3. The Systems and their Consequences

Plurality/Majority Systems

What Plurality/Majority Systems Are

75. The principle of plurality/majority systems is simple. After votes have been cast and totalled, those candidates or parties with the most votes are declared the winners (there may also be additional conditions). However, the way this is achieved in practice varies widely. Five varieties of plurality/majority systems can be identified: First Past The Post (FPTP), Block Vote (BV), Party Block Vote (PBV), Alternative Vote (AV), and the Two-Round System (TRS).

First Past The Post (FPTP)

76. The First Past The Post system is the simplest form of plurality/majority system, using single-member districts and candidate-centred voting. The voter is presented with the names of the nominated candidates and votes by choosing one, and only one, of them. The winning candidate is simply the person who wins most votes; in theory he or she could be elected with two votes, if every other candidate only secured a single vote.

77. To date, pure FPTP systems are found primarily in the UK and those countries historically influenced by Britain. Along with the UK, the cases most often analysed are Canada, India and the United States. FPTP is also used by a number of Caribbean countries; in Latin America by Belize; in Asia by five countries, Bangladesh, Burma, India, Malaysia and Nepal; and by many of the small island countries of the South Pacific. In Africa 15 countries, mostly former British colonies, use FPTP systems.
In total, of the 213 countries listed in annex A (including transitional countries and countries with no direct elections) 22 per cent use FPTP systems.

78. **Advantages.** First Past The Post, like other plurality/majority electoral systems, is defended primarily on the grounds of simplicity and its tendency to produce winners who are representatives beholden to defined geographic areas. The most often cited advantages are that:

**a.** It provides a clear-cut choice for voters between two main parties. The inbuilt disadvantages faced by third and fragmented minority parties under FPTP in many cases cause the party system to gravitate towards a party of the ‘left’ and a party of the ‘right’, alternating in power. Third parties often wither away and almost never reach a level of popular support above which their national vote achieves a comparable percentage of seats in the legislature.

**b.** It gives rise to single-party governments. The ‘seat bonuses’ for the largest party common under FPTP (e.g. where one party wins 45 per cent of the national vote but 55 per cent of the seats) mean that coalition governments are the exception rather than the rule. This state of affairs is praised for providing cabinets which are not shackled by the restraints of having to bargain with a minority coalition partner.

**c.** It gives rise to a coherent opposition in the legislature. In theory, the flip side of a strong single-party government is that the opposition is also given enough seats to perform a critical checking role and present itself as a realistic alternative to the government of the day.

**d.** It advantages broadly-based political parties. In severely ethnically or regionally divided societies, FPTP is commended for encouraging political parties to be ‘broad churches’, encompassing many elements of society, particularly when there are only two major parties and many different societal groups. These parties can then field a diverse array of candidates for election. In Malaysia, for example, the Barisan Nasional government is made up of a broadly-based umbrella movement which fields Malay, Chinese and Indian candidates in areas of various ethnic complexions.

**e.** It excludes extremist parties from representation in the legislature. Unless an extremist minority party’s electoral support is geographically concentrated, it is unlikely to win any seats under FPTP. (By contrast, under a List PR system with a single national-level district, a fraction of 1 per cent of the national vote can ensure representation in the legislature.)

**f.** It promotes a link between constituents and their representatives, as it produces a legislature made up of representatives of geographical areas. Elected members represent defined areas of cities, towns or regions rather than just party labels. Some analysts have argued that this ‘geographic accountability’ is particularly important in agrarian societies and in developing countries.
g. It allows voters to choose between people rather than just between parties. Voters can assess the performance of individual candidates rather than just having to accept a list of candidates presented by a party, as can happen under some List PR electoral systems.

h. It gives a chance for popular independent candidates to be elected. This may be particularly important in developing party systems, where politics still revolves more around extended ties of family, clan or kinship and is not based on strong party-political organizations.

i. Finally, FPTP systems are particularly praised for being simple to use and understand. A valid vote requires only one mark beside the name or symbol of one candidate. Even if the number of candidates on the ballot paper is large, the count is easy for electoral officials to conduct.

79. Disadvantages. However, FPTP is frequently criticized for a number of reasons. These include:

a. It excludes smaller parties from ‘fair’ representation, in the sense that a party which wins approximately, say, 10 per cent of the votes should win approximately 10 per cent of the legislative seats. In the 1993 federal election in Canada the Progressive Conservatives won 16 per cent of the votes but only 0.7 per cent of the seats, and in the 1998 general election in Lesotho the Basotho National Party won 24 per cent of the votes but only 1 per cent of the seats. This is a pattern which is repeated time and time again under FPTP.

b. It excludes minorities from fair representation. As a rule, under FPTP parties put up the most broadly acceptable candidate in a particular district so as to avoid alienating the majority of electors. Thus it is rare, for example, for a black candidate to be given a major party’s nomination in a majority white district in the UK or the USA, and there is strong evidence that ethnic and racial minorities across the world are far less likely to be represented in legislatures elected by FPTP. In consequence, if voting behaviour does dovetail with ethnic divisions, then the exclusion from representation of members of ethnic minority groups can be destabilizing for the political system as a whole.

c. It excludes women from the legislature. The ‘most broadly acceptable candidate’ syndrome also affects the ability of women to be elected to legislative office because they are often less likely to be selected as candidates by male-dominated party structures. Evidence across the world suggests that women are less likely to be elected to the legislature under plurality/majority systems than under PR ones. The Inter-Parliamentary Union’s study of Women in Parliament found that, as at June 2004, on average 15.6 per cent of the representatives in lower houses of legislatures were women. Comparing established democracies in 2004, those using FPTP averaged 14.4 per cent women in the legislature, but the figure was almost double that—27.6 per cent—in those countries that use some form of PR. This pattern has been mirrored in new democracies, especially in Africa.
Indian FPTP ballot paper
India remains by far the largest democracy in the world, with over 670 million electors in the parliamentary election of 2004. Its parliamentary government and FPTP electoral system are a legacy of British colonialism, which ended in 1947. The British introduced self-government to India in stages, and it was not until the end of colonial rule and the adoption of the Indian Constitution in November 1949 by a Constituent Assembly that universal suffrage was achieved. The Constituent Assembly, which comprised eminent jurists, lawyers, constitutional experts and political thinkers, and laboured for almost three years, debated at great length which electoral system would be best suited to India before finally choosing to retain the FPTP electoral system. Various systems of proportional representation were considered and attracted many advocates, given India’s extremely diverse and multi-ethnic society, but FPTP was chosen, mainly to avoid fragmented legislatures and to help the formation of stable governments—stability being a major consideration in a country emerging from immediate post-colonial communal bloodshed and with widespread poverty and illiteracy.

Under the Indian Constitution, voters elect a 543-member Lok Sabha, or lower house, from single-member districts. By contrast, the upper house of Parliament, the Rajya Sabha or Council of States, and the corresponding upper houses of some states, are indirectly elected by members of the state legislative assemblies. There is also a president who is elected by an electoral college composed of members of both houses of Parliament and the legislatures of the states, and a vice president who is elected by the members of the Rajya Sabha and the Lok Sabha only.

General elections are held once every five years, but the president may dissolve the Lok Sabha on the advice of the prime minister before its term is over, as in the recent case of 2004, or if he or she is convinced that no stable government can be formed, as in 1991. The prime minister holds office for as long as he or she can command a majority in the Lok Sabha. All the successive Congress Party governments which ruled India continuously until 1977 served for almost five years, close to the maximum allowed in the constitution. From 1977 to 1997, governments were less stable, and a number of prime ministers had to resign as a result of party splits or votes of no confidence before...
completing their full term. Since 1997, a period of stability seems to be emerging again, now under coalitions of parties. All these political environments have arisen from the same FPTP electoral system.

The major effect of the electoral system until 1977 was to guarantee majority governments based on a minority of voter support. The FPTP electoral system initially resulted in the ruling Congress Party securing stable majorities in the Lok Sabha, usually against a fragmented opposition. This fragmentation was characterized by a rise in popularity for regional and state parties in some areas. When the opposition parties combined to form coalitions and started putting up common candidates against the Congress candidates (as was the case in the 1977 and 1989 general elections), the Congress majorities vanished. Moreover, the nature of the system meant that small changes in share of the vote often had a dramatic impact upon the number of parliamentary seats won, as the following table, relating votes for the Congress Party to the number of seats won at successive elections, illustrates.

The Congress Party’s Performance in Indian General Elections: The dramatically large effect of the FPTP electoral system on the number of seats with slight changes in voting trend

<table>
<thead>
<tr>
<th>Year of General Election</th>
<th>Percentage of Total Votes Polled by the Congress Party</th>
<th>Percentage Change in Votes Polled by the Congress Party</th>
<th>Number of Seats Obtained by the Congress Party</th>
<th>Percentage Change in Parliamentary Seats Held</th>
</tr>
</thead>
<tbody>
<tr>
<td>1971 (won)</td>
<td>43.7%</td>
<td>-</td>
<td>352 (64.8%)</td>
<td>-</td>
</tr>
<tr>
<td>1977 (lost)</td>
<td>34.5%</td>
<td>-21.0%</td>
<td>154 (28.4%)</td>
<td>-56.2%</td>
</tr>
<tr>
<td>1980 (won)</td>
<td>42.7%</td>
<td>-</td>
<td>353 (65.0%)</td>
<td>-</td>
</tr>
<tr>
<td>1984 (won)</td>
<td>48.1%</td>
<td>-</td>
<td>405 (74.6%)</td>
<td>-</td>
</tr>
<tr>
<td>1989 (lost)</td>
<td>39.5%</td>
<td>-17.8%</td>
<td>197 (36.3%)</td>
<td>-51.4%</td>
</tr>
<tr>
<td>1991 (won)</td>
<td>36.5%</td>
<td>-</td>
<td>232 (42.7%)</td>
<td>-</td>
</tr>
<tr>
<td>1996 (lost)</td>
<td>28.8%</td>
<td>-21.1%</td>
<td>140 (25.8%)</td>
<td>-39.7%</td>
</tr>
<tr>
<td>1998 (lost)</td>
<td>25.8%</td>
<td>-10.3%</td>
<td>141 (26.0%)</td>
<td>+0.7%</td>
</tr>
<tr>
<td>1999 (lost)</td>
<td>28.3%</td>
<td>+9.6%</td>
<td>114 (21.0%)</td>
<td>-19.1%</td>
</tr>
<tr>
<td>2004 (won)</td>
<td>26.7%</td>
<td>-5.7%</td>
<td>145 (26.7%)</td>
<td>+27.2%</td>
</tr>
</tbody>
</table>

The same disproportionality between the share of votes obtained and the share of parliamentary seats won under the Indian FPTP electoral system can be seen in the case of the other major political party, the Bharatiya Janata Party (BJP), which led a coalition government up to 2004, from the following table:
The BJP’s Performance in Indian General Elections

<table>
<thead>
<tr>
<th>Year of General Election</th>
<th>Percentage of Total Votes Polled for the BJP</th>
<th>Number of Seats obtained by the BJP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1984</td>
<td>7.7%</td>
<td>2 (0.4%)</td>
</tr>
<tr>
<td>1989</td>
<td>11.5%</td>
<td>86 (15.8%)</td>
</tr>
<tr>
<td>1991</td>
<td>20.0%</td>
<td>121 (22.3%)</td>
</tr>
<tr>
<td>1996</td>
<td>20.3%</td>
<td>161 (29.7%)</td>
</tr>
<tr>
<td>1998</td>
<td>25.6%</td>
<td>182 (33.5%)</td>
</tr>
<tr>
<td>1999</td>
<td>23.6%</td>
<td>182 (33.5%)</td>
</tr>
<tr>
<td>2004</td>
<td>22.2%</td>
<td>138 (25.4%)</td>
</tr>
</tbody>
</table>

Thus the overall results of elections to the Lok Sabha have not been anywhere near proportional. Support can often be divided by setting candidates of the same caste, religion, or region against each other. In this context, FPTP gives an incentive to electoral participants to encourage multiple candidacies by their opposition, and its effect can be to produce a winner who has much less than an absolute majority of the total vote. However, despite the divided nature of India’s multi-ethnic democracy, the electoral system has retained a considerable degree of support, due in part to the practice of reserving seats for socially underprivileged and historically disadvantaged groups known as scheduled castes and scheduled tribes. These communities are thinly spread all over India, and the classical operation of FPTP would have resulted in them getting a comparatively very small number of parliamentary seats. The constitution, however, reserves districts for them in proportion to their numbers in the population, thus reserving 79 seats for the 15 per cent scheduled castes population and 41 seats for the 8 per cent scheduled tribes population. In these districts, although all electors have voting rights, only a member of the scheduled caste or tribe may stand for election. This has ensured that their parliamentary representation is in line with their proportion of the population.

A constitutional amendment which seeks to reserve 33 per cent of seats for women representatives at the national- and state-level legislatures has long been debated, but without any success so far, although 33 per cent of the seats have been reserved for women at the Panchayat (district) level, the third tier of government, since 1993.

The depth of popular support for the integrity of the electoral system became evident in 1977 when the election of the incumbent prime minister, Indira Gandhi, was set aside by a court after Congress had won a two-thirds legislative majority in 1971. She responded by curtailing fundamental constitutional rights for two years (1975–77), an authoritarian interlude in India’s otherwise unbroken history of competitive democracy. In the 1977 elections, her government lost power through a fair poll, signalling the unwillingness of India’s voters to accept undemocratic practices.

For a period of 20 years, from 1977 to 1997, the FPTP electoral system seemed to have ushered in an era of instability, principally because of the formation of coalitions
without common principles and the pursuit of narrow self-interest by political parties. The non-Congress opposition parties (without the communists) took over in government in 1977 by uniting into a composite entity, the Janata Party. It split within two years. In December 1989, a successor party, the Janata Dal, came to power, supported by the communist parties and the Hindu revivalist Bharatiya Janata Party (BJP); this government lasted ten months. At the general election of 1996, no party was able to form a stable government. The BJP won 161 seats and the Congress 140. But the strength of the electoral system re-emerged in 1999 when a firm alliance of parties under the leadership of the BJP was able to form a government and almost complete its full term. Similarly, after the May 2004 general election, the Indian National Congress Party, along with left parties and others, formed a coalition government at the national level.

In 2000, the government of India established a National Commission to Review the Working of the Constitution. This commission’s consultation process considered whether various provisions relating to the electoral process in the constitution should be amended or expanded. Its report, submitted to the government in 2002, recommended against any constitutional change in the electoral field, emphasizing that such changes as were needed could be brought about by amendments in the ordinary electoral legislation and even by subordinate legislation or executive instructions.

However, the National Commission also observed that, at the last three general elections at national level, an average of two-thirds of Indian MPs had been elected under FPTP without a majority of 50 per cent plus one and with a plurality only, and considered the questions this raises about the legitimacy of representation. As a consequence, and in the context of the nationwide introduction of electronic voting which then took place in 2004, the National Commission recommended that the government and the Election Commission of India conduct a careful and full examination of the introduction of a Two-Round system, with the second round conducted between the two leading candidates in each district on the day after the first round. The report of the Election Commission of India following the 2004 election did not follow up on this proposal, although it did recommend both the introduction of a ‘none of these candidates’ option on ballot paper and the abolition of the provision by which one person is able to stand in two different single-member districts.

