

Choosing Electoral Systems
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This presentation covers five main themes:

1. Electoral systems and change
2. Electoral system design in post-Communist democracies
3. Electoral system reform in established democracies
4. Choosing new systems
5. Have the new systems worked as expected

1. Electoral systems and change

There used not to be much to see or say about electoral systems. As recently as the late 1980s, there were virtually no cases of electoral reform; there were hardly any new democracies needing new electoral systems (the post-war decolonization rush was long over); in general, the literature on electoral systems was pretty thin and undeveloped.

All this has changed, and pretty dramatically. Now there are a large number of new democracies (across East and Central Europe and the former Soviet Union, Latin America, and Africa) each of which has undergone a process of electoral system design. In addition, among the established democracies, there have been prominent cases of electoral reform at both the national and regional levels. And, in many of these cases (new and old democracies), we have witnessed large scale experimentation with the design of electoral systems, particularly with the tendency to adopt some form of mixed system: whereas, for a long time Germany was the only example (at the national level) of a country using a mixed electoral system, today more than a quarter of the world's democracies use some form of mixed electoral system.

This presentation reviews some of the main cases of change – among both the new and established democracies – paying particular attention to the context of the change, the key players, the principal issues, and the outcome. We start with the new democracies of East and Central Europe and the former Soviet Union (i.e. the Post-Communist democracies).

2. Electoral system design in the post-Communist democracies

First, we should consider the context in which the electoral system design occurred. This was a 'zero-stage' reform (a 'tabula rasa') in which, in essence, those designing the electoral system were starting with a blank sheet, allowing potentially unprecedented scope for experimentation with electoral system design; however, set against this, was the fact that the electoral systems had to be designed in haste. For this reason, the common pattern was one of adopting the electoral system of the past, so that in most of Central Europe the tendency was to adopt list systems, whereas in the former Soviet Union the trend was to adopt non-proportional plurality and semi-proportional mixed (majoritarian)

systems. At this early stage it was already apparent that competing groups were seeking to design electoral rules to favour themselves (a common enough pattern in new democracies. Believing they had an inbuilt advantage, the communist elite tended to favour non-PR systems, whereas the aspirant elites and reformers pressured for PR.

Two other contextual points of relevance were, first, that – with the exception of the former Communist parties – political parties were barely developed so that entrenched positions were not fully formed, and second, inevitably there was a great deal of uncertainty over how an electoral system would actually operate.

As for the decision-making processes, three points are worth making here. First, there tended to be a wide list of ‘disinterested actors’ (i.e. those not necessarily directly affected by the proposed electoral system), such as: a President (most controversially Lech Walesa in Poland); members of the upper house; or the constitutional courts. Second, on the whole, the deliberations tended to be quite inclusive: for instance, the use of roundtables was pretty common (e.g. Bulgaria and Hungary). Inevitably, of course, there were limitations on the degree to which the negotiating process was entirely balanced, with the ex-Communists playing a key role in many cases (Romania, Ukraine, Poland). Finally, given the prominence of negotiating, there was also greater tendency to compromise on electoral system design – one important factor behind the emergence of mixed systems (as supposedly the ‘best of both worlds’).

Finally, we should review the principal issues that emerged in the various deliberations over electoral system design in these new democracies. Clearly, in some cases the basis of the electoral system was decided virtually immediately (e.g. Hungary opted for a mixed system early on, and then argued over the precise details); but generally electoral system design was pretty long and drawn out. The debates tended to revolve around the following main issues:

- Since outcomes were unclear, the feeling tended to be that it was better to help parties generally (i.e. little scope to focus on the interests of one party over others, although the Communists did feature here somewhat). But it was felt that there should be limitations on how much ‘hold’ the political parties should have.
- The nature of parliamentary representation (e.g. whether to have MPs with individual constituencies).
- Allowing scope for minorities to win seats.

All of these points featured – to varying degrees – in the systems that emerged at the first stage of electoral system design (see Table 1), for instance:

- There was a clear divide between PR and non/semi-PR systems (with minorities catered for in virtually all cases; the exceptions being majoritarian systems);

- In the bulk of cases there was an emphasis on geographical-based representation involving legislators embedded in geographical constituencies. This is shown by the fact that: most of the list systems incorporated preferential voting (which promotes a ‘nursing’ of regional constituencies by candidates); in some cases the majoritarian electoral system was adopted; in one case (Estonia) STV was adopted; and there were also mixed systems which also have regionally anchored politicians.

