British Columbia Citizens' Assembly on Electoral Reform
4ᵗʰ Weekend : Session 3 (Sunday morning)

Mixed Systems

In some ways it is misleading to call mixed systems a distinct 'family' of electoral systems. As the name implies, these are systems that attempt to mix two (or more) different kinds of system in one place.

The obvious reason to do so is an attempt to obtain the advantages of different systems while minimizing their disadvantages. If it is difficult to estimate the effect of changing from one system to another, it is probably even more difficult to know what going to a mixed system might look like. How different parts might interact in a new setting is not always clear.

SEVERAL KINDS OF MIX

1   ***Systems that mix different formula at different stages of the seat allocations***

      Austria uses PR (remainder) with a Hare quota for its first round of seat
        determinations
     *   That system tends to favour smaller parties
     *   For its higher levels it switches to a d'Hondt (average) formula that is more
        advantageous to larger parties

     *   The system is mixed in another way. By having electoral districts with DMs
        that run from 6 to 39 the formulas can have different impacts in different parts
        of the country

2   ***Systems that mix different basic families across the whole country***

      Germany elects half its 600 member parliament from single-member districts
        using the plurality system. The other half are chosen by a party list system with
        regional lists used for candidates
     *   Voters have two votes – one for the local member, one for the party list
     *   The Hare quota is used for the list seat allocations
     *   There is a threshold. Parties must win 5% of the national vote or 3 individual
        constituencies before they are eligible to receive any list seats

3   ***Systems that use different families in different parts of the country***

Alberta & Manitoba used such arrangements in the past to try and balance rural
     and urban interests
* In urban areas multi-member districts used STV
* In rural areas single-member districts used a majority formula
     (with preferential ballots)
* Both used the same ballot structure and all voters indicated their preference
     order of the candidates

France uses a combination of majority-plurality rules in small districts, PR in
     large ones in the system it uses to elect its Senate

4   ***Systems that mix different kinds of options***

Russia has included a '*None of the Above*' (NOTA) option on their ballot papers
     as well as candidates listed by party
* In practice it has never attracted a very large percentage of the vote
* If NOTA should win the procedure would be for another election to be held

* An alternate proposal would have a member of the legislature chosen at random
     if NOTA gets a majority. That would effectively take elections and
     accountability out of the picture and makes politics the result of a random
     process rather than a set of choices

5   ***Systems that mix different systems for different assemblies***

Australia & Japan pit their parties against one another in simultaneous elections
      held under different systems.
* These involve elections to lower and upper houses of parliament
* This often involves different party nominating and campaigning strategies
* Voters have different kinds of decisions, on different ballot structures, to make
      at the same time

This is not an issue for us as the BC legislature has only one House. We might
 want to ask if it matters that we use a different system to elect provincial MLAs
 than to elect local councillors or Members of the House of Commons

2

KEY ISSUE IN MOST MIXED SYSTEMS

The most widely used mixed systems attempt to balance two key principles that are generally seen as mutually exclusive when comparing PR-list and plurality electoral systems:

- Identifiable local representatives
- Some measure of proportionality

DIFFERENT FAMILIES ACROSS THE COUNTRY

The most common way to do this is now to split the legislature into two.
Some members are elected in individual identifiable districts (DM usually 1), others are elected by some form of PR-list system.

For each class of seats you have to make all the decisions normally associated with the electoral system used:

Local District seats:

 ➢ DM and the process for drawing (and updating) electoral boundaries
 ➢ Formula – Plurality or Majority
 ➢ Ballot structure – Preferential or not

PR-List seats:

 ➢ What formula will be used
 ➢ Will there be open or closed lists
 ➢ Will seats be allocated across the entire system or by region

 ➢ Is there a Threshold for any seats to be won; what kind
      Different kinds of thresholds can have different effects:
      New Zealand – 5% rule helps small issue-based parties
                      – 1 district rule helps regional or personality parties

A second set of characteristics of these mixed systems must address the issue of the relationship between the two types of seats

What is the purpose of the proportional seats

- Compensate for constituency level imbalances (**M**ixed **M**ember **P**roportional)
      (*Germany, New Zealand*)
  - ❖ These seats 'top up' the number of seats already won at the local level to make the party's final seat total proportional to its vote total
  - ❖ If a party has won 40% of the total number of seats at the constituency level and had 40% of the total it would get none of the PR seats
    If a party won no constituency seats but had 20% of the vote it would get enough PR seats to give it 20% of all the seats in the legislature
  - ❖ Sometimes a party can win more local seats than the total PR entitles it to – in Germany the party is allowed to keep them (the Überhangmandate seats) and the parliament temporarily grows in size
  - ❖ The natural result is that the large parties have most of the constituency seats, the small parties have mainly list seats
  - ❖ This tends to make the large and small parties quite different kinds of organizations with very different electoral strategies and competitive behaviours

- Supplement the constituency seats (**M**ixed **M**ember **M**ajoritarian)
      (*Italy, Japan*)
  - ❖ These seats provide a proportional dimension to representation – but only to the set of members elected for these seats
  - ❖ If a party wins 40% of the PR votes it gets 40% of the PR seats PLUS all of the constituency ones that it has won.
  - ❖ This system is not a form of Proportional Representation but simply provides some small supplementary seats to small parties
  - ❖ On balance it helps big parties who get lots of seats under the guise of proportionality – in fact these are highly disproportional systems

- MMM systems more widely used than MMP

What is the balance between the two kinds of seats

- The fewer the individual electoral districts the larger each must be and so the heavier the constituency work load of local members

- The fewer the number of List seats the more difficult it is to make the final results approach proportionality

- Proportionality probably requires at least one quarter of the seats to be PR-List but this varies with the size of the assembly. With a MMP system it is generally more difficult to achieve proportionality in a small legislature.