The FPTP electoral system is often said to work best in countries where there are two major political parties. In India, by contrast, the Congress Party ruled continuously at the centre from 1952 to 1977 without any viable opposition. This monopoly ended in 1977. From single-party dominance, the pattern on the political arena changed, first to one of a competition between a single party and a coalition of parties, and from there to a competition between two coalitions of political parties—a trend that continued at the 2004 general election. The BJP started its upward mobility in the Indian Parliament with a shrill Hindu agenda, but after one full term in office the imperatives of electoral politics compelled it to scale down its ultra-rightist militant stance. It had to adopt an inclusive agenda, enabling it to appeal to Muslim, tribal, backward class and other Dalit (downtrodden) voters—who were once considered to be in the exclusive domain of the Congress Party.
d. It can encourage the development of political parties based on clan, ethnicity or region, which may base their campaigns and policy platforms on conceptions that are attractive to the majority of people in their district or region but exclude or are hostile to others. This has been an ongoing problem in African countries like Malawi and Kenya, where large communal groups tend to be regionally concentrated. The country is thus divided into geographically separate party strongholds, with little incentive for parties to make appeals outside their home region and cultural-political base.

e. It exaggerates the phenomenon of ‘regional fiefdoms’ where one party wins all the seats in a province or area. If a party has strong support in a particular part of a country, winning a plurality of votes, it will win all, or nearly all, of the seats in the legislature for that area. This both excludes minorities in that area from representation and reinforces the perception that politics is a battleground defined by who you are and where you live rather than what you believe in. This has long been put forward as an argument against FPTP in Canada.

f. It leaves a large number of wasted votes which do not go towards the election of any candidate. This can be particularly dangerous if combined with regional fiefdoms, because minority party supporters in the region may begin to feel that they have no realistic hope of ever electing a candidate of their choice. It can also be dangerous where alienation from the political system increases the likelihood that extremists will be able to mobilize anti-system movements.

g. It can cause vote-splitting. Where two similar parties or candidates compete under FPTP, the vote of their potential supporters is often split between them, thus allowing a less popular party or candidate to win the seat. Papua New Guinea provides a particularly clear example (see the case study).

h. It may be unresponsive to changes in public opinion. A pattern of geographically concentrated electoral support in a country means that one party can maintain exclusive executive control in the face of a substantial drop in overall popular support. In some democracies under FPTP, a fall from 60 per cent to 40 per cent of a party’s share of the popular vote nationally can result in a fall from 80 per cent to 60 per cent in the number of seats held, which does not affect its overall dominant position. Unless sufficient seats are highly competitive, the system can be insensitive to swings in public opinion.

i. Finally, FPTP systems are dependent on the drawing of electoral boundaries. All electoral boundaries have political consequences: there is no technical process to produce a single ‘correct answer’ independently of political or other considerations (as illustrated in annex E). Boundary delimitation may require substantial time and resources if the results are to be accepted as legitimate. There may also be pressure to manipulate boundaries by gerrymandering or malapportionment. This was particularly apparent in the Kenyan elections of 1993 when huge disparities between the sizes of electoral districts—the largest had 23 times the number of voters the smallest had—
contributed to the ruling Kenyan African National Union party’s winning a large majority in the legislature with only 30 per cent of the popular vote.

**Block Vote (BV)**

80. The Block Vote is simply the use of plurality voting in multi-member districts. Voters have as many votes as there are seats to be filled in their district, and are usually free to vote for individual candidates regardless of party affiliation. In most BV systems they may use as many, or as few, of their votes as they wish.

81. The Block Vote is common in countries with weak or non-existent political parties. In 2004, the Cayman Islands, the Falkland Islands, Guernsey, Kuwait, Laos, Lebanon, the Maldives, Palestine, the Syrian Arab Republic, Tonga and Tuvalu all use Block Vote electoral systems. The system was also used in Jordan in 1989, in Mongolia in 1992, and in the Philippines and Thailand until 1997, but was changed in all these countries as a result of unease with the results it produced.

82. **Advantages.** The Block Vote is often applauded for retaining the voter’s ability to vote for individual candidates and allowing for reasonably-sized geographical districts, while at the same time increasing the role of parties compared with FPTP and strengthening those parties which demonstrate most coherence and organizational ability.

83. **Disadvantages.** However, the Block Vote can have unpredictable and often undesirable impacts on election outcomes. For example, when voters cast all their votes for the candidates of a single party, the system tends to exaggerate most of the disadvantages of FPTP, in particular its disproportionality. When parties nominate a candidate for each vacancy in a Block Vote system and encourage voters to support every member of their slate, this is particularly likely. In Mauritius in 1982 and 1995, for example, the party in opposition before the election won every seat in the legislature with only 64 per cent and 65 per cent of the vote, respectively. This created severe difficulties for the effective functioning of a parliamentary system based on concepts of government and opposition. The use of ‘best loser’ seats in Mauritius (see paragraph 153) only partially compensates for this weakness.

84. In Thailand, the Block Vote was seen as having encouraged the fragmentation of the party system. Because it enables electors to vote for candidates of more than one party in the same district, members of the same party may be encouraged to compete against each other for support. The Block Vote is thus sometimes seen as being a contributor to internal party factionalism and corruption.

85. In recent years, a number of countries have therefore abandoned the Block Vote in favour of other systems. Thailand and the Philippines both changed from BV to a
The Declaration of Principles or Oslo Agreement, reached in late 1993 between Israel and the Palestine Liberation Organization (PLO), contained a provision for an elected Palestinian Council to be established. The implementation of the Oslo Agreement required the negotiation of a further detailed agreement, the Interim Agreement. This was completed in Taba in September 1995 and included detailed provisions for holding elections to the Palestinian Legislative Council and, separately, for the head of its Executive Authority. The president (Raees) of the Palestinian Authority and the Palestinian Legislative Council were then elected on 20 January 1996.

Preparations for the elections began in 1994 in parallel with the negotiations for the Interim Agreement. The election law and the conduct of the elections were entirely the responsibility of the Palestinians, although some details of the election arrangements were required to be consistent with the provisions of the Interim Agreement. The final version of the law and the major regulations were put in place only in late 1995.

The political context of the election strongly influenced the available options for the electoral system. There was little doubt in anyone’s mind that Yasser Arafat would be elected president, and for the presidential election a single-round FPTP system was adopted with little discussion. The assumption was borne out in practice when Arafat received over 80 per cent of the vote against one other candidate.

The choice of system for the Legislative Council elections was much less straightforward. First, agreement within the Palestinian community on accepting and participating in the Interim Agreement process was not unanimous. The emerging Palestinian Authority conducted lengthy discussions backstage with members of Hamas and other Islamic movements which included the question of their participation in elections. Second, the political party system was embryonic. Fatah had the character of a national liberation movement, a political form for which a continuing need was perceived because of the need for unity in moving into ‘final status’ negotiations with Israel (which were not successful). Some other small parties had formed, but many potential candidates were considering standing independently of Fatah. Third, there were some precedents to hand: local elections had been held in Gaza in the 1940s, using
Egyptian procedures, and in West Bank cities and towns in the 1970s, using Jordanian procedures inherited from traditions under the British Mandate. There was pressure in particular to follow Jordanian practice.

The choice of a candidate-based electoral system therefore emerged in response to three pressures: the wish to provide a channel for informal candidacies of persons linked to movements which formally rejected the process; the desire of a number of prominent figures to stand as independents; and the recollection of historic elections. The importance placed on simplicity, transparency, speed of counting and confidence in the results also led to a decision in favour of counting at the polling station, thus eliminating preferential systems such as the Alternative Vote (AV) or the Single Transferable Vote (STV) as options. The perception of where natural boundaries existed on the ground thus led to the choice of the Block Vote (BV), with districts which varied in magnitude from 12 in Gaza City down to one in the small towns of Jericho, Salfit and Tubas.

A further discussion centred on the representation of minorities, in particular the Christian community (which accounted for some 10 per cent of the electorate) and the Samaritans (a concentrated community of a few hundred people near Nablus). Six reserved seats were created within the Block Vote system for Christians in the four districts with the highest concentration of Christians (two each in Bethlehem and Jerusalem, and one each in Ramallah and Gaza City) and one reserved seat was created for Samaritans in Nablus. Christian candidates had the option to declare themselves as Christian. If the Block Vote count showed that there were not sufficient declared Christian candidates among those in the top positions, the candidate with the lowest vote of those who would otherwise have been elected would be replaced by the declared Christian candidate with the next—highest vote—as indeed happened in all four districts. This meant that there were representatives on the Legislative Council elected with fewer votes than some other candidates who were not elected. While there was some debate on this, it was accepted as legitimate in the context of wide representation and in the aftermath of a successful election.

In practice, the BV electoral system achieved much of what was expected of it. Eighty-seven candidates were nominated in Gaza City, but voters coped well with a ballot paper about a metre long. While few candidates associated with those who rejected the peace process stood, at least one member was elected who might be considered as a bridge to those movements. Candidates on Fatah slates gained an advantage, but voters made clear distinctions between more and less popular individuals. Leading independent figures were elected, as were representatives from minorities. Small towns with a fiercely independent identity gained their own representative. The president and the Legislative Council took office in 1996 with a wide degree of legitimacy within the Palestinian community.
mixed system in the late 1990s. In both cases, a major justification for the change was the need to combat vote-buying and strengthen the development of political parties (see the case study on Thailand).

**Party Block Vote (PBV)**

86. Under Party Block Vote, unlike FPTP, there are multi-member districts. Voters have a single vote, and choose between party lists of candidates rather than between individuals. The party which wins most votes takes all the seats in the district, and its entire list of candidates is duly elected. As in FPTP, there is no requirement for the winner to have an absolute majority of the votes. As of 2004, PBV was used as the only system or the major component of the system in four countries—Cameroon, Chad, Djibouti and Singapore.

87. **Advantages.** PBV is simple to use, encourages strong parties and allows for parties to put up mixed slates of candidates in order to facilitate minority representation. It can be used to help to ensure balanced ethnic representation, as it enables parties to present ethnically diverse lists of candidates for election—and may indeed be designed to require them to do so. In Djibouti each party list must include a mix of candidates from different ethnic groups. In Singapore, most members of Parliament (MPs) are elected from multi-member districts known as group representation constituencies. Of the candidates on each party or group list, at least one must be a member of the Malay, Indian or some other minority community. Singapore also uses ‘best loser’ seats for opposition candidates in some circumstances. Other countries, for example, Senegal and Tunisia, use the Party Block Vote as the plurality/majority part of their Parallel system (see the case study on Senegal).

88. **Disadvantages.** However, the Party Block Vote also suffers from most of the disadvantages of FPTP, and may indeed produce highly disproportional results where one party wins almost all of the seats with a simple majority of the votes. In Djibouti’s 1997 election, the ruling Union for the Presidential Majority coalition won every seat, leaving the two opposition parties without any representation in the legislature.

**The Alternative Vote (AV)**

89. Elections under Alternative Vote are usually held in single-member districts, like FPTP elections. However, AV gives voters considerably more options than FPTP when marking their ballot paper. Rather than simply indicating their favoured candidate, under AV electors rank the candidates in the order of their choice, by marking a ‘1’ for their favourite, ‘2’ for their second choice, ‘3’ for their third choice and so on. The system thus enables voters to express their preferences between candidates rather than simply their first choice. For this reason, it is often known as ‘preferential voting’ in the countries which use
The Alternative Vote is a preferential plurality/majority system used in single-member districts. Voters use numbers to mark their preferences on the ballot paper. A candidate who receives an absolute majority (50 per cent plus one) of valid first-preference votes is declared elected. If no candidate achieves an absolute majority of first preferences, the least successful candidates are eliminated and their votes reallocated according to their second preferences until one candidate has an absolute majority. Voters vote for candidates rather than political parties.

90. AV also differs from FPTP in the way votes are counted. Like FPTP or TRS, a candidate who has won an absolute majority of the votes (50 per cent plus one) is immediately elected. However, if no candidate has an absolute majority, under AV the candidate with the lowest number of first preferences is ‘eliminated’ from the count, and his or her ballots are examined for their second preferences. Each ballot is then transferred to whichever remaining candidate has the highest preference in the order as marked on the ballot paper. This process is repeated until one candidate has an absolute majority, and is declared duly elected. AV is thus a majoritarian system.

Fijian AV ballot paper
91. It is possible, but not essential, in preferential systems such as AV to require voters to number all, or most, of the candidates on the ballot paper. This avoids the possibility of votes becoming ‘wasted’ at a later stage in the count because they bear no further valid preferences. However, it can lead to an increase in the number of invalid votes, and it can sometimes give substantial importance to preferences between candidates to which the voter is indifferent or actively dislikes.

92. AV is used in Australia, Fiji and Papua New Guinea. It is thus a good example of the regional diffusion of electoral systems discussed above (see paragraph 74): all national-level examples of the Alternative Vote at present occur in Oceania. However, a number of sub-national jurisdictions in Europe and North America also use variants of AV, and it is used for presidential elections in the Republic of Ireland.

93. **Advantages.** One advantage of transferring ballots is that it enables the votes of several candidates to accumulate, so that diverse but related interests can be combined to win representation. AV also enables supporters of candidates who have little hope of being elected to influence, via their second and later preferences, the election of a major candidate. For this reason, it is sometimes argued that AV is the best system for promoting centrist politics, as it can compel candidates to seek not only the votes of their own supporters but also the ‘second preferences’ of others. To attract these preferences, candidates must make broadly-based appeals rather than focusing on narrower issues. The experience of AV in Australia tends to support these arguments: the major parties, for example, typically try to strike bargains with minor parties for the second preferences of their supporters prior to an election—a process known as ‘preference swapping’. Furthermore, because of the majority support requirement, AV increases the consent given to elected members, and thus can enhance their perceived legitimacy.

The experience of AV in Papua New Guinea and in Australia suggests that it can provide significant incentives for accommodatory and cooperative politics. In recent years AV, or its variant the Supplementary Vote, has also been adopted for presidential and mayoral elections in Bosnia, London and San Francisco (see paragraphs 182–186).

94. **Disadvantages.** Nevertheless, AV also has a number of disadvantages. First, it requires a reasonable degree of literacy and numeracy to be used effectively, and because it operates in single-member districts it can often produce results that are disproportional when compared to PR systems—or even in some cases compared with FPTP. Also, the potential of AV for promoting centrist outcomes is very dependent on underlying social and demographic conditions: while it successfully promoted inter-ethnic accommodation in Papua New Guinea during the 1960s and 1970s and has now been reintroduced there (see the case study), it has been criticized in another Pacific country, Fiji, since it was implemented there in 1997. Moreover, as the earlier discussion of its use in the Australian Senate from 1919 to 1946 noted (see paragraph 32), AV does not work well when applied to larger, multi-member districts.
The South Pacific country of Papua New Guinea (PNG) has used two different electoral systems—the Alternative Vote (AV) from 1964 to 1975, when it was an Australian territory, and FPTP from 1975 to 2002. It has since reverted to the alternative vote again.

Its experience is interesting for a number of reasons. First, PNG is one of the few developing countries with an unbroken record of continuous competitive elections and numerous peaceful changes of government. Second, the change from one electoral system to another has had a series of unexpected consequences which illustrate the different effects apparently similar electoral systems can have. Third, PNG is one of the few countries to have adopted, abandoned, and then re-adopted a particular electoral system.

Papua New Guinea inherited the AV system from Australia and used it for three elections in 1964, 1968 and 1972. Unlike Australia, however, PNG is a highly ethnically fragmented society, with over 850 separate languages and several thousand competing clan and tribal groups.

Its experience lends support to the claims that AV can promote inter-ethnic accommodation and moderation in deeply divided societies by allowing voters to express not just their first choice of candidate but also their second and later choices. Because of the nature of PNG society, under AV most voters invariably gave their first preference to their own clan or ‘home’ candidate. In many seats, however, this was not enough for any single candidate to gain a majority of votes; they needed the second preferences of other groups as well. In order to gain a majority, candidates had to ‘sell’ themselves as a good ‘second-best’ choice to other clan groups—which meant, in general, someone who would be attentive to the interests of all groups, not just their own. It also meant that those candidates who formed alliances and cooperated with each other would often be more successful than candidates who attempted to win the seat from their own voter base alone.

This gave many candidates an incentive to act in an accommodating manner to other clans. The mechanics of the system also ensured that the winning candidate would have the support of an absolute majority of voters. In a substantial number of
cases, the winning candidate was not the one who had the biggest ‘bloc’ of supporters but rather the one who could successfully build support across several groups.

Thinking that it would be a simpler system which would have similar effects to AV, Papua New Guinea changed to an FPTP electoral system at independence in 1975. However, the different incentives provided by the new FPTP system led to quite different results from those expected. Because candidates no longer needed an absolute majority of votes cast in order to be successful—just more votes than any other group—the candidate from the largest clan would often win the seat outright. There was no incentive to cooperate with anyone else. Electoral violence increased because it was in some candidates’ interests to stop opponents’ supporters from voting rather than to campaign for their second preferences as they had done under AV. Also, because there were so many clans all trying to win the seat, candidates learned that they could be successful with very limited support.

At the 2002 elections, over half of the MPs in the Parliament were elected with less than 20 per cent of the vote. Several candidates who won seats gained only 5 per cent. In an electoral cycle increasingly dominated by concerns about corruption, power and money politics, this led to a range of negative campaign tactics, such as encouraging rival candidates to stand in order to ‘split’ a dominant clan’s voter base. This increased pressure for the reintroduction of AV. In 2003, the PNG Parliament re-adopted what it called ‘limited’ preferential voting for all future elections. Voters will be required to mark a minimum of three preferences.

The Papua New Guinea case illustrates just how dependent much of the accepted wisdom regarding electoral systems is on the structure of the society concerned. Despite having an FPTP electoral system, PNG had a very fluid party system, based on individuals rather than ideologies. All governments under FPTP were weak coalitions, which sometimes changed on the floor of the Parliament as well as at elections. The single-member system of representation resulted in high levels of turnover of politicians from one election to the next, as members could not both be in Port Moresby at sessions of the Parliament and be continually visible in their districts.

