per cent in the 1950s, around 10 per cent in the 1960s and 1970s, to about 20 per cent in the 1990s. In 2002 preference votes reached a record 27 per cent of the valid vote, to drop back to 19 per cent in 2003. One way to reinforce the link between voters and individual MPs would be to give more weight to such preference votes, and this has actually been done in a limited way. In 1998 the threshold for preference votes to take effect was lowered from 50 per cent of the electoral quota to 25 per cent. Under the more stringent rules, only three candidates had ever been elected in defiance of the party's rank ordering in the fourteen elections between 1948 and 1994, whereas five candidates were elected by preference votes alone in the three elections between 1998 and 2003. Significant as this increase may be, the impact of preference votes remains quite marginal and in each election candidates with only a few hundred preference votes are declared elected on the basis of their position on the list while other candidates on the same list with several thousand votes are not elected. So far, attempts to give preference votes more impact have failed, primarily out of fear that it would lead to intraparty competition at the electoral level.

Instead, the debate concentrates on introducing some form of geographical representation. In order to satisfy the requirement of undiluted proportionality, the most prominent of the current proposals is to adopt some form of mixed-member proportional (MMP) system following the example of the German or New Zealand electoral systems (see Andeweg 1997: 239–44). Under this system, the voter would

receive two votes: one vote for a national party list of candidates, as under the current system, but without the preference vote option, and one for a candidate in one of seventy-five (or fewer) SMDs. The 150 seats in the Second Chamber would continue to be allocated to the parties in the same way as under the current system. Within parties, the seats would then be allocated first to the party's candidates who have won a plurality in their SMD. A party's remaining seats would be allocated to candidates on the party list, in the order of that list. This proposal had been considered, but rejected, by the Cals–Donner Committee in 1969, because it would not strengthen the voters' influence over the composition of the government. In 1990 the idea was relaunched by an all-party ad hoc parliamentary committee of party leaders, the Deetman Committee, as part of a comprehensive package of suggestions for constitutional and administrative reform. Proponents particularly emphasized that introduction of some form of regional representation in Dutch politics would bring voters and MPs into closer contact, and expressed the expectation that MPs who seek to win a district will be generalists rather than specialists in a narrowly defined policy area, as most Dutch MPs are now. Since the Deetman Committee's suggestion, several varieties of such a system have been proposed, with one or with two votes, with single-member districts or with multimember districts, etc. (see e.g. Van Schagen and Kummeling 1998).

The Balkenende II government of Christian Democrats and conservative- and progressive-Liberals that took office in 2003 initially committed itself in its coalition agreement to introducing such a change in the electoral system before the next election. In a white paper the government outlined the details of its proposal, which differed in two crucial respects from MMP as it is used in Germany and New Zealand.¹ Under MMP it is possible that a party wins more district mandates than it is entitled to seats on the basis of its national list vote, and in Germany (where this occurs regularly) and in New Zealand (where it has not yet occurred), such district candidates are declared elected nevertheless, and *Überhangmandate* (supplementary seats) are added to the regular number of seats in parliament (see Chapter 10). The Dutch constitution, however, fixes the number of seats in the Second Chamber of parliament at 150. The government sought to avoid changing the constitution, as the procedure is cumbersome (two readings interrupted by elections) and a two-thirds majority is required in the second reading; adopting a process that necessitates amending the constitution would significantly reduce the chances of success.

In order to minimize the risk of additional seats, MPs would not be elected in seventy-five SMDs, but in twenty districts of two to six seats. Within these districts, voters would cast a single non-transferable vote for a candidate. Candidates would not be elected if they did not receive a number of votes equal to or higher than half the national electoral quota, even if that would mean that a district seat would not be filled by a district candidate. In most cases this would have made it unattractive for parties to field more than one candidate, because a fragmentation of the party vote

¹ For an English language version of the white paper, see www.nieuwkiesstelsel.nl/contents/pages/1250/engels.pdf.

over several candidates may result in none of the party's candidates crossing the electoral threshold. This would have reduced the chances of a party's winning more district mandates than it has won seats nationwide, but critics argued that it also would have meant that the election of a large party's candidate would have been a foregone conclusion in most districts, and that it would have been likely that several district seats would not be filled by a district candidate. Even under this system, excess seats cannot be completely ruled out. If a party were to have more successful district candidates than it had won seats, remainder seats that were allocated to other parties as part of the national proportional distribution of seats were to be reallocated to accommodate those winning district candidates. In the unlikely case that there would not be enough remainder seats to be reallocated in this way, winning district candidates whose party had not won sufficient seats would be denied a seat in order to avoid supernumerary seats. Critics also pointed out that the proposed districts would be so large (between 450,000 and 1.2 million inhabitants) that it would have been almost impossible for MPs elected in such a district to maintain contacts with voters in their constituency.

A second important way in which this differed from the German and New Zealand systems is that the Dutch voter would have had more influence over the personal composition of parliament: voters would have continued to vote for individual candidates on the national lists, and their preference votes might have led to list-candidates being elected out of list order. In the government's original proposal, candidates would not have been allowed both to stand for election in a district and to be nominated on the national list. In Germany and New Zealand, district candidates are often 're-insured' by their party against the risk of losing in the district by a position on the national party list, with the result that losing district candidates still enter parliament, taking away the effect of a district vote (Shugart and Wattenberg 2001: 593–5). This aspect of the original proposal met strong opposition because most parties felt that it would deprive them of the power to ensure a balanced composition of their parliamentary party. The government then decided to drop this aspect of its proposal and to allow double candidacies. This concession was not enough to stem the growing tide of criticism, even from within the governing parties. In March 2005, when the cabinet minister who had authored the bill was defeated over another proposal and resigned, the coalition parties quickly shelved the plans. Instead, the government announced that preference votes would be given more weight under the current electoral system at the next elections, while new proposals for more radical reform at a later stage will be developed.

Notwithstanding the failure of the government's initial proposal, however, if radical reform of the Dutch electoral system comes about, it would probably entail the introduction of some form of mixed member proportional system, precisely because that presents a relatively minor deviation from the current level of proportionality. Over a quarter of a century ago, Lijphart (1978: 131–2) wrote that 'any reform proposal that deviates from nation-wide proportional representation or from a low threshold has to contend with the pervasive and persistent notion that these deviations are violations of the *principle* of proportionality. This fundamentalist

and—in view of the interpretation of proportionality in most other PR systems—clearly ethnocentric attitude is likely to preserve extreme PR in the Netherlands in the foreseeable future’. Despite the fact that the primary *raison d'être* of proportional representation—to mirror in parliament the strong and stable groups in society—no longer applies in a dealigned electorate and individualized society, Lijphart’s conclusion still seems valid.

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Ireland: The Discreet Charm of PR-STV

Michael Gallagher

In a comparative perspective, the mystery of Ireland's party system is one of the two features of the country that attract attention among researchers casting around for something interesting to study. The other is the electoral system. Ireland has proportional representation (PR) and, while this itself may not be cause for excitement, it stands out because its electoral system is not based on party lists, like those of all the other PR countries covered in this book. Instead, it employs the single transferable vote (STV) to elect its lower house of parliament, Dáil Éireann. PR-STV is not a widely used electoral system. It is employed in only two countries (Ireland and Malta) to elect the national parliament (it was also used in Estonia on one occasion, in 1990).¹ In addition, it is or has been employed to elect upper houses or regional assemblies in a number of countries that have come under British influence, including Australia (Chapter 4), India (Chapter 7), South Africa, Northern Ireland, Nepal, Sri Lanka, and Pakistan (Hicken and Kasuya 2003: 139, 144). However, it is an electoral system whose fascination among and appeal to students of electoral systems far exceeds its actual use, and accordingly this chapter will occasionally discuss it in other settings or generically as well as in the Irish context.

POLITICAL BACKGROUND

Ireland has a parliamentary system of government and this, like a range of other aspects of Irish cultural, economic, and political life, shows evidence of a clear British imprint. Thus, Ireland exhibits a number of features characteristic of Lijphart's Westminster model (Lijphart 1999: 10–21): cabinet dominance, concentration of legislative power in one chamber (asymmetric bicameralism), and unitary and centralized government. However, it is not always realized how far Ireland deviates from a pure Westminster majoritarian model and instead displays signs of Lijphart's consensus model (Lijphart 1999: 34–41). Its pattern of government is characterized by coalition governments, a multiparty system, a high degree of interest group involvement in policy-making, constitutional rigidity, judicial review carried out by perhaps the most activist court system in western Europe—and

¹ For the Estonian experience see Taagepera 1996; Rose and Munro 2003: 167–8; Ishiyama 1994.

proportional representation (for an overview of the Irish political system, see Coakley and Gallagher 2005).

The Irish party system, to an outside observer, is a mixture of the familiar and the unique. The familiar elements are rather small: a Labour Party that is archetypally social democratic but atypically weak (averaging only about 11 per cent of the votes at elections since 1945); a Green Party that has been represented in the Dáil since 1989 but has yet to enter office; and the Progressive Democrats (PDs), who combine the traditional European liberal appeals of church–state separation and free-market economics. The two main parties are less easy to place in comparative terms. Ireland’s largest party since 1932, Fianna Fáil, is often described as a ‘centre-right’ party, yet it has usually enjoyed warm relations with the trade union movement. It has formed coalition governments since 1992 with both the PDs and Labour, with few signs of ideological discomfort in either case (Mitchell 2000). The runner-up at each election since 1932 has been Fine Gael, a member of the Christian Democratic group at European level.

Having sketched the context, in the rest of this chapter we shall examine why the electoral system was adopted, how it operates, what consequences it has had, and whether it is likely to be replaced.

ORIGINS OF THE ELECTORAL SYSTEM

The adoption of PR-STV in Ireland was closely bound up with the genesis of the independent Irish state in the early years of the twentieth century. From 1800 onwards, Ireland was, not entirely willingly, part of the United Kingdom of Great Britain and Ireland. After its foundation in 1884, the PR Society campaigned for the adoption of PR-STV in all British elections and in the dominions (this account is based on O’Leary 1961: 1–12 and O’Leary 1975: 153–9). By the time the British government had accepted the idea of Irish home rule all shades of nationalist opinion were supportive of the principle of PR. The largest nationalist group, the Irish Parliamentary Party (IPP), was keen for tactical reasons to appear to hold a conciliatory attitude towards the anti-home rule Protestant minority on the island. More significantly in the long run, the leader of the fledgling Sinn Féin party (committed to outright independence for Ireland), Arthur Griffith, became a convert after attending a Dublin meeting organized by the PR Society and addressed rousingly by the Cornish ex-government minister Leonard Courtney (Hart 1992: 170; O’Leary 1961: 3). Provision was made in the 1914 Home Rule Act for the election of a number of Irish MPs at Westminster to be conducted by PR-STV (O’Leary 1975: 155–6).

This act, though, was overtaken by events, since its implementation was deferred for the duration of the First World War, and by 1918 the Irish political landscape had changed fundamentally. The IPP was now on the verge of being swept aside by Sinn Féin (‘Ourselves’), which had won a series of by-elections following a militarily unsuccessful but politically transformative rising at Easter 1916. When the next Westminster general election took place in December 1918, Sinn Féin swept the board, winning sixty-nine of the seventy-two territorial seats (Coakley 1994: 33).

Its seats–votes ratio (96 per cent of the seats for 65 per cent of the votes) reflects the fact that the election was fought under the single-member plurality (SMP) system. However, on the same day, local elections were held in Sligo under PR-STV, the result of an initiative by the local IPP MP Thomas Scanlan, who had secured the passage at Westminster of a private bill (Hart 1992: 201; O’Leary 1975: 156–7). Here, Sinn Féin was confined to third place, with the seats being distributed among a number of parties, and the lessons of this experiment received national press coverage.

Consequently, during the convoluted run-up to Irish independence—secured de facto by the Anglo–Irish treaty signed on 6 December 1921—PR-STV was designated the electoral system for the new state. The British favoured it as a means of securing representation for minorities (specifically for southern unionists, nearly all Protestants, who were opposed to the idea of breaking the union with Britain); Sinn Féin, led by Griffith, supported the system on principle; and other groups in the south also welcomed it, seeing it, as the British did, as less likely than SMP to facilitate a Sinn Féin hegemony. Accordingly, the Government of Ireland Act of 1920 prescribed PR-STV as the means by which the two future parliaments in Ireland (one in ‘Southern Ireland’ and one in ‘Northern Ireland’) would be elected, and this was one element that did not prove contentious when the details of the treaty were hammered out. Sinn Féin may also have been attracted to PR because it marked a clear departure from British practice, and since it was aware that the adoption of PR was a feature of nearly all constitutions in the new states of post-war Europe (O’Leary 1961: 12).

In the first months of 1922 the pro-Treaty political elite in the south drew up a constitution for the Irish Free State, which provided that members of parliament be elected ‘upon the principles of Proportional Representation’ (Article 26). The Dáil debates on the subject later in the year featured very little discussion of this, and the subject was wrapped up in 1923, when the Electoral Act specified STV as the method of implementing PR and provided for the division of the country into constituencies.

The adoption of PR, then, caused very little controversy. Why, though, was STV chosen rather than the much more common list system? The explanation seems to be, simply, that few of those making the decision were aware of the range of electoral systems from which they could have chosen. PR-STV was by now familiar; list systems were not, despite the efforts of an early student of the subject to make the case for them and against STV in Ireland (Meredith 1913). STV was not specified in the 1922 constitution only because TDs (members of the Dáil) did not realize that STV was merely one method, and an unusual one at that, of attaining PR. (Indeed, the electoral system is popularly known in Ireland even today simply as ‘PR’.)

The next significant development occurred in 1937, when Fianna Fáil, now in government, introduced a new constitution (still in force today), which was put to a referendum of the people on 1 July 1937. This contained much more detail than its 1922 predecessor. It specified that (a) the method of election would be PR-STV (Article 16.2.5); (b) every constituency must return at least 3 TDs (Article 16.2.6);

and (c) the ratio of population to TDs should ‘so far as it is practicable, be the same throughout the country’ (Article 16.2.3).

Fianna Fáil, and especially its leader Éamon de Valera, had many reservations about the system, and it may be that it was specified in the 1937 constitution (of which de Valera was the author) out of a fear that otherwise the opposition would manage to secure the defeat of the whole constitution in the referendum (O’Leary 1961: 35). In the event, the constitution was approved in the referendum by a margin of 57 per cent to 43 per cent.

Entrenching it in the constitution means that it can be changed only by referendum. Two attempts have been made to alter it, each initiated by Fianna Fáil, and on each occasion the proposal was to replace PR-STV by SMP (termed ‘first past the post’ or ‘the straight vote’ by Fianna Fáil in the referendum campaigns). The first, in 1959, was defeated only narrowly, with 48 per cent voting to change to SMP and 52 per cent favouring the retention of PR-STV. The second, in 1968, was much more decisive, only 39 per cent voting for change.²

On each occasion, the proposal was opposed by all parties other than Fianna Fáil. In both 1959 and 1968 the dominant theme of the arguments for change was the claim that PR makes it difficult to achieve stable government and thus weakens democracy, a perspective inspired by the work of the US-based professor Ferdinand Hermens, who indeed played a minor part in the 1959 debates (for accounts of the two campaigns see O’Leary 1961: 58–83; 1979: 66–70). Opponents of PR-STV occasionally threw a little nationalism into the mix, alleging that the system had in effect been foisted onto Ireland by the British, and especially by Britain’s PR Society, which ‘wanted to try out its nostrum on the dog’ (O’Leary 1961: 32). During the Dáil debates of 1968 one TD suggested, as a compromise, that the alternative vote rather than SMP should replace PR-STV, but his proposal found no support. Other than this, there was very little discussion or even awareness of the potential range of options, and academics remarked mournfully on the generally low and ill-informed standard of debate (Chubb 1982: 163). Since 1968, while there has been discussion of changing the electoral system, as we outline later, there have been no further firm proposals to do this.

HOW THE ELECTORAL SYSTEM WORKS

The electoral system has remained unaltered since it was first employed in 1922. The basics of STV are straightforward enough, and are explained in detail in Appendix A, but, as has been noted (Farrell et al. 1996: 30–3), certain aspects of the system such as ballot paper design, district magnitude, counting methods, and the filling of casual vacancies, vary from case to case. First, we will look at the way seats are filled.

² In a second referendum held on the same day in 1968, a proposal to relax the constitutional requirement that the ratio of population to seats be the same across the country was defeated by the same margin.

Converting votes into seats

STV is very much a candidate-centred method of election, with parties mattering as much or little as the voters feel them to matter. Unlike other methods of PR, PR-STV does not convert party shares of votes into a more or less ‘fair’ number of seats. Instead, *candidates* come to be elected by receiving sufficient support from the voters, as described in detail in Appendix A (pp. 593–6). Because of this, all seats are allocated at constituency level.

Table 25.1 shows the result of the 2002 election. In broad terms it shows that even though PR-STV does not guarantee any precise relationship between votes and seats, in practice it produces outcomes that are typical of PR rather than plurality or majority systems and facilitates a multiparty system. However, Table 25.1 shows that the largest party secured a marked over-representation, and indeed disproportionality reached an all-time high in 2002, something that we return to later.

The details of counting votes, as explained in Appendix A, can give rise to the charge that PR-STV is unduly ‘complex’.³ However, there are different levels of ‘understanding’ involved, and voters need only know how to cast a vote and (in general terms) what effect this has (Meredith 1913: 36; Sinnott 2005: 109–10). Taagepera (1996: 31) reports that though many voters in Estonia were troubled by

Table 25.1 Result of 2002 general election, Ireland

Party/group	Votes	% votes	Seats	% seats
Fianna Fáil	770,748	41.5	81	49.1
Fine Gael	417,619	22.5	31	18.8
Labour	200,130	10.8	21	12.1
Prog Democrats	73,628	4.0	8	4.8
Greens	71,470	3.8	6	3.6
Sinn Féin	121,020	6.5	5	3.0
Socialist Party	14,896	0.8	1	0.6
Christian Solidarity	4,741	0.3	0	0
Workers’ Party	4,012	0.2	0	0
Socialist Workers	3,333	0.2	0	0
Independents	176,305	9.5	13	7.9
Total	1,857,902	100.0	166	100.0

Source: Weeks 2003: 248–9.

Note: Only 165 of the 166 seats were contested, since the outgoing Ceann Comhairle (Speaker) of the Dáil, on this occasion a Labour TD, is automatically re-elected. The ‘seats (%)’ column refers to the percentage of contested seats won by each party.

³ Indeed, quite apart from the rules followed in practice, aficionados have devised and vigorously promote a range of far more complex methods of vote-counting, particularly when it comes to distributing surpluses (Tideman and Richardson 2000).

their inability to figure out exactly how the votes were converted into seats when PR-STV was introduced there, they had no difficulty in handling the system. Of course, by offering voters a choice among the candidates of each party, PR-STV, like open-list PR systems, could be seen as adding to the complexity of the decision to be made by inviting voters to acquire information about the candidates on a number of criteria. Thus, in focus group analysis in Britain, one respondent indicated concern that being given a choice among a party's candidates would impose some kind of responsibility to find out about them all (Farrell and Gallagher 1999: 307–8).

Suggestions that PR-STV would be so complicated that voters would have to place themselves in the hands of their parties for guidance (Meredith 1913: 76–8) have proved wide of the mark. It is true that parties do frequently try to 'manage' their votes by asking certain voters to rank their candidates in a particular way, in order to maximize the number of seats they can win with a given level of support.⁴ However, this is not really party control; it is simply advice that party-oriented voters may or may not choose to accept.

Critics point out that STV is vulnerable to non-monotonicity and is known to have other theoretical deficiencies, as do all voting systems (Nurmi 1996), though others dismiss the possibility of non-monotonicity as 'a nonissue' (Austen-Smith and Banks 1991: 531). Dummett's claims that PR-STV is 'quasi-chaotic' and 'exceptionally erratic in its operation, producing results that are virtually random' is simply hyperbole, and even Dummett acknowledges that when voting patterns are structured, for example by party allegiances, the outcome 'is likely to be to a great extent fair' (Dummett 1997: 142, 151, 161). The conclusion of the editors of a collection of chapters on PR-STV as to whether the system can be manipulated is robust:

STV generally presents such difficult calculations to voters seeking to behave tactically that it seems to make little sense to do anything other than register a sincere preference for the party that they would most like to see win. (Bowler and Grofman 2000: 268)

Ballot paper design

In other contexts where PR-STV is used, candidates are grouped on the ballot paper by party, but in Ireland they are listed alphabetically. The legal fiction that elections were about selecting individual MPs died hard. The Irish constitution makes no mention of parties, and electoral law did not recognize them until 1963—only since that date have candidates' party affiliations, if any, appeared on the ballot paper.

⁴ Space does not allow a full explanation of the circumstances in which vote management might be beneficial (for some discussion and examples see Gallagher 2003: 108–10). Vote management schemes have been employed by the Irish parties virtually since the state was founded, and indeed were reported as early as the Johannesburg municipal elections of 1909 (Meredith 1913: 77).

In recent years ballot paper design has evolved in two ways. First, as a means of trying to make the act of casting a ballot more 'voter-friendly' at a time of declining turnout, candidate photographs and party logos are included on the ballot paper (see Figure 25.1 for an example). Casting a valid vote entails, at a minimum, writing the number '1' beside the voter's favourite candidate, indicating a first preference. Voters are free, but not obliged, also to rank some or all of the remaining candidates in order of their preference. Second, proposals have been made to switch to electronic voting and counting, and three constituencies voted this way at the 2002 election (see Weeks 2003: 265–7). However, plans to move to fully electronic voting by the following general election were thrown off course when a commission advised against its adoption for the 2004 local and European parliament elections, warning that it was unable to satisfy itself as to the accuracy and secrecy of the proposed system (Sinnott 2005: 131).

District magnitude

One of the first scholars to appreciate the important role of district magnitude in determining the impact of any electoral system was the Irish academic James Hogan (1945: 13), who observed: 'the decisive point in P.R. is the size of the constituencies: the larger the constituency, that is, the greater the number of members which it elects, the more closely will the result approximate to proportionality'. Hogan suggested further that when district magnitude falls below 5, 'there ceases to be a real proportionality between votes cast and seats obtained', and although he offered no firm evidence for this, subsequent research backs it up. Taagepera and Shugart (1989: 114) observe that with a typical multiparty constellation, five or six 'is the lowest district magnitude that can be counted on to provide relatively proportional outcomes'.

In that context, Ireland's average district magnitude is strikingly low. Not since 1933, in fact, has it reached the supposedly minimum level needed to deliver proportional outcomes (see Table 25.2). Hogan was alive to the implications of this. Writing under the influence of the work of Ferdinand Hermens, according to whom PR led more or less inevitably to the collapse of democracy, he felt obliged to explain why stable democracy had survived in Ireland. His explanation was that small district magnitude had prevented genuine proportionality and the effect was 'to tilt the balance definitely in favour of the large parties' (Hogan 1945: 15). Thus, he argued, PR had 'succeeded' in Ireland precisely because it had been so attenuated by small district magnitude that it was not 'full P.R.' at all (Hogan 1945: 24). The system in operation, he argued, was 'a compromise between P.R. and the plurality method of voting, with P.R. still the dominant element in the combination' (Hogan 1945: 15). Since this statement is sometimes quoted in support of particular classifications of PR-STV, incidentally, we should be clear that Hogan was not making a judgement on PR-STV per se; rather, he was referring to that system as applied in Ireland, with its small district magnitudes (for assessments of Hogan's work, see Garvin 2001; O'Leary 2001).



















TREORACHA

1. Féach chuige go bhfuil an marc oifigiúil ar an bpáipéar.
2. Marcáil an figiúr 1 sa bhosca le hais ghrianghraf an chéad iarrthóra is rogha leat, marcáil an figiúr 2 sa bhosca le hais ghrianghraf an iarrthóra do dhara rogha, agus mar sin de.
3. Fill an páipéar ionas nach bhfeicfead do vóta. Taispeáin an taobh deise den pháipéar oifigeach ceannais, agus cuir sa bhosca bailiote.

INSTRUCTIONS

1. See that the official mark is on the paper.
2. Mark 1 in the box beside the photograph of the candidate of your first choice, mark 2 in the box beside the photograph of the candidate of your second choice, and so on.
3. Fold the paper to conceal your vote. Show the *back of the paper* to the presiding officer and put it in the ballot box.

SPECIMEN

	<p>DE BÚRCA - GREEN PARTY (DÉIRDRE GEARÓIDÍN DE BÚRCA of 137 Hollybrook Park, Southern Cross, Bray, Co. Wicklow; Psychologist)</p>		
	<p>FOX - NON-PARTY (MILDRED FOX of Lower Calary, Kilmacanogue, Co. Wicklow)</p>		
	<p>HYLAND - NON-PARTY (BARBARA MARY HYLAND of 9 Duncairn Terrace, Bray, Co. Wicklow; Widow, O.A.P.)</p>		
	<p>JACOB - FIANNA FÁIL (JOE JACOB of Main Street, Rathdrum, Co. Wicklow; Minister of State)</p>		
	<p>KEANE - SINN FÉIN (MAIREAD KEANE of 14 Thornhill View, Bray, Co. Wicklow; Sinn Féin Activist)</p>		
	<p>KEARNS - NON-PARTY (ROBERT KEARNS of 4 Castle Park, Wicklow, Co. Wicklow; Carpenter)</p>		
	<p>KEDDY - NON-PARTY (CHARLIE KEDDY of Sea Road, Kilcoole, Co. Wicklow; Plumber)</p>		
	<p>KELLY - THE LABOUR PARTY (NICKY KELLY of "Aille", Highfield Avenue, Arklow, Co. Wicklow; Full Time Public Representative)</p>		
	<p>KENNEDY - SOCIALIST WORKERS' PARTY (S.W.P.) (CATHERINE KENNEDY of 31 Old Court Drive, Bray, Co. Wicklow)</p>		

	KENNY - NON-PARTY (BRIAN KENNY of 17 Heatherwood, Boghall Road, Bray, Co. Wicklow; Sales Manager)		
	McMANUS - THE LABOUR PARTY (LIZ McMANUS of 1 Martello Terrace, Bray, Co. Wicklow; Full Time Public Representative)		
	O'ROURKE - FINE GAEL (RAYMOND JOHN O'ROURKE of 5 Cuala Road, Bray, Co. Wicklow)		
	O'SHAUGHNESSY - THE LABOUR PARTY (JIMMY O'SHAUGHNESSY of Woodside, Rathdrum, Co. Wicklow; Public Representative)		
	ROCHE - FIANNA FÁIL (DICK ROCHE of 2 Herbert Terrace, Herbert Road, Bray, Co. Wicklow; University Lecturer and Public Representative)		
	TIMMINS - FINE GAEL (BILLY GODFREY TIMMINS of Baltinglass, Co. Wicklow; Public Representative)		

Figure 25.1 Ballot paper from Wicklow constituency, Irish election, 2002

Table 25.2 District magnitude, and distribution of constituencies, at Irish elections 1922–2002

Elections	Seats	Constituencies	Average district magnitude	Number of TDs returned						
				3	4	5	6	7	8	9
1922	128	28	4.6	3	16	4	2	1	2	—
1923–33	153	30	5.1	8	4	9	—	5	3	1
1937–44	138	34	4.1	15	8	8	—	3	—	—
1948–57	147	40	3.7	22	9	9	—	—	—	—
1961–5	144	38	3.8	17	12	9	—	—	—	—
1969–73	144	42	3.4	26	14	2	—	—	—	—
1977	148	42	3.5	26	10	6	—	—	—	—
1981–9	166	41	4.0	13	13	15	—	—	—	—
1992–7	166	41	4.0	12	15	14	—	—	—	—
2002	166	42	4.0	16	12	14	—	—	—	—

Counting methods and casual vacancies

Although the basic principles of counting votes under STV are constant, some of the details vary. In particular, the decision as to how to transfer ‘surplus’ votes (those votes over and above the quota) from an elected candidate is made differently in different countries (Farrell et al. 1996: 32–3). In Ireland, as explained in Appendix A (pp. 595–6), the votes that are physically transferred are an accurate sample with regard to their *next* preference, but may not be with regard to *later* preferences. Whether this has ever made any difference to an actual constituency count is not known, but one attempt to estimate the effect concluded that it certainly arose very rarely. Examining the 800 individual constituency results over the 1922–82 period, it found that in only fourteen of these was there, even on the ‘worst’ assumptions, as much as one chance in a hundred that a different selection of votes would have made a difference to the outcome (Gallagher and Unwin 1986: 251). The problem can be solved by the ‘Gregory method’ (see Appendix A), although this adds to the time and complexity of the count when votes are counted by hand.⁵ It may be that if in the future Ireland moves to fully electronic voting and counting, the Gregory method will be implemented.

The filling of vacancies caused by the resignation or death of an incumbent also varies across STV systems. In Ireland, casual vacancies are filled by by-elections employing the alternative vote (which is also used for presidential elections). Even though this should in theory discriminate against small parties, in practice this factor is countered by the swing against large parties, especially if in government, that is characteristic of second-order elections (Gallagher 1996*a*). In Tasmania and Malta, such vacancies are filled by the ‘countback’ method, examining the ballot papers of the vacating MP and performing a fresh count on these to ‘elect’ a replacement.

POLITICAL CONSEQUENCES OF THE ELECTORAL SYSTEM

Impact on the party system

PR electoral systems are associated with multiparty systems, and Ireland does not flout this pattern. There have never been fewer than three parties represented in the Dáil, and there have been as many as eight. However, fractionalization has been relatively low, with the two major parties, Fianna Fáil and Fine Gael, often dominating the picture. These parties together have averaged 75 per cent of the votes at elections since 1932, and have twice (1938 and February 1982) won 85 per cent. In the 1980s, indeed, Ireland was cited by both Riker and (more cautiously) Duverger as constituting a ‘devastating counterexample’ to Duverger’s law by displaying something close to a two-party system despite having PR, something Duverger

⁵ To add a further complication, there are several variants of the Gregory method, each of which has its advocates, and these variants can lead to different outcomes—see Farrell and McAllister (2003).

attempted to explain away with the far-fetched suggestion that the direct election of the president might have led to ‘the polarization of the citizens around the two large parties’ (Riker 1982: 758; Duverger 1986: 72, 74–5). However, the need to explain anything away soon disappeared: the two major parties together had exceeded 80 per cent of the votes at each of the five elections before Duverger’s 1986 chapter, but at the following five elections (1987–2002) their average combined vote was only 68 per cent.

Still, even allowing for this, the Irish party system has never approached the levels of fractionalization that characterize, say, Belgium, Finland, or Switzerland. The effective number of parties in parliament (see Appendix B for the meaning of this concept) after the elections over the 1923–2002 period has averaged 3.0, which, as Table 26.1 shows, represents a relatively low level of fragmentation. Only once has the number come close to 5, and this was at a very early election when the party system was still settling down. Table 25.3 (effective number of elective parties column) also makes it clear why seats in parliament have been relatively ‘concentrated’—it is because votes, too, have this pattern.

The reduction in fractionalization—the ‘mechanical’ effect, as Duverger (1964: 224–6) terms it—under PR-STV has clearly been only mild, as is characteristic of PR systems generally. Thus, it is reasonable to conclude that ‘PR-STV in Ireland has . . . facilitated moderate multipartyism when other factors were leading in that direction’ (Sinnott 2005: 119). It is also worth noting that Malta, the only other country to use PR-STV to elect its national parliament, has a virtually pure two-party system: almost all the votes at elections are won by either the Nationalist Party or the Maltese Labour Party, and no other party has won a seat since independence in 1964.

Defractionalization means disproportionality—that is to say, the reason seat shares are less fragmented than vote shares is because some parties, usually the larger ones, get a ‘bonus’ from the system while others are under-represented. Sure enough, in Ireland it is the largest party, Fianna Fáil, that does best; with an average first preference vote of 43 per cent at elections from 1923 to 2002, its average share of the seats has been 47 per cent. This, though, is quite a modest bonus, and as a comparison between Tables 25.3 and 26.4 shows, disproportionality has been relatively low at Irish elections over the whole period since independence.