As Table 1 shows, in some countries there were subsequent reforms of the electoral system. The political parties had formed and had developed their own vested interests; they had also learned lessons about how the electoral systems were functioning. It is at this stage that we see evidence of moves to shore up the system to make life more difficult for new parties wishing to enter the electoral arena. Two main motivations tended to spark the decision to reform the electoral system. First, there was a growing realization by the Communist elites that their position was perhaps not as secure as they had anticipated, and therefore their electoral fates would be more secure under a proportional system that would minimize any potential electoral losses. Second, it was felt that list and mixed systems would more easily facilitate the emergence of coalition governments. Non-proportional (single district) systems tend to promote direct electoral competition between coalition partners; under list and mixed systems it was expected that such intra-coalition competition would be more muted.

As Table 1 shows, there was an over time convergence on List and mixed systems, although, in the latter case, it was a particular form of mixed system that predominated. Apart from Albania (and to a certain extent Hungary), all the countries using mixed systems tended to use the semi-proportional MMM (parallel) version.

Table 2 reveals another dominant trend in electoral system evolution in post-Communist democracies, namely the use of legal thresholds (which parties must surpass before they are awarded any seats). By 2002, most of the countries in our sample had adopted thresholds; many of those that had already used thresholds from the outset raised them; and in some cases, higher thresholds were set for parties presenting joint lists. In short, the established parties were seeking to make life more difficult for both smaller and new parties.

Tables 3 and 4 show how these new electoral systems have performed in terms of standard measures of disproportionality and numbers of parties in the political system. Disproportionality (i.e. the average measure of the difference between all the parties’ share of votes and share of parliamentary seats) is pretty high among post-Communist democracies, averaging 7.43. For understandable reasons, the levels are higher in the mixed cases (8.59), the bulk of which are ‘majoritarian’ versions of the mixed system, than in the list cases (6.66). But even despite this, there are some notable cases of high disproportionality in some of the list cases, most notably in Moldova (16.29), in part perhaps reflecting its high legal threshold of 6 percent. Set against the average trends for established democracies of 3.66, these trends appear unusually high, though, having said

that, there are some notable cases of low disproportionality, such as Slovenia (1.49) and Slovakia (2.92).

Both measures of numbers of parties (i.e. the weighted indices measuring the average number of parties fielding candidates and parties winning seats) tell a similar story, namely of party systems that are starting to bed down over time. The average trend for the effective number of electoral parties for the 1990s was 5.08, while the average trend for the effective number of parliamentary parties was 4.03.

3. Electoral system design in established democracies

As recently as the late 1980s, with very few exceptions (France), the accepted truism of political science was that large scale electoral reform in established democracies was extremely rare. Suddenly this all changed in the early 1990s, with electoral reform for national-level elections in New Zealand, Italy, Japan, Israel and Venezuela, and also prominent examples of electoral reform at regional level in other countries (notably the UK).

Dealing first with the three most-studied cases of national-level reform, we can see just how much they had in common. In New Zealand the reform was prompted by a growing unpopularity of governments (broken promises, etc.) in a context of economic recession. A Royal Commission in 1986 proposed a switch from SMP to MMP and, after some prevarication by politicians, this was achieved in a (double) referendum process in 1992-93. In Italy, the change was forced on politicians by an angry electorate which, infuriated by a series of political scandals, petitioned successfully for a popular initiative which changed the system for Senate elections from list to a mixed system. In the light of this, the lower house system was subsequently changed (also from list to mixed) by legislation. Finally, Japan's reform was also prompted by political scandal, in this case in the campaign activities of individual candidates, due to the tendency of the existing SNTV system to promote candidate rivalry. The governing party established an advisory committee in 1989 which proposed a mixed system, and after some delay a new coalition government (containing elements that had not been in government before) passed enabling legislation.

These three cases reveal some interesting commonalities and contrast, in the first place as follows:

- Referendums in 2 cases (but for different purposes);
- Role of a commission/committee in 2 cases;
- All happen within months of each other: NZ (1993); Japan (1994); Italy (1993);
- All mixed systems; but only NZ is proportional (MMP).