Accordingly, a strong sense of accountability on the part of many local members to their electorate developed: without it their chances of re-election would be slim. This matches a strong sense on the part of the electorate that the function of their member is to deliver direct benefits to the community, building on Melanesian tradition that a ‘big man’ ensures that his community shares in his wealth and good fortune. As one member has memorably put it, ‘When people elect me to Parliament, they think I own the Bank of Papua New Guinea.’

Under the AV system, this sense of accountability tended to be spread across a number of groups, thus helping to manage inter-ethnic conflicts. However, this was itself a reflection of the extreme fragmentation of the country’s society.
The Two-Round System (TRS)

95. The central feature of the Two-Round System is as the name suggests: it is not one election but takes place in two rounds, often a week or a fortnight apart. The first round is conducted in the same way as a single-round plurality/majority election. In the most common form of TRS, this is conducted using FPTP. It is, however, also possible to conduct TRS in multi-member districts using Block Vote (as in Kiribati) or Party Block Vote (as in Mali). A candidate or party that receives a specified proportion of the vote is elected outright, with no need for a second ballot. This proportion is normally an absolute majority of valid votes cast, although several countries use a different figure when using TRS to elect a president (see paragraph 179). If no candidate or party receives an absolute majority, then a second round of voting is held and the winner of this round is declared elected.

96. The details of how the second round is conducted vary in practice from case to case. The most common method is for it to be a straight run-off contest between the two highest vote-winners from the first round; this is called majority run-off TRS. It produces a result that is truly majoritarian in that one of the two participants will necessarily achieve an absolute majority of votes and be declared the winner. A second method, majority-plurality TRS, is used for legislative elections in France, the country most often associated with the Two-Round System. In these elections, any candidate who has received the votes of over 12.5 per cent of the registered electorate in the first round can stand in the second round. Whoever wins the highest number of votes in the second round is then declared elected, regardless of whether they have won an absolute majority or not. Unlike majority run-off, this system is not truly majoritarian, as there may be up to five or six candidates contesting the second round of elections.

97. Two-Round systems are used to elect 22 national legislatures and are the most common method used worldwide for the direct election of presidents (see paragraph 178). Alongside France, many of the other countries which use TRS were territorial dependencies of the French Republic or have been historically influenced in some way by the French. For elections to the legislature, TRS is used by the Central African Republic, Congo (Brazzaville), Gabon, Mali, Mauritania and Togo in francophone Sub-Saharan Africa, by Egypt in North Africa, by the Comoros Islands, Haiti, Iran, Kiribati, and Viet Nam, and by some of the post-Soviet republics (Belarus, Kyrgyzstan, Turkmenistan and Uzbekistan). A few other countries such as Georgia, Kazakhstan and Tajikistan also use TRS to elect district representatives as part of a mixed electoral system.
98. **Advantages**
a. First and foremost, TRS allows voters to have a second chance to vote for their chosen candidate, or even to change their minds between the first and the second rounds. It thus shares some features in common with preferential systems like the Alternative Vote, in which voters are asked to rank-order candidates, while also enabling voters to make a completely fresh choice in the second round if they so desire.

b. TRS can encourage diverse interests to coalesce behind the successful candidates from the first round in the lead-up to the second round of voting, thus encouraging bargains and trade-offs between parties and candidates. It also enables the parties and the electorate to react to changes in the political landscape that occur between the first and the second rounds of voting.

c. TRS lessens the problems of ‘vote-splitting’, the common situation in many plurality/majority systems where two similar parties or candidates split their combined vote between them, thus allowing a less popular candidate to win the seat. Also, because electors do not have to rank-order candidates to express their second choice, TRS may be better suited to countries where illiteracy is widespread than systems which use preferential numbering like the Alternative Vote or the Single Transferable Vote.

99. **Disadvantages**
a. TRS places considerable pressure on the electoral administration by requiring it to run a second election a short time after the first, thus significantly increasing both the cost of the overall election process and the time that elapses between the holding of an election and the declaration of a result. This can lead to instability and uncertainty. TRS also places an additional burden on the voter, and sometimes there is a sharp decline in turnout between the first round and the second.

b. TRS shares many of the disadvantages of FPTP. Research has shown that in France it produces the most disproportional results of any Western democracy, and that it tends to fragment party systems in new democracies.

c. One of the most serious problems with TRS is its implications for deeply divided societies. In Angola in 1992, in what was supposed to be a peacemaking election, rebel leader Jonas Savimbi came second in the first round of a TRS presidential election to Jose dos Santos with 40 per cent of the vote as opposed to dos Santos’ 49 per cent. As it was clear that he would lose the run-off phase, he had little incentive to play the democratic opposition game and immediately restarted the civil war in Angola, which went on for another decade. In Congo (Brazzaville) in 1993, prospects of a government landslide in the second round of a TRS election prompted the opposition to boycott the second round and take up arms. In both cases, the clear signal that one side would probably lose the election was the trigger for violence. In Algeria in 1992, the candidate of the Islamic Salvation Front (Front Islamique du Salut, FIS) led in the first round, and the military intervened to cancel the second round.
In contemporary Central Asia, elections are as much political theatre as contests for office. After the break-up of the Soviet Union in late 1991, most of the countries in the region descended into one-man rule or civil war. The semi-competitive elections held in the last months of the Soviet order gave way to elections of acclamation in the first years of independence, with political power becoming increasingly centralized in the hands of the founding presidents of the republics. For a time it appeared that Kyrgyzstan might resist the temptation of authoritarianism; however, by the mid-1990s its president had begun to limit society’s ability to hold the state and its representatives accountable.

The election that brought to power the country’s first and only president, Askar Akaev, illustrates the role of changing rules in shaping electoral outcomes. In the late Soviet era, parliaments selected the head of state—the chair of the Supreme Soviet—in each republic. In Kyrgyzstan, the election law stipulated that if the Parliament failed to produce a winner after two rounds of voting all the candidates would be disqualified. In October 1990, this quirk in the electoral rules allowed Akaev—a little-regarded Gorbachev loyalist who was opposed to the dominant conservative forces in the Kyrgyz Communist Party—to win the next round of the parliamentary election for head of state of the Kyrgyz Republic. The following year, Kyrgyzstan, like most other Soviet republics, introduced popular direct elections for a newly-designed office of president whose powers supplanted those of the collapsing Communist Party. In October 1991, just weeks before Kyrgyzstan became an independent country, Akaev won the election for the presidency unopposed. He won the two subsequent presidential elections—in December 1995 and October 2000—by wide margins in the first round, although widespread violations were reported during both elections.

The rules governing presidential elections in Kyrgyzstan are a mixture of traditional and unconventional elements. Elections are held every five years and are decided by a two-round majority run-off system: if no candidate receives an absolute majority in the first round, the two candidates with the most votes proceed to a second round, where the candidate with the most votes wins. New elections must be called if less than half
the electorate turns out for either the first or the second round. Presidents may serve for no more than two terms, although the Constitutional Court in Kyrgyzstan, unlike its counterpart in the Russian Federation, made an exception for the sitting president by ruling that his first term did not count because it began before the limit of two terms was adopted in the 1993 constitution.

To stand for president, a candidate must be at least 35 and not more than 65 years of age. Candidates must also satisfy several further requirements. First, they must undergo an examination by the Language Commission to ensure that they are fluent in the state language, Kyrgyz. This requirement, introduced to discourage Russians and Russified Kyrgyz from contesting the presidency, was used in the 2000 election to disqualify Akaev’s most prominent challenger, Feliks Kulov. Second, they must pay from their personal funds a deposit equal to 1,000 times the minimum monthly wage—essentially the lifetime income of a poor person. For the deposit to be returned, a candidate must receive 10 per cent of the vote, and proposals now being debated by Parliament would increase that to 15 per cent. A further barrier to entry is the requirement that a candidate receive 50,000 signatures, of which at least 3 per cent must come from each of the country’s eight territories—a provision designed to ensure that a president has adequate support in both the north and the south, whose elites have been at odds in recent years.

The relative stability of the rules governing presidential elections in Kyrgyzstan contrasts with the frequent changes made in the parliamentary electoral system. Perhaps the most dramatic have been to the size and structure of the Parliament. Independent Kyrgyzstan inherited from the Soviet era a unicameral Parliament of 350 deputies who had been elected in February 1990 in single-member districts using a two-round voting system. Following constitutional changes made in 1994 by referendum—the president’s preferred means of enhancing his powers and reducing those of the Parliament—this unicameral assembly was replaced by a bicameral legislature, with 60 members in the Legislative Assembly and 45 in the Assembly of People’s Representatives. In the parliamentary elections of February 1995 and February 2000, the entire Assembly of People’s Representatives and 45 members of the Legislative Assembly were elected in 45 single-member districts using two-round voting. The remaining 15 members of the Legislative Assembly were elected by List PR using closed lists and a single nationwide district with a 5 per cent formal threshold, that is, parties must secure at least 5 per cent of the total vote nationwide to be represented in the Parliament. For the 15 PR seats, each party had the right to put forward a list of 30 persons, and in cases where candidates from the list also stood in single-member districts and won, their names were removed from the party list.

The reduction of the number of deputies from 350 to 105, ostensibly designed as a cost-saving measure, facilitated presidential control of the Parliament by trebling the size of the single-member districts and thus reducing the ability of smaller parties to win seats. The presence of a handful of List PR seats in the new Parliament did little to compensate for the disadvantages that a diminutive Parliament posed for small parties. Moreover, the post-communist elections have returned parliaments whose composition differed dramatically from that of the rubber-stamp Soviet legislatures. Communist Party control of candidate nomination had worked in such a way as to
create bodies in which those who had passed the approval process comprised a broad cross-section of society. In contrast, the post-communist assemblies in Kyrgyzstan were almost exclusively male and had a disproportionate number of executive officials and the newly rich.

Kyrgyzstan has recently changed the rules for parliamentary elections again. Revisions to the constitution adopted by referendum in February 2003 called for the 105-member bicameral assembly to be replaced at the next parliamentary election with a unicameral legislature of 75 members. The new election law of January 2004, which has been much criticized inside and outside Kyrgyzstan, provides that the 75 deputies will be elected in single-member districts using a two-round majority run-off voting system. Further reducing the size of the Assembly and abandoning the party list seats is likely to reduce the representation of minorities yet again, increase the executive branch’s influence over the legislature and emasculate an already weak party system. It may also strengthen the political salience of the regions by giving the central party leaders less influence over the selection of candidates.

Because the smaller number of seats in recent parliaments produced larger electoral districts, it has been easier for ethnic Kyrgyz to win seats than for members of ethnic minorities. Where the ethnic Kyrgyz majority is now over-represented in the Parliament, the substantial Uzbek, Russian and German minorities are all significantly under-represented. In particular, the Uzbeks hold a share of the seats which is less than half of their share of the population.

In recent years, the political opposition in Kyrgyzstan has found it increasingly difficult to contest presidential and parliamentary elections. The deference of the judiciary, the Electoral Commission and the Language Commission to presidential authority has led to the selective prosecution and disqualification of electoral candidates. Moreover, presidential influence on the media has prevented the opposition from waging effective campaigns. In the 2000 presidential election, for example, President Akaev received almost ten hours of coverage on the national television channel, KTR, while his principal opponent received less than five minutes. One of the few sources of independent reporting on electoral campaigns, the foreign press, is threatened with legal sanctions if it criticizes establishment candidates. Voting irregularities are also widespread. The conduct of elections as well as the changing electoral rules has impeded the development of political competition in Kyrgyzstan.

For most of the first decade of independence, elections to representative assemblies below the national level were held in single-member districts using a two-round voting system. Since 1999, however, regional and local assembly elections have been conducted in multi-member districts using SNTV. Although the governors of the country’s seven regions are still appointed by the president, the chief executives of cities, districts and villages are now selected by the members of the local assemblies. The sole exception to this pattern is the capital, Bishkek, where the mayor is directly elected.

As in Georgia and Ukraine, the manipulation of electoral rules and the conduct of elections ultimately delegitimized the elections themselves, which contributed to the March 24, 2005 revolution in Kyrgyzstan that overthrew the Akaev presidency and placed the newly elected parliament and the entire system of electoral rules under review.
Proportional Representation Systems

What Proportional Representation Is

100. The rationale underpinning all PR systems is the conscious translation of a party’s share of the votes into a corresponding proportion of seats in the legislature. There are two major types of PR system—List PR and Single Transferable Vote (STV). PR requires the use of electoral districts with more than one member: it is not possible to divide a single seat elected on a single occasion proportionally. In some countries, such as Israel and the Netherlands, the entire country forms one multi-member district. In other countries, for example, Argentina or Portugal, electoral districts are based on provinces, while Indonesia lays down the range of permissible sizes for electoral districts and gives the task of defining them to its EMB.

101. PR systems are a common choice in many new democracies, and 23 established democracies use some variant of PR (see Table 2). PR systems are dominant in Latin America, Africa and Europe. Most of the 72 PR systems identified in this Handbook use some form of List PR; only two use STV.

102. There are many important issues which can have a major impact on how a PR system works in practice. The greater the number of representatives to be elected from a district (see paragraphs 113–118 on district magnitude), the more proportional the electoral system will be. PR systems also differ in the range of choice given to the voter—whether the voter can choose between political parties, individual candidates, or both.

103. Advantages. In many respects, the strongest arguments for PR derive from the way in which the system avoids the anomalous results of plurality/majority systems and is better able to produce a representative legislature. For many new democracies, particularly those which face deep societal divisions, the inclusion of all significant groups in the legislature can be a near-essential condition for democratic consolidation. Failing to ensure that both minorities and majorities have a stake in developing political systems can have catastrophic consequences (see the case study on Lesotho).

104. PR systems in general are praised for the way in which they:

a. Faithfully translate votes cast into seats won, and thus avoid some of the more destabilizing and ‘unfair’ results thrown up by plurality/majority electoral systems. ‘Seat bonuses’ for the larger parties are minimized and small parties can gain access to the legislature by polling a small number of votes.

b. Encourage or require the formation of political parties or groups of like-minded candidates to put forward lists. This may clarify policy, ideology or leadership differences within society, especially when, as in Timor-Leste at independence, there is no established party system.
c. Give rise to very few wasted votes. When thresholds are low, almost all votes cast in PR elections go towards electing a candidate of choice. This increases the voters’ perception that it is worth making the trip to the polling booth at election time, as they can be more confident that their vote will make a difference to the election outcome, however small.

d. Facilitate minority parties’ access to representation. Unless the threshold is unduly high, or the district magnitude is unusually low, then any political party with even a small percentage of the vote can gain representation in the legislature. This fulfils the principle of inclusion, which can be crucial to stability in divided societies and has benefits for decision making in established democracies.

e. Encourage parties to campaign beyond the districts in which they are strong or where the results are expected to be close. The incentive under PR systems is to maximize the overall vote regardless of where those votes might come from. Every vote, even from an area where a party is electorally weak, goes towards gaining another seat.

f. Restrict the growth of ‘regional fiefdoms’. Because PR systems reward minority parties with a minority of the seats, they are less likely to lead to situations where a single party holds all the seats in a given province or district. This can be particularly important to minorities in a province which may not have significant regional concentrations or alternative points of access to power.

g. Lead to greater continuity and stability of policy. The West European experience suggests that parliamentary PR systems score better with regard to governmental longevity, voter participation and economic performance. The rationale behind this claim is that regular switches in government between two ideologically polarized parties, as can happen in FPTP systems, makes long-term economic planning more difficult, while broad PR coalition governments help engender a stability and coherence in decision making which allow for national development.

h. Make power-sharing between parties and interest groups more visible. In many new democracies, power-sharing between the numerical majority of the population who hold political power and a small minority who hold economic power is an unavoidable reality. Where the numerical majority dominates the legislature and a minority sees its interests expressed in the control of the economic sphere, negotiations between different power blocks are less visible, less transparent and less accountable (e.g. in Zimbabwe during its first 20 years of independence). It has been argued that PR, by including all interests in the legislature, offers a better hope that decisions will be taken in the public eye and by a more inclusive cross-section of the society.