Table 25.3 Fractionalization and disproportionality at Irish elections, 1923–2002

	Effective number of elective parties	Effective number of legislative parties	Disproportionality
Average	3.4	3.0	3.9
Maximum	5.7 (June 1927)	4.9 (June 1927)	6.6 (2002)
Minimum	2.6 (1938)	2.4 (1977)	1.7 (Feb 1982)

Note: $N = 26$. Dates in parentheses show the election concerned; there were two elections in 1927 and in 1982. Disproportionality is measured by the least squares index. The 1922 election is excluded because in a high proportion of constituencies there was no contest.

This is very surprising given the widespread agreement, as already mentioned, that disproportionality increases as district magnitude decreases (Lijphart 1994: 117). Since district magnitude in Ireland is very small by the standards of PR elections, only about four, how does it come about that disproportionality has not been larger?

In order to understand this, we need to look at the way in which the electoral system affects interparty relations. Under PR-STV, the tendency of the largest party to win a seat bonus creates its own countervailing force. The transferability of votes means that it is possible, and may be strategically sensible, for supporters of smaller parties to use their votes in such a way as to help each other and thereby prevent the larger ones reaping a sizeable bonus. In Ireland, this helps to explain the relatively low level of disproportionality. At all elections since 1932 the largest party, Fianna Fáil, has been perceived to have had some kind of chance of winning an overall majority of seats, and this gives supporters of other parties an incentive to deploy their lower preference votes against it, regardless of their respective policy positions. Indeed, even supporters of parties that might see Fianna Fáil as a potential coalition partner have an incentive to do this, in order to prevent Fianna Fáil securing an overall majority and thereby rendering their own party redundant in the government formation process (Laver 2000). This can be achieved under PR-STV by ranking candidates of all other parties above the Fianna Fáil candidates on the ballot paper, and there is no doubt that many supporters of other parties have done precisely this at many elections.

In this way, the electoral system has helped to give a pronounced 'Fianna Fáil against the rest' shape to the Irish party system (Mair 1987: 36). At most elections from the late 1940s to the late 1980s there was clear evidence of this, with supporters of other parties using their lower preferences against Fianna Fáil even in the absence of explicit agreements between parties—the example of an STV count given in Appendix A is a good illustration of this. The effect of this has been to dampen the seat bonus that Fianna Fáil, as the largest party, could otherwise have expected.

It follows that if Fianna Fáil could transform the main fault line of the party system in such a way that it was no longer regarded as everyone's opponent, it would stand to extract much more advantage from the electoral system. In 1989 it did just this. For the first time it took part in a coalition government, having previously made a virtue of its opposition to the notion of coalitions per se, and indeed it also entered coalition governments after each of the following three elections. As a result, competition has become somewhat unstructured (Mair and Weeks 2005: 149). One party, the PDs, had an all-but-explicit transfer pact with Fianna Fáil before the 1997 election, and in 2002 virtually every party other than Fine Gael considered itself to be a potential coalition partner of Fianna Fáil (Mitchell 2003). Consequently, with the impact of vote transfers no longer working against Fianna Fáil, both overall disproportionality and Fianna Fáil's bonus have been rising. The figures for both reached all-time highs in 1997, and these were themselves surpassed in 2002, when Fianna Fáil achieved a bonus of nearly 8 per cent (49 per cent of the seats for 41 per cent of the votes) and disproportionality reached 6.6 (least squares index).

Another aspect of the party system that may be attributed partly to the electoral system is the persistence of independent TDs. The Dáil usually contains more independents than all other west European parliaments put together; in 2002 no fewer than thirteen were elected in the 166-member legislature, the highest number for over fifty years. This illustrates the very low barriers to entry provided by PR-STV; a party or a candidate that can muster perhaps 10 per cent of the votes in a single constituency can earn Dáil representation. In 2002, an independent whose first preference support amounted to just 0.2 per cent of the national vote total was elected. The reason why independents fare well under PR-STV was identified nearly a century ago by Meredith (1913: 79–80), who foresaw that the independents elected might not be the talented and principled individuals hoped for by proponents of the system. Instead, the independents to prosper would be

those of far less ability who in a small way have moved in a somewhat local ‘limelight’. They form good compromise candidates for the last seat. They have a small band of admirers that would give them sufficient first preferences to enable them to keep their flags flying until late preferences were reached. They would begin to accumulate the votes of electors of each party who prefer them to members of the opposite party. Now, if the tendency of the single transferable vote is to place the balance of power in the hands of such candidates, is it really an argument in its favour?

Some argue that these concerns have been borne out. For example, the 1997–2002 government was a minority coalition sustained by the support of four independent TDs who demanded ‘pork’ (public spending) in their constituencies as the price of their continued support (Mitchell 2001: 205). Sinnott (2005: 120) concludes that PR-STV ‘does increase the probability of government reliance on independent deputies whose support may be delivered only at a disproportionate price and even then may not be durable’.

Impact on the parties

Intraparty electoral competition is inherent in PR-STV. The two major parties both run, on average, two or three candidates per constituency, and these candidates are competing for votes with each other as much as, perhaps more than, with candidates from other parties. They are competing with each other for the first preferences of voters who are committed to the party; for the first preferences of floating voters; and for the lower preferences of voters who support other parties. Thus, unlike candidates under an open list system such as those discussed in Chapters 19–24, they are not competing only for support from the pool of party voters; they have an incentive to try to be liked by everyone. Thus there is definitely such a thing as a ‘personal vote’: even if most of the support for a TD comes from within the party fold, TDs also draw on support from voters who do not support the party per se. The smaller parties rarely run more than one candidate per constituency, so they do not experience internal electoral competition, but their sole candidates, too, aim to attract lower preferences from as many voters as possible.

PR-STV cannot be said to have led to disunited parties in Ireland. In theory, it might seem that major party TDs, secure in their electoral base, would respond to local pressures as much as to the party line in parliamentary votes. In practice, though, the Irish parliamentary parties are highly disciplined and by any conventional test are among Europe's most cohesive parties, despite suggestions from some writers that this apparent unity is only 'superficial' (for discussion see Gallagher 2000: 108–10; Sinnott 2005: 119–20).

This is not to suggest that internal party life is all sweetness. At local level, candidates and TDs of the two main parties know that they have rivals within their own party as well as in other parties. Over the years, around 56 per cent of Fianna Fáil TDs, and 37 per cent of Fine Gael TDs, who suffer defeat at an election lose to a running mate rather than to a candidate of another party (Gallagher 2000: 97). This internal rivalry expresses itself not in candidates' staking out distinct policy positions but in their seeking to earn reputations as assiduous and effective constituency workers when it comes both to casework for individual constituents and to activities as a 'local promoter' to secure resources for the constituency (Gallagher and Komito 2005). Consequently, constituency election campaigns are often characterized by 'turf wars', whereby each candidate stakes a claim to the territory around their home base and the neutral territory is fought over (for examples at the 2002 election, see Gallagher 2003: 108–10). Intraparty competition is openly acknowledged and discussed by politicians in Ireland, which is not the case in all preferential-list PR countries (see Chapters 19–24).

The personal vote built up by TDs over the years gives them a powerful position in the candidate selection process (Galligan 2003; Marsh 2005: 172–5), one cornerstone of which is that incumbents very rarely fail to secure reselection. In part this is because other actors in the process do not wish to jeopardize the personal votes that an established TD will attract but, beyond this, TDs like to minimize any risk of an upset by building up networks of personal loyalty within the local party organization. A study of Fine Gael found that around 45 per cent of its members regarded themselves as a strong supporter of one particular local Fine Gael politician rather than as supporters of all the local Fine Gael politicians (Gallagher and Marsh 2002: 106–13).

However, this rivalry must be, and is, accommodated within the framework of the party (Marsh 2000). Whereas under the former Japanese electoral system, the single non-transferable vote, LDP candidates could openly regard each other with animosity, under PR-STV party candidates must appeal for personal support while simultaneously behaving as a team. The reason is that when one candidate is eliminated from the count, or has a surplus distributed, it is important that as many as possible of his or her votes transfer to the party's other candidates. Thus candidates usually urge their supporters to 'Vote No 1 for me and continue your preferences for my running mates', and most votes, when transferred, do remain within the party fold. In the past this tendency was strong; prior to 1992, Fianna Fáil's internal transfer solidarity rate was over 80 per cent. It has been dropping recently, though, and in 2002 only 63 per cent of votes from one Fianna Fáil candidate passed to another

Fianna Fáil candidate where this was possible; the solidarity figure for Fine Gael was 64 per cent (Gallagher 2003: 105).⁶ Still, the salience of government formation as an issue at general elections, together with the widespread assumption that behaviour by a TD that earns the party an extra seat is more likely to earn promotion to office than candidate-centred behaviour that costs the party a seat, combine to ensure that candidates operate as team players, albeit personally motivated ones. When these factors are not present—for example, at second-order elections—entirely individualistic behaviour becomes more likely, and examples are regularly to be found at Ireland's European Parliament elections.

Impact on parliament

The backgrounds of members of the Dáil are not especially different from those of other west European parliaments. Most TDs have very strong local connections: they were born and grew up in their constituencies, and before being elected to the Dáil they were county councillors. Impeccable local roots are a strong resource given the high level of constituency attention expected from TDs. Strikingly, a high proportion (usually 20–25 per cent) of TDs are following in the footsteps of a close relative; in the Dáil elected in 2002, for example, thirty-seven of the 166 TDs (nineteen of whom were sons of previous TDs) were closely related to a former TD, usually denoting the 'inheriting' of a political base. The proportion of women is relatively low (only 13 per cent in 2002). There are various reasons for this (Galligan 2005), and while it might be argued that, if conservative public attitudes in a predominantly Catholic country are a main cause, then PR-STV is unhelpful by giving more weight to these attitudes than, say, a closed list system would, there is in fact no reason to suppose that matters would be much different under a different electoral system.

The behaviour of TDs is often perceived as involving a primary focus on constituency affairs with only a secondary interest in the national political issues discussed in parliament. While this is an over-generalization, and parliamentary committees in particular have become more active in recent years (Gallagher 2005), this has emerged as the main line of criticism of PR-STV in Ireland in recent years. The gravamen is

- first, that PR-STV imposes patterns of behaviour that TDs must follow for their own electoral survival, promoting a focus on constituency work and close attention to intraparty manoeuvring ('a time-consuming and unproductive drudgery', in the words of one former minister—Hussey 1993: 57–61);

⁶ In Malta, internal transfer solidarity for both main parties is extremely high (almost 100 per cent), and the electoral system was modified in the 1980s in a way that assumes that all votes are party votes. Thus, if the party with a plurality of the votes fails to win a majority of the seats, it is awarded additional seats so as to give it an overall majority (see Chapter 3, p. 65). These additional seats are sometimes seen as constituting a 'higher tier', 'putting right' an anomaly caused by the second largest party winning more seats than it was entitled to (i.e. obtaining *überhangmandate*) in the constituencies.

- second, that these patterns weaken the national parliament and, because under the Irish constitution all ministers are required to be members of parliament, they also interfere with the business of government; and
- third, that knowledge of the workload involved in being a TD, as well as hostility from established politicians who see talented newcomers as a threat, discourages many able people from entering politics, resulting in a low quality of political leadership.⁷

On the other hand, others take the view that

- close links between MPs and constituents are not necessarily bad and that, anyway, these links are demanded by constituents and cannot be attributed in significant measure to the electoral system;
- ministers have large staffs to do their constituency work and are thus not personally greatly discommoded by the personal demands of their constituents;
- there is no evidence that Irish politicians are of a 'lower standard' than their counterparts anywhere else, and that, while intraparty competition constitutes a threat to incumbents, it also offers newcomers an opportunity to break through.⁸

Even though it has been suggested that 'the very high turnover of members also discourages potential candidates' (FitzGerald 2003: 93), turnover is not particularly high. At the elections of the 1927–97 period, around 75 per cent of outgoing TDs, and 82 per cent of non-retiring TDs, secured re-election; the figures for Malta are very similar (Gallagher 2000: 94). By comparative standards, this does not amount to high turnover (Matland and Studlar 2004: 93). As already noted, around a third of all defeats, and a half of major party defeats, in Ireland come at the hands of running mates; in Malta the figure is around two-thirds (Gallagher 2000: 97–8). It cannot, then, be argued that high turnover is a significant factor in political recruitment.

Government formation

As a result of its electoral system, Ireland has a multiparty system and much experience of coalition government. Although all governments up to 1948 were single-party—a characteristic of the Westminster model—between 1948 and June 2002 coalitions were in office for 52 per cent of the time. No party has won an overall majority since 1977 or been able to form a single-party government since 1987 (Mitchell 2000). Moreover, minority government is increasingly common, occupying office for 34 per cent of the time from 1948 to 2002 (Mitchell 2001).

PR-STV provides an incentive for the parties to identify their chosen coalition allies in advance of the election, so that party leaders can urge their supporters to award lower preferences to allied parties. However, this does not always happen.

⁷ Some or all of these criticisms can be found in, for example, Boland (1991); Carty (1981: 109–39); FitzGerald (2003: 92–3).

⁸ Examples of such cautious conclusions can be found in Sinnott (2005: 117–25); Gallagher (1987); Gallagher (1996b).

Sometimes two or more parties explicitly form a pre-election partnership, as occurred in 1973, 1989, and 1997, for example—but only in 1997 did voters have a choice between competing identifiable coalition alternatives. On other occasions, even though party leaders act coyly, it is clear to voters which party is the closest ally of their own, and vote transfers flow accordingly, as in 1981 and 1982. But at some elections there are no alliances, even implicit ones, between parties, and voters cannot be sure what coalition combinations are possible. This happened most strikingly in 1992, when Labour criticized the outgoing Fianna Fáil government vehemently but after the election went into coalition with it, to the horror of many of its voters. It might also have happened in 2002, when the outgoing Fianna Fáil–PD government was the only identifiable government, and had these two parties not won enough seats to continue in office, the government to emerge would have been one not offered to the people in advance. Thus, parties have become both more coalitionable and also more ‘promiscuous’ (Mair and Weeks 2005: 155). Parties have an incentive to form pre-election alliances in order to attract vote transfers from supporters of their allies, but at the same time the disincentive is that this is likely to reduce the flow of transfers from other parties, and there is also a risk that in the post-election situation the distribution of seats might mean that a party might want to form a coalition with one of its erstwhile opponents. Consequently, PR-STV does not in practice always help identify the governmental options in advance of an election in the way it might be expected to, and the identifiability of future governments varies more than in most countries (Powell 2000: 73–6).

THE POLITICS OF ELECTORAL REFORM

Because the electoral system is entrenched in the Irish constitution, and because this constitution cannot be amended except by referendum, PR-STV enjoys a level of protection against its critics. Without this, it might well not have survived. As we have seen, the largest party in the state, Fianna Fáil, twice initiated referendums designed to replace it by SMP, failing only narrowly on the first occasion. These moves were primarily partisan in motivation—since Fianna Fáil, as the largest party, stood to benefit greatly from the adoption of a plurality system—and as such generated opposition from all other parties and interests, which sufficed to defeat them.

In recent years, the main focus of discussion has been an aspect that did not feature at all in the earlier referendums: the supposed impact of PR-STV on the constituency work and legislative duties of TDs. As we have seen, several critics of the electoral system argue that it has a number of dysfunctional effects and should be replaced by one that does not include intraparty electoral competition. In the mid-1990s a heavyweight committee that assessed the entire constitution reviewed the question. It advised that no change should be made without ‘careful advance assessment of the possible effects’ and that, if a new system were adopted, the introduction of a list or mixed system would be better than a non-PR system (Constitution Review Group 1996: 60). A couple of years later, an academic analysis

argued that a mixed system was the only feasible alternative and suggested that one side-effect would be that Fianna Fáil would probably win the great majority of the constituency seats (thus perhaps being left with most of the constituency work) while the TDs of other parties, being mostly elected from lists, would be free to concentrate on parliamentary work (Laver 1998).

The Fianna Fáil Minister for the Environment (whose brief covers elections) appointed in 1997, Noel Dempsey, was a long-standing critic of PR-STV, and at his instigation the government asked the parliamentary All-Party Committee on the Constitution to consider reform of the electoral system 'as a matter of urgency' early in 2000. Dempsey, together with former Fine Gael prime minister Garret FitzGerald, addressed the committee to argue the case for a move towards the German system, or something very much like it. The committee had already conducted a survey of members of the Oireachtas (TDs and senators), and this found that most did not favour change. Of the 38 per cent who replied to a questionnaire, 69 per cent wanted to retain PR-STV with only 26 per cent wanting to replace it (the others expressed no opinion) (All-Party Oireachtas Committee 2002: 18). The TDs who favoured the status quo emphasised the value of close contact between deputies and their constituents and of the voters' right to choose who their representatives should be. Critics (some of whom favoured SMP or the alternative vote rather than a mixed system) wanted to eliminate intraparty electoral competition and argued that this would improve the calibre of parliamentary work and of politicians (All-Party Oireachtas Committee 2002: 18–19). The only parties to express a clear view were the PDs, the junior coalition partner at the time (in favour of change) and Labour (in favour of retaining PR-STV). Having reviewed the various submissions to it, the committee concluded:

The committee... is not convinced that the weaknesses of PR-STV are as considerable as might be claimed, or, put otherwise, that PR-STV is itself responsible for all of the failings that have been laid at its door... Finally, and decisively, there is no evidence of serious or widespread public discontent with the existing system: on the contrary, there is in our view a strong and enduring attachment to it. The fundamental and insurmountable argument against change is that the current Irish electoral system provides the greatest degree of voter choice of any available option. A switch to any other system would reduce the power of the individual voter. For all of these reasons, we recommend against any change in this aspect of the Constitution. (All-Party Oireachtas Committee 2002: 29)

This, coupled with the formation of a new government a few months later in which Dempsey was moved to a different portfolio, defused the issue, and while it will no doubt be raised again, the committee's last point is telling. Any other electoral system would reduce the power of Irish voters, and increase the power of party hierarchs, to determine which individuals should represent them in parliament, and the current system cannot be changed without the express agreement of those voters in a referendum. The likelihood of the electorate's voting to give itself less power seems slim. Recent survey evidence on public attitudes is confined to a poll in January 2000 that bore out the committee's view that the electorate is attached to the

present system; it found that only 24 per cent wanted a new electoral system while 52 per cent favoured the retention of PR-STV.⁹

CONCLUSION

The distinctiveness of Ireland's electoral system makes it a fascinating object of study but, at the same time, opens up the danger of attributing far too much causal power to it. Reformers in various countries, faced with evidence that the political system is not working well, have found the 'change the electoral system' button a tempting one to press in the hope of putting things right. Sometimes, though, the problems that electoral system reform were supposed to eliminate persist, sometimes they re-emerge in a new form, and sometimes entirely new problems appear. If there is any lesson to be learned, it is that many features of political behaviour have roots that run far deeper than a single institution such as the electoral system.

Under PR-STV, Ireland has a multiparty system and coalition government has become the norm. The proportion of women in parliament is among the lowest in Europe. MPs are extremely loyal to the party line in parliament and spend a high proportion of their time engaged in constituency work rather than in the scrutiny of legislation or in parliamentary committee work.

Clearly, we have no way of knowing how the Irish political process would now look if the country had had a non-PR system or a mixed system. Perhaps things would be very different. More probably, though, some of those features most highlighted by critics of PR-STV would be just as pronounced under any electoral system. In particular, the emphasis placed by MPs upon constituency work has many causes besides the electoral system, not least the expectations of the voters; nineteenth-century Irish MPs were assiduous in their attention to local grievances, long before PR-STV was even invented. TDs would be placed under intense pressure to discharge constituency duties whatever the electoral system, and if PR-STV were replaced by an electoral system that did not permit intraparty electoral competition, this intraparty rivalry would simply be shifted to the candidate selection stage, at which a strong local reputation acquired through casework might well be a powerful resource. Whether things really would be different under another electoral system will not be known unless PR-STV is abandoned. Since the approval of the voters would be needed for this, however, the likelihood of Ireland replacing its electoral system in the near future seems low. PR-STV is looked upon warmly not only by electoral systems specialists; the Irish electorate too seems to be persuaded of its enduring charm.

⁹ MRBI/*Irish Times* poll, MRBI 5122/00. The other 24 per cent of respondents said that they had no opinion or that they felt they did not know enough to make a decision. There was no significant subgroup variation.

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PART VI

CONCLUSION

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Conclusion

*Michael Gallagher**

We started this book by asserting that electoral systems matter and identifying a number of areas where we can expect to find evidence of this. It is time to draw conclusions from the evidence from the wide range of countries whose experience has been analysed in the preceding pages. In this final chapter, we attempt to draw general conclusions about the origins and impact of electoral systems, about the consequences of electoral reform, and about the merits of the various electoral system options available. To remind ourselves about the features of the electoral systems that the country chapters have examined, Table 26.1 lists these for all twenty-two countries.

ORIGINS OF ELECTORAL SYSTEMS

Like other political institutions, electoral systems are designed and chosen by political actors and, once chosen, constrain and affect the behaviour of those actors. We will examine later one aspect of the question of how far the outcomes of electoral system design can be predicted, by considering how closely the consequences of electoral system reform matched the expectations of the reformers. First, let us review the evidence relating to the initial choice of electoral systems.

The ‘outputs’ of electoral systems—in terms of their hypothesized consequences for the shape of party systems, for example—have been much more closely studied than have the ‘inputs’, in other words the factors shaping electoral system design. Yet, the relationship between electoral systems and party systems is not necessarily unidirectional; a long-standing body of argument has it that party systems determine electoral systems more than vice versa (Cox 1997: 15). In Belgium, for example, it has frequently been suggested that to present the introduction of proportional representation (PR) in 1899 as having led to a multiparty system is to confuse cause and consequence; rather, by that stage Belgium already had a multiparty system and PR was introduced to preserve it (or, at least, to preserve specific parties

* Thanks to Paul Mitchell and David Farrell, and especially to Matt Shugart, for comments on an earlier version. The Tables draw upon the country chapters in this book and in some cases upon additional information and judgements supplied by the authors of those chapters. Needless to say, none of the above bears responsibility for the use I have made of their information or suggestions.

Table 26.1 Details of electoral systems in 22 countries

Country (chapter number)	Electoral system	Seats	Districts	Formula	Legal threshold
Australia (4)	AV	150	150	AV	No
Canada (5)	SMP	308	308	SMP	No
France (6)	2RS	577	577	2RS	Candidates need <i>either</i> 12.5% support of registered electorate in constituency, <i>or</i> to finish in top two, in first round to qualify for second round
India (7)	SMP	543	543	SMP	No
UK (8)	SMP	646	646	SMP	No
USA (9)	SMP	435	435	SMP	No
Germany (10)	Mixed compensatory	598	300 [†] (299+1)	SMD tier: SMP Higher tier: LR–Hare	Parties need 5% of national votes or 3 constituency seats to qualify for share of list seats
Hungary (11)	Mixed, partially compensatory	386	197 [†] (176+20+1)	SMD tier: 2RS PR tier: LR–Droop National tier: D’Hondt	5% of votes in PR tier needed to qualify for any seats from PR tier or national tier
Italy (12)	Mixed, partially compensatory	630	476 [†] (475+1)	SMD tier: SMP Higher tier: LR–Hare	4% of national vote needed to receive any list seats
Japan (13)	Mixed parallel	480	311 [†] (300+11)	SMD tier: SMP PR tier: D’Hondt	2% of votes needed within a PR constituency to qualify for seats there
New Zealand (14)	Mixed compensatory	120	70 [†] (69+1)	SMD tier: SMP Higher tier: Sainte-Laguë	Parties need 5% of national votes or 1 constituency seat to qualify for share of list seats
Russia (15)	Mixed parallel	450	226 [†] (225+1)	SMD tier: SMP PR tier: LR–Hare	5% of list votes needed to qualify for share of list seats

Israel (16)	PR list closed	120	1	D'Hondt	Parties need 2% of votes to qualify for seats
South Africa (17)	PR list closed	400	10 [†] (9+1)	Lower tier: LR–Droop Higher tier: LR–Droop + highest average	No
Spain (18)	PR list closed	350	52	D'Hondt	3% of votes needed within a constituency to qualify for seats there
Austria (19)	PR flexible list	183	53 [†] (43+9+1)	Lowest tier: Hare quota Middle tier: Hare quota National tier: D'Hondt	1 seat in a lowest-tier constituency, or 4% of national vote, needed to qualify for middle or national tier seats
Belgium (20)	PR flexible list	150	11	D'Hondt	5% of votes needed within a constituency to qualify for seats there
Chile (21)	PR quasi-list	120	60	D'Hondt	No
Denmark (22)	PR open list	175*	18 [†] (17+1)	Lower tier: modified Sainte-Laguë Higher tier: LR–Hare	Parties do not qualify for share of higher tier seats unless they win a lower tier seat, win the equivalent of the Hare quota in two of the three regions, or win 2% of national vote
Finland (23)	PR quasi-list	200	15	D'Hondt	No
Netherlands (24)	PR latent list	150	1	D'Hondt	0.67% of national vote
Ireland (25)	PR-STV	166	42	STV	No

[†] Denotes that country has ‘complex districting’, i.e. there is more than one tier of seat allocation—usually this entails higher-tier constituencies to reduce discrepancies arising from lower-tier constituencies, though in Japan and Russia the two ‘tiers’ operate in parallel and neither can be seen as higher or lower.

* The Danish *Folketing* also contains 2 MPs from Greenland and 2 from the Faeroe Islands.

Note: The description of the type of preferential list (Chapters 19–24) is based on the terminology used in Chapter 2.

in that system—see Chapter 20, p. 420). Similarly, in the Netherlands PR was introduced to preserve an existing multiparty system (Chapter 24, p. 497). We might expect societies that are divided by cleavages (ethnic, linguistic, or religious) to be more likely than homogeneous ones to have had multiparty systems even under a majority electoral system and thus to be more likely to have PR. Alternatively, in divided societies majority systems might threaten the existence of the entire political system, again giving impetus to the introduction of PR (Rokkan 1970: 157). In other words, electoral systems are not totally exogenous institutions, imposed upon a set of political actors by outside forces, but rather they were selected by political actors who, presumably, had some idea, even if an incomplete one, of what kind of consequences they might have.

On what basis do political actors choose an electoral system? The rational actor paradigm might suggest that the answer is obvious: actors' preferences are determined by their perception of their own self-interest. Maybe matters are not always quite so simple in real life, though. For one thing, as Richard Katz points out in Chapter 3, it is not always in an actor's self-interest to pursue its own self-interest too blatantly, because other actors, especially voters, react adversely to displays of excessive partisanship. In addition, actors might take into account factors other than their own partisan interest when deciding on institutional design, and some vaguely held notion of a non-partisan 'national interest' is the most likely alternative consideration. Support for the introduction of PR might be generally regarded as simply a logical extension of support for the principle of democracy (Blais et al. 2005: 183–4). Faced with a choice between an electoral system that promises some selective benefit but is likely to be dysfunctional for the political system as a whole, or one that does not confer any special benefit yet seems likely to promote the smooth functioning of the political system, it is not inconceivable that in the real world some actors may prefer the latter. That is particularly likely in conditions of uncertainty, when actors cannot be confident that their calculations regarding their self-interest are accurate.

As motivations, partisan advantage and non-partisan national interest are not always easy to distinguish empirically, however different they may be conceptually. Even the most self-centred actor can be expected to be able to make a plausible case for their chosen course in terms that stress the broader interest rather than their own narrow advantage, and it then becomes a matter of judgement as to whether the justification in terms of the common good is genuine or is a mere figleaf for partisan interest. This is especially difficult when, as often happens, an actor (such as a political party) comes to believe that a particular option—which just happens to benefit it—is also the one that best serves the common good, or is convinced that, pretty much by definition, what is good for it is good for the country. Realistically, 'non-partisan' and 'partisan advantage' are not unambiguous categories but, rather, end-points on a spectrum, and what we are trying to identify is the blend between the two considerations in any particular case. We should also note that, in a few cases, there was simply no 'moment of choice': decision-makers in Canada, the UK, and the USA were hardly aware that they had 'chosen' an electoral system when contested elections began to take place in the nineteenth century or earlier, as

awareness of other options, not to mention knowledge of any ‘laws’ linking electoral systems to likely consequences, was very low.

The main motivations of the actors who chose the current electoral system, as outlined in the country studies (Chapters 4–25), are shown in Table 26.2. As just emphasized, this indicates which end of the national interest–partisan advantage spectrum the case seems to be closer to; in some instances both motivations seemed to weigh equally. A plurality of cases fall into the middle category, with fewer where the main aim was primarily partisan and fewer still where it was non-partisan. There is also, not surprisingly, a clear correlation between the main motivation behind the decision and the identity of the decision-makers. When the current executive is able to make the decision without seeking broader agreement (e.g. in Australia and Chile), there is a greater likelihood that partisan self-interest will dominate.

We can illustrate the processes at work and the categorizations themselves by looking at a few examples. First, there seems to have been little disagreement in Finland when the current system was chosen as far back as 1906. The use of list-PR in constituencies of fairly large magnitude, which would guarantee a high degree of proportionality, was in keeping with the desire to foster national unity after the period of attempted Russification (Chapter 23). The predominance of a non-partisan national interest motivation may be particularly likely in the wake of a major event such as the achievement or imminence of independence (Ireland, Finland) or the birth/rebirth of a democratic regime (South Africa).

Second, Israel’s choice of nationwide list-PR in 1948 exemplifies the combination of partisan and non-partisan motivations that characterizes a number of countries. The parties who chose this system regarded PR as democratic and as consistent with the ‘inclusive political legacy’ of pre-state Jewish political institutions (Chapter 16). The absence of subnational constituencies sprang partly from the dispersal of members of the army around the country. However, most of the parties involved also calculated that they would benefit more under the system selected than under the likely alternatives.

Third, a good example of a choice that was almost undisguisedly motivated entirely by partisan considerations was that made by the Pinochet regime in Chile in the late 1980s. Pinochet’s advisers estimated that the right could expect to receive around 40 per cent of the votes at elections, and opted for a list-PR system based on two-member constituencies with the D’Hondt formula in the expectation that this would guarantee the right around 50 per cent of the seats in parliament. Subsequent debates on electoral reform have been conducted in the same spirit, with actors favouring or opposing reform—sometimes changing their positions over time—according to their expectations as to the likely impact on their fortunes (Chapter 21). In Spain, too, partisan considerations were uppermost in the post-Franco period, with the right favouring majoritarianism and the left preferring PR, resulting in a system that while apparently PR in fact gives significant benefits to the largest party. In Australia the anti-Labor parties introduced the alternative vote as soon as they could, aware that it would deprive Labor of the advantage it was deriving from the split in the anti-Labor vote under SMP; Labor opposed the move for precisely this reason.

Table 26.2 How electoral systems were chosen

Country	Year system was chosen	Chosen by	Aim
Australia	1918	Government parties	Partisan advantage
Canada	1867	Evolved without ever being explicitly chosen	—
France	1958	Government parties	Both
India	1950	Consensus	Both
UK	Middle Ages (1885)	Evolved without ever being explicitly chosen	—
USA	18th century	Evolved without ever being explicitly chosen	—
Germany	1953	Consensus	Both
Hungary	1989	Compromise from interparty bargaining	Partisan advantage
Italy	1993	Compromise from interparty bargaining following popular pressure and referendum	Both
Japan	1994	Compromise from interparty bargaining	Both
New Zealand	1996	Population (via referendum), initiative of reformers within one major party and minor parties	Non-partisan
Russia	1993	Compromise from interparty bargaining	Partisan advantage
Israel	1948	Consensus plus interparty bargaining	Both
South Africa	1993	Consensus plus interparty bargaining	Non-partisan
Spain	1976	Compromise from interparty bargaining	Partisan advantage
Austria	1992	Large parties	Both
Belgium	2000	Compromise from interparty bargaining	Partisan advantage
Chile	1988	Government (military)	Partisan advantage
Denmark	1920 (1953)	Compromise from interparty bargaining (consensus)	Both
Finland	1906 (1955)	Consensus	Non-partisan
Netherlands	1917	Compromise from interparty bargaining	Both
Ireland	1922	Consensus	Non-partisan

Note: when two years are given in the second column, the first refers to the date or period when the fundamental electoral system was adopted, and the second to the last significant revision. 'Aim' refers to the point on the spectrum running from 'non-partisan' (i.e. non-partisan benefit to functioning of system) to partisan advantage.