What is particularly interesting is how all three converged on mixed systems, despite coming from different starting points: NZ, SMP (non-proportional); Italy, list (proportional); Japan, SNTV (semi-proportional). The causes of the electoral reform also shared certain commonalities, including:

- Electoral change (weakening of voter alignments);
- Government failures; political scandals;
- Lesson-learning from new democracies (many of which, as we have seen, were moving towards mixed systems also).

To a large extent, also, in all three cases, there was the common goal of wishing to reduce the hold of dominant parties (the Christian Democrats in Italy, the LDP in Japan, the parties of government in New Zealand); however, in Italy and Japan there were specific additional goals: in Italy, to promote government stability (emulating the British system); in Japan, to reduce candidate-based corruption.

Whether these goals have been achieved is not always apparent. To a degree they have succeeded in New Zealand. By contrast, in Italy it seems to be business as usual, with just as many parties winning seats and frequent change of government. This is likely to be one major cause of the continuing unpopularity of these new electoral systems, particularly in Italy where several (unsuccessful) attempts have been made to reform the system again. As for New Zealand, as Figure 1 shows, the omens do not appear good. Survey evidence suggests that, if anything, voters appear to prefer the previous electoral system (although, whether in fact this is tapping the unpopularity of the electoral system, or of New Zealand governments is open to question).

Britain provides interesting material on efforts at regional electoral reform. For long the country most associated with majoritarian, in the late 1990s this changed suddenly and dramatically, as summarized in Table 5. As a result, today every family of electoral system is currently being used somewhere in the UK.

The causes of this change were primarily to do with party politics:

- Labour's long march to election victory in 1997, by which time the leadership had become convinced that electoral reform might be one means of avoiding another 18 years in the electoral wilderness;
- As part of this, the Labour leadership sought to get the Liberal Democrats on board, in the event of needing to form a coalition, and therefore negotiated with them a series of proposals for electoral reform at regional and European levels;
- Relatedly, there was the devolution agenda, in which the proposed new regional assemblies/parliaments would each require appropriate electoral systems;

- Finally, Labour wanted to engage more constructively with ‘Europe’ and therefore was prepared to adopt list elections for the European Parliament (in line with proposals for ‘uniform’ electoral procedures for this parliament).

The objectives behind these various reforms were, for the most part, based on narrow party (leadership) calculations, for instance:

- The widespread use of PR systems to cushion Labour in ‘second-order’ elections (i.e. elections other than general elections);
- Use of small regions to minimize gains by small parties;
- The adoption of a variant of the alternative vote for electing the London mayor to stop a pariah candidate, Ken Livingstone (this backfired);
- The use of a closed list system for EP elections so as to control recalcitrant Labour MEPs.

Only in the case of Northern Ireland was the objective based on ‘higher’ motives, namely the use of STV as an attempted means of encouraging cross-community relations.

Before leaving the British case, some mention should be made of the stalled process of electoral reform for House of Commons elections (the Jenkins Commission process of 1997-98). The details surrounding this need not delay us, but this episode is useful for showing how much the established political elite can seek to control the process of change; it also provides a salutary lesson of just how complex electoral reform can become.

- In the first instance, the Jenkins Commission was set four key criteria that they had to adhere to, two of which revealed a proportional bias (‘board’ proportionality, and extending voter choice), and the other two a non-proportional bias (stable government, and the constituency link). In short, the Labour government set Jenkins the requirement of squaring a circle, one major reason why Jenkins ended up proposing such a complex electoral system.
- The system proposed by Jenkins, ‘Alternative Vote Plus,’ was promoted as unique, although in truth it was yet another variant of the mixed system. It consisted of a mix of three main electoral systems: (1) the German mixed system (constituencies and lists); (2) the Belgian ordered list (voters would rank candidates in the list election); and (3) the Australian alternative vote (voters would also rank candidates in the constituency election).

4. Choosing new electoral systems

Having reviewed the evidence from prominent cases of electoral system design in both new and established democracies, we can now draw some of the main points together.

Whenever we are examining a process of electoral reform, we need to consider the following series of questions.

Why is the change occurring (what is the catalyst)? What all the cases share in common is the fact that the starting point is a system shock of some form or other, whether a revolution, a political scandal, an extended economic recession, or dramatic electoral change.