105. Disadvantages. Most of the criticisms of PR in general are based around the tendency of PR systems to give rise to coalition governments and a fragmented party system. The arguments most often cited against PR are that it leads to:
a. Coalition governments, which in turn lead to legislative gridlock and consequent inability to carry out coherent policies. There are particularly high risks during an immediate post-conflict transition period, when popular expectations of new governments are high. Quick and coherent decision making can be impeded by coalition cabinets and governments of national unity which are split by factions.

b. A destabilizing fragmentation of the party system. PR can reflect and facilitate a fragmentation of the party system. It is possible that extreme pluralism can allow tiny minority parties to hold larger parties to ransom in coalition negotiations. In this respect, the inclusiveness of PR is cited as a drawback of the system. In Israel, for example, extremist religious parties are often crucial to the formation of a government, while Italy endured many years of unstable shifting coalition governments. Democratizing countries are often fearful that PR will allow personality-based and ethnic-cleavage parties to proliferate in their undeveloped party systems.

c. A platform for extremist parties. In a related argument, PR systems are often criticized for giving a stage in the legislature to extremist parties of the left or the right. It has been argued that the collapse of Weimar Germany was in part due to the way in which its PR electoral system gave a toehold to extremist groups of the extreme left and right.

d. Governing coalitions which have insufficient common ground in terms of either their policies or their support base. These coalitions of convenience are sometimes contrasted with coalitions of commitment produced by other systems (e.g. through the use of AV), in which parties tend to be reciprocally dependent on the votes of supporters of other parties for their election, and the coalition may thus be stronger.

e. Small parties getting a disproportionately large amount of power. Large parties may be forced to form coalitions with much smaller parties, giving a party that has the support of only a small percentage of the votes the power to veto any proposal that comes from the larger parties.

f. The inability of the voter to enforce accountability by throwing a party out of power. Under a PR system it may be very difficult to remove a reasonably-sized centre party from power. When governments are usually coalitions, some political parties are ever-present in government, despite weak electoral performances from time to time. The Free Democratic Party (FDP) in Germany was a member of the governing coalition for all but eight of the 50 years from 1949 to 1998, although it never gained more than 12 per cent of the vote.

g. Difficulties either for voters to understand or for the electoral administration to implement the sometimes complex rules of the system. Some PR systems are considered to be more difficult than non-PR systems and may require more voter education and training of poll workers to work successfully.
106. In its most simple form, List PR involves each party presenting a list of candidates to the electorate in each multi-member electoral district. Voters vote for a party, and parties receive seats in proportion to their overall share of the vote in the electoral district. Winning candidates are taken from the lists in order of their position on the lists.

The choice of List PR does not in itself completely specify the electoral system: more details must be determined. The system used to calculate the allocation of seats after the votes have been counted can be either a Highest Average or a Largest Remainder Method (see the glossary at annex B). The formula chosen has a small but sometimes critical effect on the outcomes of elections under PR. In Cambodia in 1998, a change in the formula a few weeks before polling day turned out to have the effect of giving the largest party 64 seats, instead of 59, in a 121-seat National Assembly. The change had not been well publicized, and it was with difficulty that the opposition accepted the results. This example clearly demonstrates the importance for electoral system designers of apparently minor details.

There are several other important issues that need to be considered in defining precisely how a List PR system will work. A formal threshold may be required for representation in the legislature (see paragraphs 119–121): a high threshold (for example 10 per cent, as used by Turkey) is likely to exclude smaller parties, while a low threshold (for example 1.5 per cent, as used by Israel) may promote their representation. In South Africa, there is no formal threshold, and in 2004 the African Christian Democratic Party won six seats out of 400 with only 1.6 per cent of the national vote. List PR systems also differ depending on whether and how the voter can choose between candidates as well as parties, that is, whether lists are closed, open or free (panachage) (see paragraphs 122–126). This choice has implications for the complexity of the ballot paper.

Other choices include arrangements for formal or informal ‘vote pooling’; the scope for agreements between parties, such as that provided by systems which use apparentement (see paragraph 127); and the definition of district boundaries.

107. Advantages

a. In addition to the advantages attached to PR systems generally, List PR makes it more likely that the representatives of minority cultures/groups will be elected. When, as is often the case, voting behaviour dovetails with a society’s cultural or social divisions, then List PR electoral systems can help to ensure that the legislature includes members of both majority and minority groups. This is because parties can be encouraged by the system to craft balanced candidate lists which appeal to a whole spectrum of voters’
interests. The experience of a number of new democracies (e.g. South Africa, Indonesia, Sierra Leone) suggests that List PR gives the political space which allows parties to put up multiracial, and multi-ethnic, lists of candidates. The South African National Assembly elected in 1994 was 52 per cent black (11 per cent Zulu, the rest being of Xhosa, Sotho, Venda, Tswana, Pedi, Swazi, Shangaan and Ndebele extraction), 32 per cent white (one-third English-speaking, two-thirds Afrikaans-speaking), 7 per cent Coloured and 8 per cent Indian. The Namibian Parliament is similarly diverse, with representatives from the Ovambo, Damara, Herero, Nama, Baster and white (English- and German-speaking) communities.

b. List PR makes it more likely that women will be elected. PR electoral systems are almost always more friendly to the election of women than plurality/majority systems. In essence, parties are able to use the lists to promote the advancement of women politicians and allow voters the space to elect women candidates while still basing their choice on other policy concerns than gender. As noted above, in single-member districts most parties are encouraged to put up a ‘most broadly acceptable’ candidate, and that person is seldom a woman. In all regions of the world PR systems do better than FPTP systems in the number of women elected and 14 of the top 20 nations when it comes to the representation of women use List PR. In 2004, the number of women representatives in legislatures elected by List PR systems was 4.3 percentage points higher than the average of 15.2 per cent for all legislatures, while that for legislatures elected by FPTP was 4.1 percentage points lower.

108. Disadvantages. In addition to the general issues already identified relating to PR systems, the following additional disadvantages may be considered:
CASE STUDY: South Africa

SOUTH AFRICA: Electoral Systems, Conflict Management and Inclusion

Andrew Reynolds

The National Assembly parliamentary and provincial elections held in South Africa in 1994 marked the high point of a period of tumultuous change from authoritarian rule to multiparty democracy in Southern Africa as a whole. At midnight on 27 April 1994 perhaps the most despised flag in Africa was lowered, heralding the end of 300 years of colonialism and four decades of apartheid. Those first multiparty democratic elections opened the stage to political movements which had been driven underground by the Pretoria regime’s policy of racial divide and rule. Nelson Mandela’s African National Congress (ANC) was poised on the threshold of power; the Pan-Africanist Congress of Azania (PAC) was challenging it within the same community, while Mangosotho Buthelezi’s Inkatha Freedom Party (IFP) hoped to build on its hegemony in the north of the province of KwaZulu-Natal. These new parties joined F. W. De Klerk’s National Party (NP), the liberal Democratic Party (DP) and the new Freedom Front (FF)—a descendant of the ‘white right’ parties of the old constitutional dispensation—in battling for the votes of millions of newly-enfranchised people.

Elections were conducted under List PR with half the National Assembly (200 members) being chosen from nine provincial lists and the other half being elected from a single national list. In effect, the country used one nationwide constituency (with 400 members) for the conversion of votes into seats, and no formal threshold for representation was imposed.

The Droop Quota was used to allocate seats, and surplus seats were awarded by an adaptation of the Largest Remainder Method. Early drafts of the electoral law put the threshold for parliamentary representation at 5 per cent of the national vote but, in a concession to the smaller parties, the ANC and the NP agreed in early 1994 to drop any ‘mandatory’ threshold. However, only those parties with 20 or more MPs, 5 per cent of the Assembly, were guaranteed portfolios in the first government’s cabinet of national unity.

The fact that the ‘Mandela liberation-movement juggernaut’ would have won the National Assembly elections under almost any electoral system cannot diminish the importance of South Africa’s choice of a List PR system for these first elections. The PR
system, as an integral part of other power-sharing mechanisms in the new constitution, was crucial to creating the atmosphere of inclusiveness and reconciliation which precipitated the decline of the worst political violence and has made post-apartheid South Africa something of a beacon of hope and stability to the rest of troubled Africa.

Nevertheless, in 1990, upon Nelson Mandela’s release from prison, there was no particular reason to believe that South Africa would adopt PR. The ‘whites-only’ Parliament had always been elected by an FPTP system, while the ANC, now in a powerful bargaining position, expected to be clearly advantaged if FPTP were maintained. As only five electoral districts, out of over 700, had white majorities, the ANC, with 50–60 per cent of the popular vote, expected to win 70 per cent or 80 per cent of the parliamentary seats easily due to the vagaries of FPTP voting. But the ANC did not opt for this course because it realized that the disparities of a ‘winner-takes-all’ electoral system would be fundamentally destabilizing in the long run for minority and majority interests. List PR also avoided the politically charged and controversial question of having to draw constituency boundaries and, furthermore, it fitted in with the executive power-sharing ethos which both the ANC and the Nationalists saw as a key tenet of the interim constitution.

It is probable that, even with their geographical pockets of electoral support, the Freedom Front (which won nine seats in the new National Assembly), the Democratic Party (seven seats), the Pan-Africanist Congress (five seats), and the African Christian Democratic Party (two seats) would have failed to win a single parliamentary seat if the elections had been held under a single-member district FPTP electoral system. While these parties together only had 6 per cent of the members of the new Assembly, their importance inside the structures of government far outweighs their numerical strength.

A reading of the detailed results reveals, somewhat surprisingly, that in 1994 List PR may not have particularly advantaged the medium-sized NP and the IFP over and above the number of seats they would have expected to win under an FPTP system. This was primarily due to the ‘national referendum’ nature of the campaign, which led to a two-party battle between the old and the new—the ANC versus the IFP in KwaZulu-Natal province, and the ANC versus the NP in the rest of the country. Furthermore, the ethnically homogeneous nature of constituencies and the strong geographical concentrations of support in South Africa meant that the NP and the IFP would have won only slightly fewer seats under a constituency system. However, FPTP would in all likelihood have given the ANC a small ‘seat bonus’, increasing its share of the seats in the National Assembly beyond its share of the popular vote (which was 62 per cent) and beyond the two-thirds majority needed to draft the new constitution without reference to other parties.

The practice of having one ballot for the National Assembly and one for the provincial parliament also proved to be an important innovation in the electoral system design. Until a few months before the election, the ANC was still insisting on a single ballot which would be counted for both the national and provincial elections. This was quite clearly a manoeuvre to advantage the larger, nationally-based parties and was only changed through the pressure of an alliance of business leaders, the Democratic
Party, and international advisers. The eventual results did show that large numbers of
voters had split their national and provincial ballots between two parties, and it appears
as though the major beneficiaries of separating the ballots were the small Democratic
Party and the Freedom Front. Both polled more than 200,000 votes in the provincial
elections over and above their national result, which went a long way to explain the
490,000 drop between the NP’s national and provincial totals.

The choice of electoral system has also had an impact upon the composition of
the Parliament along the lines of ethnicity and gender. The South African National
Assembly sworn into office in May 1994 contained over 80 former members of the
whites-only parliament, but that was where the similarities between the old and the
new ended. In direct contrast to South Africa’s troubled history, black sat with white,
communist with conservative, Zulu with Xhosa, and Muslim with Christian. To a
significant extent the diversity of the new National Assembly was a product of the use
of List PR. The national, and unalterable, candidate lists allowed parties to present
ethnically heterogeneous groups of candidates which, it was hoped, would have cross-
cutting appeal. The resulting National Assembly was 52 per cent black (including
Xhosa-, Zulu-, Sotho-, Venda-, Tswana-, Pedi-, Swazi-, Shangaan- and Ndebele-
speaking), 32 per cent white (English- and Afrikaans-speaking), 8 per cent Indian,
and 7 per cent Coloured—this compared to an electorate which was estimated to be 73
per cent black, 15 per cent white, 9 per cent Coloured, and 3 per cent Indian. Women
made up 27 per cent of MPs.

In 1999 the proportion of black MPs rose to 58 per cent and that of Coloured MPs
rose to 10 per cent, while whites made up 26 per cent and Indians 5 per cent. In 2004
the black proportion (65 per cent) came closer to their population share, while whites
made up 22 per cent. Numbers of Coloured and Indian MPs held roughly steady. The
proportion of women MPs rose to 30 per cent in 1999 and to 33 per cent in 2004. There
is a widespread belief in South Africa that if FPTP had been introduced there would
have been far fewer women, Indians and whites, with more black and male MPs.

Finally, more polarized forms of representation would be expected under FPTP,
with whites (of different parties) representing majority white constituencies, Xhosas
representing Xhosas, Zulus representing Zulus, and so on. While problems with lack
of district accountability and of remoteness are perceived effects of the present South
African List PR system, it has meant that citizens have a variety of MPs to approach
when the need arises.

Nevertheless, there is a continuing debate in South Africa about how to increase
democratic accountability and the representativeness of the MPs. It was widely accepted
that the first non-racial election was more of a referendum about which parties should
draw up the new constitution. But subsequent elections have been about constituting a
representative Parliament, and many political actors and voters argue that the electoral
system needs to be altered to take this into account.

Today, all the major political parties still support the principle of PR. Without
greatly increasing the difficulty of the ballot, voters could be allowed to choose between
candidates as well as parties, without the PR character of the Parliament being affected
in any way. One option is to elect MPs in smaller multi-member constituencies in order
to develop a stronger geographical tie between electors and their representatives. At
the moment the regional lists represent areas so large that any form of local advocacy is entirely lost. A second option is to adopt the MMP system, with half the members elected from single-member districts while the other half come from compensatory PR lists. Both these options were considered by a 12-member Task Team, led by Frederick van Zyl Slabbert, a former leader of the Democratic Party, and briefed to consider reform options in 2002. This Task Team had an inbuilt ANC-Independent Electoral Commission (IEC) majority, and was appointed by the president to review the electoral system in the light of complaints that the List PR system did not include adequate geographical representation. It ultimately recommended that South Africa should retain its List PR system but change it to a two-tier system, splitting the country into 69 constituencies electing between three and seven MPs, and keeping 100 seats as ‘compensatory’ national seats. However, the ANC government rejected this reform for the 2004 general election and appears to be unwilling to implement a new system for 2009.

South African closed List PR ballot paper
INDONESIA: Continuity, Deals and Consensus

Andrew Ellis

The development of political institutions able to provide stable and effective government has been a daunting challenge in Indonesia, a huge and ethnically diverse country of nearly 20,000 islands whose unity was based on common resistance to colonialism. Political identity in Indonesia is a complex subject, in the past often based on links to different strands of Islam, to a more secular nationalism, or in some areas to Christianity—to which assessment of leadership qualities and the impact of corruption now, in 2004, appear to have been added. Devising electoral systems that are inclusive and effective in the context of the Indonesian unitary state has never been easy.

The first general election in Indonesia after the 1945 proclamation of independence took place in 1955. A PR system using 15 regions was adopted without challenge. Seats were distributed in proportion to population, with a small extra allocation for Outer Island regions. The Largest Remainder Method using the Hare Quota was adopted. Parties or organizations could nominate lists, and individual candidates could also be nominated. Voters could vote either for a list or by writing in the name of one candidate.

The resulting legislature included representatives of 27 parties and lists, plus one individual member. The four largest parties all received between 16 per cent and 23 per cent of the vote. Not only was no single party able to command a majority in the legislature; not even two parties were. It was difficult to form governments, and their ability to retain the confidence of the legislature was limited. The Constituent Assembly, elected shortly afterwards to draw up a permanent constitution, had a similar political balance and failed to reach agreement.

General loss of confidence in political institutions and rebellions against the unitary state led President Soekarno to impose an authoritarian regime in 1959. This lasted until it was replaced by the New Order of President Soeharto in the mid-1960s, which established virtually complete dominance of the executive, legislative and judicial branches. Elections took place, but campaigns were heavily restricted, many candidates were disqualified, and the rules were applied disproportionately against opponents of the government. The desire for complete central control over the choice of candidates
contributed to the choice of closed-list PR. Soeharto sought to allay fears of Javanese political domination, and Java received only just over half of the seats to be elected, despite having over 70 per cent of the registered electorate in 1955. Although this figure has fallen, it was still 61 per cent in 2004.

**The Transition to Democracy: The 1999 Elections**

After the Soeharto regime fell in 1998, new electoral legislation was finalized in late January 1999. The electoral system—described as a ‘proportional system with district characteristics’—was unique. It was the clear product of incremental political negotiation against a time deadline. This agreement was reached in the legislature by the parties of the Soeharto era, which were under pressure from the new parties and others outside the negotiations, in addition to defending their own positions and coming under pressure from their own power bases. Given these pressures, it is unlikely that the end result of the negotiation could have been substantially different.

At the June 1999 election, each voter cast a single vote for a political party. The 27 provinces were retained as electoral districts, ranging in magnitude from four to 82 seats. The number of seats won by each party in each province was determined using the principles of PR, and each candidate on each party list was linked by the party to one of the second-tier districts (kota, city authorities, and kabupaten, authorities in non-city areas) within the province. Because of deep-rooted concern to maintain the unity of the state, there were provisions that made it impossible to register a specifically regional party. The law on political parties required all parties contesting the elections to be organized in at least nine provinces.