Table 26.2 also makes clear that electoral systems are fairly durable institutions.¹ Nearly half of the systems listed there were adopted in 1950 or earlier, and several of the rest were chosen as part of a fresh start for the entire political regime, as in Germany, Hungary, Russia, South Africa, Spain, and arguably France (1958). Changing an electoral system is rarely easy, as we discuss later in the chapter, and in only a few countries (Austria, Belgium, Italy, Japan, New Zealand, plus France in 1986 and 1988) have there been post-1950 changes initiated by actors within a continuing regime.

In short, although Sartori has described the electoral system as ‘the most specific manipulative instrument of politics’ (quoted in Lijphart 1994: 139), electoral systems are not quite as pliable as might be imagined. They may not be unalterable aspects of political life, but, once chosen, they tend to stay chosen.

HOW ELECTORAL SYSTEMS WORK

In the country chapters can be found detailed accounts of exactly how the electoral system in each of the twenty-two countries converts voter preferences first into votes, by the way it structures the choices, and then into seats. Trying to extract patterns from these might seem pointless, but we can identify some general features.

First, most PR electoral systems can be made to look complicated if the small print is emphasized; Arend Lijphart has observed that journalists’ reports on elections almost automatically describe any kind of PR system as ‘a complex form of PR’ (Lijphart 1994: 2). The details of particular systems present an inviting target for critics of PR in principle, who can suggest that they are so convoluted that only a handful of anoraks and initiates really have any idea what is going on in the votes-to-seats conversion process. And, indeed, it might seem that some systems have been constructed by a committee that simply stuck together ideas from several quarters rather than decide between them; simplicity and transparency were evidently not the prime considerations in the minds of those who designed the Danish or Hungarian systems, for example. Similarly, it is no doubt true that very few Italian voters could explain exactly how the *scorporo* operates, and that most Irish voters would not know how to conduct a PR-STV count if presented with a mound of ballot papers.²

¹ Table 26.2 attempts to identify the ‘moment of choice’, though this is not always unambiguous. Sometimes, as we have said, a system seemed simply to emerge without ever having been consciously chosen. In other cases, a specific reform might be seen either as a refinement of an existing system or as the adoption of a basically new system; we treat the Danish and Finnish changes of the 1950s as the former and the more recent changes in Austria (1992) and Belgium (2000) as the latter, but these classifications could be disputed.

² There would be many plausible contenders for the title of ‘most complicated electoral system ever employed’. The systems used in Denmark, Hungary and Italy described in this book would all have their advocates. However, even these seem fairly straightforward when compared with the system used in Georgia in 1992. It was a mixed system with three tiers of seat allocation, and, in a flourish unmatched by any country covered in this book, ‘each voter was allowed to rank order up to three parties (by selecting individual candidates from party lists). The seats were then distributed among parties by means of a quota system based on a complex weighting procedure for first, second, and third preference votes’ (Birch 2003a: 43).

However, such criticisms would unduly elevate simplicity over all other criteria in evaluating electoral systems. If an electoral system must not possess any details that are difficult to explain, then single-member plurality (SMP) has a clear edge over all its rivals. We might draw an analogy with a taxation system. The simplest system would impose the same rate on every income-earner regardless of their personal circumstances, achieving transparency at the cost of inequity. Consequently, most countries' tax codes have a variety of thresholds, exemptions, allowances, and so on, designed to ensure that the least well off pay lower rates than the rich and perhaps to encourage investment in specific areas of the economy. The result is almost universally seen as better than a one-rate-fits-all system, but this comes at the cost of far greater complexity and a system that hardly anyone understands in its entirety. Similarly, when it comes to electoral systems, what really matters is that voters know how to cast a valid vote and are aware of the likely impact of their vote, not whether they could explain every detail of the system if asked. While the rococo flourishes of some systems might appear a little gratuitous, we have seen no evidence in this book that voters are in the dark about the effect of their vote.

The second point to be made about the way in which electoral systems work is that the rules alone do not determine this. This should not surprise us; we know, after all, that while the written components of constitutions are important, most constitutions also possess a significant unwritten content that can be just as powerful as the printed words. Electoral systems function within a broader political system, and the way in which actors respond to them is inevitably affected by the political cultural context.

This is particularly visible in the case of systems that are open to manipulation by parties and voters. The most obvious example is that of compensatory mixed systems: in these, each voter characteristically has two votes—one for a local constituency representative and one for a party in a national or regional list election—and the distribution of list seats depends on each party's share of the list votes and its number of constituency seats. Put simply, each party receives the appropriate number of list seats to ensure that its total number of seats (list plus constituency) matches its share of the list votes (see Appendix A for fuller details). Thus, the more constituency seats the party has won, the fewer the number of list seats it requires to bring it up to its overall fair share.

As has long been known, such a system is open to manipulation. Two allied parties—call them Y and Z—could agree to advise all their supporters to cast their constituency vote for party Y and their list vote for party Z. That way, the combined seat total of the two parties would be way in excess of their share of the vote, because party Z, not having won any constituency seats, would be entitled to receive a number of list seats equal to its overall entitlement. Alternatively, one party might set up fake or dummy lists linked to its constituency candidates in order to achieve the same effect.

Would this be regarded as legitimate behaviour? The answer supplied by the political culture varies. In Germany, it seems that it would not be regarded as proper if, for example, the SPD and the Greens (or the CDU and the FDP) attempted to implement this sort of scheme; the parties do not attempt such a strategy except

occasionally on a very local scale. In Denmark, when the Agrarian Liberals tried this trick in 1947, it was widely seen as ‘cheating’ by the public and the other parties and the party suffered punitive measures (see Chapter 22). In Italy, in contrast, the two main parties both availed themselves of this loophole in 2001, setting up ‘fake lists’ in order that their real lists do not have to sustain the cost of winning their single-member seats (see Chapter 12). And in Albania’s 2001 election, the two main parties tried to manipulate the system not by running dummy lists but by registering most of their single-member district (SMD) candidates as independents so that the entitlement of their lists would not be reduced by SMD seats, a manoeuvre that was thwarted not by public outrage, let alone by peer pressure from other parties, but by the electoral commission (Szajkowski 2003: 363).

Since the way in which apparently identical sets of rules are given effect can vary from context to context, we can expect the consequences of electoral systems, too, to be impossible to predict with certainty. For many students of this subject and for electoral reformers, the most important questions concern the political consequences of different electoral systems. As we indicated in Chapter 1, and as has been done in each of the country chapters, we will examine these consequences under four headings, looking at the effect of electoral systems upon party systems, upon parties themselves, upon parliament, and upon government.

IMPACT OF ELECTORAL SYSTEMS UPON PARTY SYSTEMS

This is undoubtedly the most comprehensively studied aspect of electoral systems, and the area where most progress has been made towards formulating rigorous and testable laws and hypotheses.

Summary of the country findings

In Table 26.3 we attempt to summarize the picture that emerges from our twenty-two country chapters regarding the impact of electoral systems upon party systems. We draw on the terminology suggested by Sartori (e.g. Sartori 1997: 32) according to which the effect might be strong—in the sense of constraining, restraining, coercing, or manipulating—or weak (permissive, not constraining), or somewhere in between.

While acknowledging that any attempt to distil a country’s complex reality into just one word involves some over-simplification, the Table suggests that the single-member constituency systems (India apart) are, as we would expect, the most likely to be perceived as exercising a constraining effect on party systems. In most cases the number of parties, especially the number of parliamentary parties, is low, certainly lower than would be likely under a PR system. In Hungary, too, the electoral system is perceived as having a strong influence, as it is seen to exert a more majoritarian influence than either of its components would separately (Chapter 11).

Table 26.3 Impact of electoral systems upon party systems

Country	Impact on party system	Nature of impact
Australia	Constraining	High disproportionality, small number of parties win nearly all the seats
Canada	Constraining	High disproportionality, over-representation of largest party, exaggeration of regional cleavages
France	Constraining	High disproportionality, multiparty competition with alliances
India	Medium	Moderate to high disproportionality, set of different two-party systems across the country
UK	Constraining	High disproportionality, manufactured majorities
USA	Constraining	Reinforces two-party system
Germany	Medium	Constrains numbers of parties in parliament compared with pre-war Weimar system
Hungary	Constraining	Tendency towards two-party system
Italy	Medium	Creation of two multiparty pre-election alliances without reduction in number of parties
Japan	Medium	Tendency towards bipolar competition
New Zealand	Permissive	Has led to multiparty legislative system
Russia	Medium	SMD component allows small parties and independents to continue to exist while high threshold in list component is constraining; no stable party system
Israel	Permissive	Allows high degree of multipartism
South Africa	Permissive	Allows multiparty system
Spain	Medium	Large party bias while permitting many small parties to exist
Austria	Permissive	Allows multiparty system
Belgium	Permissive	Allows multiparty system
Chile	Medium	Constrains number of parties less than expected, but gives those parties strong incentives to form alliances
Denmark	Permissive	Allows multiparty system
Finland	Permissive	Allows multiparty system
Netherlands	Permissive	Allows multiparty system
Ireland	Permissive	Perhaps constrains multipartism due to small district magnitude, but facilitates election of independents

Terminology from Sartori (e.g. *Comparative Constitutional Engineering*, 1997: 32).

In most PR systems, in contrast, the effect of the electoral system is perceived to be 'permissive'. Again, this is in line with expectations, according to which PR allows the expression of whatever political tendencies exist. In a few cases the effect is regarded by country specialists as 'medium' rather than weak. In Italy, even though the number of parties remains large, the electoral system is credited with corralling

them into two identifiable pre-election alliances. In Japan the electoral system, to the extent that its effects can be separately identified in the midst of an upheaval in the party system, seems to have encouraged the emergence of competing multiparty alliances. In Spain, as in the UK, small district magnitude favours the large parties while also looking kindly upon those that are strong in a region, but penalizes weak statewide parties. In Chile the binomial system has not reduced the number of parties to the degree that might have been expected, but, as in Italy, its potential to produce high disproportionality has encouraged the emergence of alliances among parties that would be likely to hang separately if they did not hang together. In Germany the effect is seen as medium, in that the number of parties that manage to gain a foothold in parliament is lower than the number we would expect under a system with no meaningful threshold, such as that in the pre-war Weimar Republic. By contrast, in New Zealand the very similar electoral system is seen as highly permissive, because the reference point is not, as in Germany, 'pure' PR but the previous SMP system, which had a highly constraining effect on the party system (Chapter 14).

Since SMD-based systems usually constrain party systems more than PR systems do, we could expect that the SMD component of mixed systems will be more constraining than the PR component. This is indeed usually the case: in Germany, Japan, and New Zealand, for example, the effective number of parties at constituency level is consistently greater in the list component than in the SMD component (Gallagher 2001: 620). In a number of postcommunist countries, though, significant thresholds in the list component and a large number of independent candidates in the SMDs have meant that the SMD party system is much more fragmented than the list one. In Russia, the 5 per cent list threshold (soon to be raised to 7 per cent) and the weakly organized nature of most parties means that the list component does not generate anything like a competitive multiparty system, but the SMD component enables smaller groups and independents to survive—to the displeasure of the Kremlin, which in 2004 decided upon the elimination of the SMD component altogether. Having analysed the impact of electoral systems upon party systems in a number of postcommunist countries, Birch (2003a: 118) concludes that when a party system is nationalized, SMD rules have a restrictive effect on the number of parties that compete and win seats, whereas when it is not, they may generate highly fragmented party systems.

Duverger's laws

Much of the research into the effect of electoral systems upon party systems has been focused around 'Duverger's laws', whose author has stated them thus:

1. Proportional representation tends to lead to the formation of many independent parties.
2. The two-ballot majority system tends to lead to the formation of many parties that are allied with each other.
3. The plurality rule tends to produce a two-party system (Duverger 1986: 70).

We do not intend to try to test these propositions *de novo*, given the extensive work already done (see Chapter 2; Riker 1986; Taagepera and Shugart 1989: 142–55; Lijphart 1994: 95–117), but let us review the evidence from our country studies. In Table 26.4 we summarize the situation from these and, for purposes of comparison, from other cross-national surveys of fragmentation and disproportionality.

First, it is clear from Table 26.4 and Appendix D, as from Table 26.3, that the countries using single-member constituencies—the first group in Appendix D—do indeed stand out. The effective number of elective parties (i.e. the fragmentation of the vote) is relatively low, below four in all but two cases.³ Moreover, one of those two cases, France, is our only example of the double-ballot system, where Duverger predicted that there would be many parties. The effective number of legislative parties (i.e. the fragmentation of parliamentary strength) is also low: in all but two cases, 2.5 or less. As we would expect, these systems produce the highest levels of disproportionality; five of the six most disproportional elections among those in our book are found in this group (see Appendix D), with only India and the US House election producing a reasonably close match between vote shares and seat shares.

It is beyond dispute that there is a strong pattern here—and yet matters are not black and white. The deviant case is India, where single-member plurality (SMP) has not prevented the emergence of what is indisputably a multiparty system. Sartori (1997: 40–1) attempts to explain away the Indian exception by arguing that we

Table 26.4 Indices of fragmentation and disproportionality for elections

	Effective number of parties (votes)	Effective number of parties (seats)	Disproportionality (least squares index)
All systems (22/22/21)	4.7	3.8	6.2
Single-member constituency systems (6)	4.2	3.1	10.9
Mixed systems (6/6/5)	4.5	3.5	6.9
PR-list and PR-STV systems (10)	5.0	4.4	3.1
All PR systems (16/16/15)	4.8	4.1	4.4
All electoral systems in 27 democracies 1945–90 (69)	3.9	3.3	5.7
All PR electoral systems in 27 democracies 1945–90 (57)	4.1	3.6	4.3
Elections in 28 European countries 2000–4 (28)	4.8	3.9	5.5

Sources: First five rows refer to most recent elections covered in chapters in this book; details in Appendix D. For elections 1945–90, Lijphart (1994: 99, 101); for Europe 2000–4, Gallagher et al. (2006: 364).

Note: number in parentheses indicates *N*. There is no Italian figure for disproportionality, hence the reduced *N* in the disproportionality column in the first, third, and fifth rows.

³ See Appendix B for an explanation of the effective number of parties.

cannot expect Duverger's law to work where the party system is, as in India, 'unstructured'. This is clearly unsatisfactory, however, since if the law worked as it is supposed to, the party system would be firmly structured. In other words, Sartori seems to be arguing for the setting aside of cases where the dependent variable has the 'wrong' value; in cases where it does not apply, we simply argue that we could hardly expect it to apply there. We are therefore, and happily, left with those cases where there is a two-party system and we can conclude that among these cases, the law appears to work—but that is because we have conveniently excluded the awkward cases where it does not work.

India constitutes a powerful exception to Duverger's laws, and it highlights another difficulty. Many writers have pointed out that the logic of Duverger's argument applies within each constituency but that it is unclear why, even if the number of viable parties per constituency usually has a maximum value of 2, these should be the same two parties in every constituency. Why will we not find that parties A and B are dominant in one constituency, A and C in another, and D and E in a third? Even if each constituency tends towards two-party competition, why should the country as a whole have two-party competition? Attempts have been made to solve this puzzle and to explain why 'linkage' across constituencies occurs (Cox 1997: 181–202), but, in many cases, this linkage is increasingly not occurring, and those who wonder 'why doesn't the pattern of two-party competition vary across the country?' can be told 'it does'.

This is, again, most visible in India. As Chapter 7 shows, there is a pattern of effectively two-party competition in many of India's 543 constituencies, but the two parties in question vary greatly from state to state. In most cases, indeed, one of the two leading parties in any given constituency is likely to be a party that contests few if any constituencies outside its home state. Nor can India be dismissed as 'the exception that proves the rule'. In Canada, at least before the merger on the right in late 2003, there was only one genuinely national party, the Liberal Party, which confronted the Bloc Québécois in Québec, the NDP or Reform in the western provinces, and the Progressive Conservatives in most of the Atlantic provinces. In Britain, too, the trend is towards different party systems in different parts of the country, with Labour now the only party that is competitive nationwide. In England, its main rivals are the Conservatives, but the latter are only a weak force in Scotland and Wales, where Labour's most significant opponents are the SNP and Plaid Cymru respectively. In the USA, it is true, the same two parties are dominant everywhere—though, of course, it can be pointed out that the US parties are exceptionally incohesive and loosely organized, to the extent that each candidate might almost be seen as constituting his or her own party. Deviations from two-party systems across the USA are most likely to see *not more* than two parties but *fewer*: many districts are more or less single-party fiefdoms with the other party mounting only a token challenge, if even that. (This is not incompatible with Duverger's law since that implies that there will be at most two viable parties in SMD systems, not that there will be precisely two.) Moreover, the two-party system in the USA has something close to a legally

protected status. Exceptionally high (albeit gently falling) entry barriers are imposed to discourage challengers to the two dominant parties; aspiring new parties face significant legal and financial difficulties even to get onto the ballot, and have to fight for this right state by state (Chapter 9).

Second, let us focus for a moment on the least discussed of Duverger's three laws, the one according to which the two-round system (2RS) leads to a large number of parties that form opposing alliances. In Duverger's analysis, this is clearly an extrapolation from French experience—like all too many of Duverger's propositions, critics would say. French experience still largely bears out this hypothesis. But how can it be valid to generalize in this way from just one case: to assume that the shape of the party system in France must be due to the electoral system? Quite obviously, as Birch puts it, it is 'difficult to disentangle effects characteristic of France from those inherent in the system itself' (Birch 2003*b*: 325). It is clear from this book, in fact, that several other countries' party systems have a basically similar shape, namely a sizeable number of parties that combine into two broad alliances that oppose each other at elections; this is the case in Chile, Germany, Italy, Japan, and perhaps New Zealand. If the same outcome is observed in a variety of electoral system settings, there is little logic in identifying one particular electoral system as its cause. It might, perhaps, still be claimed that 2RS is sufficient to bring about this type of party system, even if not necessary. But that is not so either—in 'young' party systems where 2RS is used there is little sign of stable alliances of parties emerging (Birch 2003*b*: 328). Indeed, mixed systems—especially parallel ones—can be just as plausibly identified as likely to encourage competition between two multiparty blocs (Shugart and Wattenberg 2003*a*: 583–4).⁴

Third, Duverger's remaining proposition tells us that PR tends to lead to the formation of many independent parties. It is not quite clear whether Duverger means (as he states) that PR actually causes the formation of more parties or that it simply facilitates their formation, and Cox rephrases the argument more carefully by suggesting that each system has a maximum 'carrying capacity' and that this maximum is larger under PR than under SMD-based systems (Cox 1997: 273). Certainly, there can be no dispute that in PR systems there do tend to be more parties than in SMD systems. Table 26.4 shows clearly that the number of both elective and (especially) legislative parties is higher under PR systems than under the SMD systems, while disproportionality is much lower.

Variations among PR countries

Under PR, then, there tend to be more parties and less disproportionality than under a single-member constituency system. PR systems, though, are not a homogeneous bloc, and we will try to explore variations among them.

⁴ The causal connection is perhaps not thus far sufficiently firmly established that we can speak of 'Shugart and Wattenberg's Law'.

First, it is obvious that high effective district magnitude is negatively associated with the level of disproportionality ($r = -0.55$),⁵ and if effective district magnitude is high enough then disproportionality virtually disappears, as in South Africa. This relationship is so well known as not to need labouring (Taagepera and Shugart 1989: 112–41; Lijphart 1994: 95–117). At the same time, it does not necessarily have a decisive effect on the shape of a party system, since quite different values for the effective numbers of parties (at both elective and legislative levels) can be associated with similar effective district magnitudes. The relationship between effective district magnitude and the number of legislative parties is weak ($r = 0.10$).

The six countries using some kind of mixed system stand out a little from the others. The effective number of parties is lower at both electoral and parliamentary levels, and disproportionality is higher. These systems seem to be somewhere on the spectrum between other PR systems and SMD systems, though much closer to the former than to the latter. Perhaps this is not surprising, given that some of these systems—the ones we term ‘parallel’, which operate in Japan and Russia—are indeed mixtures of single-member constituencies and a PR component with, typically, the proportional tier able to moderate but not to redress completely the disproportionality created in the single-member tier. In Germany and New Zealand this does not apply; the two tiers there are linked, that is, the system is ‘compensatory’. However, the high threshold (5 per cent of the votes) has a dampening effect on party system fragmentation and generates disproportionality, especially in Germany. The remaining two mixed systems, those of Hungary and Italy, are neither completely parallel nor completely compensatory. In each there is a link between the single-member constituency tier and the PR tier, but the ‘compensation’ or ‘correction’ applied by the PR tier is only partial (Chapters 11 and 12; Shugart and Wattenberg 2003b: 20). In Hungary, indeed, as mentioned earlier, a dynamic has developed whereby the link between the single-member tier and the PR tiers has the effect of compounding rather than ameliorating the majoritarian effect of the single-member tier. In Italy, exceptionally for the countries in this ‘mixed’ group, party system fragmentation is higher than the average for all PR systems, because of the way the parties ‘proportionalize’ the single-member constituency tier, as we discuss below.

The relationship between the two parts of mixed systems can be a complex one. There is almost always some degree of ‘cross-tier contamination’, whereby the effects of each part of the system seep across to the other. What happens in the SMD component of a mixed system will be at least a little different from what happens in a ‘pure’ SMD-based system, and the same is true of the list component (Cox and Schoppa 2002). Linkage between the two can affect the behaviour of both parties and voters. Parties may feel that running a candidate even in a hopeless SMD is likely to boost their list vote there, and in this way the PR component ‘contaminates’

⁵ This and the next correlation coefficient (Pearson’s) is based on logged effective district magnitude from Appendix C and measures of disproportionality (and fragmentation) from Appendix D, in both cases from most recent election ($N = 21$ as Italy is excluded).

the SMD component by leading to greater vote fragmentation in the SMDs than we would expect in a pure SMD system. In addition, it seems that in many countries SMD seats have rather higher status than list seats in the eyes of MPs, and even candidates who could content themselves with a safe list position like to fight an SMD as well. Contamination effects can occur even if the system is parallel rather than compensatory. In Japan, smaller parties often avail themselves of the facility to rank their list candidates equally, meaning that any seat won goes to the candidate who achieved the best SMD performance (Chapter 13), again producing seepage from the list to the SMD component. The strategic incentives facing parties are in fact quite complex and can lead to behaviour that is difficult to predict, even if it possesses its own rationality (Herron 2002).

The behaviour of voters, too, is affected by 'contamination' between the two components. The existence of a threshold in the list component creates the possibility of tactical voting in mixed systems, as under pure list systems. Beyond that, the contamination effects differ slightly between compensatory and parallel systems. In the former, as is well known and much discussed in a German context in particular (see Chapter 10), supporters of small parties have an incentive to give their SMD vote to an allied large party (to avoid wasting their SMD vote) while some supporters of the large party may give their list vote to the small party (to help it over the threshold). Since the list votes are decisive in determining overall seat allocations, we would expect the list component of these systems to predominate, yet this does not necessarily happen. Many voters, it is clear, are unaware that the list vote is the one that really 'matters'. In Hungary (neither fully compensatory nor entirely parallel), it appears that the reductive effect of the SMD component spills over into the list component, resulting in something that looks very much like a two-party system (Chapter 11).

Under parallel systems, the possibility of tactical voting in the SMDs arises just as it does in any pure SMD-based system, since the SMD outcome really 'matters'. In a compensatory mixed system any individual SMD outcome does not really matter, in the sense that each party's seat total depends entirely on its list vote, and this also creates scope for insincere voting in the SMDs. In a close SMD race some voters, even if primarily party-oriented, might opt to vote for whichever of the leading candidates they think will make the better constituency representative, especially if the other one appears high on a party list and will thus be elected regardless of whether they win the SMD. For example, a supporter of the SPD in Germany, having given their list vote to the SPD, is free to vote for the CDU candidate in the SMD, knowing that this will not damage the SPD but will simply increase the likelihood that one of the CDU's seats will be taken by the local SMD candidate rather than by a list candidate who might be from another part of the Land.

Difficulty of finding laws

While we should not underestimate the progress that has been made towards finding robust relationships between electoral systems and party systems, it must be

admitted that most such ‘laws’ carry with them an impressive array of get-out clauses. A particular electoral system, we are told, tends to lead to a particular type of party system—unless. . . . Why is it apparently so difficult to find laws that govern the impact of electoral systems upon party systems?

First, it is clear that country-specific factors will play a part in shaping a party system. No one could imagine that political science will discover deterministic country-blind laws linking electoral and party systems but, even allowing for this, the role of country-specific factors may sometimes be underestimated. As many of the chapters in this book show, there can be a striking amount of variation over time in countries whose electoral system remains the same (for example, in Canada, India, Hungary, Israel, Austria, and Belgium). In addition, the same electoral system does not produce the same party system everywhere. PR-STV in Ireland has produced a parliament containing representatives of (currently) seven parties plus several independents; in Malta, the same system has consistently produced a pure two-party system.

Second, party systems evidently have a durability and a lifeblood of their own that insulates them to a degree from moulding by other forces. Just as the historical–sociological determinism of the Lipset–Rokkan framework underplays the ability of political actors to shape their own fortunes, so there may be a tendency to overestimate the extent to which institutions such as electoral systems can remould an existing party system. Chile provides a good example of this; in the wake of the dictatorship the main components of the pre-Pinochet party system have largely re-emerged even though the current binomial electoral system would not have been expected to produce such a constellation of parties if the party system were starting from scratch (Chapter 21). Studying a number of Latin American countries, Copedge (1997) concludes that the impact of the electoral system in shaping a party system is ‘slight’ in comparison with that of the ‘underlying patterns of politicization in society’.

In Chile, and also in Italy (Chapter 12), larger parties have done deals with smaller ones rather than use the majoritarian tendencies of the new system to attempt to eliminate them, even though some proponents of those new systems had hoped that these would significantly reduce the number of parties. The parties ‘proportionalize’ the majoritarian aspects of the system, as D’Alimonte puts it (Chapter 12). The large parties in these two countries either do not trust Duverger’s law to have the desired effect and kill off the smaller parties, or else they feel that if the law does work this would only be in the long run—and in the long run, as we know, we are all dead. Consequently, they come to the kind of arrangements that keep the smaller parties alive. In a rather similar way, parties in Belgium that are threatened by the 5 per cent constituency-level threshold imposed by the new electoral system have simply formed alliances with each other and have continued an otherwise independent existence rather than either merge or be eliminated by the threshold (Chapter 20). The electoral system, as elsewhere, does have an impact on the behaviour of parties within a given party system, but it does not necessarily determine the configuration of the party system. As Grofman and Lijphart (2002: 3) put it: changes in electoral

systems may give rise to equilibrating forces as actors adapt their behaviour to the new institutional environment 'so as to partially restore significant elements of the status quo ante'. All of these cases testify to the autonomy of political actors: to the ingenuity of parties in utilizing the electoral system to their advantage rather than simply being passively shaped by it.

A third reason why electoral systems do not always have the expected effect is that politics is much less concentrated on a single level—that of national government—than used to be the case. Increasingly, elections take place at multiple levels and perhaps under different electoral systems. The point is made by D'Alimonte in Chapter 12 (p. 267) that even though most parliamentary seats in Italy are decided by SMP, other elections take place under PR, so many small parties are kept alive even though SMP alone might kill them. The way in which different electoral systems exist at different levels within a country and affect each other can be seen as 'cross-level contamination', analogous to the 'cross-tier contamination' in mixed systems that we mentioned on p. 549. Likewise in France, the FN might not survive and thrive if the only elections were the SMD-based elections to the National Assembly, but the party is given regular boosts by PR elections for the European Parliament and for regional parliaments (and even by presidential elections, though it has no hope of winning these). The plethora of electoral systems existing at different levels in Britain (Chapter 8) has brought about multiparty systems at subnational and EP level, but it remains to be seen how much of an impact this can make upon the Westminster party system. In Chile, the existence of presidential elections, and the blackmail potential wielded there by small parties in close contests, is one reason why the large parties do not try to use the small district magnitude parliamentary electoral system to crush their smaller rivals. This 'cross-level contamination' makes the political world a more complicated place than it was when Duverger's laws were first formulated.

The impact of electoral system change upon a party system whose roots are deep may be muted, then, but there is clearly greater scope for shaping a party system in the process of formation, at which stage it is still pliable. Knowing about new gradually emerging norms in postcommunist countries enables us to identify clear electoral system effects. When a competitive democratic system is being brought into existence, the choice of electoral system has far more potential to make a decisive difference to the outlines of the party system (Birch 2003a). In Poland, for example, a 5 per cent threshold was introduced before the 1993 election and 40 per cent of the votes were wasted on parties that failed to reach this; both voters and parties learned from this, and in 1997 only 12 per cent of votes were cast for parties that fell below the threshold. The threshold had precisely the predicted and intended effect of reducing fragmentation. However, such 'engineering' has its limitations; using a nationwide PR constituency in Russia has delivered centralized parties, as it was intended to, but has led to a party system from which many citizens feel alienated (Chapter 15).

IMPACT OF ELECTORAL SYSTEMS UPON POLITICAL PARTIES

As we indicated in Chapter 1, electoral systems seem to have the potential to affect not just the way in which parties interact with each other but also parties' internal lives. Some systems might, in principle anyway, empower the grass roots, strengthen the hand of the party leader, or entrench the position of individual MPs. Trying to identify the locus of power within parties is a topic worthy of a book in its own right, and in this book we have focused particularly on the candidate selection battleground as a key arena to examine.

Of course, the electoral system does not necessarily have any impact upon this, and so country chapters address the question of whether the candidate selection process is discernibly affected by the electoral system. As Table 26.5 shows, in only five of the twenty-two countries is the electoral system seen as having a strong impact. In Finland it is seen as constraining the power of the national leadership, but in the other four cases it is perceived to strengthen the leadership. In Chile and Hungary, the power of the centre derives not solely from the electoral system but more precisely from the interaction between the electoral system and the party system. Because, as we saw earlier, in both countries larger parties do deals with smaller ones rather than try to render them irrelevant, there is a need for the kind of interparty deal-making that can only be done at national level. In South Africa the electoral system—closed list with a small number of large constituencies—facilitates control by the centre and minimizes involvement not only by voters but also by party members. There is an interesting contrast here with Israel, whose rather similar system also excludes the voters from any choice of individual representatives. Whereas in South Africa there is no significant pressure to reduce the power wielded by the party centres, in Israel the central control made possible by the electoral system has led to a reaction and, given the near-impossibility of opening up the electoral system, the result has been an increase in intraparty democracy in the candidate selection process. The interaction between the electoral system and political culture, rather than the electoral system on its own, has an effect on candidate selection in these two cases. We cannot, therefore, suggest that a closed list system leads to intraparty democracy—rather, that a closed list system coupled with a political culture that values participation may lead to pressure for increased intraparty democracy.

Electoral systems are not seen by the country authors as a source of lack of cohesion within political parties. Despite fears in closed-list or single-member constituency countries that a move towards giving the voters power to choose among candidates of one party would open up a Pandora's box of internal party dissent and fractiousness, very few parties actually operating under open list or PR-STV are seen as incohesive.⁶ For the most part, parties operate as near-unitary actors

⁶ Here and elsewhere in this chapter we are using 'open-list PR' for stylistic elegance to refer to all those systems in which the voters can cast effective preferences for individual candidates—in other words, as a synonym for those systems termed 'preferential' in Chapter 2.