How is the process of reform implemented? Here, in particular, it is interesting to explore the extent to which the reform process is elite-dominated. In fact, as we have seen, there are very few instances of where voters are given some say in designing new electoral systems, and even here the choices made available to voters are very limited:

- Only a handful of cases where there was a referendum (Italy, NZ, Slovenia, British regions);
- Apart from Italy, the referendum question was designed by the politicians or by a panel established (and process controlled) by the politicians; furthermore, in Italy the nature of the existing legislation limited the choices available to the voters.

In short, in this respect, British Columbia seems to be blazing a trail!

Based on what we have seen, what are the principal issues to consider in electoral system design?

- Government stability
- Need to incorporate minorities
- Link between politicians and voters
- Keep it simple

Table 6 provides a simple illustration of how each of these issues can be related to the three main characteristics of electoral systems (district magnitude, electoral formula and ballot structure). But, there is an important wrinkle here, and this relates to two apparent tradeoffs over: (1) proportionality (allowing small parties to win seats) and government stability (ensuring strong and stable government); and (2) proportionality (associated for the most with large, even, national, party lists) and constituency representation (in which politicians are embedded in their constituencies or, at the very least, within regions of a reasonable size). It is probably these trade-offs more than anything else which help to explain the recent penchant for mixed systems, given that these electoral systems (in their parallel, MMM form) prevent too much party fractionalization on the one hand, and on the other provide scope for individual constituency representation by MPs.

5. Have the new electoral systems worked as expected?

In some respects they have. For instance, they tend to perform much as anticipated in terms of their aggregate, systemic effects – those associated most of all with the question

of systemic proportionality. In short, the PR systems tend to make life easier for small parties and tend to result in the election of more women and minority MPs. More evidence that these systems appear to be working is provided by how quickly the parties and candidates have been seen to adapt to them.

However, in certain respects there have also been some unanticipated consequences of these new electoral systems. For instance, the fact that, in some cases, voters have sought to change them again, and in other cases politicians have succeeded in changing them, suggests that, for some at least, the systems have not performed as expected. Secondly, the mixed systems have revealed some significant unanticipated consequences, perhaps most notably with regard to the distinction between list and constituency politicians, leading to tensions and debates over their respective statuses within the political system. (This rather begs the question of whether mixed systems are all that they are made out to be by their proponents.)

6. Conclusion: The uniqueness of the BC process

Frankly, it is unique! As we have seen, there have been cases of electoral reform in established democracies before. They have also been cases (although not that many) where the decision over electoral system design was ultimately taken by the voters. But, to the best of my knowledge, this is one of the only cases (it may be the only case so far) of where no prior criteria were imposed by the political elite, and this is one of the only cases (only case?) of where the actual details of the new electoral system is being designed by a citizens' assembly.

In short, this is a cause for considerable excitement for all of us!

Table 1. Evolution of Electoral Systems in Post-communist Europe

| | <i>First election</i> | <i>2002</i> |
|------------|-----------------------|-------------|
| Albania | Majoritarian | Mixed |
| Bosnia | List | List |
| Bulgaria | Mixed | List |
| Croatia | Mixed | List |
| Czech Rep | List | List |
| Estonia | STV | List |
| Hungary | Mixed | Mixed |
| Latvia | List | List |
| Lithuania | Mixed | Mixed |
| Macedonia | Majoritarian | Mixed |
| Moldova | List | List |
| Poland | List | List |
| Romania | List | List |
| Russia | Mixed | Mixed |
| Slovakia | List | List |
| Slovenia | List | List |
| Ukraine | Majoritarian | Mixed |
| Yugoslavia | List | List |

Table 2. Use of Legal Thresholds in Post-communist Europe

| | <i>First election</i> | <i>2002</i> |
|------------|-----------------------|-------------|
| Albania | | 2.5%* |
| Bosnia | | |
| Bulgaria | 4% | 4% |
| Croatia | 3% | 5% |
| Czech Rep | 5% | 5%* |
| Estonia | | |
| Hungary | 4% | 5% |
| Latvia | 4% | 5% |
| Lithuania | 4% | 5% |
| Macedonia | | |
| Moldova | 4% | 6% |
| Poland | | 5%* |
| Romania | | 5%* |
| Russia | 5% | 5% |
| Slovakia | 3% | 5%* |
| Slovenia | | 4% |
| Ukraine | | 4% |
| Yugoslavia | 5% | 5% |