The legislation was not clear on essential detail. The method for converting votes cast into seats gained was not included. Nor were there rules for identifying which candidates from a party’s list would occupy the seats gained by that party. These issues were resolved only at a very late stage.

The final seat allocation regulations retained the Largest Remainder Method using the Hare Quota. The allocation of candidates to seats won was much more complex. In practice, few central party leaderships even complied with the regulations, and leaderships took de facto powers simply to tell the Election Commission which candidates had been elected to the seats their party had won.

The 1999 elections were nonetheless judged to have been the first since 1955 to be acceptable overall, despite specific or localized concerns. Five parties gained more than 2 per cent of the vote: their relative strengths varied widely in the different parts of Indonesia. Sixteen other parties gained representation.

Reflection on the 1999 elections was rapidly overtaken by a full review of the 1945 constitution. The completion of this review in 2002 led to fundamental changes, including the introduction of the separation of powers, the principle of checks and balances, direct election of the president and vice-president, and the establishment of a regionally based elected second chamber with very limited powers. Four portmanteau amendments were passed to the constitution, completely changing the way in which the institutions will work in future, and five new laws—on elections, presidential elections, political parties, the structure of elected bodies, and the establishment of the Constitutional Court—were passed. Indonesia now falls recognizably within the
mainstream of the family of presidential democracies.

**Single-Member Plurality Fails to Find Favour for Elections to the Legislature**

After 1999, there was considerable advocacy of a single-member district (SMD) plurality system among the media and in academia in particular, as the accountability of elected members was widely perceived to be lacking in the legislature elected in 1999. Even if the 1999 electoral system is viewed not as a political deal but as a brave attempt to marry the principles of List PR and the accountability of elected members to the electoral district, no constituency–member link was created in practice.

However, simulations made after the 1999 elections suggested that a plurality SMD system would be likely to produce results in Indonesia that were more disproportional than almost anywhere else in the world. Steadily worsening relations between the legislature elected in 1999 and many academic, media and civil society actors also meant that support for SMD systems by the latter became steadily less persuasive. It became evident that a plurality system would almost certainly fail to reflect the diversity of Indonesia, that introducing an acceptable districting process for the 2004 election would take time and involve considerable difficulty, and that plurality systems were not likely to favour the election of women.

**The 2004 Electoral System**

The new constitutional requirements agreed in 2002 state that the participants in elections to the lower chamber of the legislature (the National Assembly) are political parties, thus limiting the available options for the electoral system in the new electoral law. The government’s draft election law provided for a PR system using multi-member districts, responding to the pressure for greater accountability by proposing open lists and the dividing up of larger provinces. This basic form was finally adopted, with multi-member districts of a magnitude of between three and 12 seats to be drawn up by the Election Commission. Subsequent debate led to multi-member districts whose magnitude is towards the higher end of this range. The restricted open-list system finally agreed requires voters to vote for one party and, if they wish, one candidate from that party. However, this will only result in the election of a particular candidate out of the order in which names appear on the party list if that candidate gains more than a full Hare Quota of individual votes—which made its likely effect minimal, as proved to be the case in practice in the 2004 elections to the legislature.

As a result of the creation of the regional chamber, some parties argued the case for ‘one person, one vote, one value’ (OPOVOV) for the legislature, with the same population for every seat, while others backed the retention of a representational bias in favour of the Outer Islands. The final compromise is a complex formula basing the number of seats for each province on a minimum of 325,000 population per seat in small provinces and a maximum of 425,000 population per seat in large ones, with a minimum of three seats per province.

The central party leaderships showed little inclination to relax their hold on their parties. The larger parties toughened the requirements for parties to participate in both the 2004 and subsequent elections.

The effective prohibition of regional parties has been strengthened. The issues of
open or closed list, OPOVOV, the balance between Java and the Outer Islands, and party participation were all negotiated between the parties when the final deal was struck. A broadly-based campaign did, however, lead to the adoption of a ‘maybe-quota’ for gender representation: parties are required to ‘bear in their hearts’ the desirability of including at least 30 per cent women candidates on their lists. While there is no enforcement provision, this proved an important tool to encourage more women candidates, and 12 per cent of the members of the 2004 legislature are women—a significant improvement on 1999.

The 2004 legislative election results reflected both change and continuity. The same five parties that polled more than 3 per cent in 1999 did so again, and were joined by two more. Seventeen parties were represented altogether.

**Elections to the Regional Chamber: SNTV Springs a Surprise**

The constitution provides that candidates for the new regional chamber (the Regional Representatives’ Council) should be individuals, not parties. Four members are to be elected per province. The draft law proposed the Block Vote system, clearly designed to advantage parties with support outside Java where provinces are smaller. SNTV was proposed as an alternative by the party that was strongest in Java, and was agreed as part of the final deal.

The first election to the regional chamber took place in 2004 and demonstrated a known weakness of SNTV: with an average of 30 candidates contesting the four seats in each province, many candidates were elected with less than 10 per cent of the vote. However, strong campaigns by women candidates meant that an unexpected 21 per cent of the members of the new chamber are women—a level unprecedented in a freely elected body in Indonesia.

**Direct Presidential Elections**

The president and vice-president are now directly elected, with candidates pairing up to form tickets. A two-round majority run-off system is used, with the aim of ensuring that the successful candidates have sufficient support across a large and diverse country. For a ticket to be elected on the first round, it must not only poll an absolute majority of votes cast but also meet a distribution requirement of 20 per cent of the vote in at least half the provinces. While a majority winner will almost certainly achieve this, the requirement prevents a ticket whose support is solid in Java and minimal elsewhere from winning an election in the first round. In the first direct presidential election in 2004, five tickets contested the first round in July, with none polling over 35 per cent; in the second round in September, Susilo Bambang Yudhoyono gained victory with 61 per cent of the votes.

**The Political Reality: Negotiating a Deal**

The 1999 electoral system agreement had to be acceptable both to the parties of the New Order, which still held the levers of power, and to the new parties outside on the street. The constitutional review that followed the 1999 election also required agreement across the political spectrum. The 2004 election law is yet another deal, similar in principle to that of 1999, but with important differences of detail. Each time,
there were a limited number of practical solutions given the inherited traditions and the political background and positions of the actors. However, there are positive signs for democracy in the new Indonesian institutional framework: it is fortunate that some long-term vision existed alongside the inevitable perceptions of short-term political advantage among the parties and individuals who shaped the changes.
a. Weak links between elected legislators and their constituents. When List PR is used and seats are allocated in one single national district, as in Namibia or Israel, the system is criticized for destroying the link between voters and their representatives. Where lists are closed voters have no opportunity to determine the identity of the persons who will represent them and no identifiable representative for their town, district or village, nor can they easily reject an individual representative if they feel that he or she has performed poorly in office. Moreover, in some developing countries where the society is mainly rural, voters’ identification with their region of residence is sometimes considerably stronger than their identification with any political party or grouping. This criticism, however, may relate more to the distinction between systems in which voters vote for parties and systems in which they vote for candidates.

b. Excessive entrenchment of power within party headquarters and in the hands of senior party leaderships—especially in closed-list systems. A candidate’s position on the party list, and therefore his or her likelihood of success, is dependent on currying favour with party bosses, whose relationship with the electorate is of secondary importance. In an unusual twist to the List PR system, in Guyana parties publish their list of candidates not ranked but simply ordered alphabetically. This allows party leaders even more scope to reward loyalty and punish independence because seats are only allocated to individuals once the result of the vote is known.

c. The need for some kind of recognized party or political groupings to exist. This makes List PR particularly difficult to implement in those societies which do not have parties or have very embryonic and loose party structures, for example, many of the island countries of the Pacific.

The Single Transferable Vote (STV)

109. STV has long been advocated by political scientists as one of the most attractive electoral systems, but its use for legislative elections has been limited to a few cases—the Republic of Ireland since 1921, Malta since 1947, and once in Estonia in 1990. It is also used for elections to the Australian Federal Senate and in several Australian states, and for European and local elections in Northern Ireland. It has been adopted for local elections in Scotland and in some authorities in New Zealand. It was also chosen as the recommendation of the British Columbia Citizens’ Assembly (see the case study on British Columbia).

The core principles of the system were independently invented in the 19th century by Thomas Hare in Britain and Carl Andræ in Denmark. STV uses multi-member districts, and voters rank candidates in order of preference on the ballot paper in the same manner as under the Alternative Vote system. In most cases this preference marking is optional, and voters are not required to rank-order all candidates; if they wish they can mark only one.

After the total number of first-preference votes are tallied, the count then begins by establishing the quota of votes required for the election of a single candidate. The quota
The Irish lower house of Parliament, Dáil Éireann, is elected by the STV system—proportional representation by means of the Single Transferable Vote. This relatively unusual system owes its origins to the circumstances of the Republic of Ireland’s achievement of independence in 1922. The departing rulers, the British, wanted some form of PR in order to protect the Protestant minority, while the new state’s political elite favoured PR in principle. With neither having much awareness of PR list systems, STV was adopted by agreement as the electoral system and has remained the electoral system ever since.

The Dáil is of central importance in the Irish political system. It elects the government, which needs to retain majority support in the Dáil in order to survive. Much less important is the presidency, although, unusually for a parliamentary system, the president is directly elected. Elections for the presidency take place under the Alternative Vote (AV) system.

The 166 members of the Dáil are elected from around 40 constituencies, each returning three, four or five members. Voting is straightforward: voters merely indicate their favoured candidate (by writing ‘1’ beside that candidate’s name on the ballot paper), and can go on to indicate their second and third choices and so on in the same way. Voters can rank candidates not only within but also across parties. Although most vote along party lines, it is not necessary to do so, and some vote along geographical lines, that is, they give their highest preferences, regardless of party, to the candidates from their own local area. The counting process, especially the distribution of ‘surplus’ votes, looks complicated to the uninitiated, but it is worth emphasizing that the voters do not have to be familiar with all the details; they need only to know how to cast their vote and to be satisfied that the counting process is ‘fair’ and transparent.

The electoral system is entrenched in the constitution and consequently cannot be changed without a referendum. On two occasions (1959 and 1968) the largest party, Fianna Fáil, instigated a referendum to replace STV by the British FPTP system, using the argument each time that any kind of PR was likely to create a problem of unstable coalition government. The proposed change was rejected by the voters on each
occasion, by margins of 52 per cent to 48 per cent in 1959, and 61 per cent to 39 per cent in 1968.

On the basis of the criterion of stable government, anyone evaluating the record of STV in the Republic of Ireland would not, in fact, see its performance as a problem. Since the mid-1940s, governments (both coalition and single-party) have lasted three, four or five years, the only exception being a short-lived period of instability in the early 1980s. The voters, through their ranking of candidates of different parties, are able to indicate their wishes regarding potential coalition partners for their preferred party.

STV has generally delivered highly proportional outcomes, with Fianna Fáil receiving only a modest ‘bonus’ (around 48 per cent of the seats for 45 per cent of the votes at elections over the period 1945–92). However, the small size of the electoral districts (four seats per constituency on average) creates the potential for the largest party to reap a benefit if it can attract second- and third-preference votes from supporters of other parties, and this happened at the two most recent elections. These produced the least proportional results ever: in 2002, Fianna Fáil won 41 per cent of the votes and 49 per cent of the seats.

The system continues to allow representation to small parties and to independents, 13 of whom were elected in 2002. While many PR systems enable small parties to win seats in the Parliament, STV seems to give an unusual opportunity to independent candidates to do the same because of its essentially candidate-centred rather than party-centred nature.

Much of the praise and criticism of STV in the Republic of Ireland hinges on the same factor, namely the power it gives to voters to choose among candidates of the same party. This creates intense intra-party competition, especially among candidates of Fianna Fáil, which nominates between two and four candidates in each constituency. Statistics show that more incumbent Fianna Fáil MPs lose their seat to a running-mate than to a candidate of another party.

Critics argue that, as a result, incumbents become over-active at constituency level in order to curry favour with the voters and do not spend enough time on politics at national level, for example, on scrutinizing the government or discussing legislation in committees. They argue that this has an adverse effect on the calibre of Irish parliamentarians (in that individuals who could make a contribution at national level are discouraged by the likely casework load they would have to discharge if elected) and that it leads to short-termism and undue regard for localism in government thinking. They suggest that internal party competition for votes may lead to divided, incohesive political parties.

The defenders of the system, in contrast, see voters’ opportunity to choose among candidates of their party as a virtue. They argue that it allows the voters to replace incumbents by more able and more active newcomers and that, at a time of decreasing interest in conventional politics, this gives MPs a strong incentive to keep in close contact with the voters and thus fulfil the role of linking citizens to the political system. They maintain that there is no evidence that Irish MPs are of lower calibre than those elsewhere and that the Republic of Ireland’s recent record of impressive economic growth shows that there cannot be too much wrong with the behaviour of governments. They also point out that the Irish political parties are extremely cohesive and disciplined in
their behaviour in Parliament, with no factions or recognizable subgroups.

In 2002 an all-party parliamentary committee considered the arguments for and against changing the system. It concluded that the public was strongly attached to STV, that a change to any other system would reduce the power of the individual voter, and that some of the alleged failings of the political system for which critics blamed STV were caused by other factors. As this conclusion indicates, there is no significant body of opinion in favour of amending or replacing the existing system.

Any evaluation of STV in the Republic of Ireland needs to take account of the characteristics of the country. It is a small country in terms of both area and population, and the ratio of MPs to population (about 1 : 20,000) is relatively high by international standards. This may foster closer links between MPs and their constituents, regardless of the electoral system, than are likely in a larger country. In addition, the Republic of Ireland is a prosperous, highly educated society where the political system as a whole is well established and is universally regarded as legitimate. Irish society does not have any significant cleavages (for example, ethnic, linguistic or religious).

For all these reasons we need to be careful about drawing firm conclusions about how STV would operate in other contexts. We can, though, say that there is no sign that the electorate in the Republic of Ireland would like to replace it by any other system.
used is normally the Droop quota, calculated by the simple formula:

\[
\text{Quota} = \frac{\text{votes}}{\text{seats}} + 1
\]

110. The result is determined through a series of counts. At the first count, the total number of first-preference votes for each candidate is ascertained. Any candidate who has a number of first preferences greater than or equal to the quota is immediately elected.

In second and subsequent counts, the surplus votes of elected candidates (i.e. those votes above the quota) are redistributed according to the second preferences on the ballot papers. For fairness, all the candidate’s ballot papers are redistributed, but each at a fractional percentage of one vote, so that the total redistributed vote equals the candidate’s surplus (except in the Republic of Ireland, which uses a weighted sample). If a candidate had 100 votes, for example, and their surplus was five votes, then each ballot paper would be redistributed at the value of 1/20th of a vote.

After any count, if no candidate has a surplus of votes over the quota, the candidate with the lowest total of votes is eliminated. His or her votes are then redistributed in the next count to the candidates left in the race according to the second and then lower preferences shown. The process of successive counts, after each of which surplus votes are redistributed or a candidate is eliminated, continues until either all the seats for the electoral district are filled by candidates who have received the quota, or the number of candidates left in the count is only one more than the number of seats to be filled, in which case all remaining candidates bar one are elected without receiving a full quota.

111. Advantages. The advantages claimed for PR generally apply to STV systems. In addition, as a mechanism for choosing representatives, STV is perhaps the most sophisticated of all electoral systems, allowing for choice between parties and between candidates within parties. The final results retain a fair degree of proportionality, and the fact that in most actual examples of STV the multi-member districts are relatively small means that a geographical link between voter and representative is retained. Furthermore, voters can influence the composition of post-election coalitions, as has been the case in the Republic of Ireland, and the system provides incentives for inter-party accommodation through the reciprocal exchange of preferences between parties. STV also provides a better chance for the election of popular independent candidates than List PR, because voters are choosing between candidates rather than between parties (although a party-list option can be added to an STV election; this is done for the Australian Senate).
112. **Disadvantages.** The disadvantages claimed for PR generally also apply to STV systems. In addition:

- *a.* STV is sometimes criticized on the grounds that preference voting is unfamiliar in many societies, and demands, at the very least, a degree of literacy and numeracy.

- *b.* The intricacies of an STV count are quite complex, which is also seen as being a drawback. This has been cited as one of the reasons why Estonia decided to abandon the system after its first election. STV requires continual recalculations of surplus transfer values and the like. Because of this, votes under STV need to be counted at counting centres instead of directly at the polling place. Where election integrity is a salient issue, counting in the actual polling places may be necessary to ensure legitimacy of the vote, and there will be a need to choose the electoral system accordingly.