Table 26.5 Impact of electoral system upon nature of, and power within, parties

Country	Impact on nature of parties	Nature of impact
Australia	Weak	
Canada	Medium	Strengthens autonomy of constituency associations vis-à-vis centre (though federalism also contributes to this)
France	Weak	
India	Weak	
UK	Weak	
USA	Medium	SMDs and large numbers of uncompetitive districts produce strong incumbency advantage and (along with federalism) contribute to near autonomy of incumbents within party and weakness of extra-parliamentary organization
Germany	Weak	
Hungary	Strong	Reinforcement of centralized control
Italy	Medium	Creates need for centralization within parties in order to come to interparty agreements on SMD candidatures
Japan	Medium	Reinforcement of decline of factions within LDP
New Zealand	Medium	Strengthens position of leader in small parties
Russia	Weak	
Israel	Medium	Lack of accountability supplied by electoral system has led to pressure for intraparty democracy in candidate selection in reaction
South Africa	Strong	Strengthens power of party leaderships
Spain	Strong	Strengthens power of party leaderships
Austria	Weak	
Belgium	Medium	Strengthens power of party leaderships
Chile	Strong	Strengthens power of party leaderships
Denmark	Medium	Limits power of party leadership in candidate selection
Finland	Strong	Weakens power of party leaderships
Netherlands	Medium	Allows party leadership to control nomination process, although in some parties regional bodies have been significant at times
Ireland	Medium	Strengthens position of incumbents in candidate selection

Impact on nature of parties judged by country experts to be strengthening (or weakening/constraining) power of specific actors.

in parliamentary votes and offer the kind of policy packages at elections that are as coherent as parties under systems that do not offer the voters intraparty choice. Whatever may be the theoretical dangers that empowering voters to choose among candidates of a party might raise, in practice parties operating under such systems appear to have learned how to cope.

IMPACT ON PARLIAMENT

In Chapter 1 we identified two aspects of parliament to which the electoral system might make a difference, both concerning representation. First, some electoral systems might be more likely than others to produce parliaments that look something like a cross-section of the population and second, different electoral systems might affect MPs' own primary focus of representation.

Regarding the first of these, the most easily measurable aspect of microcosmic representation is the proportion of women among MPs. Table 26.6 shows the female percentage of parliament in our twenty-two cases after the most recent election, and confirms that there are indeed more women in parliaments elected under PR (a mean of 24 per cent among the 16 cases) than when single-member constituency systems (a mean of 17 per cent among the six cases) are used (the same conclusion is reached in Norris 2004: 179–208). It is conventional to test this further by examining the mixed systems more closely, to see whether women are more successful in securing election via the PR component than via the SMD component. As Table 26.6 shows, this is generally but not always the case. Sometimes, as in Germany, within-party comparisons show that the list route is more propitious for female candidates. In other cases, such as New Zealand, it seems that party is a key intervening variable: if there are more women elected via the lists, this is primarily because the parties that win most of their seats through the lists are more 'women-friendly' than those that dominate the SMD tier. In postcommunist countries with mixed systems, women fare slightly better in the SMD than the list component, leading to the conclusion that the electoral system in such countries is not an important determinant of female representation in parliament (Moser 2001).

Table 26.6 also makes it clear that there are many other factors at work, given the large variation within both categories: from 8 to 25 per cent in SMD systems; from 7 to 33 per cent in mixed systems; from 15 to 36 per cent in closed list systems; and from 12 to 38 per cent in open list systems. No one would suggest that the high levels of female representation in Scandinavia and the Netherlands, for example, are caused simply by the electoral system. Electoral systems may act, to borrow Sartori's terminology again, in a strong and constraining manner or in a feeble and enabling manner. When political culture is receptive to, or demands, something approaching gender equality, then open list PR or PR-STV (the 'enabling' systems, in this context) will allow the views of the population to prevail and result in a high proportion of women in parliament. When it is conservative, though, closed list systems are more likely to boost female representation, since only such systems allow party elites to determine the composition of the parliamentary party. Thus, it

Table 26.6 Female representation in parliament and impact of electoral system

Country	% women in parliament	Impact of electoral system
Australia	25	In past, electoral system seen as one reason for low levels of female representation
Canada	21	Often alleged to have negative effect, but uncertain, disputed
France	12	Electoral system seen as one cause of low level of female representation
India	8	Uncertain. Persistent calls to introduce legislation to reserve a proportion (such as a third) of seats for women candidates
UK	20	Electoral system seen as one cause of low level of female representation, though voters' lack of intra-party choice enables parties to increase female representation if they choose
USA	15	Limited in comparison with other factors such as decentralized candidate selection and importance of political entrepreneurship in candidacy
Germany	33	Some parties use closed lists to increase level of female representation. More women elected via lists than via SMDs
Hungary	9	Women have higher success rates from lists than from SMDs
Italy	12	Electoral system only a minor cause of low female representation. Women much more successful among list MPs (19%) than among SMD MPs (9%)
Japan	7	Low female representation attributed mainly to factors other than electoral system
New Zealand	28	New electoral system has made for more socio-demographically representative parliament. No significant difference between female representation via lists and via SMDs
Russia	10	Low female representation attributed mainly to factors other than electoral system. Slightly more women elected via SMDs than via lists
Israel	15	Not seen as important causal factor
South Africa	33	Facilitates parties wishing to increase number of female MPs
Spain	36	Has contributed to relatively high level of female representation
Austria	34	Not seen as important causal factor
Belgium	35	Not seen as important causal factor
Chile	12	Small district magnitude contributes to low female representation

(Continues)

Table 26.6 (Continued)

Denmark	37	Facilitates high levels of female representation through opportunity for voters to cast votes for individual candidates; parties also put forward female candidates in order to attract such votes
Finland	38	Not seen as important causal factor
Netherlands	37	Not seen as important causal factor
Ireland	14	Not seen as important causal factor

Source for % women MPs: www.ipu.org, 3 May 2005; women and Equality Unit (UK), July 2005. Due to changes over time, some figures may differ slightly from those in country chapters.

seems likely that in South Africa and Spain, for example, the number of women in parliament is higher than it would be if those countries employed open-list systems (cf. the experience of the Dominican Republic—see Sagás 2003: 798). However, using closed lists does not guarantee a higher percentage of women, as the examples of Israel, Italy, Japan, and Russia show. The decisions taken within parties are what really matter, though these decisions can be affected by the nature of the electoral system.

In most cases, country chapters do not identify the electoral system as a significant determinant of turnover levels. However, the fullest cross-national study of the subject concludes that the electoral system is an important variable, with turnover rates being markedly higher in PR systems than in SMD-based systems. Among PR systems, surprisingly, it is lower where voters have a chance to cast preference votes for individual candidates (Matland and Studlar 2004: 103–4). As the authors of the study note, there is scope for further research in this area.

Turning to MPs' activities, we could expect these to be systematically related to the electoral system because of the different nature of accountability provided by different systems. Under a closed-list system, for example, MPs seem to be entirely dependent upon their party's candidate selectors and could afford to disregard the voters; under an open list system or PR-STV, MPs need personal support from the voters and can be expected to be very responsive to them. It has been argued that legislators elected via lists in mixed systems may be even less responsive to voters than MPs in a pure closed-list system (Bawn and Thies 2003). Under single-member constituency systems we could expect MPs to be indifferent to voters, given that voters have no opportunity to express any intraparty choice, though some students of such systems nonetheless assume that these systems heighten the personal responsiveness of MPs to their constituents. Norris (2004: 238–43) examined survey data from thirty countries relating to citizens' recollection of the names of election candidates and the extent of their contact with MPs, and grouped these by electoral system category. She concludes that constituency service is highest in SMD-based systems and lowest in closed-list systems. However, the data revealed that within-category variation was much greater than between-category variation, which could suggest that the electoral system has only a limited effect on constituency service.

Table 26.7 shows there are detectable patterns, though these are least pronounced for the single-member constituency systems. In Canada, the UK, and the USA, the

Table 26.7 Impact on behaviour of MPs

Country	Impact on behaviour of MPs	Nature of impact
Australia	Strong	Prioritization of loyalty to party
Canada	Strong	Prioritization of constituency-related activity
France	Weak	
India	Weak	
UK	Moderate	Attributed responsibility for significant attention to constituency-related activity
USA	Strong	Prioritization of constituency-related activity
Germany	Moderate	Slightly more constituency focus by MPs elected from constituencies
Hungary	Moderate	Reinforces tendency towards strong party loyalty
Italy	Strong	Reorientation of focus of MPs away from clientelist representation towards prioritization of loyalty to party
Japan	Moderate	Reduction in independence of MPs
New Zealand	Weak	
Russia	Moderate	Greater constituency focus by MPs elected from constituencies
Israel	Moderate	Recent increase in individualistic behaviour by MPs—but probably unrelated to electoral system
South Africa	Strong	Leads to high degree of party loyalty and to complete disregard by MPs of constituency- or casework-related activities
Spain	Strong	Prioritization of loyalty to party and leadership, deprioritization of constituency-related activity
Austria	Medium	Slightly more constituency focus by MPs elected from constituencies
Belgium	Weak	Extent of constituency-related activities unrelated to electoral system
Chile	Medium	Reinforces tendencies both to party cohesion and to high attention to constituency-related activities
Denmark	Medium	Reinforces tendencies both to party cohesion and to high attention to constituency-related activities
Finland	Strong	Significant attention to constituency-related activity (though primary focus is on national legislation)
Netherlands	Strong	Prioritization of loyalty to party and of parliamentary activity, deprioritization of constituency-related activity
Ireland	Strong	Gives MPs strong incentive to respond to exogenously generated high demand for constituency-related activities

Impact on behaviour of MPs judged by country experts to be high / low regarding: focus on national parliamentary duties, loyalty to party generally, loyalty to party leaders, focus on constituency-related activity.

electoral system is perceived to shoulder a large part of the responsibility for ensuring that MPs keep in close touch with their voters. In Australia, the effect is seen as confirming loyalty to party as the prime concern for MPs, while in France, though *députés* undoubtedly do attach great importance to constituency representation, this is seen as resulting from factors other than the electoral system (Chapter 6).

Among PR systems, the broad expectations are clearly confirmed, with greater emphasis on constituency-related activities where open lists or PR-STV (the systems that produce intraparty electoral competition) are used than where the lists are closed. In some cases where MPs are elected by more than one route, those elected from small constituencies (Germany, Russia, Austria) seem to take more interest in constituency activities than those elected at higher tiers. The Italian case is notable because of the significant change in MPs' behaviour brought about by a change in the electoral system. Under the previous open-list PR system MPs were very active in locally related activities—though they were usually not praised for being assiduous constituency workers but, rather, criticized for what was seen as dysfunctional clientelistic behaviour. With the power to exercise intraparty choice removed from Italian voters by the post-1993 electoral system, MPs have become highly detached from their constituencies, to the extent that before each election many MPs are switched from one SMD to another where they are unknown (Chapter 12).

Three cases serve to remind us that the electoral system is not the only determinant of MPs' relationship with their voters. In Belgium, the volume of MPs' constituency work declined greatly during the 1990s, not because of a change in the electoral system but because the introduction of federalism meant that voters now had regional representatives to take their problems to. In the UK, MEPs elected under a closed list system in the 1999–2004 European Parliament undertook more constituency activity than their counterparts in open list countries, highlighting 'the importance of cultural differences in how the role of a representative is understood and practised' (Farrell and Scully 2003: 27). And in Israel the recent rise in legislator behaviour designed to appeal to particular groups of voters, such as the growth of private members' bills, cannot be directly attributed to the electoral system—though it might be indirectly attributed, in that, as we noted when discussing candidate selection, the lack of accountability by MPs to the electorate has led to pressure for a democratization of parties' internal candidate selection processes and in that way has provided MPs with recognizable and sizeable groups with whom they hope to curry favour by their behaviour as MPs. Israeli MPs behave under a closed-list system, then, much as critics of open lists expect open list MPs to behave, by promoting sectional rather than national interests, because of the open candidate selection process. Evidently, there is interaction between the electoral system and the candidate selection process: if both are closed or both are open we have a reasonable idea as to what to expect, but if candidate selection is entirely closed and controlled by the elite while the electoral system is open, or vice versa, our predictions can be less confident.

Despite these caveats, we can identify a clear relationship between electoral systems and MPs' behaviour, one that conflicts with Bogdanor's conclusion that

Table 26.8 Impact of electoral system upon cohesion of parliamentary party

Country	Level of cohesion	Impact of electoral system
Australia	High	Contributes to high cohesion
Canada	High	Not seen as a major factor
France	High	Limited in comparison with effect of other factors
India	Variation over time	Indirect
UK	Still high though declining slightly	Contributes to high cohesion
USA	Low	Electoral rules (not SMP specifically) seen as largely responsible
Germany	High	Not seen as important
Hungary	High	Contributes to high cohesion
Italy	Medium-high after initial fluidity	Contributing factor
Japan	Medium	New electoral system contributing to increase in LDP's previously very low cohesion
New Zealand	High	Not seen as important. Cohesion strong under previous electoral system and has remained so under current one—some splits and mergers during transition period
Russia	High—though parties have fluid boundaries	Electoral system has not increased cohesion to extent hoped by proponents
Israel	High though declining	Measures taken to bypass lack of MP accountability in electoral system have contributed to declining cohesion
South Africa	High	Closed list electoral system contributes to high cohesion by facilitating leadership control
Spain	Very high	Closed list electoral system contributes to high cohesion
Austria	High	Not seen as important
Belgium	Very high	Party leaders retained considerable control via almost closed lists. No detectable decrease in cohesion since adoption of open lists in 2003
Chile	High	Contributing factor
Denmark	High	Contributing factor, though the open list system used by most parties has a qualifying effect
Finland	Medium	Preferential voting seen as contributory factor to slightly less than complete cohesion
Netherlands	Very high	Contributing factor
Ireland	High	Not seen as important

Table 26.9 Government formation

Country	Characteristic form of government	Identifiability of government options during election campaigns
Australia	Single party or coalition between two near-permanent allies	Very high
Canada	Single-party government	Very high
France	Coalition between allies	High
India	Multiparty coalition dominated by one party	High identifiability of core options, though precise composition of alternative governments unclear
UK	Single-party	Very high
USA	N/a (presidential system)	—
Germany	Two-party coalition	High (though possibility remains of a grand coalition)
Hungary	Two-party coalition	High
Italy	Multiparty coalition	New electoral system responsible for great increase in identifiability of options
Japan	Two-party coalition	Incumbent coalition is identifiable option but potential alternatives are not (though are becoming clearer)
New Zealand	Single-party minority government or two-party coalition	Reasonably high but lower than under previous SMP system
Russia	N/a (presidential system)	—
Israel	Multiparty coalition	Low, partly due to high degree of party system fragmentation, itself partly attributable to electoral system
South Africa	ANC-dominated coalition	Very high, though not due to electoral system (no credible alternative to ANC-dominated coalition)
Spain	Single-party minority or majority government	Very high
Austria	Two-party coalition	High
Belgium	Multiparty coalition	Low
Chile	Multiparty coalition between near-permanent allies	High
Denmark	Multiparty coalition	Low
Finland	Multiparty oversized coalition	Low
Netherlands	Multiparty coalition	Low
Ireland	Two- or three-party coalition	Varies from high at some elections to low at others

Identifiability refers to voters' ability to identify the options for government and to choose between them.

'the electoral system is not a fundamental cause of variations in the focus of representation' (Bogdanor 1985: 299). The evidence from this book is consistent with the hypothesis that, other things being equal, open list PR and PR-STV encourage greater attention by MPs to constituency-related activities, closed list PR encourages MPs to prioritize party loyalty rather than constituency-related activities, and single-member constituency systems are broadly neutral in their effects.

The cohesion of parties in parliament is more of a constant than a variable (see Table 26.8). In nearly every case parliamentary party bloc voting is the norm (this is built into the rules in the Netherlands). Where cohesion is lower, as in the USA and Japan, the electoral system specifically is not seen as the prime cause. That is not to disregard the possibility of a link: closed lists in Spain, and open ones in Finland, are identified as factors contributing to very high, and not quite so high, levels of cohesion respectively. In Israel the relationship is, again, a complex one: the lack of accountability provided by the electoral system has led some of the parties to open up their candidate selection processes to a vote of all members, and this is held responsible for an increase in individualistic behaviour by MKs, eager to appeal to particular groups of members. There is, then, some degree of support for the hypothesis that when voters can choose among candidates of a party parliamentary cohesion tends to be lower—but, equally, there is no doubt that there are many other factors at work.

IMPACT ON GOVERNMENT FORMATION

Much conventional wisdom maintains that there is a definite link between electoral systems and government formation. PR—or so it holds—leads to coalitions, while single-member constituency systems lead to single-party government. Under the latter systems, the voters choose their government; under the former, government composition is decided after the election by negotiations among party leaders. In non-PR countries, the election results mark the end of the competition to form the next government; in PR countries, they merely mark the start of the second and probably more important phase of the government formation process. Identifiability—in other words, the voters' ability to identify the options on offer—is therefore seen to be affected by the electoral system (Powell 2000: 69–88). Under non-PR systems it is high, under PR systems it is often low—according to conventional wisdom.

Table 26.9 shows that, like most conventional wisdom, this is neither wholly true nor entirely groundless. In the non-PR systems, single-party government is indeed the norm, although even here there is variation. Whereas coalitions are unknown, and minority governments are rare, in Canada and the UK, both Australia and France have considerable experience of coalition government. It is true, though, that in both these cases the coalitions involve parties that are virtually joined at the hip (as in Australia) or, at least, have displayed an enduring pattern of alliance. In India, in contrast, there has been no single-party majority administration since Rajiv Gandhi's Congress government of 1984–9. In each of these five non-PR countries, though, identifiability of government options is high. Voters in most cases know in advance what the alternatives are and need not fear the emergence of a government

that they never realized was a possibility. Even in India, with around forty parties winning seats at elections, the options boil down to a BJP-dominated coalition or a Congress-dominated coalition.

Turning to the PR systems, coalition is certainly standard. Only in Spain are single-party governments the norm, though they have occurred occasionally in Japan and New Zealand and, some years back, in Austria and Ireland. In South Africa, since democratization one party has always won a majority of seats but, for political cultural reasons (a spirit of inclusiveness during a democratic transition), has preferred to take coalition partners, as explained in Chapter 17. Identifiability varies greatly between and occasionally within countries. In Germany, for example, at recent elections the voters have been faced with a clear choice between an SPD–Green government or a CDU–CSU–FDP one. Since one of these alternatives has won a majority of seats at every election for over twenty years, the voters have not been presented with any unpleasant surprises—though at each election there is speculation that if neither does win a majority (because of seats won by the still uncoalitionable PDS, for example) a grand coalition between the two main parties could yet emerge. Despite the stereotype that is painted by opponents of the very principle of coalition, there are quite a number of other PR countries in which the identifiability of the alternatives when the voters make their choice is reasonably high.

In other cases, the voters (and indeed the parties) are in the dark about what options are on offer. In Denmark, for example, the parties are deliberately vague about their coalition preferences, so that they can keep their options open whatever the seat distribution in the new parliament turns out to be (Chapter 22). The voters accept that they can only contribute to the strengthening of their party's voice in any negotiations; they cannot determine the partners it might choose to coalesce with. In situations where the voters do not grant their chosen party this much freedom of manoeuvre, the consequences can be serious. In 1996, the unexpected decision of New Zealand First to ally with National rather than, as expected, with Labour led to a short-term decline in the legitimacy of the new electoral system. Since then, though, voters have had a pretty clear idea of the alternatives. In Ireland Labour's decision to coalesce with Fianna Fáil after the 1992 election in which it had vehemently criticized that party brought about an abiding slump in its support—yet at other Irish elections the alternatives on offer are clearly identifiable. Another dimension of variability could be termed 'asymmetric' identifiability (following Powell 2000: 74): in some countries, such as Japan, one potential government option is clear but alternatives are not. Overall, then, PR is indeed much more likely to be associated with coalition government than plurality or majority systems are, and the identifiability of options does tend to be lower, but there is considerable variation among PR countries.

THE POLITICS OF ELECTORAL REFORM

It is often assumed that one obstacle to changing an electoral system is that those elected under the existing system are likely both to wield a decisive influence over

the issue of change and to have a strong attachment to the system that saw them elected. As Richard Katz has pointed out in Chapter 3, the second assumption in particular is simplistic; there are several rational (and some irrational) grounds on which parties that are successful under one electoral system might still prefer a different one.

Still, those parties that benefit from an existing system and fear that they would fare worse under an alternative can be expected to resist change. In Hungary, for example, the large parties benefit from the system, and since it cannot be changed without their support it seems likely to endure. In the UK, the government party, almost by definition, will be the main beneficiary of the huge seat bonus that the SMP system usually gives to the largest party, and can thus be expected to see the merits of the system much more clearly than its defects; as pointed out in Chapter 8 (p. 174), the power to change the system and the will to do so are inversely related. Certainly the Labour Party was much more exercised by the injustices of the system while it was enduring eighteen years of Conservative rule than when, from 1997 onwards, it started winning over 60 per cent of the seats on less than 45 per cent of the votes. In Israel, in contrast, it is the small parties that resist change; despite the plethora of outside voices urging the kind of reform that would reduce the country's chronic multipartism, minor parties are unlikely to vote themselves into oblivion. In both Israel and Germany, and perhaps elsewhere too, an element of the prisoner's dilemma has been identified: each of a group of parties for whom change would be rational, and who collectively have the power to bring it about, do not press for it out of a fear that other members of the group would defect and present themselves as the friends of those parties that stand to lose by such change. The result is that in most cases there is little or no likelihood of electoral system change (see Table 26.10).

Another barrier to change in most cases is the electorate. Electoral systems, alas, are not always at the forefront of the public's mind. In very few countries does the electoral system become a high salience issue; usually the public regards the subject as essentially technical and sees other issues as more worthy of attention from elected officials. Electoral reform is, perhaps, more likely to become a public concern in non-PR countries where the consequences of the existing system—most notably, high levels of disproportionality—are more obvious than where some kind of PR is used. The public may also start to care if the existing electoral system does not provide much personal accountability from MPs to voters. Moving from less accountable systems (such as closed list) to more accountable ones (such as open list or PR-STV) is always likely to be acceptable to the voters, but there is a kind of 'ratchet effect' under which it will be very difficult to persuade the electorate ever to consent to a change designed to give it less power to choose its representatives. Italy in 1993, when the voters not only accepted but all but demanded an electoral system that would deprive them of intraparty choice (Chapter 12), is the exception to this. Similarly, while attempts have been made to establish the conditions under which elites are likely to favour a move from an SMD system to PR (e.g. Boix 1999), there is hardly any movement in the other direction to explain (Lijphart

Table 26.10 Electoral reform as a political issue

Country	Prospects for electoral reform	Comments
Australia	Low	Low salience for public, little discontent among parties
Canada	Medium	Persistent low-level pressure but elite opposed to change; some movement at provincial level
France	Medium	Major reform favoured by left; quite high likelihood of minor reform by right
India	Low	Low salience for parties and public
UK	Medium	Creeping proportionalization of voting systems, many actors favour PR—but government of the day invariably opposed
USA	Low	Status quo favoured by parties and incumbents
Germany	Low	No significant actors proposing change
Hungary	Low	Many proposals, but largest parties opposed to fundamental change
Italy	Medium	Pressure from government parties for change in more majoritarian direction
Japan	Low	Gradual party adaptation to current system
New Zealand	Medium	Strong partisan opposition continues; future referendum likely
Russia	Medium	Generally a low salience issue for parties and people—though open presidential preference for abolition of SMD component and adoption of pure closed list system with high thresholds
Israel	Low	Untouchable institution in eyes of many actors; attempts to provide accountability tend to be made by circumventing electoral system
South Africa	Medium	Continuing extra-parliamentary pressure for reform that would increase accountability of MPs
Spain	Low	Low salience issue for parties and people
Austria	Low	Little discontent with present system
Belgium	Low	Electoral reform debates culminated in adoption of current system, no further reform likely soon
Chile	Medium	Reform favoured by the left, but institutional barriers to change are high
Denmark	Low	Hardly any discontent with current system
Finland	Low	Little discontent with current system
Netherlands	High	Agreement among major parties on need to provide geographical representation
Ireland	Low	Low salience issue, high institutional barriers to change

1994: 52; Colomer 2004). However, Shugart argues that the pressure for change will not be in only one direction (towards greater proportionality and more accountability by individual MPs). He suggests that an existing electoral system that is ‘extreme’ (too far from the centre), in whichever direction, on one or both of two dimensions (which he terms interparty and intraparty), is ‘inherently prone to reformist pressures’ (Shugart 2003: 25).

The durability of many electoral systems is also aided by high barriers to change. In some countries the electoral system is constitutionalized, requiring either a supermajority in parliament or the consent of the people in a referendum to change it. Even when this is not the case, so the electoral system law can in principle be changed as easily as any other law, there may be political-cultural impediments. Parties that try to change the ground rules for partisan advantage may be punished by the electorate. Changing the electoral system may be a step that, by general consent, requires the agreement of a significant proportion of the opposition as well as of the government bloc (this was the case in Italy and Japan), or it may need a referendum even if this is not prescribed in writing anywhere (UK). In France, it is true, governments have changed the system for blatantly partisan motives without causing indignation among the electorate, but the demos in most other countries is less indulgent.

Still, electoral systems are sometimes changed. Occasionally this happens after a thorough and open debate and with the full participation of the people, as in New Zealand. More commonly, party elites manage the process of change, perhaps in response to some prodding from the public (Italy, Japan, Netherlands) or as virtually autonomous actors (France). A national electoral system may be ‘reformed from below’—like woodworm undermining the structure of a sideboard, leaving the surface apparently unaltered, before suddenly the whole thing caves in. This may be happening in the UK, where many subnational units are moving away from SMP, and there are similar rumblings in Canada, leading to the possibility that the national parliamentary electoral system will become an anomaly in each country and finally undergo change itself.

As our earlier discussion emphasized, the consequences of electoral systems are to some degree country specific. This is another reason why reformers encounter resistance: it is never possible to be certain just what effects a particular electoral system change may have. As Table 26.11 shows, the record is mixed. Whether a reform has the intended effects or not depends largely on how realistic the aims were. Attempting to adjust the shape of the party system by increasing or reducing the likely degree of disproportionality is more achievable than goals that entail completely reshaping the party system, eliminating corruption, or changing the style of political competition.

WHICH ELECTORAL SYSTEM IS BEST?

For those people—perhaps around 99.9 per cent of the world’s population—who regard electoral systems as simply a tool to do a job, the only question they really

Table 26.11 Consequences of electoral system changes within established regime

Country	Year	Substance	Initiated by	Aim of reformers	Outcome: had intended effect?
France	1951	Introduction of coexistence system (different rules in different parts of country)	Centre, governing parties	Boost governing parties and penalize communist party in particular	Yes in 1951, but not in 1956
France	1958	Reversion to two-round system	President	Militate against disciplined parties, favour local notables and centrist parties	Yes, for a while at least, though parties proved more disciplined than de Gaulle expected
France	1986	Replacement of two-round system by PR	Government party	Minimize government party's seat losses at following election	Yes
France	1988	Reversion to two-round system	Government party	Give winning party(-ies) large seat bonus; penalize far-left and far-right parties	Yes
Italy	1994	Introduction of mixed system	Voters, many parties	Bring about alternation of governments, reduce number of parties, abolish intraparty electoral competition	Largely, but no reduction in number of parties
Japan	1996	Introduction of mixed system	Most political parties	Reduce corruption, promote party-centred rather than candidate-centred elections, produce two-party system with alternation in government	Only to very limited degree
Malta	1987	Rule preventing any party other than largest in votes from obtaining overall majority of seats	Government party under opposition pressure	Re-establish legitimacy of election process	Yes
New Zealand	1996	Replacement of SMP by mixed system	Popular pressure, smaller parties	Increase accuracy of representation	Yes

Note: The year refers to the first election held under the new system.

want to know the answer to is: which one is best? If any of those people are consulting this book, indeed, they may have skipped the previous 567 pages and turned first to this page in the hope of finding the answer without having to wade through a lot of information that they do not feel they need to know. A potential purchaser of a mobile phone, after all, does not want to have to suffer an instruction course in telecommunications theory before being equipped to buy one—they simply want a quick guide to the best one.

In their hearts, though, even such readers are probably already aware that the answer to the question cannot be a simple one. If there really was one ‘best’ electoral system, this would surely have been adopted nearly everywhere. Indeed, the same is true where almost any kind of choice is concerned. Anyone going into a shop and asking for the ‘best’ mobile phone on the market will soon find that things are not quite so straightforward. Quite apart from considerations of cost, some phones do better on some criteria (such as the range of functions they possess) and others do better on other criteria (such as compactness or aesthetic appeal). In short, when making any kind of choice we have to decide on the criteria that we will employ in order to reach a decision, and assess each option with respect to each criterion. If we are dealing with a non-trivial topic, we can expect to find that there will be trade-offs between different criteria. In other words, which electoral system is ‘best’ depends on just what we want from an electoral system.

Not surprisingly, those who study electoral systems are not in agreement about which if any is the ‘best’ system. David Farrell, reviewing the preferences of electoral systems specialists, observes that there is considerable variation (Farrell 2001: 181–3, 207). He identifies writers such as André Blais and Louis Massicotte as favouring single-member constituency systems, while Donald Horowitz and Ben Reilly have expressed sympathy for AV and Giovanni Sartori is a supporter of 2RS. He himself, along with Andrew Reynolds and Rein Taagepera, can see particular merit in PR-STV, while Matthew Sørberg Shugart and Martin Wattenberg regard mixed systems as at least holding out the promise of providing the best of both worlds (Shugart and Wattenberg 2003a: 595). Arend Lijphart, the doyen of the field of electoral systems research, regards the Danish system (open-list PR) as the closest to his ideal, even though he would prefer its lists to be a little less open than they are (see his Foreword to this book). Analysing survey responses from 170 electoral systems specialists, Bowler et al. (2005) found that compensatory mixed systems were the most highly ranked, closely followed by PR-STV with open list PR third. SMP was one of the more lowly ranked systems despite having a hard core of strong supporters, while SNTV was by a long way the least highly regarded.

What criteria should we employ when evaluating electoral systems? This is ground over which both eminent academics and practical policy-makers have trodden, and in Table 26.12 we summarize the criteria identified by a number of those approaching this task. It should be borne in mind that our summary of the criteria concentrates on what we judge to be the most important criteria identified by the authors and that in some cases it paraphrases the authors’ own words. It should also be emphasized that the authors in question are not necessarily endorsing the

Table 26.12 Criteria for judging electoral systems

Mackenzie (1958: 69–71)	<ul style="list-style-type: none"> • quality of MPs elected • close links between MPs and constituents • effective parliament (including sustaining stable government) • disciplined parties • accurate representation of opinion • is perceived by public as legitimate
Lakeman (1974: 28)	<ul style="list-style-type: none"> • accuracy of representation • government according to wishes of majority • election of MPs well suited to function of government • strong and stable government
Royal Commission on the [New Zealand] Electoral System (1986: 11–12)	<ul style="list-style-type: none"> • accuracy of representation of voters' preferences • microcosmic representation • parties that play integrative role and take account of national interest • effective representation of constituents by MPs • effective government • effective parliament that can scrutinize government • effective, cohesive parties • system and its outcomes regarded as legitimate by voters
Katz (1997: 280–96)	<ul style="list-style-type: none"> • stable and effective government • cohesive, disciplined parties • governments command majority electoral support • accuracy of representation of voters' preferences • personal accountability of MPs • opportunity for voters to eject governments from office • maximizes participation opportunities for voters
Sartori (1997: 55–69)	<ul style="list-style-type: none"> • stable effective government • quality of MPs • links between MPs and constituents • penalizing extremist and anti-system parties • accuracy of representation
Independent Commission on the Voting System (Jenkins Report) (1998: 1*)	<ul style="list-style-type: none"> • broad proportionality • need for stable government • extension of voter choice • maintenance of a link between MPs and geographical constituencies

(Continues)

Table 26.12 (*Continued*)

 Powell (2000: 10–17)

- opportunity for voters to eject governments from office
- enable voters to fix responsibility for government decisions
- enable voters to identify government options
- cohesive parties
- take into account views of as many voters as possible
- accuracy of representation of voters' preferences

Independent Commission on PR (2003: 29–32)

- proportionality
- voter choice
- voter support for electoral system
- microcosmic representation
- turnout
- behaviour of MPs
- accountability of government to electorate

 Shugart and Wattenberg (2003*b*: 582)

- government stability
 - identifiability of government options
 - accuracy of representation of voters' preferences
 - representation of local interests
 - personal accountability of individual MPs
 - nationally-oriented parties
 - coherent and disciplined parties
-

* These four criteria were prescribed for the Jenkins Commission by the British government.

criteria they identify; they merely observe that these are criteria by which electoral systems have been, or might reasonably be, judged.