* Higher levels for coalitions

Table 3. The List Systems of East and Central Europe and the Former Soviet Union

| | Electoral formula | Legal threshold (%) | Disproportionality ^c | Effective number of electoral parties ^d | Effective number of parliamentary parties ^d |
|------------------------|-------------------|----------------------------------|---------------------------------|--|--|
| Bosnia and Herzegovina | Sainte-Laguë | None | 4.86 | 7.73 | 7.29 |
| Bulgaria | d'Hondt | 4 | 7.09 | 3.95 | 2.92 |
| Croatia | d'Hondt | 5 | 5.48 | 3.89 | 2.71 |
| Czech Republic | Droop | 5 ^b | 4.44 | 4.76 | 3.70 |
| Estonia | Hare/d'Hondt | 5 (upper tier) | 4.52 | 6.68 | 5.50 |
| Latvia | Sainte-Laguë | 5 | 4.82 | 6.94 | 5.49 |
| Moldova ^a | d'Hondt | 6 | 16.29 | 3.57 | 1.85 |
| Poland | d'Hondt | 5 ^b (7 on upper tier) | 6.36 | 4.55 | 2.94 |
| Romania | Hare/d'Hondt | 5 ^b | 8.50 | 5.26 | 3.57 |
| Slovakia ^a | Droop | 5 | 2.92 | 5.26 | 4.76 |
| Slovenia | Hare/d'Hondt | 4 | 1.49 | 5.14 | 4.55 |
| FR Yugoslavia | d'Hondt | 5 | 13.20 | 3.19 | 3.12 |

a National list. All other cases are regional list.

b Higher thresholds apply for parties which coalesce.

c Gallagher index. Figures based on most recent election; calculated by the author (apart from Latvia, provided by Robertas Pogorelis).

d Based on trends in the 1990s; calculated by Sarah Birch (see Birch 2002 for more details).

Table 4. The Mixed Member Systems of East and Central Europe and the Former Soviet Union

| | List formula | District formula | Proportion list seats (%) ^b | Legal threshold (%) | Disproportionality ^d | Effective number of electoral parties | Effective number of parliamentary parties |
|----------------------|--------------|------------------|--|---------------------|---------------------------------|---------------------------------------|---|
| Albania ^a | Hare | Runoff | 26 | 2 (upper tier) | 8.04 | 2.87 | 2.07 |
| Armenia | Hare | Runoff | 43 | 5 | 5.37 | 4.77 | 3.97 |
| Georgia | Hare | Runoff | 64 | 7 | 9.93 | 3.98 | 2.36 |
| Hungary ^a | Droop/Hare | Runoff | 54 | 5 ^c | 7.65 | 5.04 | 4.00 |
| Lithuania | Hare | Runoff | 50 | 5 ^c | 7.18 | 7.85 | 6.51 |
| Macedonia | d'Hondt | Runoff | 29 | 5 | 14.93 | 6.55 | 3.95 |
| Russia | Hare | SMP | 50 | 5 | 6.10 | 6.34 | 4.76 |
| Ukraine | Hare | SMP | 50 | 4 | 9.49 | 9.06 | 5.49 |

- a With the exception of Albania and partial exception of Hungary, all are mixed member majoritarian (MMM).
- b Proportion of total seats elected via regional lists.
- c Higher thresholds apply for parties which coalesce.
- d Gallagher index based on proportion of *list* votes and *total* seats.