The *New Zealand* Royal Commission that recommended MMP thought it needed 140 seats (up from 95) to make the system work – but only dared ask for 120!

Do voters get one vote or two

- Voters can vote *twice* – once for local candidate and once for a party list
- This allows voters to 'split their vote' and vote for a local candidate of a different party than their list vote
- This 'strategic voting' can help small parties who cannot win constituencies but can win seats by passing the threshold

- Voters can vote *once* – their local candidate vote also counting as their party list vote
- This prevents split ticket voting and so is likely to advantage the larger parties over the smaller
- It avoids the problem of a party running on different labels in the two sections of the election and so getting far more than their share of the seats

Can candidates run in both parts of the election

- In most cases candidates are able to run on both the list and the constituency sides of the election (but it isn't necessary)
- This ensures large parties that their most prominent figures can get elected even if they come from areas where the party is not popular
- It can mean that politicians who are defeated in constituencies can end up getting elected for a list seat
  The Japanese don't like this and call them zombie politicians!

How do you deal with vacancies

- List members are replaced by the next person on the list
- Constituency members can be replaced by the next available person on the party list (*Germany*) or through a regular by-election (*New Zealand*)
- To preserve the logic of PR in NZ a vacancy is created if a member leaves or changes his/her party

Some Issues:

1. *PR generally increases the number of parties and the possibility of coalition government*. To the extent these systems achieve their goal of PR then this will occur

> ➢ Germany has coalition governments with a small centre party moving back and forth between the two large parties and deciding which coalition will govern
> ➢ New Zealand has seen an increase in the number and kind of parties as well as regular coalition government
> ➢ In both countries the governing coalitions have been stable, predictable and generally effective

2. *These systems create two types of members of the legislature*

> ➢ Constituency members responsible to an identified electorate
> ➢ List members who owe their position to the party list makers and have no constituency service responsibilities

There is disagreement on whether this creates difficulties within the parties and within the parliament. It is clear that there is no practical difference between the two in Germany where there is not a long tradition of constituency work. On the other hand, there appears to be considerable tension between the two in some of the party groups in the (MMP) Scottish Assembly, where constituency service is expected of representatives,

Creating two types of members can create two types of parties – large ones that do the constituency work, small ones that promote particular issues.

DIFFERENT FAMILIES IN DIFFERENT PLACES

MMP – MMM systems have been designed to try to balance local representation and proportionality

Systems that mix families in different parts of a country are designed to deal with the representational challenges that various communities might have. One significant issue is how to balance the different representational issues of dense urban communities and sprawling, often remote rural ones.

- Voters in rural areas often do not have the full set of public services or municipal structures available to those in urban areas and so depend upon their legislative representative to deal with a wide range of problems.
- Voters in rural or remote areas often do not have easy access to public officials and depend on being able to make a personal connection to their representative

- Representatives in sprawling rural areas face major challenges to getting around their district and in being accessible to voters that those in compact urban areas do not
- The larger the electoral area the more difficult it is for political parties, or other organizations, to find ways to meaningfully involve citizens and to encourage and support participation

One solution to this is to have electoral districts with different District Magnitudes in each kind of area.

  - Low DM (1) in rural areas. This way it is possible to limit the physical size of the area without violating equal vote standards (equal numbers of voters per representative)
  - Higher DMs in urban areas. This allows for a proportional element to be built into the overall electoral system. Multi-member districts in urban areas area not as difficult to design and can do away with the need to draw arbitrary boundaries within communities.

In practice this would probably mean
  - Majority or Plurality formula in single-member districts in rural areas
  - PR of some kind in multi-member districts in urban areas

The *Alberta-Manitoba model* was this sort:
  - Majority-preferential ballots in single-member rural districts
  - STV-preferential ballots in multi-member urban districts

  - The degree of overall proportionality is dependent on the balance between the two kinds of districts. The more multi-member districts the more proportional the election results can be; the more single-member districts the more disproportional the results.

  - This kind of mix produces one kind of Member in that all have to be elected in and be accountable to a specific constituency. Some are the district's only member, others share the constituency with others.

  - The model uses the same ballot structure for all voters – a preferential ordering of candidates – in each kind of district.

A MIXED SYSTEM FOR BC ?

As you might expect the number of possibilities are considerable.
Mixed systems exist to try and take advantage of the different characteristics, and therefore the consequences, of particular types of electoral systems

If one was to recommend a mixed system you would need to ask:

What do we want from our electoral system that any particular family is not able to produce?
Is there some combination that we can devise that will meet our needs here in BC?

What might be the advantages of it?
What could be the downsides?

Key questions would seem to include:

1. Do we want an electoral system that includes local representatives directly responsible to the voters of an identifiable constituency?

2. Do we want an electoral system that has some proportional element to it?