Within these multiple lists of criteria, a number recur with particular frequency or at any rate seem indisputably to be positive qualities. We list these in Table 26.13.⁷ Some deal with process, others with outcomes. Accuracy of representation (proportionality) is virtually universally identified as a key criterion upon which electoral systems should be judged. A second desirable feature of an electoral system is that it

⁷ Some readers may be alarmed at the lack of justification that we offer for this list. We can say only that a full discussion of the criteria that should be employed when deciding upon a list of the criteria to be employed to evaluate electoral systems would not only raise problems of infinite regress but would warrant book-length treatment in itself. (Those readers in search of such a discussion could very profitably read Katz 1997; Lijphart 1999; and Powell 2000.) In addition, the list is not particularly contentious: few people would object to an electoral system that was guaranteed to maximize all the qualities listed, could such a system be found. Of course, everyone wants an electoral system to be 'fair', but defining this in measurable terms is not straightforward—see Blau 2004. It should also be noted that the task of designing an electoral system for a transitional or democratizing political system might require rather different criteria (see, for example, Reynolds and Reilly 1997; Reilly 2001; Birch et al. 2002; Sisk and Reynolds 1998; Lijphart and Waisman 1996).

Table 26.13 Eight key criteria for evaluating electoral systems

-
- accuracy of representation of voters' preferences
 - socio-demographic representation in parliament
 - personal accountability of MPs to constituents
 - maximization of participation opportunities for voters
 - cohesive and disciplined parties
 - stable effective government
 - identifiability of government options
 - opportunity for voters to eject governments from office
-

promotes microcosmic representation by increasing the likelihood that parliament will contain roughly the same proportion of members of gender, ethnic, and other groups as these make up in the population as a whole. Personal responsiveness and accountability by MPs to constituents rather than to party apparatchiks are widely considered to be virtues in moderation—though we should note concerns about hyper-personalism (Shugart 2003: 29). Enabling voters to participate as fully as possible in choosing their representatives is another widely cited criterion. The promotion of cohesive and disciplined parties rests on the assumption, which is difficult to dispute, that parties are essential components of a modern democracy, despite the dreams of writers such as Moisei Ostrogorski about the possibility of politics without parties (Ranney 1954: 113–33; Lipset 1969: 363–411). The idea of strong, stable, and effective government is, along with the desire for broad proportionality, just about universally cited as an important criterion, even if each of the adjectives is open to subjective interpretation. Voters' ability to identify the options for government and make a meaningful choice on this basis is also generally seen as a desideratum. Finally, the other side of the coin of identifiability is 'ejectability', the voters' ability to 'throw the rascals out' if they wish.

Any attempt to 'score' each type of system on each of these criteria is bound to be crudely simplistic, inadequately justified, and highly contentious. Still, since we have come this far we may as well attempt the exercise, and Table 26.14 seeks to sum up the position.

On the first criterion, proportionality, the SMD systems fare worst because of the high number of votes that are 'wasted' on losing candidates, though the record of AV in Australia is not quite as poor as that of SMP and 2RS where they are used. Under any kind of PR the number of wasted votes is relatively small, provided district magnitude is not too small and the threshold is not too high. Mixed parallel systems are 'worse' in this respect than mixed compensatory ones, since the allocation of the list seats takes no account of the disproportionalities created by the single-member tier. All PR systems score well on this criterion, though PR-STV may warrant a slightly lower score since in practice it seems to require the use of relatively low district magnitude, which, as we know, is itself a prime source of disproportionality.

Table 26.14 Ratings of eight electoral system types on eight criteria

Criterion	SMP	AV	2RS	Mixed compen- satory	Mixed parallel	Closed list PR	Open list PR	PR- STV
1. Accuracy of representation of voters' preferences	--	-	--	++	+	++	++	+
2. Socio-demographic representation in parliament	o	o	o	o	o	+	o	o
3. Personal accountability of MPs to constituents	+	+	+	o	o	--	++	++
4. Maximization of participation opportunities for voters	--	-	-	o	o	--	+	++
5. Cohesive and disciplined parties	o	+	o	+	+	+	o	o
6. Stable effective government	++	++	o	o	o	o	o	o
7. Identifiability of government options	++	++	++	+	o	o	o	+
8. Opportunity for voters to eject governments from office	++	++	++	+	o	o	o	o

Note:

++ = strongly positive effect

+ = positive effect

- = negative effect

-- = strongly negative effect

o = neutral, or too much variation within category to make meaningful judgement, or effect seen as minor in comparison with that of other factors.

On the second criterion, it seems that electoral systems may have less significance than is sometimes assumed. Single-member constituency systems are generally seen as unfavourable to women, but in practice there is considerable variation among the countries using these systems. As we noted earlier (pp. 555–7), whether open list or closed list systems are more favourable to women will depend mainly on whether elite political culture is more conservative or less conservative than that of the public as a whole. On the assumption that party elites are unlikely to be less keen to see a diverse parliamentary group than party voters are, and may well be more keen, we suggest that on balance closed list systems are the most likely to promote a diverse

parliamentary group, but with the important proviso that the impact will vary from case to case.⁸

The accountability of individual MPs to voters varies markedly. Under closed-list systems there is little scope for such accountability: incumbents' re-election chances depend entirely on where the candidate selectors place them within the party list. However, there are a couple of qualifications to this. First, when district magnitude is very small it will be clear which specific individual candidates are in contention for the last seat, thus giving candidates an incentive to be responsive to voters, as is the case in Hong Kong (Ma and Choy 2003: 360, 362; see also Table 2.1 above and associated discussion). In addition, the candidate selectors' ranking of individuals on the list may well be influenced by perceptions of their appeal to voters. We know that under list systems that allow voters to express a preference but are de facto closed (in the sense that voters' preferences have little or no chance of affecting the outcome), attracting preference votes at one election helps to secure a higher place on the list at the next one—this occurs in Austria, for example (see Chapter 19). Thus, voter appeal, and hence accountability, of MPs may still play a part even under electoral systems that seem to make it irrelevant.

In single-member constituency systems MPs might appear to be largely unaccountable, in that each party can be seen to be offering a one-candidate closed list, allowing voters no opportunity to make a choice among its nominees. However, as we have seen, it is striking that some analysts often do regard such systems as encouraging a focus on the constituency MP, and it might be argued that if MPs themselves believe (many political scientists' views notwithstanding) that their prospects of re-election depend significantly on the voters' evaluations of them personally and act accordingly, this constitutes personal accountability. For this reason, mixed systems also supply a degree of personal accountability, given that some MPs are elected from single-member constituencies—though since others are elected from closed lists (see note 8) they cannot overall be seen as either positive or negative on this criterion. Open-list PR and PR-STV rate highly on this dimension.⁹

Opportunities for voters to participate fully are lowest under SMP and closed list systems, where the voter can merely say 'Yes' to one option and 'No' to the rest. The voters' input is slightly greater under the other SMD systems, though many voters' preferences will have no impact on the outcome. Under mixed systems voters do at least get to express a choice for a constituency MP and for a party list. Open-list systems extend the participation opportunities, while PR-STV scores highest of all on this dimension, allowing the voter to convey rich information on his or her

⁸ For this reason, mixed systems are also likely to be favourable because in practice all mixed systems covered in this book employ closed lists. However, since the lists used in mixed systems could in principle just as well be open lists (as they are in Lithuania, for example), we give mixed systems a neutral ranking.

⁹ Assuming that other factors do not operate to negate this accountability by weakening the relevance of the voters' choice. An example is the tendency of elected Belgian MPs not to take up their mandate, which instead passes on to a candidate not selected by the voters. As shown in Chapter 20 (p. 423), thirty-seven of the 150 MPs elected in Belgium in 2003 did not serve. Of course, that is not a problem that arises only under open list systems: in South Africa under closed-list PR, a quarter of the MPs elected in 1994 had 'resigned', not always voluntarily, by 1998 (Chapter 17).

preferences. Empirical evidence suggests that, other things being equal, PR increases the likelihood of voter participation (Blais and Carty 1990). One estimate, based on a survey of postcommunist countries, is that a 10 per cent increase in the proportion of seats elected by PR leads to a 1 per cent increase in turnout (Kostadinova 2003: 754). Whether preferential voting specifically makes a difference remains an open question: one study concludes that it depends on the resources (education, income, interest in politics) that citizens have, in that it increases the likelihood of voting among 'advantaged' citizens and reduces it among 'disadvantaged' ones (Anduiza Perea 2002: 663–4).

Cohesion and discipline within parliamentary parties—the section of parties where discipline really matters—is almost universally high, and in most cases this is attributed mainly to factors other than the electoral system, as we have already discussed. Still, those systems based on closed lists may be even more likely to promote loyalty by MPs to the party line than other systems.

Stable and effective government, too, may not be so closely linked to the electoral system as some of the arguments of the mid-twentieth century assumed. It is true that governments in SMP systems (apart from India) and in Australia are nearly all single-party majority administrations that survive for full terms. Mid-term government collapses or early dissolutions are more likely to occur under other systems, but it would be hard to point to any kind of electoral system that seems to promote governmental instability. It is true that coalition is the norm under PR systems, but few argue any more that coalitions are inherently ineffective or unstable, and indeed the empirical evidence suggests that there is not, as was once believed, a trade-off between stability and proportionality (Farrell 2001: 204–6). Lijphart concludes that coalition government, far from being less effective than single-party government, actually performs better on almost every dimension (Lijphart 1999: 258–300; see also Powell 2000).

Identifiability of government options is a criterion on which single-member constituency systems rate highly. Characteristically, at elections under such systems, voters know exactly what the alternatives are. Two kinds of PR systems, namely mixed compensatory and PR-STV, give parties an incentive to form alliances before the election and thus make it more likely that voters will be confronted with discernible alternatives. Under mixed compensatory systems a certain amount of implicit 'vote-swapping' occurs—in other words, some supporters of small parties give their SMD vote to the candidate of the large party that is their ally, while some supporters of large parties give their list vote to their allied small party to help it over the threshold. Under PR-STV, the seat totals of a group of allied parties can be significantly affected by whether they have, or have not, called on their supporters to award lower preferences to other parties in the alliance. Even in these cases, though, there is always the possibility that neither of the identifiable pre-election options wins a majority of seats, in which case the voters may end up with a government that hardly anyone expected. Under other kinds of PR, there is considerable variation.

Finally, and in much the same way, it is much easier for voters to root out unpopular governments in their entirety under single-member constituency systems than under PR (with the partial and contingent exception of mixed compensatory systems). When single-party government is the norm, every government must by definition be re-elected or rejected. When coalition is the norm, though—and especially when identifiability is low—governments are not unitary actors, and there is a good chance that even when a government as a whole fails to secure re-election, it is succeeded by one containing some of the parties that made up the old one.

So, after all that, which is best? Needless to say, there is no simple answer to the question. Quite apart from the scope for disagreement as to how different electoral systems rate on these criteria, there will be no consensus as to how to rank order the criteria themselves. Some might argue that other criteria, not considered here, are more important than some we have included. In addition, as we have pointed out throughout this chapter, the effects of electoral systems on politics are sometimes difficult to distinguish from the other factors affecting it, and a system that has a certain effect in one society at a given time may not have the same effect in another context.

Still, even allowing for these and other qualifications, Table 26.14 does offer some scope for conclusions. The single-member constituency systems tend to score very high on some criteria and very low on others; just as they are accused of discouraging consensus within their host societies, so these systems are more likely to be loved or hated by analysts than regarded as an acceptable compromise or a happy medium. In contrast, mixed compensatory systems and PR-STV score very highly on some dimensions while avoiding the negatives attached to most other systems. Mixed parallel systems, though, do not emerge as an attractive option, having no discernible advantages over compensatory ones.

Our conclusion, then, must lie somewhere between, on the one hand, a firm declaration that a particular electoral system is ‘best’ and, on the other, a shrug of the shoulders and a retreat into complete relativism. Just as with mobile phones, it is impossible to say ‘whatever you’re looking for, this one is best’. On the other hand, it *is* possible to say: ‘if you want something that is likely to produce certain specified outcomes, this is the model that best fits your prescription’. Those who value stable and ejectable government, and identifiability of alternatives, above all else, even at the expense of performance on several other criteria, will be attracted by a single-member constituency system. Those for whom a high degree of proportionality and disciplined parties are the transcendent virtues will favour a closed-list system in a nationwide constituency. Those prioritizing proportionality, a high degree of voter participation, and personal accountability of MPs will logically gravitate towards PR-STV or open-list PR. Mixed compensatory systems score well on nearly every criterion. Beyond doubt, the choice of a particular electoral system will make certain patterns of politics more likely and make others less likely. As we asserted at the start: electoral systems matter. The contributions to this book enable us to understand more clearly in what ways they matter.

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Appendix A

The mechanics of electoral systems

Although virtually every country's electoral system has some unique characteristics, a few common ideas underpin the great majority of seat allocation methods. There are many different ways of classifying electoral systems, and one of the simplest is to distinguish those based entirely on single-seat constituencies and those based either wholly or partly on multimember constituencies.

1 SINGLE-SEAT CONSTITUENCIES

These may be filled by any of a range of different methods, but three predominate. These are:

- (i) the single-member plurality (SMP) system, also known as first-past-the-post, as used in four of the countries covered in this book: Canada, India, the UK and the USA;
- (ii) the alternative vote (AV), also known as instant run-off, as used in Australia;
- (iii) the two-round system (2RS), also known as the double-ballot or run-off system, as employed in France.

We shall describe each of these in turn.

1.1 SMP system

This can be seen as the simplest and most straightforward method of filling a single seat. Voters cast a vote by indicating their support for one of the candidates, and the seat is awarded to whichever candidate receives a plurality of the votes—in other words, has more votes than any other candidate, whether or not this amounts to a majority of all votes.

For example, overleaf is the result of the St Ives constituency in the British general election of 2001.

Here, the Labour candidate is elected, by virtue of having received more votes than any other candidate.

This system is simple and straightforward, but is liable to lead to the election of candidates who do not have majority support, and it produces parliaments in which the distribution of seats may not reflect particularly closely the distribution of votes at the election. In addition, some voters may conclude that there is no point voting for their most-preferred candidate, since this would amount to a wasted vote as the

St Ives constituency result, 2001

	Votes	% vote
C Atherton (Labour)	18,532	39.6
N Serpell (Conservative)	14,005	29.9
J Brazil (Liberal Democrat)	11,453	24.5
J Browne (UK Independence)	1,328	2.8
H Wasley (Mebyon Kernow)	853	1.8
P Holmes (Liberal)	649	1.4
Total	46,820	100.0

candidate has no chance of election, and that it makes better sense to vote ‘insincerely’ for a less favoured candidate to whom their vote might make a difference.

For the sake of completeness we should mention a system known as *approval voting*, a variant of SMP under which each voter can vote for as many candidates in a single-seat constituency as he or she wishes. The winning candidate is the one who receives most votes. It could be seen as bearing some resemblance to the alternative vote, which we discuss next, with the difference that instead of being able to rank the candidates in order of preference, the voter is able only to express a ‘Yes’ or a ‘No’ verdict on each one. Needless to say, this raises many issues of strategic voting; voters cannot be sure whether they are best advised to vote only for their most preferred candidate, since giving a vote to a less-preferred candidate might help that person defeat their favoured candidate, or to vote for all of those who are just about acceptable, since to do otherwise might assist an unacceptable candidate to win. Not surprisingly, approval voting is not used by any country to elect public representatives.

1.2 *The alternative vote*

Under AV (known in the USA as instant run-off), voters are able to rank order the candidates. They write ‘1’ beside their first choice, ‘2’ beside their second, and so on. (Generally, under AV, voters can express preferences for as many of the candidates as they wish; in practice in Australia, given compulsory voting there, voters are obliged to indicate a ranking for *every* candidate.)

Counting the votes is then a process that might take several stages, and continues until one candidate has a majority of the votes. If no candidate receives a majority of the voters’ first preferences, the counting proceeds by the elimination of the lowest-placed candidate and the distribution of his or her votes, which are transferred to the candidates in accordance with the second preferences marked on each paper.

For example, in the Irish presidential election of 1990, the first preference votes cast for the three candidates were as follows (see top of next page).

Under the SMP system, Lenihan would now be declared the victor, having received a plurality of the votes. Under the alternative vote, however, there is no winner yet, because no one has received a majority of votes (which in this case

Irish presidential election, 1990

	First preference votes	% vote
Austin Currie (Fine Gael)	267,902	17.0
Brian Lenihan (Fianna Fáil)	694,484	44.1
Mary Robinson (Labour)	612,265	38.9
Total	1,574,651	100.0

would amount to 787,326). The next step is to eliminate the bottom candidate, Currie, and distribute his votes according to the second preference marked on them. Any voting papers with no second preference—in other words, which contain only a first preference for Currie—are deemed ‘non-transferable’ and play no further part in the count. This second stage produces the following outcome:

	First preference votes	Elimination of Currie	Second stage votes
Austin Currie (Fine Gael)	267,902	−267,902	—
Brian Lenihan (Fianna Fáil)	694,484	+36,789	731,273
Mary Robinson (Labour)	612,265	+205,565	817,830
Non-transferable		+25,548	25,548
Total	1,574,651		1,574,651

Robinson is now elected the winner, as she has a majority of the votes. Note that since some votes are liable to become non-transferable, it is possible, as a result of successive eliminations of lower-placed candidates, to have a situation where only two candidates remain in the count, neither of whom has an overall majority of votes. In this case, whichever candidate has the greater number of votes is the winner.

A truncated version of this, termed the *supplementary vote*, has been employed in some elections in the UK (e.g. to elect the mayor of London). If no candidate reaches a majority at the first stage, all the candidates below the top two are simultaneously eliminated and those of their votes that carry a second preference for one of the top two are transferred to that candidate. In some variants, voters can award only a first and second preference. The rationale of this method is that it avoids the legitimacy problem that might supposedly attach to an AV winner who was not among the top two on first preferences.

1.3 Two-round system

Under this system, voters cast a vote for one candidate, just as under SMP. The difference is that the electoral process does not necessarily end after the first round. In fact, a winner emerges at this stage only if one candidate has reached a predetermined level of support.

This level varies from country to country, depending on the details of electoral rules. The 2RS is more widely used at presidential elections than to elect parliaments. Winning a majority of the votes in the first round almost invariably suffices, and in some presidential elections it is possible to be declared elected at this stage with a lower level of support—for example, by reaching 45 per cent of the votes and having a lead of at least 15 per cent over the second-placed candidate.

If no one reaches this level on the first round of voting, the second round takes place some time (characteristically a week or two, but sometimes longer) later. Rules concerning eligibility to take part in the second round will also vary from case to case. In presidential elections, typically, only the top two candidates from the first round are entitled to go on to the second (often termed a ‘run-off’). In other contexts every candidate who exceeds a predetermined level of support in the first round (20 per cent of the votes, for example) may be eligible to take part in the second round, while at the extreme, the rules might be so inclusive that anyone, even someone who did not compete in the first round, can take part in the second.

In the second round, the top placed candidate is elected, whether or not their votes now amount to an overall majority—of course, if the second round stage is restricted to just two candidates, the winner will necessarily have a majority unless there is a tie.

Compared with the alternative vote, this requires voters to go to the polls twice, but it allows voters to make their final choice in the full knowledge of the available alternatives.

Table A.1 shows an example of the 2RS in action, from the French parliamentary elections of June 2002. In the Cavaillon constituency in the south of France, twenty-two candidates contested the first round. The great majority made little impression on the voters: only seven got more than 2 per cent of the votes. The poll was headed by a candidate put forward by the socialists and the greens, with the nominee of the ‘Union for a Presidential Majority’, formed to back the newly re-elected President Chirac, second. In third position was the far-right Front National, with the centrist UDF in fourth. The fifth candidate was an independent (‘sans écrit’), sixth was the communist nominee, and the seventh candidate represented the ‘Chasse Pêche Nature Traditions’ group, opposed to restrictions on hunting and fishing.

As we have said, the rules about who can go forward to the next round vary from case to case. In French presidential elections only the top two are left standing after the first round, but in parliamentary elections the threshold is 12.5 per cent of the electorate (not 12.5 per cent of the votes cast). As it happens, in Cavaillon this rule did allow only the top two to proceed; the third-placed candidate fell just short of this figure (13,789). The second-round was a clear-cut left versus right contest. The socialist/green candidate could expect additional backing from those who had supported other left-wing candidates (principally the PCF) in the first round, but the UMP candidate stood to get the support of most of the right (especially the UDF). The number of people casting valid votes in the second round was well down on the first round turnout, probably due mainly to abstention or voting ‘blanc’ by many FN supporters (there were almost 4,000 spoiled votes in the second round).

Table A.1 The two-round system in action—France 2002

Vaucluse, 2nd constituency (Cavaillon)			
First round, 9 June 2002			
Electorate: 110,306			
<i>Candidate</i>	<i>Party</i>	<i>Votes</i>	<i>% vote</i>
Joseph, Jean-Louis	PS/Verts	19,576	27.6
Giro, Maurice	UMP	14,805	20.9
Ephrem-Bellier, Nadine	FN	13,675	19.3
Giraud, Germain	UDF	7,104	10.0
Chabert, Maurice	Sans Écrit	4,950	7.0
Gerent, Louis	PCF	2,065	2.9
Audibert, Daniel	CPNT	1,689	2.4
Vidal, Pierre	DVE	1,006	1.4
Bidault, Gérard	EXG-LCR	1,000	1.4
Cabeau, Thierry	DDC	933	1.3
Absil, Jean-Claude	MNR	770	1.1
Marrone, Corinne	Pole Rep	544	0.8
Bailly, Camille	EXG-LO	520	0.7
Ricodeau, Michel	MEI	489	0.7
Gaglio, Stéphane	DVE	458	0.6
Nouguier, Françoise	MPF	368	0.5
de Saint Rapt, Thibaut	SE	360	0.5
Raphel, Véronique	GE	268	0.4
Ferragut, Danielle	REG	168	0.2
Jost, Clara	CNI	132	0.2
Ibanez, Jesus	Fed	66	0.1
Total votes		70,946	100.0
Second round, 16 June 2002			
Electorate: 109,302			
<i>Candidate</i>	<i>Party</i>	<i>Votes</i>	<i>% vote</i>
Joseph, Jean-Louis	PS/G	30,328	47.8
Giro, Maurice	UMP/D	33,178	52.2
Total votes		63,506	100.0

Had the FN candidate received just 124 more votes she would have qualified for the second round, thus splitting the right-wing vote, and Joseph, the socialist/green candidate, might then have won.

2 MULTIMEMBER CONSTITUENCIES

Just as there are different ways of electing MPs from single-member constituencies, so there is great variation when it comes to electing representatives from multi-

member constituencies. ‘Systems of proportional representation’, wrote Eckstein (1963: 249), ‘differ from each other in nearly every way conceivable’. Some electoral systems are based entirely on multimember constituencies, while others (usually termed ‘mixed’ systems) might use a combination of multimember and single-member constituencies. Most systems involving multimember constituencies use party lists, though three of these systems—the single transferable vote, the single non-transferable vote, and the block vote—do not employ lists.

When multimember constituencies are employed, the number of MPs elected per constituency—which is referred to in the literature as *district magnitude*—is a key variable in determining how an electoral system operates. Under a PR system, district magnitude may be of any size. At one extreme, the entire country may consist of just one, national, constituency (as in Israel, the Netherlands, and Slovakia). At the other (pointless) extreme, a PR list system could in theory be employed in single-member constituencies, in which the largest party would always take the seat, just as under the first-past-the-post (FPTP) system—that system could, indeed, be seen as employing a list system and a district magnitude of 1. The smallest size of constituency in which list systems are in practice employed is 2 (Chile).

2.1 List systems

Under these systems, each party presents a list of candidates, and voters cast a vote by expressing support either for one of these lists, or for one or more candidates on a list. Once the votes cast for each list have been totalled, seats are allocated among the parties according to a particular formula. These formulae can be classified as either highest average methods or largest remainder methods.

Before looking in detail at the mechanisms for allocating seats, we need to note that there are several other choices to be made when designing a list system:

- (i) Into how many constituencies should the country be divided?
- (ii) How will it be determined which individual candidates fill the seats that are allocated to the parties?
- (iii) Should there be more than one tier of seat allocation?
- (iv) Should there be any threshold of support that parties must cross before they can qualify for seats?

We shall look later at each of these in turn, but first we will outline the basic seat allocation formulae.

2.1.1 Seat allocation formulae There are two main categories of formula, known as highest average and largest remainders.

(a) *Highest average* formulae operate by allocating seats sequentially. The process of seat allocation can be seen as a process of awarding each seat to the party that presents the highest ‘average’—the ‘average’ denoting the number of votes it won divided by a number reflecting the number of seats it has already been awarded.

Thus, while the first seat obviously goes to the largest party, its average is reduced because of this when it comes to competing for the second seat.

Exactly how these formulae work out in practice depends on the sequence of numbers used as divisors. In principle any sequence is possible, but in practice only a few are used in real-life electoral systems. The most common is the D'Hondt sequence (known in the USA as the Jefferson method): 1, 2, 3, 4, 5, and so on. In other words, the average of a party that has won precisely one seat is obtained by dividing its vote total by 2; if it has won six seats, its vote total is divided by 7; and so on.

We can illustrate the D'Hondt system through a simple example of a ten-seat constituency in which six parties compete, and the votes are distributed like this:

Socialist Party	34,000
Centre-right Party	25,000
Liberal Party	15,000
Green Party	12,000
Radical Right Party	10,000
Regionalist Party	4,000

Each party's vote is divided by the first divisor in the D'Hondt sequence, and since this is 1, it leaves all the figures unchanged (see Figure A.2). Since the socialist party has the highest initial average, it is awarded the first seat, and its new average is calculated by dividing its vote total by the second number in the sequence, 2, so its new average is 17,000. The centre-right party is now presenting the highest average and receives the second seat, with a consequent reduction in its average. The socialist party's average of 17,000 is now the highest, and so it receives the third seat. The process continues like this until all ten seats are awarded. We can present the process of awarding the seats as in Table A.2, with the numbers in parentheses indicating the award of a seat.

Under the other main variant, the Sainte-Laguë formula, the sequence of divisors runs 1, 3, 5, 7, 9, and so on. This is rarely used in its pure form (New Zealand and Latvia are among the few examples). In the USA this is known as the Webster method. In the same ten-seat constituency as before, Sainte-Laguë would allocate the seats as shown in Table A.3.

More common than 'pure' Sainte-Laguë is a sequence known as 'modified Sainte-Laguë', used in several Scandinavian countries and in Poland, where the sequence runs 1.4, 3, 5, 7, 9, and so on. Modified Sainte-Laguë would allocate the seats in our hypothetical ten-seat constituency as shown in Table A.4.

Looking at these examples together, it is clear that the D'Hondt method is the most ungenerous towards small parties. In this case, the four smallest groups, with 41 per cent of the votes, were awarded only three of the ten seats. Pure Sainte-Laguë is an unbiased method; that is, it favours neither smaller nor larger parties. Modified Sainte-Laguë is kinder to small parties than D'Hondt is, but not as even-handed as pure Sainte-Laguë, because the initial division by 1.4 makes it harder for smaller

Table A.2 Allocation of seats by D'Hondt highest average method

	Votes divided by first divisor	Votes divided by second divisor	Votes divided by third divisor	Votes divided by fourth divisor	Votes divided by fifth divisor	Total seats	
	Votes won (1)	(2)	(3)	(4)	(5)		
Socialist Party	34,000	34,000 (1)	17,000 (3)	11,333 (7)	8,500 (9)	6,800	4
Centre-right Party	25,000	25,000 (2)	12,500 (5)	8,333 (10)	6,250		3
Liberal Party	15,000	15,000 (4)	7,500				1
Green Party	12,000	12,000 (6)	6,000				1
Radical Right Party	10,000	10,000 (8)	5,000				1
Regionalist Party	4,000	4,000					
Total	100,000						10

Table A.3 Allocation of seats by pure Sainte-Laguë highest average method

	Votes divided by first divisor	Votes divided by second divisor	Votes divided by third divisor	Votes divided by fourth divisor	Total seats	
	Votes won (1)	(3)	(5)	(7)		
Socialist Party	34,000	34,000 (1)	11,333 (5)	6,800 (8)	4,857	3
Centre-right Party	25,000	25,000 (2)	8,333 (7)	5,000 (9)	3,571	3
Liberal Party	15,000	15,000 (3)	5,000 (10)	3,000		2
Green Party	12,000	12,000 (4)	4,000			1
Radical Right Party	10,000	10,000 (6)	3,333			1
Regionalist Party	4,000	4,000				
Total	100,000					10

parties to win their first seat. In this example, both versions of Sainte-Laguë produce the same result (both giving the medium-sized liberal party a second seat while D'Hondt instead gave the largest party a fourth seat), but had there been only three seats, for example, the pure version would have given the third seat to the liberal party while the modified version would have given it to the largest party, the socialists. Other examples of highest average formulae include the Imperiali method (under which the sequence is 1, 1.5, 2, 2.5, 3, etc.) and the so-called 'Danish method' (1, 4, 7, 10, etc.)—the former is biased in favour of larger parties and the latter in favour of smaller parties.

(b) *Largest remainders* methods proceed by calculating a quota, which is based on the numbers of votes cast and the number of seats to be awarded. Each party is then awarded as many seats as it has full quotas, and if this leaves some seats unallocated, the remaining seats go to the parties with the most votes left over.

Table A.4 Allocation of seats by modified Sainte-Laguë highest average method

	Votes won	Votes divided by first divisor (1.4)	Votes divided by second divisor (3)	Votes divided by third divisor (5)	Votes divided by fourth divisor (7)	Total seats
Socialist Party	34,000	24,286 (1)	11,333 (3)	6,800 (8)	4,857	3
Centre-right Party	25,000	17,857 (2)	8,333 (6)	5,000 (9)	3,571	3
Liberal Party	15,000	10,714 (4)	5,000 (10)	3,000		2
Green Party	12,000	8,571 (5)	4,000			1
Radical Right Party	10,000	7,143 (7)	3,333			1
Regionalist Party	4,000	2,857				0
Total	100,000					10

Table A.5 Allocation of seats by largest remainders method with Hare quota (LR–Hare)

	Votes won	Full Hare quotas	Votes accounted for by full Hare quotas	Remaining votes	Remainder rewarded?	Total seats
Socialist Party	34,000	3	30,000	4,000	No	3
Centre-right Party	25,000	2	20,000	5,000	Yes	3
Liberal Party	15,000	1	10,000	5,000	Yes	2
Green Party	12,000	1	10,000	2,000	No	1
Radical Right Party	10,000	1	10,000	0	No	1
Regionalist Party	4,000	0	0	4,000	No	0
Total	100,000	8	80,000	20,000	2	10

As with highest average methods, the range of possibilities in determining a suitable quota is limitless, but in practice only a few are used. These are based on the Hare quota, the Droop quota, and the Imperiali quota; often abbreviated as LR–Hare, LR–Droop, and LR–Imperiali respectively.