- *c.* STV, unlike List PR, can at times produce pressures for political parties to fragment internally because members of the same party are effectively competing against each other, as well as against the opposition, for votes. This could serve to promote ‘clientelistic’ politics where politicians offer electoral bribes to groups of defined voters.

- *d.* STV can lead to a party with a plurality of votes nonetheless winning fewer seats than its rivals. Malta amended its system in the mid-1980s by providing for some extra compensatory seats to be awarded to a party in the event of this happening.

Many of these criticisms have, however, proved to be little trouble in practice. STV elections in the Republic of Ireland and Malta have tended to produce relatively stable, legitimate governments comprising one or two main parties.

**PR-Related Issues**

**District Magnitude**

113. There is near-universal agreement among electoral specialists that the crucial determinant of an electoral system’s ability to translate votes cast into seats won proportionally is the district magnitude, which is the number of members to be elected in each electoral district. Under a system such as FPTP, AV or the Two-Round System, there is a district magnitude of one; voters are electing a single representative. By contrast, all PR systems, some plurality/majority systems such as Block Vote and PBV, and some other systems such as Limited Vote and SNTV, require electoral districts which elect more than one member. Under any proportional system, the number of members to be chosen in each district determines, to a significant extent, how proportional the election results will be.

114. The systems which achieve the greatest degree of proportionality will use very large districts, because such districts are able to ensure that even very small parties are represented in the legislature. In smaller districts, the effective threshold (see paragraph 121) is higher. For example, in a district in which there are only three members to be
Chile’s electoral system can only be understood in the context of the long period of authoritarian rule under General Augusto Pinochet (1973–90), whose aim was to establish a regime of protected, authoritarian democracy, of which the electoral system was one component. The dictatorship abolished PR, which had been in force prior to the military coup of 11 September 1973. PR was the response to the cleavages in Chile’s social structure since the 19th century and had produced a multiparty system. By the 1960s this had consolidated into six major parties—two on the left (the Socialists and the Communists), two in the centre (the Christian Democrats and the Radicals), and two on the right (the Liberals and the Conservatives, who merged in 1966 to form the National Party).

The Binomial System: a Legacy of Authoritarianism

In Chile’s bicameral constitutional arrangements, the Chamber of Deputies, the lower house, consists of 120 members elected for a four-year term, two for each of the 60 electoral districts. The Senate has 38 elected members, two for each of the 19 districts, elected for an eight-year term: there are elections for half of the seats every four years, simultaneously with elections to the Chamber of Deputies. There are in addition nine non-elected members, the ‘institutional’ or ‘designated’ senators, named by the National Security Council (four), the Supreme Court (three) and the president (two), and one ex-officio life member, former President Eduardo Frei Ruiz-Tagle. (The original 13 senatorial districts of the 1980 constitution were expanded to 19 in the 1989 constitutional reforms to reduce the power of the non-elected senators.) These arrangements were negotiated by Pinochet and his supporters as they fell from power during the transition to democracy.

Parties, coalitions or independents present lists, normally containing a maximum of two candidates per district, in elections both for the Chamber of Deputies and for the Senate. Voters vote for the candidate of their choice. The first seat goes to whichever list receives the most votes in total: the representative elected is the individual candidate on that list who receives the highest vote. To take both seats, the most successful list must
receive twice the number of votes of the second list. This system forces the parties to form electoral coalitions because the effective threshold is very high: 33.4 per cent of the total vote for the top list is required to win one seat. However, a list needs to receive 66.7 per cent of the total vote to be guaranteed both seats.

There are two major electoral coalitions, which in 2001 won all the seats in the Chamber of Deputies except one. The centre–left Concertación por la Democracia is formed by four parties opposed to the Pinochet regime (the Socialists, the Democracy Party, the Christian Democrats and the Radicals) and has ruled since the return to democracy in March 1990. The right-wing opposition Alliance for Chile (the Independent Democrat Union, UDI, and National Renewal, RN) supported the Pinochet regime. In practice the Concertación list contains one candidate from each of two groupings within the coalition, that is, one from the Christian Democrats and another from the Socialists, the Democracy Party and the Radicals. There is no district in which there is competition between the Socialists and the Democracy Party. On the opposition list, the UDI and National Renewal normally present one candidate each in all districts.

The result of this electoral system is that almost all districts return one representative from the Concertación and one from the Alliance for Chile. The system could create competition between the two candidates on a list for the one seat it will win, but in practice even this is severely limited by elite accommodation within both coalitions.

This electoral system is unique because in practice it favours the largest minority, not the majority. It is thus not a majoritarian system. It is a system which uses a proportional mechanism, but the results it produces are not proportional, since it allows an electoral list to take half the seats with only 34 per cent of the votes. The only reason why this distortion has not occurred in practice is the limits to electoral competition.

The electoral system was set up by the military regime following the plebiscite of 5 October 1988. The plebiscite had two goals: to approve the 1980 constitution and to elect General Pinochet as president for a further eight years. In this non-competitive election (there was no other candidate), Pinochet was defeated by the Concertación. This triggered the transition to democracy, with congressional and presidential elections in 1989, the presidential election being won by the opposition candidate Patricio Aylwin (Christian Democrat). The electoral system was designed to favour the two right-wing parties, which had backed Pinochet’s candidacy, in the face of a predictable electoral victory for their opponents.

In the three presidential and four congressional elections held since 1990, the Concertación has received most votes, but has never controlled the Senate because the majority of the institutional senators have supported the opposition.

The Drawbacks of the Binomial System for the Parties and for Democracy

Several objections to the electoral system have been voiced. First, it forces the parties into electoral coalitions because of the high vote threshold required to win a seat. Second, it has a negative impact on representation because it has kept the Communist Party out of Congress, despite its relevance up to 1973 and its 5–7 per cent share of the national vote in the new democracy. Third, since each coalition will normally win one seat, the real contest takes place among the member parties, rather than between rival
alliances and parties. These disputes endanger stability in the coalitions; in the 2001 senatorial elections the UDI and the RN avoided them and named a single consensus candidate in seven of the nine districts, or ran only a weak competitor who would not challenge the leadership’s candidate. Fourth, the system hands enormous power to the party leaders, who virtually choose the winners when they make up the lists. With no real competition in many districts, the elections hold little interest for the voters, and even less so when there is no candidate of their own party to vote for.

The deficiencies have led the government to propose that there should be electoral reforms and to suggest that, instead of the two-member districts, larger districts that would yield more proportional results would be more appropriate. This has made little headway, however, because the Concertación parties fear the resulting uncertainty, and the opposition defends the current system because of the advantage it gives them.

**Presidential Elections**

The 1980 constitution establishes a two-round system for presidential elections. An absolute majority is required for victory in the first round, with a run-off round (ballotage) if this does not occur. The institution of ballotage tends to strengthen coalition politics. The winners of the presidential elections in 1989 and 1993—Christian Democrats Patricio Aylwin and Eduardo Frei, respectively—were elected with absolute majorities, but in 1999 there was only a scant 30,000-vote difference between Ricardo Lagos and his right-wing opponent, Joaquín Lavín. Lagos won with 50.27 per cent of the vote in the second round. (Under the previous (1925) constitution, when no candidate won an absolute majority, Congress decided the presidency, as occurred in 1946, 1958 and 1970. In each case it elected the candidate with the highest vote.)

**Registration and Voting: Voluntary or Compulsory?**

A further problem perceived in the current electoral system is that registration is voluntary but voting is compulsory. New electoral registers were opened in February 1987, when the military regime was preparing the October 1988 plebiscite, the old registers having been burned by the military in 1973. The democratic opposition mobilized strongly to get voters registered; its strategy was to defeat Pinochet at the polls in order to achieve democracy, and it succeeded in getting 92 per cent of eligible voters to register. Since then, however, the number of registered voters has not increased in line with the voting age population, as young people now show little interest in participating in elections. In the 2001 congressional elections 80 per cent of 10 million potential voters were registered; in the 2004 municipal elections the figure was 77 per cent.

Low registration among young voters led the government to propose automatic registration and voluntary voting. The Concertación parties support automatic registration, but there is no consensus on voluntary voting. They fear that overall participation will fall and that the financial costs of campaigning to mobilize voters will rise and rise, thus favouring the right-wing parties. The opposition, particularly the UDI, rejects automatic registration and supports voluntary voting.

Supporters of the binominal system claim that it has helped governability because there are two big coalitions, one in government and one in opposition. However, this
view is mistaken: the Concertación as a coalition was created before the binomial system was introduced, as an alliance to work against authoritarian rule and promote a return to democracy by politicians who had learned from their past conflicts (which led to the crisis and breakdown of democracy in 1973) and had agreed on a strategy of elite cooperation within a political system somewhat comparable to a consociational democracy. The country is governable despite the binomial system, not because of it.

The system cannot last indefinitely because it damages the political parties and poses limitations to democracy, but it will be difficult to abolish because change would create uncertainty about the impact on party support. It would also require a constitutional amendment, because the binomial character of the Senate is in the constitution. There is consensus in Congress between the Concertación and the Alliance for Chile on eliminating the non-elected senators and former presidents as life members.
elected, a party must gain at least 25 per cent +1 of the vote to be assured of winning a seat. A party which has the support of only 10 per cent of the electorate would be unlikely to win a seat, and the votes of this party’s supporters could therefore be said to have been wasted. In a nine-seat district, by contrast, 10 per cent +1 of the vote would guarantee that a party wins at least one seat.

The problem is that as districts are made larger—both in terms of the number of seats and often, as a consequence, in terms of their geographic size as well—so the linkage between an elected member and his or her constituency grows weaker. This can have serious consequences in societies where local factors play a strong role in politics or where voters expect their member to maintain strong links with the electorate and act as their ‘delegate’ in the legislature.

115. Because of this, there has been a lively debate about the best district magnitude. Most scholars agree, as a general principle, that district magnitudes of between three and seven seats tend to work quite well, and it has been suggested that odd numbers such as three, five and seven work better in practice than even numbers, particularly in a two-party system. However, this is only a rough guide, and there are many situations in which a higher number may be both desirable and necessary to ensure satisfactory representation and proportionality. In many countries, the electoral districts follow pre-existing administrative divisions, perhaps state or provincial boundaries, which means that there may be wide variations in their size. However, this approach both eliminates the need to draw additional boundaries for elections and may make it possible to relate electoral districts to existing identified and accepted communities.

116. Numbers at the high and low ends of the spectrum tend to deliver more extreme results. At one end of the spectrum, a whole country can form one electoral district, which normally means that the number of votes needed for election is extremely low and even very small parties can gain election. In Israel, for example, the whole country forms one district of 120 members, which means that election results are highly proportional, but also means that parties with only small shares of the vote can gain representation and that the link between an elected member and any geographical area is extremely weak. At the other end of the spectrum, PR systems can be applied to situations in which there is a district magnitude of only two. For example, a system of List PR is applied to two-member districts in Chile. As the case study indicates, this delivers results which are quite disproportional, because only two parties can win representation in each district. This has tended to undermine the benefits of PR in terms of representation and legitimacy.

117. These examples, from the opposite ends of the spectrum, both serve to underline the crucial importance of district magnitude in any PR electoral system. It is arguably the single most important institutional choice when designing a PR system, and is also of crucial importance for a number of non-PR systems as well. The Single Non-Transferable Vote, for example tends to deliver moderately proportional results despite not being in essence a proportional formula, precisely because it is used in multi-member districts. Similarly, the Single Transferable Vote when applied to single-member districts
becomes the Alternative Vote, which retains some of the advantages of STV but not its proportionality. In Party Block Vote and Block Vote systems, as district magnitude increases, proportionality is likely to decrease. To sum up, when designing an electoral system, district magnitude is in many ways the key factor in determining how the system will operate in practice, the strength of the link between voters and elected members, and the overall proportionality of election results.

118. On a related note, the party magnitude (the average number of successful candidates from the same party in the same electoral district) is an important factor in determining who will be elected. If only one candidate from a party is elected in a district, that candidate may well be male and a member of the majority ethnic or social groups in the district. If two or more are elected, balanced tickets may have more effect, making it likely that more women and more candidates from minorities will be successful. Larger districts (seven or more seats in size) and a relatively small number of parties will increase the party magnitude.

The Threshold
119. All electoral systems have thresholds of representation: that is, the minimum level of support which a party needs to gain representation. Thresholds can be legally imposed (formal thresholds) or exist as a mathematical property of the electoral system (effective or natural thresholds).

120. Formal thresholds are written into the constitutional or legal provisions which define the PR system. In the mixed systems of Germany, New Zealand and Russia, for example, there is a 5 per cent threshold in the PR section: parties which fail to secure 5 per cent of the vote nationwide are ineligible to be awarded seats from the PR lists. This concept had its origins in the desire to limit the election of extremist groups in Germany, and is designed to stop very small parties from gaining representation. However, in both Germany and New Zealand there exist ‘back-door’ routes for a party to be entitled to seats from the lists; in the case of New Zealand a party must win at least one constituency seat, and in the case of Germany three seats, to bypass the threshold requirements. In Russia in 1995 there were no back-door routes, and almost half of the party-list votes were wasted.

Elsewhere, legal thresholds range from 0.67 per cent in the Netherlands to 10 per cent in Turkey. Parties which gain less than this percentage of the vote are excluded from the count. A striking example of this was the 2002 Turkish election, in which so many parties failed to clear the 10 per cent threshold that 46 per cent of all votes were wasted. In all these cases the existence of a formal threshold tends to increase the overall level of disproportionality, because votes for those parties which would otherwise have gained representation are wasted.

In Poland in 1993, even with a comparatively low threshold of 5 per cent for parties and 8 per cent for coalitions, over 34 per cent of the votes were cast for parties and coalitions which did not surmount it.
121. An effective, hidden or natural threshold is created as a mathematical by-product of features of electoral systems, of which district magnitude is the most important. For example, in a district with four seats under a PR system, just as any candidate with more than 20 per cent of the vote will be elected, any candidate with less than about 10 per cent (the exact figure will vary depending on the configuration of parties, candidates and votes) is unlikely to be elected.

Open, Closed and Free Lists
122. While the List PR system is based on the principle that parties or political groupings present candidates, it is possible to give voters a degree of choice within List PR between the candidates nominated as well as between the parties. There are essentially three options that can be chosen—open, closed and free lists.

123. The majority of List PR systems in the world are closed, meaning that the order of candidates elected by that list is fixed by the party itself, and voters are not able to express a preference for a particular candidate. The List PR system used in South Africa is a good example of a closed list. The ballot paper contains the party names and symbols, and a photograph of the party leader, but no names of individual candidates. Voters simply choose the party they prefer; the individual candidates elected as a result are predetermined by the parties themselves. This means that parties can include some candidates (perhaps members of minority ethnic and linguistic groups, or women) who might have difficulty getting elected otherwise.

The negative aspect of closed lists is that voters have no say in determining who the representative of their party will be. Closed lists are also unresponsive to rapid changes in events. In East Germany’s pre-unification elections of 1990, the top-ranked candidate of one party was exposed as a secret-police informer only four days before the election, and immediately expelled from the party; but because lists were closed electors had no choice but to vote for him if they wanted to support his former party.

124. Many List PR systems in Western Europe use open lists, in which voters can indicate not just their favoured party but their favoured candidate within that party. In most of these systems the vote for a candidate as well as a party is optional and, because most voters plump for parties only rather than candidates, the candidate-choice option of the ballot paper often has limited effect. However, in Sweden over 25 per cent of the voters regularly choose a candidate as well as a party, and a number of individuals are elected who would not be if the list were closed.

125. Finland, contrary to Brazil (see case study) where voters may either cast their vote for a candidate or for a political party, voters must vote for candidates: the number of seats received by each party is determined by the total number of votes gained by its candidates, and the order in which the party’s candidates are elected to these seats is determined by the number of individual votes they receive. While this gives voters much greater freedom over their choice of candidate, it also has some less desirable side effects. Because candidates from within the same party are effectively competing...
Danish open List PR ballot paper

Nicaraguan closed List PR ballot paper
In 2002 Brazilians went to the polls to choose a new president, the members of the bicameral national legislature, governors for the component parts of the federation (26 states plus the Federal District of Brasília), and members of the unicameral state legislative assemblies. This was the fourth direct election since the end of the military regime in 1985 of the president and all other major legislative and executive posts.