Fig. 1. Support for MMP and SMP in New Zealand, October 1996–May 1999

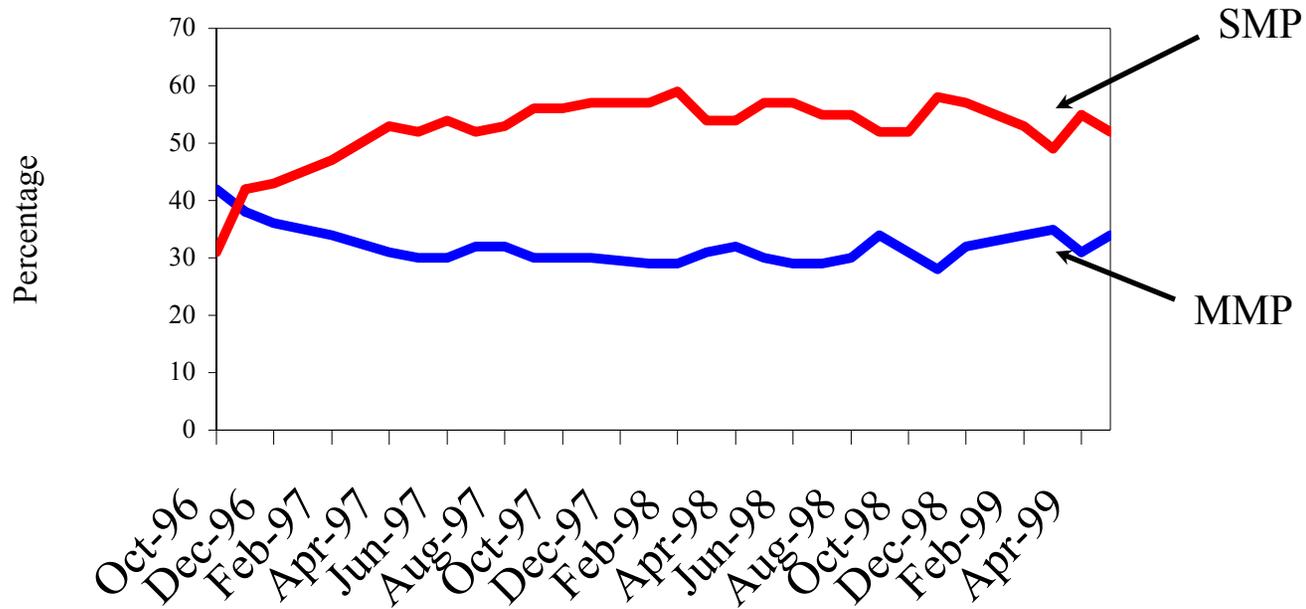


Table 5. The New British Electoral Systems

| Arena | Number of seats | System | Number of districts | DM | Propor. list seats ^a | Electoral formula | List ballot structure | District ballot structure | Legal threshold |
|----------------------------------|-----------------|-----------------|---------------------|------|---------------------------------|-------------------|-----------------------|---------------------------|-----------------|
| European Parliament ^b | 84 | PR list | 11 | 7.6 | n.a. | d'Hondt | Closed | n.a. | No |
| Northern Ireland Assembly | 108 | STV | 18 | 6 | n.a. | Droop | Open | n.a. | No |
| London Mayor | 1 | SV ^c | 1 | 1 | n.a. | Droop | n.a. | Can rank 2 | No |
| Scottish Assembly | 129 | MMP | 73/8 ^d | 1/7 | 43% | plurality/d'H. | Closed | Categorical | No |
| Welsh Assembly | 60 | MMP | 40/5 | 1/4 | 33% | plurality/d'H. | Closed | Categorical | No |
| London Assembly | 25 | MMP | 14/1 | 1/11 | 44% | plurality/d'H. | Closed | Categorical | 5% |
| House of Commons | 659 | SMP | 659 | 1 | n.a. | Plurality | n.a. | Categorical | No |

- a List seats as a proportion of total seats.
- b The new system for EP elections in Britain. The three Northern Ireland MEPs will continue to be elected under STV (i.e. with a DM=3). The average British DM of 7.6 reflects a range of different district sizes, from 4 in the North East region to 11 in the South East region.
- c Supplementary Vote (SV) is a “simplified” version of AV, where instead of ranking all candidates, the voter can indicate a preference for just two. If no candidate achieves a majority of the votes in the first count, then all but the top two ranked candidates are eliminated and their second preferences are transferred, thereby producing a majoritarian result in the second round.
- d The first figure indicates the number of SSDs; the second figure indicates the number of list districts.

Table 6. Issues to Consider in Electoral System Design

| | Stability | Minorities | Voter link | Simplicity |
|---------------------------|--------------------------------------|-------------------|-------------------|-------------------|
| District magnitude | Small districts; or legal thresholds | Large districts | Small districts | Small districts |
| Electoral formula | Non or semi-PR | PR | STV | Non-PR (SMP) |
| Ballot structure | Closed lists | STV or open lists | STV or open lists | Closed lists |