The Hare quota is calculated simply by dividing the number of votes by the number of seats. It is sometimes known as the ‘natural’ quota or, in Germany, as the Niemeyer quota. In the same ten-seat constituency as before, the Hare quota would therefore be $100,000 \div 10 = 10,000$. Allocation of the seats would work as shown in Table A.5. Eight of the seats are awarded by full quotas, leaving the other two to go to the parties with the largest remainders, which are the centre-right party and the liberal party.

The Droop quota is calculated by dividing the number of votes by the number of seats plus 1, adding 1, and then disregarding any fractional part, so in this case we divide 100,000 not by 10 but by 11, giving a quota of 9,091. (It is also known as the Hagenbach–Bischoff quota; although some maintain that the two differ minutely, they are in fact identical—see Taagepera and Shugart 1989: 30.)

Allocating seats under LR–Droop produces the outcome shown in Table A.6.

The Imperiali quota is smaller still: the number of votes divided by the number of seats plus 2. In this example (see Table A.7), it comes to $100,000 \div 12 = 8,333$.

These examples of largest remainders systems in operation illustrate a counter-intuitive point, namely that the smaller the quota, the better this is for larger parties. Instinctively we might imagine that a smaller quota is better for smaller parties, because it is easier to reach, but in fact smaller quotas benefit larger parties, since they make it more likely that all the seats will be allocated on the basis of full quotas and no remainders will be rewarded (as in Figure A.7). When the quota is larger, larger parties have to use up more of their votes for every seat they win—just as, under highest average methods, a sequence that reduces a large party’s average drastically for every extra seat it wins is kinder to a small party than a sequence under which a large party’s average is reduced more gradually, such as D’Hondt. LR–Hare can be seen as unbiased between larger and smaller parties, and typically it produces the same outcome as Sainte-Laguë, while LR–Droop (which typically produces the same outcome as D’Hondt) gives the benefit of the doubt to larger parties and LR–Imperiali is strongly biased in favour of larger parties.

Table A.6 Allocation of seats by largest remainders method with Droop quota (LR–Droop)

	Votes won	Full Droop quotas	Votes accounted for by full Droop quotas	Remaining votes	Remainder rewarded?	Total seats
Socialist Party	34,000	3	27,273	6,727	Yes	4
Centre-right Party	25,000	2	18,182	6,818	Yes	3
Liberal Party	15,000	1	9,091	5,909	No	1
Green Party	12,000	1	9,091	2,909	No	1
Radical Right Party	10,000	1	9,091	909	No	1
Regionalist Party	4,000	0	0	4,000	No	0
Total	100,000	8	72,728	27,272	2	10

Table A.7 Allocation of seats by largest remainders method with Imperiali quota (LR–Imperiali)

	Votes won	Full Imperiali quotas	Votes accounted for by full Imperiali quotas	Remaining votes	Remainder rewarded?	Total seats
Socialist Party	34,000	4	33,332	668	No	4
Centre-right Party	25,000	3	25,000	0	No	3
Liberal Party	15,000	1	8,333	6,667	No	1
Green Party	12,000	1	8,333	3,667	No	1
Radical Right Party	10,000	1	8,333	1,667	No	1
Regionalist Party	4,000	0	0	4,000	No	0
Total	100,000	10	83,331	16,669	0	10

Although highest average and largest remainders systems look quite different, there is a unified logic underpinning them both. Highest average methods can be viewed in terms of quotas, with the quota now being determined not just by the total number of votes and seats but also by the distribution of votes among the parties. While the details of this need not concern us here (see Gallagher 1992: 478–9; Balinski and Young 1982), the fact that the two approaches can be integrated means that we can rank all the above systems in terms of in which direction, if any, their bias lies. From the most favourable to larger parties to the least favourable, the order is:

Imperiali highest averages

LR–Imperiali

D’Hondt

LR–Droop

Modified Sainte-Laguë

LR–Hare/Sainte-Laguë

Danish

LR–Hare and Sainte-Laguë are unbiased, in that when some disproportionality is inevitable they do not systematically favour either small parties or large parties. The Danish method (which, as Chapter 22 shows, is not actually used in Denmark to award seats to parties) is biased in favour of smaller parties, while the others are biased in favour of larger parties.

In everything we have said so far, we have assumed that seats are allocated to party lists depending on how many votes each list has won. In most cases this is true, but under some systems, there is a facility for parties to declare a link with other parties, and then when it comes to the allocation of seats the votes for each party are pooled. This device, known as *apparentement*, gives small parties, which on their own might have no chance of winning a seat, the chance to combine their strengths for seat allocation purposes while retaining separate identities.

2.1.2 Candidate choice. Elections are not just about dividing the seats up among parties; they are also about deciding which individual candidates are to occupy those seats. There is a certain amount of variation here, too, concerning the amount of power the voters possess to determine this.

Conventionally, list systems are divided into *closed* and *preferential* variants. In the former, the voters have absolutely no input; if a party wins, say, four seats in a particular constituency, then those seats go to the top four candidates on its list—and that decision is made within the party, during the candidate selection process. Other systems are described as preferential, in that the voters can express a preference for one or more individual candidates when they complete their ballot. Under these systems, there is considerable variation in the power of the voters: in some cases the voters are all-powerful, while in others it would require a high degree of coordination by the voters to overturn the default order established by the party organization (see Chapter 2, pp. 36–44, for fuller discussion).

In addition, the number of preference votes given to each voter varies from system to system: in some, each voter can cast only one such vote, in others they can cast as many as there are seats at stake, and in others again the number is somewhere between these two extremes. When voters have more than one preference vote to cast, they may be permitted to ‘cumulate’ these, in other words to give two or more of them to the same candidate.

Even when voters have more than one preference vote, they are usually confined to just one party list when casting them. When a device known as *panachage* is employed, though, they may cast these votes for candidates on different party lists—this operates in Switzerland and Luxembourg.

2.1.3 Tiers. A number of systems are described as having ‘two-tier seat allocation’ or ‘complex districting’, indicating that the seat allocation that takes place within individual constituencies is not the end of the matter. In the examples given above (Section 2.1.1), we saw how the seats in a hypothetical ten-seat constituency would be divided among six parties. In countries with single-tier seat allocation, constituencies like these are all there is. However, unless the constituencies are very large, there is a likelihood of disproportionality (that is, voters not getting representation in proportion to their strength) within each of these constituencies; a party with 5 or 6 per cent in each constituency, for example, might end up with no seats anywhere. On the other hand, if constituencies are created with a large district magnitude to deal with this problem, the link between voters and any specific MP may be tenuous.

This dilemma is dealt with in a number of countries by having more than one ‘tier’ or level of seat allocation. After a first round of seats is awarded at the lower tier, that is, in the regular constituencies, further seats are allocated in a higher tier in such a way as to make the overall result more proportional. In some countries, a fixed number of seats is set aside at the start for this purpose. For example, in Denmark, where the national parliament has 175 members, 135 are elected in territorial constituencies (the lower tier) and the other forty are awarded at a second, higher, tier. These higher tier seats, known as adjustment seats, are allocated in such a way as to make the overall result as proportional as possible. Alternatively, the number of higher-tier seats may not be fixed in advance, but the principle is the same. Not all of the seats are allocated at constituency level, and those votes that were ‘wasted’ in the constituencies (in other words, not used to earn seats) are pooled at a regional or national level and the higher-tier seats are awarded on the basis of these. An example of this process is shown in Chapter 19, on Austria.

2.1.4 Thresholds. The employment of higher-level tiers, or having constituencies of large district magnitude, represent two ways of maximizing proportionality by increasing the chances that every party will receive a share of the seats that is very close to its share of the votes. However, the maximization of proportionality is not always regarded as a desirable end in itself. It might be seen in a negative light, in that it makes it more likely that parliament will be highly

fragmented, since even very small parties can gain representation. In addition, larger parties may, for their own self-interested reasons, wish to make it difficult for small groups to secure representation.

Consequently, many electoral systems employ the device of a threshold. Typically, this takes the form that only parties whose vote exceeds a certain level qualify for a certain entitlement; this entitlement might be a share of the higher-tier seats in a two-tier system, or it might even be any seats at all.

For example, a country where seats are allocated at national level might impose a threshold of 1.5 per cent as in Israel (where it is soon to be raised to 2 per cent), meaning that a party that wins fewer votes than this will receive no seats. In a country with higher-tier allocation the threshold may be more complex, such as a requirement that it win either one constituency seat or 4 per cent of the votes nationally, as in Austria. In mixed systems, where voters have two votes (see below), the threshold may relate to both routes by which MPs are elected: for example, in Germany a party qualifies to share in the list seats only if it wins either 5 per cent of list votes, or three constituency seats. Details of specific thresholds can be found in the chapters above and in Table 26.1.

Not every system employs a formal threshold, but, as has often been pointed out in the electoral systems literature, in practice there is always an ‘effective threshold’ that makes it next to impossible for parties below a certain size to win a seat. This effective threshold is determined above all by the district magnitude, with the seat allocation formula also playing a part (see Appendix C for fuller discussion).

2.2 *Mixed systems*

The systems that we have outlined so far have been based either on single-member constituencies or on party lists. The ingenuity of electoral system designers knows no bounds, however, and so some systems combine these two components, with some deputies elected from constituencies and others being elected from lists. Indeed, in principle it is possible to combine any two (or more) methods: for example, to have some voters elected by the single non-transferable vote or by the single transferable vote, and others elected from party lists. In practice, though, the term *mixed systems* (or sometimes ‘mixed-member’ systems) nearly always refers to electoral systems under which some deputies are elected from single-member constituencies while other are elected from lists. In most mixed systems the voter casts two votes. Characteristically, the voter is faced with two ballot papers, or with one ballot paper with two columns: one on which they can indicate their choice of a candidate to represent the single-member constituency, and another on which they cast a vote for a party list (see, for example, p. 299 above). They are not, of course, obliged to choose the same party with both votes, and researchers in many countries have explored the extent to which voters do, in practice, ‘split’ their votes either for tactical reasons or because they have genuinely different preferences in these different contexts.

Mixed systems come in one of two variants: they may be either *compensatory* (also known as linked or corrective) or *parallel* (or independent). A few are

somewhere in between (partly compensatory). In a compensatory system, the two components are linked in that the list seats are used to create overall proportionality between a party's list votes and its total number of seats. Therefore, the number of list seats parties receive depends not only on their overall vote but also on the number of single-member constituency seats they won. A party that won few constituency seats in relation to its votes is likely to receive a relatively high number of list seats in order to bring its overall number of seats close to its 'fair' share—for this reason, list seats are sometimes termed 'correction' or 'top-up' seats in compensatory variants. Conversely, a party that did well at constituency level may receive very few list seats if it is already close to its fair share on the basis of constituency victories alone.

In parallel variants, the two methods of seat allocation operate completely independently of each other. The number of list seats that a party receives depends entirely on the share of the list votes it wins, regardless of how many constituency seats it has won.

2.3 *Single non-transferable vote*

Under the single non-transferable vote (SNTV), there are several seats to be filled in each constituency, but voters are not faced with a choice among party lists. Instead, they vote for a candidate—and the seats go to the candidates with the most votes. In a five-seat constituency, for instance, the five candidates with the most votes are elected, regardless of whether this seems to produce a 'fair' allocation among parties.

For example, here is the result of the 1998 election for the Japanese House of Councillors in the three-seat Aichi constituency, which was contested by candidates from the Democratic Party (DJP), Japan Communist Party (JCP), and Liberal Democratic Party (LDP):

Aichi (3 seats)	Vote	% vote	
Yoshitake Kimata DJP	500,483	22.1	Elected
Taisuke Sato DJP	457,236	20.2	Elected
Hiroko Hatta JCP	453,298	20.0	Elected
Hiroshi Oki LDP	443,904	19.6	
Yasuoki Urano LDP	411,357	18.2	
Total	2,266,278	100.0	

Even though the LDP won over 37 per cent of the votes, it did not receive any seats because neither of its candidates finished in the top three.

SNTV is not an explicitly proportional system, but it does give minorities a much better chance of securing representation than do single-member constituency systems, so it is often termed 'semi-proportional'. Perhaps more than any other system, it provides an incentive to both parties and voters to engage in strategic behaviour.

Parties have to make calculations about their likely support in order to reach a decision as to how many candidates to run in the first place, and it will also help if they have information about the popularity of each of their candidates. This is because, once the votes are cast, there is no way of channelling support from one candidate to another. Thus, it might happen that one of a party's candidates wins far more votes than they needed for election, while another narrowly misses out; in such a case, it would have made sense to try to 'balance' the vote by encouraging some supporters of the stronger candidate to switch to the weaker. On the other hand, balancing the vote could backfire on a party if it results in two candidates both just missing out on a seat, whereas if just one of these had run he or she would have been comfortably elected—this is what happened to the LDP in the Aichi example shown above. Similarly, voters have an incentive strategically to desert a candidate who has no chance of election, or seems certain of election, since in either case their vote would be 'wasted', and instead vote for a candidate who appears to be a possible but not definite winner.

There are plenty of variations on this theme. SNTV can be seen as one of a 'family' of systems termed the *limited vote*, in which, in multiseat constituencies, voters can cast one or more votes, but not as many votes as the number of seats to be filled. In a five-seat constituency, voters might have one, two, three, or four votes (in the first case, this would be SNTV). The more votes each voter has, the worse for small parties, because as the number of votes each voter is given approaches the number of seats to be filled, it becomes ever more difficult for minorities to secure representation.

For the sake of completeness, we should also mention the situation when voters can cast as many votes as there are seats. This is the *block vote* (known in the USA as 'at-large' election), and by common consent it is the least proportional system of all. It enables a majority, or even the strongest minority, to take all the seats in a constituency. Under every other electoral system, proportionality tends to increase as district magnitude increases. Under the block vote, however, the higher the district magnitude, the higher the likely disproportionality, and the less representative is the resulting parliament or council.

2.4 *Single transferable vote*

One way of aiming to secure proportional representation is through the use of party lists, as we have seen, and another way of trying to do this is through the single transferable vote (STV). Under PR-STV the voter has, as the name suggests, just one vote, but when casting this is given the opportunity to rank the candidates in order of choice (some attempts to promote PR-STV call it 'choice voting'). In other words, the voter places a '1' on the ballot paper beside the name of their favoured candidate and, if they wish, can write '2' beside the name of their second favourite, '3' beside the name of their third choice, and so on—exactly as in the alternative vote, which we described earlier. The alternative vote, indeed, is simply the name given to STV in a single-member constituency.

When used in multimember constituencies, STV operates as a distinctive form of proportional representation (and hence is best referred to as PR-STV). The act of voting is straightforward enough, and the principle of counting the votes is also easy to grasp, though some of the finer details can make it seem complicated. The principle is that a certain number of votes will always suffice for election—this number is the Droop quota, in other words the total number of votes divided by a number 1 greater than the number of seats. This number is not arbitrary; it possesses the quality of being the smallest number that can be attained by the number of candidates who will be elected. For example, in a five-seat constituency with 100,000 votes, the Droop quota equals $100,000 \div (5+1) = 16,667$ —and if five candidates each reach 16,667 votes, only 16,665 votes remain, whereas if the quota were any smaller, it would be possible for six candidates to reach it.

The significance of the Droop quota in the counting process is that any votes a candidate has over and above this are deemed *surplus* votes, which would be wasted if they were left ‘locked up’ in the possession of the candidate for whom they were cast. So any votes a candidate has over and beyond what they actually needed (the Droop quota) are passed on to other candidates, in accordance with the next preferences marked by the voters. At the same time, those candidates with fewest votes stand to be eliminated from the count, and their votes are passed on to other candidates, again in accordance with the preferences marked by the voters. Consequently, the process of counting the votes moves through a number of stages, at each of which votes are transferred—these will either be the surplus votes of elected candidates, or the votes of eliminated candidates. The process continues until all the seats are filled.

PR-STV is a voting system that is simple for the voter but can look, at first sight anyway, complex when it comes to counting the votes. Certainly, any explanation of the counting process in the abstract is likely to make it sound complicated, but an example illustrates the basic idea.

The case shown in Table A.8 is taken from the Cork North-West constituency in the Irish general election of 1987, when five candidates were in competition for three seats. The Droop quota is calculated by dividing the total number of valid votes by four (one more than the number of seats) and adding one, giving 8,352. If any candidate had received this number of votes, he (all the candidates were men) would have been deemed elected at this stage. As it happens, none did reach the quota on first preferences, so the count proceeds by the elimination of the lowest-placed candidate (O’Riordan) and the distribution of his votes according to the second preferences marked upon them. It turns out that, of the 3,796 people who gave him a first preference, 1,292 gave their second preference to Creed, 1,087 gave their second preference to Crowley, 566 gave it to Moynihan, and 564 gave it to Roche. There were 287 voters who, having awarded a first preference to O’Riordan, did not award any further preferences, in effect declaring themselves to be indifferent between the other four candidates. Since these votes cannot be transferred to any other candidate, they are treated as ‘non-transferable’ and play no further part in the count.

Table A.8 PR-STV in operation—Cork North-West constituency, 1987 Irish general election

Valid votes:	33,404	Seats:	3			
Droop quota:	8,352	[because	$\frac{33404}{(3+1)} = 8,351$,	to which 1 is added]		
		<i>First preferences</i>	<i>Second stage: Transfer of O’Riordan’s votes</i>	<i>Third stage: Transfer of Crowley’s surplus</i>		
Creed, Donal (Fine Gael)	7,057	+1292	8,349	+130	8,479	
Crowley, Frank (Fine Gael)	7,431	+1087	8,518	−166	8,352	
Moynihan, Donal (Fianna Fáil)	7,777	+ 566	8,343	+ 12	8,355	
O’Riordan, Seán (PDs)	3,796	−3796				
Roche, Jack (Fianna Fáil)	7,343	+ 564	7,907	+ 24	7,931	
Non-transferable		+ 287	287	+ 0	287	
Total	33,404		33,404		33,404	

Crowley, Creed, and Moynihan are elected.

At the end of the second stage, one candidate, Crowley, has attained the Droop quota and is thus elected. Both Creed and Moynihan have advanced to within ten votes of the quota. In fact, the returning officer might have stopped the counting process at this point, because it is now certain that Creed and Moynihan will be elected—there is no way that the other candidate, Roche, can possibly overtake them. Helpfully for our purposes, though, a third stage of the count took place, and this involved the distribution of Crowley’s ‘surplus’ votes. Since Crowley required only 8,352 votes to secure election, he has 166 more votes than he needs, and thus has a ‘surplus’ of 166 votes. To avoid these becoming wasted, they are distributed to the remaining candidates, in accordance with the next preference marked thereon. The other 8,352 votes remain with Crowley.

The question arises: which 166 of his votes are the surplus ones? This is a detail that varies from country to country. In Ireland, the surplus votes are taken from the ‘last package received’ by the candidate, so in the case of Crowley’s surplus, they are taken from the 1,087 votes transferred to him from O’Riordan’s elimination. The precise number of votes transferred from a surplus to the other candidates is determined by examining each vote in the pool, setting aside any that have no further preference for any of the candidates left in the race. For example, let us suppose for the sake of convenience that of the 1,087 votes transferred from O’Riordan to Crowley, the ones that took Crowley above the quota, 87 had no preference marked for either Creed, Moynihan, or Roche. These were then set aside. Of the other 1,000 votes, it may be that 783 had a third preference for Creed, 145 had a third preference for Roche, and 72 had a third preference for Moynihan. Then Creed is due to receive the appropriate proportion (783/1000) of the 166 votes, giving him 130, and the same calculation gives Roche 24 and Moynihan 12. If there

had been another candidate who had been eliminated earlier in the count, and a vote contained a third preference for this candidate, then that would be disregarded and the fourth preference would be the one that mattered.

The selection of a specific 130 votes to transfer, out of the 783 votes bearing a third preference for Creed, can be done in various ways. One method is to select 130 at random from the pool of 783—for example, in Irish elections it is assumed that the counting process itself has mixed the votes up, so simply taking the top 130 from the pile in effect amounts to random selection. The same approach is taken in Malta. This assumption may be valid, but there is a possibility that these votes are not a completely representative sample. It may be that the 130 votes transferred are not an accurate sample, with regard to their later preferences, of the 783 from which they are taken. In this example that wouldn't matter, since the count is over, but in the case of a large first-count surplus, for example, there is the potential for random factors to affect the outcome. To avoid this, it is better to employ the 'Gregory method', under which all 783 votes would be transferred, but at a fraction of their value (in this case, the fraction would be $130/783$), and this approach is taken in Tasmania and Northern Ireland. In any case, this is a relatively minor detail in the overall scheme of PR-STV.

For the sake of completeness, we should mention that it is possible to use the alternative vote in multimember constituencies (known as the *alternative block vote*, or in Australia as preferential block voting). This has the same relationship to the alternative vote as the block vote has to SMP: far from making the result more proportional, it compounds the disproportionality usually associated with AV. In a multimember constituency, voters cast a vote just as they would under AV (or PR-STV), ranking the candidates in order of their preference. However, only one seat is filled at a time. The first seat is filled as if the election were being held under AV. To fill the second seat, all the votes are counted once more, with preferences for the winner of the first seat being disregarded. Thus, in an analogous fashion to the operation of the block vote, the most preferred party is likely to win all the seats.

3 CONCLUSION

The descriptions above show how the main electoral systems and formulae operate. It can be seen that the range of actual systems is wide, and the range of possible ones is virtually infinite. The countries covered in this book display a useful degree of variation on the main dimensions of electoral system design. Table 1.3 and Table 26.1 show where each country's system can be located in terms of the scheme outlined in this appendix.

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Appendix B

Indices of fragmentation and disproportionality

Two indices that have been used throughout this book are the *effective number of parties* and the *least squares index* of disproportionality. Here, we indicate what these indices mean and how they are calculated.

EFFECTIVE NUMBER OF PARTIES

This measure was devised by Laakso and Taagepera (1979) as an attempt to summarize the degree of fragmentation of a party system. When we encounter an election in which two parties each win 50 per cent of the seats, we immediately see this as a two-party system, while if there are three parties and each wins exactly a third of the seats, we are clearly looking at a three-party system. However, suppose we find an election where one party wins 50 per cent, the second 48 per cent and a third 2 per cent. Now there are three different parties, yet in many ways the system bears more resemblance to the pure two-party system than to the pure three-party system. Or suppose we find an election where two parties each win 40 per cent of the seats while a third wins 20 per cent. Intuitively, this looks to be somewhere between the pure two-party case and the pure three-party case.

Building on Douglas Rae's measure of fractionalization (Rae 1971: 56), Laakso and Taagepera devised the concept of the effective number of parties, usually known in the electoral system literature as N (N_v indicating the effective number looking at the system in terms of votes, known as the *effective number of elective parties*; N_s being the figure when we calculate on the basis of the seat distribution, the *effective number of legislative parties*). This is calculated as follows:

$$N_v = \frac{1}{\sum (P_v)^2}$$

Thus, spelling it out step by step:

- (i) calculate each party's proportion of the total votes;
- (ii) square each of these values;
- (iii) add these squares to produce a sum of the squares;
- (iv) take the reciprocal of this sum, in other words divide 1 by the sum of the squares.

Alternatively, the process can be carried out on the basis of the percentage votes of each party, in which case at step (iv) we divide the sum of the squares into 10,000.

Thus, in the case of an election where the seats divide 40–40–20,

$$N_s = 1/(0.16 + 0.16 + 0.04) = 1/0.36 = 2.78 \text{ or, using percentages,}$$

$$N_s = 10,000/(1600 + 1600 + 400) = 10,000/3600 = 2.78.$$

The intuitive meaning to be put on this figure is that the party system is as fragmented as if it contained exactly 2.78 equal-sized parties. Lijphart noted a decade ago that N had become ‘the most widely used measure’ (Lijphart 1994: 70); it is even more secure today and seems likely to maintain this position, though it does have its critics (Dunleavy and Boucek 2003). Of course, it cannot tell us everything about the shape of a party system; as one of its devisors has observed several times (e.g. Taagepera 1999: 498–9), the same value of N can be generated by very different patterns of vote dispersion.

One practical problem in calculating the value of the measure is that election results are not always presented in full detail. Even if every party that wins a seat is listed separately, there is often some aggregation when it comes to votes: smaller parties, especially those that do not win seats, along with independents, tend to be lumped together collectively as ‘Others’. How should the index be calculated in these circumstances?

Ideally, any such ‘Others’ figure should be completely disaggregated. Each party, no matter how small, and each independent candidate should be treated as a separate unit when it comes to calculating N . However, there are times when we are presented with a result such as that in Table B.1 and we may not be able to obtain any further information.

Table B.1 Result of Ireland’s 1997 general election

	Votes	% votes	Seats	% seats
Fianna Fáil	703,682	39.3	77	46.4
Fine Gael	499,936	28.0	54	32.5
Labour	186,044	10.4	17	10.2
PDs	83,765	4.7	4	2.4
Democratic Left	44,901	2.5	4	2.4
Green Party	49,323	2.8	2	1.2
Sinn Féin	45,614	2.6	1	0.6
National Party	19,077	1.1	0	0
Socialist Party	12,445	0.7	1	0.6
Christian Solidarity	8,357	0.5	0	0
Workers’ Party	7,808	0.4	0	0
Others	128,033	7.2	6	3.6
Total	1,788,985	100.0	166	100.0

Source: Marsh (1998: 429).

How should we now calculate the effective number of parties? Taagepera (1997: 147) points out that if the Others' share is large, each of the three approaches that might appear at first sight to be acceptable is less than ideal. These erroneous approaches would be either to

- (i) treat Others as a single bloc, as if they made up a party;
- (ii) omit Others from all the calculations while leaving the other parties' percentages unaltered; or
- (iii) omit Others from all the calculations, deducting their share from the total, and recalculate all the other parties' shares on the new reduced total.

In fact, if the total for Others is below 10 per cent, either of the first two methods, while imperfect, will not make much difference to the result and can be regarded as acceptable. The third, though, is always wrong—a 'no-no', as Taagepera puts it.

Taagepera suggests instead the following in cases where the reported vote for Others is large. First, calculate the maximum and minimum values that N could possibly take. The maximum fragmentation occurs when all the components in 'Others' are extremely small groups so that their contribution to the sum of squares is, in effect, zero. The minimum occurs when 'Others' is in fact a single party. Focusing for the sake of illustration on votes, this gives us the picture in Table B.2.

In this case, then, the maximum value equals $1/0.2480 = 4.03$, while the minimum value equals $1/0.2531 = 3.95$. For most purposes, the difference here is probably not worth worrying about, and we might well be satisfied with either value or with the average of the two (3.99). The reason why it does not seem to matter much which way we treat the Others' support is that the sum of the squares of the vote proportions is dominated by those parties winning 10 per cent or more of the votes; this is, indeed, one of the aspects of N that is seen as a flaw by Dunleavy and Boucek (2003: 292–3).

Thus, if the votes for the four smallest parties (from the National Party downwards) had also been lumped in with Others, whose combined total would now have been 9.8 per cent, even this would not have had a great impact. Treating Others as a single party with 9.8 per cent of the votes would have contributed 0.0096 to the sum of the squares, bringing this to a total of 0.2575, yielding a minimum effective number of parties of 3.88—still very close to the maximum of 4.03. This provides some reassurance that the common short-cut of doing precisely this, that is treating the lumped Others as if it were a single party, will almost always produce results that are close to, albeit not quite coincident with, the correct value.

However, if the 'Others' bloc has more than, say, 10 per cent of the votes, then it is more likely to make a difference. For this situation, Taagepera recommends a 'least component' approach, based on the reasonable assumption that none of the parties included in 'Others' is larger than the smallest party that was reported separately—in this case, 0.4. The minimum degree of fragmentation now occurs if the 7.2 per cent received by Others consists of eighteen parties each winning 0.4 per cent of the votes. In this case their combined contribution to the total of the $(P_v)^2$ values comes to a mere 0.0003, bringing the total to 0.2483 and giving an N_v of 4.03. Again, we

Table B.2 Maximum and minimum fragmentation, Irish election 1997

	<i>If others = one party</i> % votes	<i>If others = many small parties</i> % votes	$(P_v)^2$ if minimum fragmentation	$(P_v)^2$ if maximum fragmentation
Fianna Fáil	39.3	39.3	0.1547	0.1547
Fine Gael	28.0	28.0	0.0781	0.0781
Labour	10.4	10.4	0.0108	0.0108
PDs	4.7	4.7	0.0022	0.0022
Democratic Left	2.5	2.5	0.0006	0.0006
Green Party	2.8	2.8	0.0008	0.0008
Sinn Féin	2.6	2.6	0.0007	0.0007
National Party	1.1	1.1	0.0001	0.0001
Socialist Party	0.7	0.7	0.0000	0.0000
Christian Solidarity	0.5	0.5	0.0000	0.0000
Workers' Party	0.4	0.4	0.0000	0.0000
Minimum fragmentation (Others = one party)	7.2		0.0051	
Maximum fragmentation (Others = many very small parties)		0.1		0.0000
		0.1		0.0000
		0.1		0.0000
		etc.		etc.
Total	100.0	100.0	0.2531	0.2480
Effective number of elective parties			3.95	4.03

might take the mean of this and the minimum value, once more leading to an estimate of 3.99.

As it happens, in this particular case it is possible, since we have access to the detailed Irish election results, to calculate the correct figure—in other words, the figure obtained by treating every party (no matter how small) and every independent candidate as a separate unit. That correct figure, it transpires, is 4.03; the same as the one we obtain by assuming that each unit is very small (an assumption that is pretty close to the truth in this case).

Exactly the same applies to the calculation of N_s . In this case aggregation makes virtually no difference. If the six seats won by Others had all been won by a single party, N_s would be 2.99. If, on the other hand, they were won by six different parties or independent candidates (as was in fact the case) N_s would be 3.00.

This example illustrates not only the calculation of N but also one of the points that it almost invariably highlights, namely the ‘defractionalizing’ effect of electoral

systems. Votes are nearly always dispersed more broadly than seats. In this case, the defractionalization is quite marked, from 4.03 at the electoral level to 3.00 when it comes to the seat distribution. Generally, defractionalization is relatively slight under PR systems but can be drastic under plurality or majority systems.

LEAST SQUARES INDEX

By disproportionality we mean the difference between parties' shares of the votes and their shares of the seats. Unless every party and independent candidate wins exactly the same share of the seats as they won of the votes—which of course never happens in real life—there exists a degree of disproportionality.

There are various ways of measuring this, but the least squares index, devised by Gallagher (1991), appears to have emerged as the most widely employed measure. (Taagepera has pointed out that since no minimization is involved, 'least squares' could be seen as a misnomer, but we will stick with that name since that is probably how the index is best known. In addition, the name can be justified on the basis that if offered a set of different seat allocation possibilities for a given distribution of votes, the one producing the lowest value for the index can be deemed the most proportional.) The principle of using least squares techniques to estimate values—the best estimate, or closest fit, being the one that minimizes the sum of the squares of the differences between two sets of figures, or between a set of estimates and a 'real' but unobservable value—goes back over two centuries, and is usually attributed to Gauss. Since then, as Aldrich puts it, 'many wonderful schemes have been devised for doing least squares', and these have been employed in astronomy, geodesy, statistics, numerical analysis, systems theory, land surveying, photogrammetry, and elsewhere (Aldrich 1996: 1; see also e.g. Daniel and Wood 1980: 6–7; Giordano and Hsu 1985: 2–3; Open University 1972: 14–15; Mitchell 1984: 3). Typing 'least squares' into Google produces around 368,000 entries. The least squares principle is familiar in the social sciences mainly in the context of using 'ordinary' least squares to estimate a regression line.