Presidential elections in Brazil take place under a two-round majority run-off system, with candidates competing for votes throughout the country’s 8,511,965 sq km area. Following a constitutional amendment approved in June 1997, presidents are now allowed to run for re-election once. Fernando Henrique Cardoso, the incumbent at the time the amendment was approved, won re-election in 1998 in the first round with 53.1 per cent of the vote. However, Luiz Inácio Lula da Silva polled 46 per cent in the first round in 2002 and was elected in the run-off round.

The rules governing legislative elections have remained essentially unchanged since they were first established in 1946. The Senate is the chamber where the regions of Brazil are represented: each of the 27 component parts of the federation is represented by three senators who are elected by plurality for an eight-year term. Membership is renewed every four years by one-third and two-thirds, in alternation: when two senators are to be elected, voters have two votes under a Block Vote (BV) system.

The Chamber of Deputies has 513 members who compete in 27 multi-member electoral districts, corresponding to the 26 states and Brasília. Their magnitude is determined by population, subject to the restriction that no state can have fewer than eight or more than 70 representatives. Elections take place under a system of open-list PR. Each voter has one vote to cast, which can be given to a political party or to an individual. Votes given to candidates from each party are pooled and added to the votes received by that party to give a total party vote, which is used to determine the number of seats to be allocated to each party. The candidates with the most votes on each party list win the seats allocated to that party. Seat allocation has been made under the D’Hondt Formula since 1950. Parties that do not gain a full quota in a district are, however, excluded from gaining a seat. Until 1998 the calculation of the
quota was based on the total number of valid and blank votes, making the threshold for representation higher.

**Deliberate Malapportionment**

The rules for the Chamber of Deputies elections are probably the most controversial element of the Brazilian electoral system. The floor and the ceiling on the size of electoral districts mean that representation in the Chamber in terms of population is uneven across the states. This seriously violates the principle of ‘one person, one vote, one value’ (OPOVOV), as the number of votes necessary to elect one representative in São Paulo, which has over 25 million voters and 70 seats, is ten times higher than it is in Amapá, which has about 290,000 voters and eight seats. The resulting malapportionment benefits the less populous states, which tend to be poorer and more reliant on agriculture, and is disadvantageous to the larger states, which are richer and more industrialized. For this reason it has been blamed as one of the main mechanisms for reinforcing traditionalism in politics and thereby weakening political parties.

However, this needs to be qualified. The only significant loser from malapportionment is the state of São Paulo, where the number of representatives would increase by about 40 if the size of the electoral districts reflected population size strictly. Some other states are marginally under-represented, the second-biggest loss occurring in Minas Gerais (about four representatives). The losses due to malapportionment are therefore concentrated. They also reflect the goals of the makers of the 1946 constitution, who were concerned with finding a formula that would prevent São Paulo (and to a lesser extent Minas Gerais) from dominating the federation as they had done during the period known as the First Republic (1899–1930).

To the extent that malapportionment favours relatively poor states politically, it may help to promote a regional redistribution of wealth that is of no small consequence in a country with such high levels of regional inequality as Brazil.

In addition, the frequent assumption that over-represented states are capable of systematically blocking legislation of national scope remains to be proved. It is not necessarily the case that the pattern of politics that characterizes the over-represented states is any different from the one in the under-represented ones. Clientelistic practices exist in all states, and elections are mass phenomena that generate a high degree of competition. If clientelism characterizes Brazilian politics, malapportionment of the Chamber of Deputies is unlikely to be a significant cause.

**Competition Between Parties—and Within Parties**

One of the main features of the system of open-list PR for the Chamber of Deputies is that it induces both inter- and intra-party competition. These elections are quite competitive. For example, in 2002 a total of 4,901 candidates stood for the 513 seats in the Chamber. In only nine of the 27 districts were there fewer than 100 candidates; the lowest number was 66 for eight seats in Tocantins. There were 793 candidates for 70 seats from São Paulo, 602 for 46 seats from Rio, and 554 for 53 seats from Minas Gerais. Parties compete with each other. Candidates, seeking to be elected for the seats which their parties gain, compete among themselves for the votes their parties obtain. This is said to lead to personalism, which is considered to be at the root of the weakness
of Brazil’s political parties, to clientelistic ties between voters and their representatives, and to a national legislature that is primarily concerned with local rather than national, and clientelistic rather than programmatic, issues.

Again, this view needs to be qualified. First, the view that it is personalism that mainly drives voters’ decisions in elections to the legislature in Brazil is far from well established. Although the proportion of preference votes (when the voter chooses a specific candidate, not simply the party) is far larger than the proportion of party votes, these figures say very little about how voters actually decide. If voters give greater relative weight to the individual than to the party, many voters who vote for a specific candidate would presumably also vote for that candidate even if he or she were to change parties. While no studies have tried to address this issue directly, scattered evidence indicates that representatives who switch parties in the middle of the legislative term are less likely to be re-elected, which suggests that they are not able to carry with them the votes that got them elected in the first place.

**Voters and Their Representatives**

Even less is known about the ties between voters and their representatives. A great deal of effort has been spent trying to uncover the pattern of clientelism and localized favours that must have served as the basis for a successful electoral campaign and legislative career. Successful candidates, it is said, are those who bring ‘pork’ to their ‘constituency’. In Brazil’s multi-member district system, however, the individual member is one of at least eight representing the district, which makes it difficult to establish the link between a particular member and a new spending project. Even though some candidates may and do try to carve de facto geographic constituencies for themselves, this is not the only, and may not even be the most effective, way of getting into the Chamber of Deputies. One study of the geographical distribution of the votes of successful candidates demonstrates that in 1994 and 1998 only about 17 per cent of representatives adopted such a strategy, that is, were able to obtain the largest share of votes in a cluster of geographically concentrated localities. The others adopted different strategies, such as sharing with competitors a relatively defined geographic area, dominating localities that were distant from each other, or obtaining relatively small shares of their total vote in geographically dispersed areas. Given the level of competition of elections and the lack of legally protected constituencies, it is unlikely that a representative will feel safe about his or her ‘bailiwick’. Indeed, rates of re-election are not very high: estimates put it at around 60 per cent of those who seek re-election. Thus, clientelism does not characterize, at least not exclusively, the ties between representatives and voters.

**Does the Electoral System Contribute to Party Fragmentation?**

There is much we still need to know about the way in which the system of open-list PR with large electoral districts, such as the one that exists in Brazil, operates. We do know, however, that elections are extremely competitive, that the advantage of incumbency is relatively weak, and that deputies’ relations with their electoral districts differ, so that there is no dominant strategy for a successful candidacy.

The extent in which the electoral system induces clientelism and individualism
inside the Chamber of Deputies is at least questionable. While it is beyond the scope of this overview to discuss the mechanisms which the president and the party leaders may use to shape the behaviour of individual deputies, deputies face other pressures in addition to the demands of localized and particularistic constituencies. These pressures are a counterbalance to increased party fragmentation.

Party fragmentation in the Brazilian legislature has been held responsible for a number of the malaises the country has suffered from in the past 15 years. The high degree of fragmentation of the party system is usually attributed to a combination of factors, which include the electoral system and its individualistic tendencies, the characteristics of presidential systems, and the strong federalism adopted by the 1988 constitution.

The degree of fragmentation in the Chamber of Deputies has, however, remained constant, at around eight effective parties, since the 1990 election. Some aspects of the electoral law tend to favour the larger parties and work against fragmentation. Examples include the adding of blank votes to the base on which the electoral quota is calculated (which makes the quota larger and hence more difficult to achieve), and the exclusion of all parties that do not obtain one quota in a district from winning a remainder seat.

The links between presidentialism and party systems are not yet well enough understood. This leaves federalism as a possible cause of fragmentation of the party system. Some of the national parties in Brazil are de facto coalitions of regional parties. Smaller parties emerge out of these coalitions for purely local reasons, thus leading to a multiplication of parties at the national level. Whether this is the real or the only reason why new parties emerge, it remains unclear whether federalism is a cause of fragmentation or simply a reflection of the variety of regional interests that a country as large as Brazil must accommodate in order to operate democratically.
with each other for votes, this form of open list can lead to internal party conflict and fragmentation. It also means that the potential benefits to the party of having lists which feature a diverse slate of candidates can be overturned. In open-list PR elections in Sri Lanka, for example, the attempts of major Sinhalese parties to include minority Tamil candidates in winnable positions on their party lists have been rendered ineffective because many voters deliberately voted for lower-placed Sinhalese candidates instead. In Kosovo a switch from closed to open lists actually enhanced the presence of more extremist candidates. On the same note, open lists have sometimes proved to be disadvantageous for the representation of women in highly patriarchal societies, although in Poland voters have shown themselves willing to use open list to elect more women than would have resulted from the nominations made by the parties if closed list had been used.

126. Other devices are used in a small number of jurisdictions to add additional flexibility to open-list systems. In Luxembourg and Switzerland, electors have as many votes as there are seats to be filled and can distribute them to candidates either within a single party list or across several party lists as they see fit. The capacity to vote for more than one candidate across different party lists (known as panachage) or to cast more than one vote for a single highly favoured candidate (known as cumulation) both provide an additional measure of control to the voter and are categorized here as free list systems.

127. High effective thresholds can serve to discriminate against small parties—indeed, in some cases this is their express purpose. But in many cases an inbuilt discrimination against smaller parties is seen as undesirable, particularly where several small parties with similar support bases ‘split’ their combined votes and consequently fall below the threshold, when one aligned grouping would have gained enough combined votes to win some seats in the legislature. To get around this problem, some countries which use List PR systems also allow small parties to group together for electoral purposes, thus forming a cartel—or apparentement or stembusaccoord—to contest the election. This means that the parties themselves remain as separate entities, and are listed separately on the ballot paper, but that the votes gained by each are counted as if they belonged to the entire cartel, thus increasing the chances that the combined vote total will be above the threshold and hence that they may be able to gain additional representation. This device is a feature of a number of List PR systems in continental Europe, in Latin America (where the umbrella parties are called lema) and in Israel. They are nevertheless a rarity within PR systems in Africa and Asia, and were abolished in Indonesia in 1999 after some small parties discovered that, although their cartel gained representation overall, they as parties actually lost seats.

128. Mixed electoral systems attempt to combine the positive attributes of both plurality/majority (or ‘other’) and PR electoral systems. In a mixed system there are
two electoral systems using different formulae running alongside each other. The votes are cast by the same voters and contribute to the election of representatives under both systems. One of those systems is a plurality/majority system (or occasionally an ‘other’ system), usually a single-member district system, and the other a List PR system. There are two forms of mixed system. When the results of the two types of election are linked, with seat allocations at the PR level being dependent on what happens in the plurality/majority (or other) district seats and compensating for any disproportionality that arises there, the system is called a Mixed Member Proportional (MMP) system. Where the two sets of elections are detached and distinct and are not dependent on each other for seat allocations, the system is called a Parallel system. While an MMP system generally results in proportional outcomes, a Parallel system is likely to give results of which the proportionality falls somewhere between that of a plurality/majority and that of a PR system.

**Mixed Member Proportional (MMP)**

129. Under MMP systems, the PR seats are awarded to compensate for any disproportionality produced by the district seat results. For example, if one party wins 10 per cent of the vote nationally but no district seats, then it will be awarded enough seats from the PR lists to bring its representation up to 10 per cent of the seats in the legislature. Voters may get two separate choices, as in Germany and New Zealand. Alternatively, voters may make only one choice, with the party totals being derived from the totals for the individual district candidates.

**Table 4: Countries Using MMP Systems**

<table>
<thead>
<tr>
<th>Country</th>
<th>No. of PR Seats</th>
<th>No. of Plurality/Majority (or Other) Seats</th>
<th>Plurality/Majority (or Other) System</th>
<th>Total No. of Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albania</td>
<td>40 (29%)</td>
<td>100 (71%)</td>
<td>FPTP</td>
<td>140</td>
</tr>
<tr>
<td>Bolivia</td>
<td>62 (48%)</td>
<td>68 (52%)</td>
<td>FPTP</td>
<td>130</td>
</tr>
<tr>
<td>Germany</td>
<td>299 (50%)</td>
<td>299 (50%)</td>
<td>FPTP</td>
<td>598</td>
</tr>
<tr>
<td>Hungary</td>
<td>210 (54%)</td>
<td>176 (46%)</td>
<td>TRS</td>
<td>386</td>
</tr>
<tr>
<td>Italy</td>
<td>155 (25%)</td>
<td>475 (75%)</td>
<td>FPTP</td>
<td>630</td>
</tr>
<tr>
<td>Lesotho</td>
<td>40 (33%)</td>
<td>80 (67%)</td>
<td>FPTP</td>
<td>120</td>
</tr>
<tr>
<td>Mexico</td>
<td>200 (40%)</td>
<td>300 (60%)</td>
<td>FPTP</td>
<td>500</td>
</tr>
<tr>
<td>New Zealand</td>
<td>55 (46%)</td>
<td>65 (54%)</td>
<td>FPTP</td>
<td>120</td>
</tr>
<tr>
<td>Venezuela</td>
<td>65 (39%)</td>
<td>100 (61%)</td>
<td>FPTP</td>
<td>165</td>
</tr>
</tbody>
</table>

130. MMP is used in Albania, Bolivia, Germany, Hungary, Italy, Lesotho, Mexico, New Zealand and Venezuela. In all but one of these countries, the district seats are elected using FPTP. Hungary uses TRS and Italy’s method is considerably more complicated: one-quarter of the seats in the lower house are reserved to compensate for wasted votes
The result of the ordinary National Assembly elections in Lesotho in May 1998 was very clear. The governing Lesotho Congress for Democracy (LCD) won an overwhelming electoral victory, taking 79 of the 80 seats in the National Assembly.

The only problem was that LCD had only received the support of slightly over 60 per cent of the electorate. The result in terms of number of seats won was yet another example of how the FPTP electoral system can lead to remarkable discrepancies between the share of the vote and the share of the seats won by political parties. A discrepancy of this kind should not come as a surprise—it had happened before—but it was followed by the losing parties, and especially the main opposition party, the Basotho National Party (BNP), crying ‘Foul’. This was also nothing new, but it was a sad surprise that the accusations about the overall correctness of the 1998 election results (which were never seriously challenged), some time after they were published, incensed the public to such a degree that they started rioting in the streets of the capital, Maseru, setting fire to and demolishing public as well as private buildings.

The government called on the Southern African Development Community (SADC) to intervene, and the SADC did so, relying mainly on the armed forces of South Africa. When order was restored, an agreement was reached on 2 October 1998 (later guaranteed by the SADC) which called for the establishment of an Interim Political Authority (IPA) on which the 12 parties which had put up candidates in the elections were given two seats each, no matter how small their electoral support. The IPA’s brief was to develop a new electoral system and suggest other political and administrative measures to strengthen Lesotho’s peaceful democratic development. However, all recommendations would be submitted to the government, which would then take them to Parliament to be enacted in the ordinary way.

The ideas behind the establishment of the IPA were clearly inspired by the institutions of the negotiation process in South Africa during the early part of the transition process, but it was not taken into account that the two processes were so different that the institutional solutions also had to be different. The subsequent
political process in Lesotho was not an easy one, and it can be no surprise that the opposition’s overwhelming majority on the IPA—by 22 to 2 against the government of the day—was not conducive to a constructive climate of negotiation.

The IPA representatives, none of whom had been able to ensure a seat for themselves in the National Assembly, were eager to suggest an electoral system which would keep the single-member constituencies and at the same time provide for a much more proportional outcome at the next elections than had been the case in 1998. The obvious solution was either an MMP or a Parallel System. A German expert on electoral systems was invited to give a presentation, after which the IPA majority opted for the MMP solution, with some seats allocated in single-member districts and others allocated from party lists on a compensatory basis. The LCD—in complete control of the legislature—decided to opt for the alternative, the Parallel System, which would give it, on top of its expected massive share of the single-member district seats, an additional number reflecting its share of the votes cast for the seats not allocated in the single-member districts.

It soon transpired that the IPA was not aware of all the practical details that should be taken into consideration when deciding to go for MMP, such as the seat allocation formula, the issue of a formal electoral threshold, overhang mandates, one or two ballots, and so on. The number of seats in the two categories was also an issue, even though most IPA members seemed to agree that keeping the 80 single-member districts was a good idea and that it was only natural to have 50 compensatory seats. The basis for the latter suggestion was a little awkward: previously Lesotho had had 65 single-member districts. If it returned to that number and then added an identical number of compensatory seats (as in Germany), the National Assembly would have 130 seats altogether. However, if the size of the Assembly was to be 130, as the number of single-member districts for the time being was 80, and as it was difficult to imagine this number being changed in the immediate future, the number of compensatory seats had to be 50. The government challenged this number, among other reasons because Lesotho is a small and poor country which should only have a reasonable number of parliamentary seats.