The rationale of the least squares index is that it takes account not only of the total amount of vote–seat disparity but also of the way in which that disparity came about, regarding one large disparity (say, 8 per cent) as more significant than several small ones (e.g. four each of 2 per cent). It was employed as the main measure of disproportionality in his 1994 study of electoral systems by Lijphart (1994: 62), who described it as 'the most sensitive and faithful reflection of the disproportionality of election results'. More recently, Taagepera and Grofman (2003: 661), examining nineteen indices on their performance on twelve criteria, conclude that it is to be preferred to any other index—if only 'marginally'. Borisjuk et al. (2004: 60) conclude that it is the index that should be used 'if the concern lies with the relative performance of parties, and how different electoral systems affect the distribution of seats amongst parties', whereas the Loosemore–Hanby index (which is based on simply summing the vote–seat differences for each party) would be preferable if the concern were to calculate the percentage of 'unused' votes.

The least squares index is calculated as follows:

$$LSq = \sqrt{(\sum(s_i - v_i)^2)/2}$$

Thus, spelling it out step by step:

- (i) for each party, take the difference between its percentage share of the seats and its percentage share of the votes;
- (ii) square each of these values;
- (iii) add these squares;
- (iv) divide the resulting total by 2;
- (v) take the square root of this number.

An example is shown in Table B.3. Once more, the question arises of how to treat aggregated ‘Others’. As the example shows, there is a noticeable difference now between treating Others as one bloc and assuming that each of its components is very small. This arises from the index’s deliberate weighting of large seat–vote differences; it regards the under-representation of one party by 3.6 per cent as decidedly

Table B.3 Result of Ireland’s 1997 general election

	% votes	% seats	% seats– % votes	(% seats–% votes) squared	Value of least squares index
Fianna Fáil	39.3	46.4	+7.1	49.72	
Fine Gael	28.0	32.5	+4.5	21.02	
Labour	10.4	10.2	–0.2	0.03	
PDs	4.7	2.4	–2.3	5.16	
Democratic Left	2.5	2.4	–0.1	0.01	
Green Party	2.8	1.2	–1.6	2.41	
Sinn Féin	2.6	0.6	–2.0	3.79	
National Party	1.1	0	–1.1	1.14	
Socialist Party	0.7	0.6	–0.1	0.01	
Christian Solidarity	0.5	0	–0.5	0.22	
Workers’ Party	0.4	0	–0.4	0.19	
Others	7.2	3.6	–3.6	12.55	
Total if maximum disproportionality (Others = 1 party)	100.0	100.0	0	96.25	6.94
Total if minimum disproportionality (Others = many small parties)	100.0	100.0	0	83.70	6.47
Total on most plausible assumptions (least components approach)	100.0	100.0	0	85.86	6.55

Note: values do not always sum precisely to totals because of rounding. Values for each party in fourth column are obtained by squaring the unrounded % seats–% votes differences.

more serious than, say, the under-representation of thirty-six parties each by 0.1 per cent. Consequently, Lijphart (1994: 61) is correct to point out that Gallagher, in his original article, was in error in suggesting that lumped 'Others' be treated as if they were a single party.

Applying Taagepera's least components approach, we assume that no party won more than 0.4 per cent of the votes or received more than 0.6 per cent of the seats. Hence, our best estimate might be that six parties each won 0.4 per cent of the votes and received 0.6 per cent of the seats (a vote-seat deviation of 0.2 per cent each), while a further twelve parties each won 0.4 per cent of the votes and won no seats (a vote-seat deviation of 0.4 per cent each). The sum of the squares would now come to $83.70 + 0.24 + 1.92 = 85.86$, which when divided by 2 gives 42.93, whose square root is 6.55.

The correct value of the index in this case—again, calculated by analysis of the detailed results, treating every minor party and independent candidate as a separate unit—is exactly that: 6.55.

If the votes for the four parties from National downwards had been incorporated in the Others total, we would have had the information shown in Table B.4. Now the least components approach assumes that no group among the Others has more than 2.5 per cent of the votes or wins more than 0.6 per cent of the seats. Clearly, there are many possible distributions that are compatible with these constraints. Some of these would be highly unlikely, such as seven parties, each with 0.1 per cent of the votes, winning 0.6 per cent of the seats, while four parties each with almost 2.3 per cent of the votes win no seats. Others are much more plausible, such as seven parties,

Table B.4 Result of Ireland's 1997 general election, lumped 'Others'

	% votes	% seats	% seats– % votes	(% seats–% votes) squared	Value of least squares index
Fianna Fáil	39.3	46.4	+7.1	49.72	
Fine Gael	28.0	32.5	+4.5	21.02	
Labour	10.4	10.2	–0.2	0.03	
PDs	4.7	2.4	–2.3	5.16	
Democratic Left	2.5	2.4	–0.1	0.01	
Green Party	2.8	1.2	–1.6	2.41	
Sinn Féin	2.6	0.6	–2.0	3.79	
Others	9.8	4.2	–5.6	31.70	
Total (Others = 1 party)	100.0	100.0	0	113.84	7.54
Total (Others = many small parties)	100.0	100.0	0	82.14	6.41
Total (least components approach, plausible assumption)	100.0	100.0	0	83.26	6.45

each with 1.0 per cent of the votes, winning 0.6 per cent of the seats, while a host of micro-parties each wins no seats, and this scenario is the one incorporated in Table B.4.

Given that, as we know, the correct figure is 6.55, it can be seen that, once again, simply ignoring the Others completely produces an acceptable figure, as Taagepera observes (Taagepera 1997: 151). Applying the least components approach and making plausible assumptions improves the accuracy, though only slightly. The inappropriateness of treating Others as a single party is even more apparent. In practice, in these days of ever-growing data availability, it is unlikely that we will encounter many election results presented with as much deficiency of detail as the example above, so simply dropping the Others' contribution to the sum of the squares will usually produce a value very close to the correct one and that is the basis of the calculation of the values of the indices extensively analysed in Lijphart (1994). Taking the average of this and the least components figure is best of all.

In summary, to calculate the value of the least squares index when a number of groups are lumped together as 'Others':

- (i) a reliable approach is to apply Taagepera's least components approach and make plausible assumptions;
- (ii) simply disregarding Others will usually produce a result very close to the correct one;
- (iii) taking the average of (i) and (ii) is best of all;
- (iv) treating Others as if they constituted a single party is a mistake and will distort the value of the index.

Downloadable files enabling users to calculate the values of the effective number of parties and the least squares index can be found at: http://www.tcd.ie/Political_Science/Staff/mgallagher/elections

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Appendix C

Effective threshold and effective magnitude

THE CONCEPTS

Throughout this book we have seen that both district magnitude (the number of seats filled in a particular constituency) and the threshold that a party needs in order to obtain representation are central to the way in which a particular electoral system works. In this appendix we will try to explore various aspects of these concepts: the link between them; the connection between constituency-level magnitude and national-level magnitude; and the relevance of the number of constituencies.

District magnitude and a formal threshold are both clear and straightforward concepts. It is also evident that the two are linked: depriving small parties of accurate or any representation can be done just as well by low district magnitude as by imposing a formal threshold. The two are not quite identical in their effects, because whereas the effects of a formal threshold are entirely predictable, the effects of a given district magnitude are contingent, dependent on how the votes are distributed among parties. In one n -seat constituency a party with 4 per cent of the votes may win a seat, while in an adjacent one a party with 8 per cent may not.

Nevertheless, there is clearly a strong relationship between the two, and this gives rise to the concepts of 'effective threshold' and 'effective magnitude' (concepts introduced in Taagepera and Shugart 1989: 126–41 and elaborated in Lijphart 1994: 25–9). In other words, a formal threshold has more or less the equivalent effect to a certain district magnitude that we call the 'effective magnitude', and vice versa. While we cannot expect to find a formula that works in all circumstances, there is consensus that

$$\begin{aligned}t &= 75\%/(m + 1) && (1), \text{ or} \\m &= (75\%/t) - 1 && (2),\end{aligned}$$

where t refers to the effective threshold and m to the effective magnitude, comes close to expressing the relationship (Lijphart 1997: 74; Taagepera 1998: 397). The derivation of this formula is that the 'effective' threshold is approximately mid-way between the threshold of representation (the lowest share of the vote with which a party might win a seat, at which its probability of winning a seat becomes almost imperceptibly greater than zero) and the threshold of exclusion (the highest share of the vote with which a party might fail to win a seat, at which its probability of winning a seat falls almost imperceptibly below one). If its share of the vote falls short of the effective threshold, it is likely to be substantially under-represented but

will not necessarily fail to win any seats at all (Lijphart 1994: 29). This relationship applies within any given constituency, whether it is a single national-level constituency (of the sort we find in Israel and the Netherlands, for example) or one of a number of subnational constituencies.

Thus, for example, if seats are to be awarded in a fourteen-seat constituency with no formal threshold, the effective threshold is $75\%/(14+1)$, i.e. 5%. In other words, it is as difficult for a party to gain representation in a fourteen-seat constituency as if there is a formal threshold of 5 per cent. This also means that if there is a formal threshold in such a constituency, and this threshold is 5 per cent or lower, the threshold is largely irrelevant, because a party with fewer than 5 per cent of the votes cannot expect to win a seat in a fourteen-seat constituency regardless of whether there is a formal threshold.

Another way of looking at this is that even if the district magnitude in a particular constituency is greater than 14, if the electoral system imposes a threshold of 5 per cent within the constituency and debars parties that receive fewer votes than this from receiving seats, the effective magnitude is 14. However many seats are being awarded within the constituency (provided there are at least fourteen of them), effective magnitude remains at 14.

The only caveat is the one we have mentioned, that is, that without a formal threshold, parties that do not reach the effective threshold *might* manage to win a seat—if, for example, the votes are highly fragmented among a large number of small parties. But, this apart, the meaning of the terms effective threshold and effective magnitude seems straightforward enough.

So far, so good. There are two big complicating factors, however. The first is the question of how confidently we can predict the fate of small parties striving for their first seat at national level simply by knowing the average district magnitude at constituency level. The second is what exactly we are trying to predict from the ‘effective threshold’: simply the threshold that a party usually needs to cross in order to achieve representation, or broader features such as fragmentation and disproportionality? What we would like to be able to do is to come up with figures, for any country with a given set of constituency-level district magnitudes (and perhaps thresholds), that represent its ‘effective magnitude’ and its ‘effective threshold’, thus facilitating cross-national comparisons.

FROM CONSTITUENCY LEVEL TO NATIONAL LEVEL

Regarding the question of calculating national-level thresholds, it would be a big (though common) mistake to extrapolate simplistically from subnational constituency-level relationships to national-level ones. A party that wins, say, 4.9 per cent of the vote in one fourteen-seat constituency is unlikely to win a seat, for the reasons outlined. But if a party were to win 4.9 per cent of the votes nationwide in a country with 560 seats and forty fourteen-seat constituencies, we would be amazed if it were to fail to win any seats. Only if it won precisely 4.9 per cent in every constituency would there be any risk of this fate befalling it; much more probably, it will exceed

the effective threshold in about half of the constituencies and fall below it in the other half, perhaps ending up with about 3.6 per cent of the seats (i.e. one seat in every second constituency). Thus it is obvious that the nationwide effective threshold is not simply the same as the effective threshold in the average-sized constituency—even though this crucial difference is sometimes elided.

In Spain, for example, there are 350 seats elected from fifty-two constituencies, an average district magnitude of 6.7. Applying equation 1, the average constituency-level effective threshold is thus $75\%/(6.7 + 1)$, or $75/7.7$ which equals 9.7 per cent. However, this is definitely not the nationwide effective threshold. A party can gain representation in the Cortes by winning just one seat in any constituency. The constituency-level share of the vote that can achieve this will be lowest in the largest constituency, which in 2000 was Madrid with thirty-four seats (an effective threshold of only 2.1 per cent in this constituency). At the 2000 election, therefore, a party could, in the absence of a *legal* threshold, have won a seat in Madrid with just 90,650 votes (2.1 per cent of the votes cast there), or 0.27 of the national vote total. As it happens, Spain imposes a constituency-level threshold of 3 per cent, so in Madrid a party would have needed 129,500 votes to qualify for a seat, but even this is only 0.38 per cent of the nationwide vote. In terms of votes, though, a party could have qualified for a seat with far fewer votes because of Spain's over-representation of its smaller provinces (see p. 378 above). The most over-represented was Soria, where 79,509 voters elected three deputies. The effective threshold in Soria was thus $75\%/4$, or 18.75 per cent, i.e. 14,908 votes; a mere 0.04 per cent of the nationwide vote, and a far cry from the 9.7 per cent we would get if we simply projected the average constituency-level threshold onto the national level.

In Ireland's 2002 election there was less variation in district magnitude, each of the forty-two constituencies returning either three, four, or five deputies. With a total of 165 deputies elected, average district magnitude was 4.0, and the average effective threshold within each constituency was thus $75\%/5$, or 15 per cent. Once again, it is obvious at an intuitive level that this cannot possibly be the effective nationwide threshold—which would mean that a party with, say, 14 per cent of the national vote is unlikely to win any seats. Within a given three-seat constituency a party can expect to win a seat, on the $75\%/(m+1)$ formula, with around 18.75 per cent of the votes, approximately 0.34 per cent of the national vote. Indeed, as we saw in Chapter 25 (p. 523), an independent candidate secured election in 2002 with 0.20 per cent of the national vote.

The effective national threshold, then, is somewhere between the thresholds of representation and of exclusion—but where exactly? The work of Taagepera (1998*b*, 2002) has made major advances in this area. Taagepera identifies three key variables (obviously, each one can be expressed in terms of the other two):

- M* average district magnitude
- S* total assembly size
- E* number of electoral districts.

Taagepera suggests (2002: 390) that the nationwide effective threshold can best be approximated by

$$T = \frac{75\%}{((M + 1) * \sqrt{E})} \quad (3)$$

or, expressed differently,

$$T = \frac{75\%}{(((S/E) + 1) * \sqrt{E})}$$

or

$$\frac{75\%}{(((S + E)/E) * \sqrt{E})}$$

Thus in Spain, where $S = 350$ and $E = 52$, $T = 1.35$ per cent; and in Ireland, where $S = 165$ and $E = 42$, $T = 1.85$ per cent. That is to say, the formula suggests that parties winning precisely this level of support have, says Taagepera, a 50–50 chance of securing representation in parliament. Applying equation (2), we might now venture to estimate the effective nationwide district magnitude. In Spain this is $((75/1.35) - 1)$ or 54.6, while in Ireland it is $((75/1.85) - 1)$, i.e. 39.5. In other words, for a party in Spain, winning a seat is about as easy (or difficult) as winning a seat in a fifty-five-member constituency. The figure this approach gives us for effective magnitude is much higher than the average district magnitude. Taagepera not only argues plausibly that his formula is likely to be a good predictor of the nationwide effective threshold; he also demonstrates empirically that it works well in practice.

EFFECTIVE THRESHOLD, DISPROPORTIONALITY, AND FRAGMENTATION

Taagepera's work makes a very valuable contribution to the quest for the nationwide effective threshold. However, this observation brings us on to the second complication mentioned above, namely that the 'effective threshold' may not have all the properties of a formal threshold. Formal thresholds do not merely establish the effective threshold of representation; they also have a major impact on such fundamental outputs of electoral systems as disproportionality and the effective number of parties. Clearly, Taagepera's formula does not purport to mimic the effective threshold in these respects. Electoral systems that are self-evidently very different turn out to have roughly the same nationwide effective threshold of representation. For example, Switzerland (electing around 200 MPs from multi-member constituencies whose average district magnitude is 8) has an effective nationwide threshold of 1.7 per cent; just the same as France, all of whose MPs are elected from SMDs (Taagepera 2002: 393). Even more strikingly, the figure for Finland (199 MPs elected from fourteen constituencies)¹ is scarcely lower than that for the UK, with 646 SMDs: 1.32 per cent compared with 1.48 per cent.

In terms of the threshold of representation, these similarities may well apply. In terms of disproportionality and fragmentation, however, they clearly do not. In a

¹ We are omitting the one single-member constituency for Åland, which has its own party system.

country that applies a PR formula in constituencies averaging fourteen MPs, such as Finland, we can be confident that we will encounter low disproportionality and a multiparty system. In a country that uses only SMDs, such as the UK, we expect high disproportionality and low fragmentation even if there are several hundred constituencies. However well it serves as an estimate of the nationwide threshold of representation, formula (3) understates the importance of average district magnitude and overstates the importance of the number of constituencies when it comes to disproportionality and the effective number of parties.

Nonetheless, the number of constituencies is a variable that does make some difference. The more crumbly the cake, the better the chances of being able to give everyone their exact fair share of it, whereas if it is an indivisible monolith, the winner gets it all. Previous research has found that the larger the size of the assembly, the lower disproportionality tends to be—though once there are over 100 members, there is no discernible effect, and assembly size has no effect on fragmentation (Lijphart 1994: 100–1). Again, it is obvious intuitively that in a parliament elected by SMP, if there are only five seats the likelihood of an extreme outcome such as one party taking all the seats is greater than if there are 500 seats. With 500 seats, the outcome will not simply be the experience of one ‘typical’ constituency 500 times over, because a swings-and-roundabouts effects will operate. Perhaps, indeed, small parties really will be unlucky 500 times over, but the larger parties will be over-represented (win the seat) in some constituencies and under-represented in others. We do not expect matters to even themselves out completely, but the national pattern will not be as ‘bad’ as the experience of one randomly chosen constituency replicated 499 times. The number of constituencies does make a difference to fragmentation and disproportionality, but not as big a difference as formula (3) suggests.

THE EFFECT OF THE NUMBER OF CONSTITUENCIES

We can illustrate the effect of the number of constituencies by looking in detail at a couple of elections, one held under SMP and the other an archetypal example of PR.² The SMD component of Germany’s 1998 election produced a typical SMP result (see Table C.1): the largest party, the SPD, won a huge bonus, and the regionally-based CSU, which contests constituencies only in Bavaria, also did well. Every other party was under-represented, and indeed only two others even won seats. Table C.2 shows the result of Finland’s 1999 election, in which there were fourteen constituencies (average district magnitude 14.2). The results are broadly proportional, as we would expect. All parties won a seat share reasonably close to their vote share, and the RKP and SKL, with a vote share close to that of the German Greens, were over-represented, whereas the German Greens won no seats. Two parties with around 1 per

² These particular examples have been taken partly because the official results provide a very high degree of disaggregation of ‘others’. Germany’s 1998 results from <http://www.statistik-bund.de/wahlen/ergebn98/>; Finland’s 1999 result from <http://tilastokeskus.fi/tk>.

Table C.1 Result of Germany 1998 election, SMD component only

	Votes	% vote	Seats	% seats
SPD	21,535,893	43.80	212	64.63
CDU	15,854,215	32.25	74	22.56
CSU	3,602,472	7.33	38	11.59
Greens	2,448,162	4.98	—	—
FDP	1,486,433	3.02	—	—
PDS	2,416,781	4.92	4	1.22
BFB	134,795	0.27	—	—
Graue	141,763	0.29	—	—
REP	1,115,664	2.27	—	—
ödp	145,308	0.30	—	—
Others	285,094	0.58	—	—
Total	49,166,580	100.00	328	100.00

Note: 'Others' consists of 26 other parties plus a lumped group of remaining 'others' (this last group amounts to 0.13 per cent of the total votes). None of the other parties won as many as 0.10 per cent of the national vote. All the calculations here are based on maximum disaggregation of the results; in other words, each small party is treated separately.

Table C.2 Result of Finland 1999 election

	Votes	% vote	Seats	% seats
SDP	612,963	22.95	51	25.63
KESK	600,592	22.49	48	24.12
KOK	563,835	21.11	46	23.12
Left	291,675	10.92	20	10.05
Greens	194,846	7.30	11	5.53
RKP	137,330	5.14	11	5.53
SKL	111,835	4.19	10	5.03
Nuors	28,084	1.05	—	—
PS	26,440	0.99	1	0.50
REM	28,549	1.07	1	0.50
SKP	20,442	0.77	—	—
KIPU	10,378	0.39	—	—
VSL	10,104	0.38	—	—
Others	33,746	1.26	—	—
Total	2,670,819	100.00	199	100.00

Note: the figures exclude the votes cast, and the 1 seat, in Åland. 'Others' consists of five other parties plus a lumped group of remaining 'others' (this last group amounts to 0.81 per cent of the total votes). None of the other parties won as many as 0.30 per cent of the national vote. All the calculations here are based on maximum disaggregation of the results; in other words, each small party is treated separately.

In the analysis in this appendix we ignore any inter-party alliances that might have existed and that in real life can affect seat distribution (see Chapter 23).

There were 14 constituencies, ranging from 7 to 32 seats; average district magnitude 14.2 seats.

cent of the votes each won a seat, confirming that Taagepera's estimated effective national threshold is much more realistic than a simple projection to the national level of the constituency-level average (which would be 4.9 per cent).

Table C.3 demonstrates the swings-and-roundabouts effect that we have referred to. In both countries, the outcome at national level is not the same as the average constituency outcome repeated as many times as there are constituencies. National-level disproportionality is lower, and both vote and seat fragmentation are higher, than the constituency average. Indeed, in both countries the national-level disproportionality is lower than the *lowest* figure for any individual constituency. The effective national magnitude therefore seems to be greater than the average district magnitude.

How much difference does E (the number of constituencies) make? Is it the case that in Germany, for example, once E reaches, say, 100 the outcome is as proportional as in the actual case where E equals 328? We can examine the effect of E by running an illustrative simulation that involves merging the constituencies into hypothetical ones comprising clumps of two, three, etc., with the existing seat-allocation mechanism applied within each. If Germany were one 328-member constituency with all the seats awarded 'at large', that is, by the block vote (see Appendix A), then, obviously, the largest party would win them all. If the country is divided into two 164-member constituencies then, in this example, the SPD still has a plurality in each and again takes all 328 seats (see Table C.4). As E increases so too does fragmentation, until at around fifty constituencies the outcome would not be too different from the actual result with 328. Of course, the way in which existing constituencies are combined is important. In this example, constituencies are combined with those adjacent in the official ordering of results, which groups constituencies by Land. Grouping on that basis benefits parties with a regional stronghold, such as the CSU and PDS. If constituencies were grouped randomly, there would be

Table C.3 Differences between nationwide figures and constituency-level averages, Germany 1998 and Finland 1999

	Constituency average	Overall national figure
<i>(i) Germany 1998, SMD component</i>		
Eff N_v	2.70	3.25
Eff N_s	1.00	2.07
LSq	45.26	17.30
N	328	1
<i>(ii) Finland 1999</i>		
Eff N_v	4.82	5.89
Eff N_s	3.93	5.10
LSq	6.91	3.28
N	14	1

Table C.4 Seats won under varying number of constituencies, Germany 1998 and Finland 1999

<i>E * M</i>											
<hr/>											
<i>Germany 1998</i>	SPD	CDU	CSU	Green	FDP	PDS					
1 * 328	328										
2 * 164	328										
5 * 65	260	65									
6 * 54	324										
8 * 41	287	0	41								
10 * 32	256	32	32								
20 * 16	240	48	32								
25 * 13	221	52	52								
54 * 6	222	60	42								
109 * 3	204	81	39	0	0	3					
164 * 2	208	78	40	0	0	2					
328 * 1	212	74	38	0	0	4					
<hr/>											
<i>Finland 1999</i>	SDP	KESK	KOK	Left	Grns	RKP	SKL	Nuors	PS	REM	SKP
1 * 199	47	46	44	22	15	10	8	2	2	2	1
2 * c100	49	47	44	22	15	10	8	1	1	1	1
4 * c50	49	48	45	22	14	10	8	1	1	1	0
14 * c14	51	48	46	20	11	11	10	0	1	1	0

a greater chance of the largest party nationally being the largest party in nearly every constituency.

In the case of Finland's 1999 election, the effect of merging constituencies is minimal by comparison, because the level of proportionality is already pretty high even with fourteen constituencies. The Greens would have won four more seats had all Finland's seats been awarded in one 199-member constituency, and the largest party would have lost four seats, but the overall profile is very similar in every case (Table C.4).

These two examples, incidentally, illustrate one of the points made in Appendix A, namely that the effect of altering district magnitude varies according to whether or not a PR formula is used to allocate seats. When it is in force, as in Finland (which uses D'Hondt), the larger the district magnitude, the better for small parties and for the level of proportionality; one 199-member constituency maximizes proportionality. But when seats are awarded by a non-PR method, such as SMP, increasing district magnitude increases disproportionality, and small parties have their best chance when the country is divided into the maximum number of constituencies.

Table C.5 shows more clearly the impact of increasing *E* and decreasing *M*. In Germany, as *E* increases, the average effective number of elective parties per constituency decreases as the diversity of within-constituency party systems grows. At the same time, national-level disproportionality decreases, and by the time Germany is divided into around fifty constituencies, the indices look much like

Table C.5 Indices under varying number of constituencies, Germany 1998 and Finland 1999

<i>E</i> * <i>M</i>	Effective number of parties (elective)		Effective number of parties (legislative)		Least squares index	
	Constituency average	National level	Constituency average	National level	Constituency average	National level
<i>Germany 1998</i>						
1 * 328	3.25	3.25	1.00	1.00	46.45	46.45
2 * 164	3.32	3.25	1.00	1.00	47.33	46.45
5 * 65	2.92	3.25	1.00	1.47	48.45	28.02
6 * 54	3.20	3.31	1.00	1.00	47.28	45.78
8 * 41	2.88	3.25	1.00	1.28	47.51	38.98
10 * 32	2.88	3.24	1.00	1.52	47.52	30.43
20 * 16	2.83	3.24	1.00	1.68	46.80	25.70
25 * 13	2.82	3.25	1.00	1.95	47.13	22.15
54 * 6	2.75	3.24	1.00	1.92	46.39	19.81
109 * 3	2.73	3.25	1.00	2.15	45.95	15.43
164 * 2	2.73	3.25	1.00	2.11	45.92	16.40
328 * 1	2.70	3.25	1.00	2.07	45.26	17.30
<i>Finland 1999</i>						
1 * 199	5.89	5.89	5.54	5.54	1.15	1.15
2 * c100	5.55	5.89	4.98	5.33	2.12	1.84
4 * c50	5.29	5.89	4.71	5.23	2.51	2.23
14 * c14	4.82	5.89	3.93	5.10	6.91	3.28

those for the 328-constituency configuration. In Finland, though, as the number of constituencies increases, so does disproportionality. In each case, as *E* increases, so does the divergence between the national-level figure and the constituency-level average.

If *E* became large enough, could a German SMD election be as proportional as a Finnish one? It seems unlikely, given that the lowest level of disproportionality generated in any German constituency in 1998 (29.1) is nearly twice as high as the highest level of disproportionality in any Finnish constituency in 1999 (16.1). Yet, in the extreme case where every voter constitutes his or her own constituency, the distribution of seats will perfectly mirror the distribution of votes. However, we cannot expect to see an SMP election delivering Finnish levels of proportionality and fragmentation unless *E* reaches very high levels.

NATIONWIDE EFFECTIVE MAGNITUDE

Is it possible from this to derive an estimate of nationwide effective magnitude? Looking again at the German example (Table C.5), when *E* = 1, effective magnitude is also 1, but as *E* increases so the pattern of fragmentation and proportionality moves

away from what we expect to (and do) find within a one-member constituency. We might tentatively suggest that nationwide effective magnitude could be approximated by $M^*(1 + \log(E))$, a formula that takes account of increasing values of E without giving it undue weight. By this reckoning, Germany’s 1998 SMD component would have an effective magnitude of $1^*(1 + \log(328)) = 3.52$, while Finland in 1999 would have an effective magnitude of $14.2^*(1 + \log(14)) = 30.5$.

Employing this formula gives us the picture presented in Table C.6. The last column gives an idea of the effective magnitude taking into account both average district magnitude and the number of districts, while ignoring for the moment legal thresholds. The implication of the last column is that we could expect, at national

Table C.6 Effective nationwide threshold and effective magnitude for 22 countries, disregarding impact of legal thresholds

	Seats	Number of constituencies (E)	Average district magnitude (M)	Effective nationwide threshold (Taagepera)	Effective nationwide magnitude $m^*(1 + \log E)$
Australia	150	150	1	3.06	3.2
Canada	308	308	1	2.14	3.5
France	577	577	1	1.56	3.8
India	543	543	1	1.61	3.7
UK	646	646	1	1.48	3.8
USA House	435	435	1	1.80	3.6
Germany	598	1	598	0.13*	598.0
Hungary	386	177	2.2	1.77*	7.1
Italy	630	476	1.3	1.48*	4.9
Japan	480	311	1.5	1.67*	5.4
New Zealand	120	1	120	0.62*	120.0
Russia	450	226	2.0	1.67*	6.7
Israel	120	1	120	0.62*	120.0
S Africa	400	1	400	0.19	400.0
Spain	350	52	6.7	1.35	18.3
Austria	183	1	183	0.41*	183
Belgium	150	11	10.7	1.93	21.9
Chile	120	60	2	3.23	5.6
Denmark	175	1	175	0.43*	175.0
Finland	199	14	14.2	1.32	30.5
Netherlands	150	1	150	0.50*	150.0
Ireland	166	42	4.0	2.34	10.4

* indicates existence of a legal threshold that is higher than the ‘effective’ threshold. In these cases, last column is based on effective threshold, disregarding the legal threshold; values that take account of legal thresholds are presented in Table C.7.

Note: Italy and Hungary are treated as if they were parallel mixed systems, with a number of SMDs and one PR tier, even though in practice both are partially compensatory. This means that (ignoring the legal thresholds) the real nationwide effective threshold is somewhat lower, and the real effective magnitude is somewhat higher, than the figures shown in the table, but it is impossible to calculate more accurate figures.

level, approximately the same levels of fragmentation and disproportionality as we would encounter in a single district of that magnitude.

This, though, takes no account of legal thresholds, which in eleven of our countries are salient by virtue of being higher than the effective nationwide threshold. In the first, Belgium, the threshold (5 per cent) is applied within each constituency. Applying formula (2), this reduces any constituency with more than fourteen seats to an 'effective magnitude' of precisely 14, and as it happens six of Belgium's eleven constituencies do return more than fourteen MPs. Thus the actual range of district magnitudes (4–5–6–7–12–15–16–19–20–22–24) becomes, in effect, 4–5–6–7–12–14–14–14–14–14–14, with an effective average district magnitude of $118/11$, i.e. 10.7.

In most of the other countries the threshold is applied at national level. In Israel and the Netherlands the legal threshold (1.5 per cent and 0.67 per cent respectively) is the 'real' threshold that a party must pass in order to win any seats at all.³ In Austria, Denmark, and New Zealand, winning one lower-tier seat not only (by definition) gives a party parliamentary representation but also qualifies it for its share of the higher-tier seats. In Germany, Hungary, Italy, Japan, and Russia, winning one constituency seat (again by definition) earns parliamentary representation, but in order to qualify for list seats a party must overcome a higher hurdle. In these last five cases, then, we might distinguish between a threshold of *any* representation and a threshold of fair representation (using the term 'fair' in a broad sense).

Among these cases, the simplest are Israel and the Netherlands: in both, the legal threshold is the effective threshold. Hungary and Russia are also reasonably straightforward. In each case, the threshold of any representation is the vote that a party needs in order to win one of the constituency seats, and this can be calculated on the basis of Taagepera's formula with an E of 176 in Hungary and 225 in Russia, to produce the values shown in Table C.7. The threshold of fair representation (or, at least, something like fair representation) is the threshold imposed in the list tier, which is 5 per cent of the list votes in both Hungary and Russia. In Japan, by contrast, the threshold applied in the PR component is lower than the effective threshold in the SMD component. A party requires around 2.2 per cent of the SMD vote (according to Taagepera's formula) before it can expect to win an SMD seat. In the PR component, though, the 2 per cent threshold imposed within each constituency is in practice below the effective threshold even in the largest constituency and is thus irrelevant, so the effective threshold is that generated by Taagepera's formula (i.e. 1.3 per cent), and this becomes the threshold for any representation as well as the threshold for fair representation. The Italian system, with its application of the *scorporo* to render the PR tier partially compensatory, presents complications that are too great to allow accurate figures to be calculated, but making the simplifying assumption that it is a parallel system with no compensatory aspect, like the systems in Japan and Russia, allows us to make estimates. The 4 per cent threshold applied in

³ These are the figures for the most recent election. Since then, Israel's threshold has been raised to 2 per cent (Chapter 16). This would lower effective magnitude to 36.5.

Table C.7 Thresholds of representation in countries with legal thresholds

	Effective threshold of any representation	Effective threshold of 'fair' representation	Effective nationwide magnitude ($(75/t) - 1$)
Germany	2.17	5.00	14.0
Hungary	2.83	5.00	14.0
Italy	1.72	4.00	17.8
Japan	1.30	1.30	56.7
New Zealand	4.51	5.00	14.0
Russia	2.50	5.00	14.0
Israel	1.50	1.50	49.0
Austria	4.00	4.00	17.8
Denmark	2.00	2.00	36.5
Netherlands	0.67	0.67	110.9

Note: For derivation of the values, see text. The threshold on which values in the last column are based is the threshold of fair representation.

the PR component then becomes the threshold of fair representation, while the vote needed to win one of the 475 SMDs is the threshold of any representation.

Matters become a little more complicated when we turn to the other four cases: Germany, New Zealand, Austria, and Denmark. The complication is that in each of these countries, parties get more than one shot at qualifying: two in Germany, New Zealand, and Austria and three in Denmark. Let us first take the German example. Parties do not qualify for any of the 299 list seats unless they have *either* won 5 per cent of the list votes *or* won three SMDs. If it were not for the second possibility, the German case would be straightforward: since there is only one constituency for seat allocation purposes, the formal threshold of 5 per cent would mean that this was also the threshold for fair representation. However, a party could win three constituency seats with considerably less than 5 per cent of the national vote. To achieve this, it needs to win (again using formula (1)) around 37.5 per cent of the votes in three of the 299 constituencies, something that could be achieved with as low as 0.38 per cent of the national SMD vote. Of course, a party is highly unlikely to win three seats without having received votes elsewhere—the peaks of support where it wins seats will be surrounded by a larger number of foothills—and at a rough estimate we might expect it to need about three times as many votes altogether as it wins in its three strongest constituencies. This would take the requirement up to around 1.1 per cent.

The effective threshold for Germany, then, might be 5 per cent (the vote qualification route) or 1.1 per cent (the seat qualification route). Since we are dealing with a real-life example, we might 'peek' at the data and note that in the thirteen elections held over the 1953–2002 period (omitting the 1990 election, when slightly different rules applied), only once has it happened that a party has won three constituency seats without also overcoming the 5 per cent barrier (the PDS in 1994). Hence, we might be tempted to take a heavily-weighted average of the alternative threshold

figures (1.1 per cent and 5 per cent) or, more simply, just to disregard the constituency-seats route and treat Germany as if it had a 5 per cent national vote threshold *simpliciter*.

The position in Austria is rather similar. Parties there qualify for higher-tier seats if they have either won a lower-tier seat or received 4 per cent of the nationwide vote. In practice, on the four occasions when the current electoral system has been used, only three parties have ever won a lower-tier seat and each time the party in question has exceeded the 4 per cent threshold, while at every election there have been parties that have won 4 per cent of the national vote but have not won any lower-tier seats (see Table 19.2). In other words, the 4 per cent threshold has been the real threshold; the alternative route to qualification for higher-tier seats has been of no significance to date. Thus, while acknowledging that past performance is not necessarily an infallible guide to the future, we could treat Austria as having a 4 per cent national vote threshold *simpliciter*.

In New Zealand a party can qualify for higher-tier seats by winning either 5 per cent of the national list votes or just one SMD. The constituency-seat route here is more salient than in either Germany or Austria, in that usually a constituency seat is won by a party that does not reach the 5 per cent list vote threshold. The nationwide threshold for winning a SMD seat according to Taagepera's formula is not much below the 5 per cent list seat threshold: 4.5 per cent. In practice, though, parties smaller than this usually manage to win an SMD. Indeed, as Chapter 14 shows, parties winning just one SMD are usually so small that their one SMD seat *is* their fair entitlement and they are not awarded any list seats. A party with one SMD seat would need to receive around 1.7 per cent of the list votes before it would earn a list seat. Thus we could use the result produced by Taagepera's formula as applied to the 69 SMDs as the threshold of any representation (while acknowledging that this figure seems to be too high in practice) and regard the 5 per cent list vote threshold as the threshold of fair representation (while acknowledging that some very small parties are able to secure their 'fair' share of seats despite not meeting this threshold).

The final case is Denmark, whose inclusive democracy gives parties three different ways to earn a share of higher-tier seats. They can do this by winning at least 2 per cent of the valid national vote, winning a constituency seat in any of the seventeen constituencies, or winning at least as many votes as the regional vote/constituency seat ratio in two of the three main regions (see Chapter 22, especially the discussion of Table 22.2). In practice it is very rare for a party to meet either the second or the third criterion if it has not also won 2 per cent of the vote so, as with Austria, we will ignore the complication of the alternative routes to representation and treat the 2 per cent legal threshold as the effective threshold.

In Denmark, Germany, and New Zealand, incidentally, the possibility of qualifying for higher-tier seats by winning a number of constituency seats can have a marked indirect effect: it concentrates attention on the constituency(-ies) that is perceived as being crucial for a particular small party, and sometimes this seems to generate an interest and a momentum that boosts its national (or list) vote and

carries it above the national-level *vote* threshold. Thus the constituency-seat route may be politically salient even if a party rarely needs to invoke it—or, to use Duverger's terms, it may be important psychologically even if it rarely has a mechanical effect.

This enables us to complete the task of calculating effective magnitude for all of our twenty-two countries. Table C7 indicates the two thresholds for each of the ten countries we have just discussed: the effective threshold of any representation indicating the share of the vote that parties can expect to need, according to Taagepera's formula (3), in order to gain a first seat, and the effective threshold of fair representation indicating the share that they need in order to qualify for the proportionally-allocated seats. The last column then applies formula (2) to compute the effective magnitude.

Tables C.6 and C.7 together, then, provide figures for the effective nationwide threshold and effective magnitude for all of the twenty-two countries studied in this book, on the basis of formulae that can be used to compute these values for any system.

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Appendix D

Values of Indices for 22 Countries at Most Recent Election

Table D.1 Electoral system indices for recent elections

	Most recent election	Effective number of parties (votes)	Effective number of parties (seats)	Disproportionality (least squares index)
Australia	2004	3.2	2.4	8.6
Canada	2004	3.8	3.0	9.8
France	2002	5.2	2.3	21.9
India	2004	7.6	6.5	4.5
UK	2005	3.6	2.4	16.8
USA: Senate	2004	2.1	2.0	8.5
House	2004	2.1	2.0	3.8
Germany	2002	4.1	3.4	4.6
Hungary	2002	2.8	2.2	7.6
Italy	2001	6.3	5.3	n/a
Japan	2003	3.1	2.6	7.9
New Zealand	2002	4.2	3.7	2.5
Russia	2003	6.6	3.6	12.0
Israel	2003	7.0	6.2	2.6
South Africa	2004	2.0	2.0	0.3
Spain	2004	3.0	2.5	4.3
Austria	2002	3.0	2.9	1.3
Belgium	2003	8.3	7.0	4.8
Chile	2001	6.6	5.9	5.1
Denmark	2005	5.2	4.9	1.8
Finland	2003	5.7	4.9	3.2
Netherlands	2003	5.0	4.7	1.1
Ireland	2002	4.1	3.4	6.6

Notes: (i) Calculated from figures in relevant chapters. In cases of aggregated ‘others’, the approach recommended in Appendix B was used. (ii) For Italy, effective N of votes refers to PR votes only; effective N of seats refers to all seats.

Appendix E

Websites related to elections, election results, and electoral systems

All sites current as of December 2004; addresses preceded by <http://>

GENERAL

psephos.adam-carr.net/

Australia-based site that describes itself with some justification as ‘the largest, most comprehensive and most up-to-date archive of electoral information in the world, with election statistics from 165 countries’.

www.psr.keele.ac.uk

Richard Kimber’s Political Science Resources ‘is a gateway to most significant resources relevant to the study of politics and government’. Clicking on ‘Elections’ produces a list of useful sites (and some not so useful ones).

www.parties-and-elections.de/indexe.html

Database of parliamentary election results in Europe since 1945, with information on political parties.

www.ifes.org

Election results worldwide.

www.electionworld.org/calendar.htm

List of all elections worldwide over past five years, with results of each.

dodgson.ucsd.edu/lij/

Site of the Lijphart Elections Archive, housed at the University of California, San Diego campus, which is a research collection of district level election results for approximately 350 national legislative elections in twenty-six countries.

www.unc.edu/~asreynol/ballots.html

Site maintained by Andrew Reynolds at University of North Carolina, Chapel Hill. Contains examples of ballot papers from over 100 countries.

www.tcd.ie/Political_Science/Staff/mgallagher/elections

Site containing values of various indices for past elections in a number of countries, plus downloadable files to compute this and also to implement the main seat allocation methods.

electionresources.org

The website of Manuel Álvarez-Rivera. Election results from a lot of countries, with explanations of the electoral systems of some.

www.ulb.ac.be/soco/cevipoll/documentation/documentation-elections.htm

Website of Centre d'étude de la vie politique de l'Université libre de Bruxelles. Has detailed election results from many European countries.

www.essex.ac.uk/elections/

Site of a project based at Department of Government, University of Essex. Has electoral law and detailed election results (constituency-level results and even votes for individual candidates) for twelve postcommunist countries over the period 1990–2002.

www.cspp.strath.ac.uk

Site of Centre for the Study of Public Policy at the University of Strathclyde. Clicking on 'Guide to Site', and then on the name of a country, leads to detailed postcommunist election results for that country.

www.georgetown.edu/pdba/english.html

Georgetown University Political Database of the Americas is a comprehensive source for information on electoral legislation, bibliographic material on elections, links to national electoral institutes, and election results for all of the countries in the Americas. It also contains information on political parties, constitutions, and judicial institutions in the region.

www.ipu.org

Site of the Inter-Parliamentary Union, with links to parliaments of virtually every country, information on electoral system and most recent election results, and data on percentage women in parliaments.

www.idea.int/esd/index.cfm

'Electoral system design' page of the International Institute for Democracy and Electoral Assistance, whose objective 'is to help improve the design of key democratic institutions and processes through improved knowledge and understanding of issues that condition democratic progress'.

www.aceproject.org

Site of Administration and Cost of Elections Project, with information on how to run an election from start to finish.

www.math.uni-augsburg.de/stochastik/bazi/

Site of Friedrich Pukelsheim; contains various apportionment downloads plus a list of readings on PR.

www.umich.edu/~cses/

'The Comparative Study of Electoral Systems (CSES) is a collaborative program of cross-national research among election studies conducted in over fifty states'. Despite the name of the project, it is primarily concerned with national election studies rather than with electoral systems per se, but it enables researchers to explore the effect of electoral institutions on various aspects of political attitudes and behaviour.

AUSTRALIA

www.aph.gov.au/library

Online archive of Parliament of Australia's library; much information on past election and referendum results, number of women in parliament, etc.

www.abc.net.au/elections

Election site of Australian Broadcasting Corporation; has detailed analysis of party strength in every constituency.

www.cs.mu.oz.au/~lee/prsa/

Much information on Australian election and electoral system developments. Site of the PR Society of Australia, unabashedly pro-PR-STV.

AUSTRIA

www.bmi.gv.at/wahlen/

Location of all electoral statistics and official data.

BELGIUM

www.belgium.be/eportal/application?origin=charterDetail.jsp&e-

[&event=bea.portal.framework.internal.refresh&pageid=indexPage&navId=1366](http://www.belgium.be/eportal/application?origin=charterDetail.jsp&e-)

The official elections website of the federal government. It provides recent election results as well as electoral rules.

www.vub.ac.be/belgianelections

Website of the Vrije Universiteit Brussel, with results of elections going back to 1830. It also provides information on subnational elections.

www.kuleuven.ac.be/sociologie/onderzoek/ispol/index.htm and

www.spri.ucl.ac.be/piop/Default.htm

Websites of the twin National Election Studies Centres, ISPO (Instituut voor Sociaal en Politiek Opinieonderzoek) and PIOP (Point d'Appui Interuniversitaire d'Opinion Publique).

CANADA

www.elections.ca

Website of Elections Canada.

CHILE

www.interior.gov.cl/index2.html

Ministry of the Interior (Ministerio del Interior); contains results for all elections since the return of democracy at the national, regional, and district level, broken down by party and coalition.

www.servel.cl/

Chilean Electoral Commission (Servicio Electoral); contains election results, electoral legislation, and information on legally constituted political parties.

www.camara.cl/

Chilean Chamber of Deputies (Camara de Diputados); includes information on the current and past composition of the Chamber, information on the legislative process and legislative committees in Chile, and summaries of legislation under consideration.

www.senado.cl/

Chilean Senate (Senado); lists information on the current and past composition of the Senate, information on the legislative process and legislative committees in Chile, and summaries of legislation under consideration. The site also includes statistics on the consideration and passage of legislation.

www.bcn.cl/portada.html

Chilean Library of Congress (Biblioteca del Congreso); contains information on electoral and other legislation, links to the texts of legal statutes, and a searchable database of Chilean legislation.

DENMARK

www.im.dk/valg

This is the official website of the ministry (the Electoral Management Body), where all election related information is easily available (though only in Danish). The site gives access to electoral legislation, clarifies procedures, makes all election-related forms available to interested parties and individuals, and makes election statistics at all levels available either directly or through links.

www.folketinget.dk/BAGGRUND/00000048/00232623.htm

Link from the Danish parliament; contains detailed account of how the electoral system works.

www.dst.dk

Statistical Abstracts (downloadable) contain results of any election held in previous year.

FINLAND

www.vaalit.fi

Web site operated by the Ministry of Justice, with information on all types of elections held in Finland.

FRANCE

www.assemblee-nationale.fr/elections/resultats.asp

Results of most recent elections.

www.epf.fr/fm

The Election Politique website provides all election and referendum results since 1791 (in French).

GERMANY

www.bundeswahlleiter.de

Official website of the Federal Returning Officer (*Bundeswahlleiter*), whose office is part of the Federal Statistical Bureau (*Bundesamt für Statistik*). The page provides information on the electoral laws and official results at the national and European level as well as links to the federal-state statistical bureaux for regional electoral laws and election results. There is a limited amount of information in English (mainly on the electoral law).

www.bundestag.de

Official website of the German Bundestag. The English language page is not complete, but offers some information.

www.election.de

Independent website documenting elections at the regional, national, and European level and providing further background information during the run-up to elections. The information is provided in German only.

HUNGARY

www.valasztas.hu/

Website of the Hungarian Election Office with detailed results from national and local elections and referendums. Available in English.

www.mkogy.hu

Hungarian National Assembly's information website, also available in English.

INDIA

www.eci.gov.in

Website of the Electoral Commission of India. Provides information about electoral systems and laws and contains detailed results of general and state elections since 1951. Comprehensive, high-tech, and user-friendly.

IRELAND

www.environ.ie

Site of Department of the Environment and Local Government, which administers elections in Ireland. Links give details of all kinds of elections and contain some past election results.

electionsireland.org

Site maintained by Christopher Took and Seán Donnelly (author of a number of books on Irish election results), with much information on past election results and current political developments.

www.irishstatutebook.ie

Site maintained by Office of the Attorney General, contains full text of all legislation passed since 1922—including, of course, all Electoral Acts.

www.oireachtas.ie/documents/publications/ireland1.pdf

Detailed result of the most recent general election.

ISRAEL

knesset.gov.il/main/eng/home.asp

English-language home page of the Israeli parliament, the Knesset. One of the pull-down menus is 'Elections and State', which contains information on the electoral

system, results of past elections, governing coalitions over time, proposals for electoral reform, and more.

ITALY

www.istcattaneo.org

Site of the Istituto Carlo Cattaneo. Following the ‘*archivi*’ link leads to a full collection of election and referendum results.

cedweb.mininterno.it/ind_elez.htm

Site of the Ministry of the Interior with much election and referendum-related information.

www.parlamento.it

Site of the Italian parliament.

www.unifi.it/cise

Site of Centre for the Study of Italian Elections, based in Florence.

JAPAN

jpcentral.virginia.edu

Site hosted by University of Virginia that contains results of recent Japanese elections and other Japanese political data as well as links to other useful sites.

www.jsnet.org/uis2/pol.html

Useful gateway site (maintained by Japanese Studies Network Forum) with links to houses of parliament, government departments, and general Japanese politics sites.

NETHERLANDS

www.minbzk.nl

The site of the Home Office, containing information in Dutch on constitutional and electoral matters.

www.kiesraad.nl

The site of the independent Electoral Council, which oversees elections and advises the government on the electoral system. This site too is in Dutch.

www.kiesstelsel.nl

The government’s site to promote its plans (currently on hold) for a new electoral system. It contains English-language material.

NEW ZEALAND

www.elections.org.nz

Official Elections New Zealand site, with links to the Electoral Commission, Electoral Office, and Electoral Enrolment Centre. Has up-to-date election-related news, some past election results, and details of the electoral system and regulations.

www.nzes.org

Site of the New Zealand Election Study, which contains detailed election results as well as survey data.

RUSSIA

www.cifrk.ru

The official website of the Central Electoral Commission of the Russian Federation. It includes material in English as well as Russian, and has full sets of previous election results and full texts of current election legislation. The Russian-language version offers a somewhat fuller menu, including current documentation on the political parties. Professionally maintained.

SOUTH AFRICA

www.elections.org.za/

Site of the Independent Electoral Commission.

idasa.org.za/

Site of the Institute for Democracy in South Africa.

SPAIN

www.ine.es

Spanish official government statistics site (National Institute of Statistics). Contains a wide range of official data, including electoral data.

www.eleweb.net

Archive of election results at national and subnational level for the whole post-Franco period.

www.senado.es

Spanish Senate official website, with a variety of documents relating to parliamentary activity, including data on parliamentarians.

www.congreso.es

Spanish Congress of Deputies official website, again with documents relating to parliamentary activity, including parliamentarians and the electoral process.

UK

www.electoralcommission.org.uk

Site of the UK's Electoral Commission.

www.election.demon.co.uk/

Site maintained by David Boothroyd. Has detailed results of elections at all levels of government.

www.electoral-reform.org.uk

Site of the Electoral Reform Society, contains much information about current developments in British electoral system debates as well as past election results. Unabashedly pro-PR-STV.

www.ark.ac.uk/elections/

Site maintained by Nicholas Whyte; definitive coverage of elections in Northern Ireland.

USA

www.fec.gov

Site of the Federal Election Commission.

clerk.house.gov/members/electionInfo/index.html

Clerk of the House of Representatives, with as close as there is to official national election results for Representative, Senator, and President, plus information about Congressional districts.

www.fairvote.org

Site of Center for Voting and Democracy, which favours introduction of PR (or at least AV) in the USA.

www.mtholyoke.edu/acad/polit/damy/prlib.htm

Site maintained by Douglas J. Amy, described as 'A source of information on proportional representation elections: including beginning readings, in-depth articles by scholars and activists, an extensive bibliography, and a guide to related Web sites'.

www.vote-smart.org/congressional_resources.php

Non-partisan site with information on US elections and candidates.

www.ncec.org

Site of liberal campaigning group; has, inter alia, useful section on redistricting, including glossary.

Glossary

- Additional member system** alternative name (used especially in UK) for *mixed systems*
- Alternative vote** one method of filling the seat in single-member constituencies (see Appendix A). Known as instant run-off in USA and as majority-preferential in Australia
- Apparentement** option provided under some PR-*list systems*, under which two or sometimes more parties can pool their votes for seat allocation purposes. This option can be particularly valuable if the *D'Hondt method* is being used, since then parties pooling their votes are quite likely to receive more seats between them than if each stood separately and cannot possibly receive fewer
- Apportionment** the process of allocating seats to geographical units (such as constituencies, states, regions)
- Approval voting** system under which voters can cast a vote for all candidates of whom they approve
- At-large** election in multimember constituencies by *block vote*
- Ballot structure** the way in which choices are presented to the elector at the time of voting, usually on a ballot paper or voting machine. Ballots are typically *categorical, ordinal, or dividual* (see Chapter 1)
- Bicameralism** system of government in which parliament has two houses, usually termed *upper* and *lower houses*
- Block vote** non-proportional method of filling seats in multimember constituencies; electors have as many votes as there are seats to be filled (see Appendix A)
- Categorical ballot** one requiring the voter to cast the vote in its entirety for one party (or candidate)
- Choice voting** name by which *proportional representation* by means of the *single transferable vote* is known, at least by its advocates, in the USA
- Closed list** party-determined list of candidates whose order voters have no power to alter
- Coexistence** use of different electoral systems to elect MPs from different parts of a country
- Compensatory mixed system** *mixed system* under which allocation of list seats takes account of seats won in SMDs (see Appendix A)
- Compensatory seats** seats awarded to parties at higher *tier* to compensate for under-representation at lower *tier*
- Complex districting** provision to allocate seats by using more than one *tier* (term devised by Douglas Rae)
- Constituency** the unit, usually defined territorially, into which a country is divided and from which MPs are returned. Known as district in the USA (and some other countries), riding in Canada, electorate in Australia and New Zealand

- Corrective mixed system** another name for *compensatory mixed system*
- Cumulative voting** the opportunity under some systems to cast more than one vote for a favoured candidate
- Degressive proportionality** the deliberate over-representation of small units. Used in the EU to describe the over-representation of small states in the European Parliament and in the allocation of voting weights within the Council of Ministers
- D'Hondt method** formula for allocating seats to parties in proportion to their votes, more favourable to large parties than small ones. Sequence of divisors is 1, 2, 3, 4, etc. (see Appendix A). Devised by Belgian law professor Victor D'Hondt (1841–1901). Often spelt 'd'Hondt' but correctly spelled with capital D (see any Belgian library catalogue, including that of his former university, the University of Ghent)
- Disproportionality** disparity between parties' shares of the votes and their shares of the seats (see Appendix B)
- District** see *constituency*
- Districting** process of dividing into constituencies the territory that will elect a parliament
- District magnitude** term devised by Douglas Rae, meaning the number of seats to be filled in a *constituency*
- Dividual ballot** ballot offering the voter the option of dividing their vote(s) among two or more parties
- Droop quota** number obtained by dividing number of votes by number of seats plus one (see Appendix A)
- Effective number of parties** measure devised by Laakso and Taagepera to indicate the degree of fractionalization in the way votes, or seats, are distributed (see Appendix B)
- Effective threshold** approximate equivalent, expressed in terms of a *threshold*, of the difficulty posed for a party aiming to win its first seat by a given *district magnitude* (see Appendix C)
- Electoral regulations or laws** the wider set of rules governing elections, such as rules concerning ease of access to the ballot, the right to vote, the fairness of administration of the election, the transparency of the counting of the votes, the financing of elections, etc.
- Electoral system** the set of rules that structure how votes are cast at elections for a representative body and how these votes are then converted into seats in that body
- Electorate** the number of people entitled to vote. (Also used in Australia and New Zealand for *constituency*)
- First-past-the-post** one of the names by which *single-member plurality* is sometimes known
- Flexible list** preferential list under which party's ranking of candidates stands unless sufficient voters combine to change it (see Chapter 2, pp. 42–3)
- Gender quota** minimum proportion of seats or candidacies that must be filled by members of one gender
- Gerrymandering** the practice of drawing constituency boundaries (districting) in such a way as to maximize a party's haul of seats for a given share of the

votes. In a two-party system and SMDs, the party implementing the gerrymander typically creates a number of constituencies in which it is likely to win narrowly or lose comprehensively, while its opponent wastes many of its votes by being either a close loser or an overwhelming winner. Term originated in 1812 when Governor Eldridge Gerry (whose surname, apparently, was pronounced with a hard G) of Massachusetts implemented a redistricting scheme that produced one constituency whose shape was compared to that of a salamander

Hagenbach-Bischoff method ambiguous name and, as such, probably better avoided. The Hagenbach-Bischoff quota equals the *Droop quota*; there is no disagreement about this. Sometimes ‘Hagenbach-Bischoff method’ is used as a synonym for the LR–Droop method. However, the term is also employed to describe a particular approach to implementing the D’Hondt method. This approach entails starting with the Droop quota to see how many seats this allocates, and then progressively decreasing (or, if need be, increasing) the size of the quota until all seats are allocated by full quotas. Although this may sound quite different from the D’Hondt method as described in Appendix A, the ‘Hagenbach-Bischoff method’ used in this sense is in fact simply a short-cut to implementation of the D’Hondt method, and the Hagenbach-Bischoff method is thus merely another name for the D’Hondt method

Hare quota number obtained by dividing number of votes by number of seats. Also known as ‘natural quota’ (see Appendix A)

Highest averages family of methods of awarding seats to parties in proportion to their votes (see Appendix A)

Hondt see D’Hondt

Imperiali method formula for allocating seats to parties in accordance with their votes that is biased towards larger parties. Sequence of divisors is 1, 1.5, 2, 2.5, 3, etc. (see Appendix A)

Instant run-off another name for *alternative vote*

Largest remainders family of methods of awarding seats to parties in proportion to their votes (see Appendix A)

Latent list list for which voters cannot vote (in that they are compelled to vote for an individual candidate) yet which is likely to determine the order of election (see Chapter 2, p. 43)

Limited vote method of voting under which voters have fewer votes to cast than the number of members returned from the constituency. If voters have only one vote in a multimember constituency, this is the *single non-transferable vote*

List systems electoral systems under which voters choose between lists of candidates presented by different parties

Lower house of parliament term conventionally employed for the directly elected, and in practice almost always more powerful, chamber of parliament in *bicameral* systems

Majority-preferential term used in Australia for *alternative vote*

- Majority systems** systems in which a candidate needs a majority of votes, as opposed to a mere plurality, in order to be elected, such as the *alternative vote* or some versions of the *two-round system*
- Malapportionment** violation of the principle that all regions of a country should, as far as is feasible, have the same ratio of electors (or population) to MPs. Malapportionment most commonly occurs either in order to over-represent rural, thinly populated areas, or in order to benefit those parties that are strongest in the over-represented areas
- Mixed member majoritarian** another name for a *parallel mixed system*
- Mixed member proportional** another name for a *compensatory mixed system*
- Mixed system** system under which some MPs are elected under one system and other MPs under another; most commonly, some are elected in SMDs while others are elected from lists
- Modified Sainte-Laguë method** variant of ‘pure’ *Sainte-Laguë* method designed to reduce the chances of small parties winning a seat. Sequence of divisors is 1.4, 3, 5, 7, etc. (see Appendix A)
- Multimember constituency** constituency returning more than one MP
- Open list** sometimes used for *list systems* permitting *preferential voting*; better, refers to systems in which voters alone determine which of a party’s candidates are elected (see Chapter 2, p. 42)
- Ordinal ballot** ballot giving voters the opportunity to rank-order the candidates
- Panachage** facility offered under certain list systems under which voters can cast a vote for candidates on more than one party’s list
- Parallel mixed system** *mixed system* under which the number of list seats a party receives is determined solely by the number of list votes it receives, regardless of how many SMD seats it has won
- Personalized proportional representation** alternative name (used especially in Germany) for *mixed systems*
- Plurality** the largest number or share of a given quantity, though not necessarily a majority
- Preferential list** list permitting *preferential voting*
- Preferential voting** option under some PR-list systems for voters to indicate a preference for individual candidate(s). The specific rules in each case determine how much impact those preference votes may have.
- Proportional representation** the principle that the distribution of seats brought about by an election should closely resemble the distribution of votes. This broad principle can be given effect by a large number of specific PR electoral systems.
- Quota** quantity of votes used in many PR systems to work out how the seats should be awarded. Varies from method to method but usually somewhere around the *Hare* or *Droop quota* (see also *gender quota*).
- Quota-preferential** term used in Australia for PR by the *single transferable vote*
- Redistricting** the periodic redrawing of constituency boundaries

- Reinforced proportional representation** name given by its supporters to a system used in Greece until the mid-1980s and in Cyprus until the mid-1990s under which the *threshold* for higher *tier* seats was set at such a high level that in practice the higher tier seats introduced a significant bias in favour of the largest one or two parties. The system definitely did not ‘reinforce’ proportionality
- Reserved seats** seats that are set aside in order to achieve the representation of particular sections of the population, often defined by ascriptive criteria such as religion, ethnicity, language, or caste (see Chapter 7)
- Run-off** see *two-round system*
- Sainte-Laguë method** formula for allocating seats to parties in proportion to their votes; even-handed as between large parties and small ones. Sequence of divisors is 1, 3, 5, 7, etc. (see Appendix A). Invented by French mathematician André Sainte-Laguë (1882–1950)
- Semi-proportional system** term employed for electoral systems that are more proportional than *plurality/majority* systems yet are not designed to deliver a high degree of proportionality (e.g. the *single non-transferable vote* or *parallel mixed systems*)
- Single-member district** district or constituency returning only one MP
- Single-member plurality** system under which each constituency returns just one MP, elected by plurality (see Appendix A)
- Single non-transferable vote** generalization of single-member plurality: system under which in an *n*-seat constituency, the candidates elected are the top *n* (see Appendix A)
- Single transferable vote** system under which voters rank order candidates and votes are transferred during the counting process (see Appendix A). Known as quota-preferential in Australia and as choice voting by its US advocates
- Supplementary vote** a truncated version of the alternative vote in which, if no candidate achieves a majority of first preferences, all candidates other than the top two are eliminated simultaneously and each of their votes is transferred to whichever of the top two is ranked higher. In some variants, voters are allowed to indicate only a first and second preference; in others, they can rank as many candidates as they wish
- Threshold** level (usually a percentage of the votes, though in France a percentage of the electorate) that a party or candidate must attain in order to qualify for some goal (characteristically, under PR this will be a share of seats at constituency or national level; under *two-round system* this will be the opportunity to proceed to the second round)
- Threshold of exclusion** highest level of support with which a party or candidate might fail to win a seat under the most unfavourable conditions
- Threshold of representation** lowest level of support with which a party or candidate might be able to win a seat under the most favourable conditions
- Tier** one of the levels at which seats are allocated to parties
- Two-tier districting** system in which seats are awarded at two different levels

Two-round system system in which a second round of voting must be held if no candidate wins a majority (or achieves a pre-set lead over the second-placed candidate) in the first round (see Appendix A)

Überhangmandate ‘overhang seats’, seats won by parties over and above their proportional entitlement (see in particular Chapter 10)

Upper house of parliament in a bicameral system, the chamber that (characteristically) is not directly elected by universal franchise and has less power

Wasted votes those votes that do not contribute towards the election of any candidate or party (for example, those cast for losing candidates or for parties that did not win a seat, and ‘surplus’ votes cast for a candidate or a party over and above the number they required)

Abbreviations

2RS	two-round system, also known as double ballot system
AV	alternative vote
AMS	additional member system
CLPR	closed list PR
E	used to indicate the number of constituencies or districts
Eff N_v	effective number of elective parties (same as ENEP)
Eff N_s	effective number of legislative parties (same as ENPP)
ENEP	effective number of elective parties
ENLP	effective number of legislative parties (same as ENPP)
ENPP	effective number of parliamentary parties (same as ENLP)
FPTP	first-past-the-post, another name for single-member plurality
IRV	instant run-off voting
LR	largest remainders
LSq	least squares index of disproportionality
M	indicates district magnitude, i.e. number of seats returned per constituency (for example in the 'M+1 rule')
MMM	mixed member majoritarian
MMP	mixed member proportional
MP	member of parliament
MPV	majority preferential voting
PL	preferential list
PLPR	preferential list proportional representation
PR	proportional representation
SMD	single-member district (constituency that returns only one MP)
SMP	single-member plurality
SNTV	single non-transferable vote
SSD	single-seat districts (same as SMDs)
STV	single transferable vote

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