The political conflict was easy to understand. The IPA, which was tasked with suggesting institutional solutions to the political impasse, was strongly in favour of MMP with 80 single-member districts and 50 compensatory seats, while the government—in complete control of the legislature, which had to pass all the IPA’s suggestions—argued that the best solution was a Parallel system with the same 80 single-member districts and probably 40 seats to be allocated separately on the basis of (preferably) the same ballot as was used in the single-member districts, although a second ballot was also an option.

The political compromise over the electoral system took some time to reach, mainly because of the level of distrust between the two sides and some hesitation about the very idea of compromise. It was eventually agreed that the electoral system should be MMP (which was the main opposition objective), while the number of seats should be 120 (80 + 40), which was very important for the government side. While the government held all the cards through its huge parliamentary majority, it was clear that some concession had to be made in order to ensure wider acceptance and thus legitimacy.
of the revisions. The consequent constitutional amendment required strong support not only in the National Assembly but also in the Senate (made up mainly of chiefs), which was another reason why compromise was necessary. The reason for this was that, if the two houses of Parliament could not agree on the constitutional amendment, it had to be put to a popular referendum, and this was not really possible because of disagreement over the electoral register. Eventually, the constitutional amendment was formally adopted in May 2001. Only then could the necessary changes to the electoral law be considered.

The 1998 internationally guaranteed agreement had provided for early elections, to take place in May 2000. This was completely unrealistic, not least because the government and the opposition (the IPA) were not really on speaking terms, and a new Independent Electoral Commission had only been appointed in April. Agreement was then reached on delaying the election by a year, but further delays in reaching agreement about the electoral system, concerns about an adequate voter registration system and so on meant that a new general election was only possible in May 2002.

The election went reasonably well. The LCD, not entirely unexpectedly, won 55 per cent of the party (PR) votes but 65 per cent of all the seats. The reason for this was that the party won 77 of the 78 single-member districts contested on election day (elections in the remaining two were postponed because of the death of candidates, but eventually the LCD also won them). The system does not have overhang mandates, so the opposition got all 40 compensatory seats.

Seven of the eight opposition parties which won seats ended up being under-represented in terms of share of votes compared to share of seats. This under-representation was, however, very much smaller than it had been in 1998, and the National Assembly of Lesotho is now a fairly representative body in terms of political representativeness. Thus the main objectives of the efforts after the 1998 troubles have certainly been achieved.

It is clear that the combination of (a) one party taking almost all the single-member districts, (b) only 33 per cent of the seats being compensatory seats, and (c) the absence of surplus seats may continue to cause some degree of disproportionality in future elections as well. However, this seems a small price to pay for the various improvements in the system achieved during the protracted political compromise-seeking process of 1999–2001, when it was also a concern not to have too many members of Parliament in a small and poor country.
in the single-member districts.

In Venezuela there are 100 FPTP seats while the rest are National List PR seats and extra compensatory seats. In Mexico (see the case study) 200 List PR seats compensate for imbalances in the results of the 300 FPTP seats, which are usually high. Lesotho’s post-conflict electoral system contains 80 FPTP seats and 40 compensatory ones.

131. Although MMP is designed to produce proportional results, it is possible that the disproportionality in the single-member district results is so great that the list seats cannot fully compensate for it. This is more likely when the PR electoral districts are defined not at national level but at regional or provincial level. A party can then win more plurality/majority seats in a region or province than its party vote in the region would entitle it to. To deal with this, proportionality can be closely approached if the size of the legislature is slightly increased: the extra seats are called overhang mandates or *Überhangsmandaten*. This has occurred in most elections in Germany and is also possible in New Zealand. In Lesotho, by contrast, the size of the legislature is fixed, and the results of the first MMP election in 2002 were not fully proportional (see the case study).

132. **Advantages and Disadvantages.** While MMP retains the proportionality benefits of PR systems, it also ensures that elected representatives are linked to geographical districts. However, where voters have two votes—one for the party and one for their local representative—it is not always understood that the vote for the local representative is less important than the party vote in determining the overall allocation of seats in the legislature. Furthermore, MMP can create two classes of legislators—one group primarily responsible and beholden to a constituency, and another from the national party list without geographical ties and beholden to the party. This may have implications for the cohesiveness of groups of elected party representatives.

133. In translating votes into seats, MMP can be as proportional an electoral system as pure List PR, and therefore shares many of the previously cited advantages and disadvantages of PR. However, one reason why MMP is sometimes seen as less preferable than straight List PR is that it can give rise to what are called ‘strategic voting’ anomalies. In New Zealand in 1996, in the constituency of Wellington Central, some National Party strategists urged voters not to vote for the National Party candidate because they had calculated that under MMP his election would not give the National Party another seat but simply replace an MP who would be elected from their party list. It was therefore better for the National Party to see a candidate elected from another party, providing that candidate was in sympathy with the National Party’s ideas and ideology, than for votes to be ‘wasted’ in support of their own candidate.
Mexico has a presidential system with strong and independent legislative, executive and judicial branches. The doctrine of the separation of powers, which did not function in practice between 1929 and 1997, when the single official party, the Institutional Revolutionary Party (PRI), controlled both the executive and Congress, has been resurrected and is now the dominant feature of politics at the federal level.

The president is elected by plurality vote. In the 1988 and 1994 elections, the winner won about half of the votes cast, but in the 2000 election the winner, Vicente Fox, won only 42.5 per cent of the votes. Proposals exist to amend the constitution to introduce a run-off election between the two front-runners if no candidate wins an absolute majority in the first round. Their success will depend primarily on the electoral prospects of the major parties, as well as considerations of the cost of a second round.

The president is elected for a six-year term and can never be re-elected or reappointed. This prevents presidents from becoming entrenched in power, but it also diminishes their accountability because they never have to face the electorate again. Considering the ideological and symbolic roots behind the prohibition on presidential re-election (it was a focal point in the Mexican Revolution), it is unlikely that this clause will be repealed soon.

The Mexican Congress is bicameral, the Chamber of Deputies elected for three-year terms and the Senate elected for six years (synchronized with the presidential term). Both chambers are elected through mixed systems, using FPTP and List PR.

The Chamber of Deputies has 500 members, 300 elected by FPTP in single-member districts (SMDs) and 200 elected by List PR in five 40-member regional districts. The 300 FPTP seats are apportioned to the states in proportion to population, with the restriction that no state can have fewer than two seats. The Federal Electoral Institute (IFE), the independent electoral authority, uses the pure Sainte-Laguë Method to allocate seats among the states. The IFE then creates SMDs of roughly equal population within each of the states, generally favouring following municipal boundaries over achieving electoral districts with equal populations, and also divides the country into the five 40-member districts for the purpose of elections to the List PR
seats. Each party nominates a candidate for each SMD and presents a rank-ordered list of 40 candidates for each of the five regional districts.

Parties may form total or partial coalitions for electoral purposes, running the same candidate in some districts or sharing PR lists. If they do they must submit agreements to the IFE specifying how the votes in the coalition are to be allocated. If parties form a coalition to elect the president, then they must form a coalition for all the Chamber of Deputies and Senate contests as well. In the 2000 election, two of the three presidential candidates were backed by coalitions. In the 2003 legislative elections, there was a partial coalition between the PRI and the Greens, which ran together in 97 single-member districts and separately in 203, and had separate PR lists (the parties had agreed on how to divide the votes from the 97 districts for the purposes of assigning seats to the List PR candidates).

Voters cast a single ballot for deputies. The sum of all of the votes from the district FPTP contests is then used to calculate the number of PR seats to be allocated to each party, using the Largest Remainder Method and the Hare Quota, and there is a 2 per cent threshold based on the total national vote included in the law. The number of PR seats assigned to a party is independent of the number of FPTP districts won, with two important exceptions: no party can ever win more than 300 seats, and no party’s share of the 500 seats can be more than 8 percentage points higher than its share of the valid vote. A party must therefore win at least 42.2 per cent of the valid vote plus at least 167 districts to win 251 seats in the lower chamber. In 1997 and 2003, the PRI’s share of the seats was limited by the 8 per cent rule. In 2000, the 8 per cent rule did not affect either the PRI or the National Action Party (PAN).

Seats are assigned to party list deputies in the five 40-member regional districts, also using the Hare Quota with largest remainders. The lists are rank-ordered and closed, so that the deputies higher on the list are elected first, and voters cannot modify the order of the list.

The move towards pluralism and multiparty politics in Mexico has been a slow process of evolution. Since 1979 there have been extensive reforms to the electoral formulas used to elect the Chamber of Deputies. The formula used in the 1979, 1982 and 1985 elections had 300 SMDs and 100 party list seats, which were restricted to parties that did not win more than 60 districts. The formula used in 1988 increased the number of party list seats to 200, but guaranteed that the party that won a plurality of districts would win a majority of seats, regardless of its share of the vote. A ceiling was established to the number of seats a single party could win, at 350 seats. The 1991 reforms maintained the ceiling and the majority-assuring clause, but required that the winning party win at least 30 per cent of the vote. It also created bonus seats for the winning party, so that it would not have to function with only a narrow majority in the Chamber. In return, the government ceded some control over the electoral process to a partially autonomous electoral management body (the IFE) and to a federal electoral court. The 1994 reforms eliminated the majority-assuring clause and created a Parallel system, in which the elections to the List PR seats were completely decoupled from the elections to the plurality seats. No party could win more than 60 per cent of the seats (300 of 500) in most circumstances. However, this led to the most disproportional result that Mexico has experienced under mixed systems, with the PRI winning 60 per
cent of the seats with about 50 per cent of the vote. So in 1996 the electoral law was adjusted again to set the limit to the number of seats a party could win at 300 and the maximum level of over-representation, as described above, at 8 percentage points. This electoral rule has been as stable as any since multiparty representation was established in 1964, having been used in the 1997, 2000, and 2003 elections. No party has won an absolute majority of seats under this rule. The 1996 reform also made the IFE fully autonomous and enhanced the powers of the federal electoral court. Currently there are proposals to make the Chamber of Deputies either more or less proportional, decreasing or increasing the proportion of list deputies, and decreasing or eliminating the margin of over-representation. However, since no two parties have similar goals, reforms are unlikely to come about.

The Senate before 1994 had 64 members, two for each of the 31 states plus the Federal District. The senators were elected under various plurality rules. The result was that until 1988 all senators were members of the PRI. The PRI monopoly in the Senate allowed the government to make concessions to opposition, making the Chamber of Deputies more proportional.

By 1994, there were calls for the Senate to be made more widely representative as well. It was expanded to 128 members, with at least a quarter of the seats guaranteed to the opposition. For the 1997 election, a mixed system was established. Each state elects three senators, and in addition 32 are elected by PR on a single national list. In each state, a party nominates a ranked slate of two Senate candidates. Both candidates of the party that wins the most votes are elected as senators, and the first listed candidate of the party that is placed second wins the third Senate seat. Voters cannot adjust the order of the candidates. Each party also nominates a closed, ranked list of 32 candidates for the national PR list. All the votes for the Senate in each state are totalled at the national level. The formula used is a Largest Remainder Method using the Hare Quota and a 2 per cent threshold. Unlike the Chamber of Deputies, there is no linkage between the plurality and the PR seats; instead, the two systems run in parallel and the PR seats do not compensate for any disproportionality. This electoral formula would create a majority for the largest party if it wins around 40 per cent of the national vote, favourably distributed, and has a margin of three or four points over its nearest rival. Winning two-thirds of the seats in the Senate (important for constitutional reforms, electing Supreme Court justices, and internal procedural matters) requires two-thirds of the national vote. No party won an absolute majority of Senate seats in the 2000 election.

Several proposals have been submitted in Congress to eliminate the party list senators, with arguments that a national list is not appropriate for a chamber that represents the states. However, simply eliminating the PR list would benefit the PRI, which is placed either first or second in all but one of the states, and is thus likely to be opposed by other parties. Alternatives would have three or four senators per state, all elected by PR, most likely using the D’Hondt Formula.

Re-election for consecutive terms is prohibited for all federal deputies and senators (and also for governors, state legislators, mayors, and municipal councillors). Legislators can be elected to the other chamber when their term expires, and they can be re-elected to the same chamber after sitting out a term. The ‘no re-election’ reforms were
implemented in 1932 to resolve problems in the PRI by increasing loyalty to the central committee and reducing the power of local party bosses. At the time, the reform was sold as the natural conclusion of the ideology of no re-election from the Mexican Revolution. However, it has served to reduce the autonomy of legislators, because their career prospects after their term of office depended on the party machinery, and for many years increased the power of the president because of his control over his party’s machinery. Party discipline has thus been traditionally very high, approaching 100 per cent for the federal legislators of the PRI up to 2000. This has had profound effects on accountability and representation. Voters can neither reward good performance nor punish poor representation.

All the parties use relatively closed procedures to select candidates—elite designation, closed conventions, or closed or highly controlled primaries. In general, nominating procedures have been opening up in recent years, but candidates are still highly dependent on parties. Additionally, parties control most campaign expenditures, even in district and state contests, and closed lists reduce the incentive for candidates to campaign.

Mexico’s slow democratization has seen frequent electoral system change as a series of concessions by the dominant party to defuse dissent, which has resulted finally in a multiparty presidential system with very strong parties. Further change may now be less likely, as different parties have different interests and any change is seen as a zero-sum game.
New Zealand used to be regarded as a prime example of a country with an FPTP electoral system. However, after two referendums in the early 1990s, New Zealand adopted a mixed member proportional (MMP) voting system in a unicameral Parliament with 120 members. Until the end of 2004, three general elections had been held using the new system.

Why did New Zealand change its electoral system? What led the country to do something that was extremely unusual for any long-established democracy, especially one with an Anglo-Saxon heritage?

For a start, the FPTP system produced highly distorted results in 1978 and 1981. On both occasions the National Party retained office with an absolute majority of the seats in the House of Representatives despite winning fewer votes throughout the country as a whole than the opposition Labour Party. In addition, both elections saw the country’s then third party, Social Credit, win a sizeable share of the votes for very little return (16 per cent of the votes in 1978 and 21 per cent in 1981 won it only one seat and two seats, respectively, in a Parliament that then had 92 seats). The disquiet engendered by these results led the Labour government elected in mid-1984 to establish a Royal Commission on the Electoral System. Its 1986 report, *Towards a Better Democracy*, recommended the adoption of a voting system similar to Germany’s. The commission argued strongly that, on the basis of the ten criteria it had established for judging voting systems, MMP was ‘to be preferred to all other systems’.

Neither of New Zealand’s major parties favoured the proposal and the matter might have died had the National Party’s 1990 election manifesto not promised a referendum on the topic. In an initial referendum, held in 1992, nearly 85 per cent of voters opted ‘for a change to the voting system’; 14 months later, the new electoral system was adopted after a second referendum in which 54 per cent favoured MMP (while 46 per cent voted to retain FPTP).

As in Germany, in parliamentary elections in New Zealand the electors have two votes—one for a political party (called the party vote in New Zealand) in a nationwide constituency, and one for a candidate in a single-member district. Whereas
New Zealand MMP ballot paper
representatives for single-member districts (called electorates in New Zealand) are
elected by FPTP, the overall share of the seats in Parliament allocated to political parties
stems directly from and is in proportion to the number of party votes they receive. If
a party wins 25 per cent of the party votes, it will be entitled to (roughly) a quarter of
all the seats in the 120-member Parliament, that is, about 30 seats. If a party that is
entitled to a total of 30 seats has already won 23 electorate seats, then it will be given
another seven seats drawn from the rank-ordered candidates on its party list who have
not already been elected in a single-member district. Likewise, if a party entitled to 30
seats has won only 11 single-member district seats, then it will acquire another 19 MPs
from its party list.

There are two thresholds for MMP in New Zealand. To win a share of the seats in
Parliament based on the party votes, a party must either win at least 5 per cent of all
the party votes cast in a general election or win at least one single-member district seat.
In the 1996 general election, five parties crossed the 5 per cent threshold and one won
a single-member district seat but did not clear the 5 per cent threshold. Three years
later, five parties again cleared the 5 per cent threshold. Two other parties failed to do
so but won single-member district seats, which qualified one of them for an additional
four seats in Parliament (it had won 4.3 per cent of the party votes cast in the election).
In the 2002 general election, six parties cleared the 5 per cent party vote hurdle, and
a seventh party won a single-member district seat that enabled it to bring one other
person into Parliament from the party’s list.

These figures point to one major change caused by the introduction of MMP.
Established, at least in part, to ensure ‘fairness between political parties’, the new
voting system has seen the index of disproportionality plummet from an average of 11
per cent for the 17 FPTP elections held between 1946 and 1993, to an average of 3 per
cent for the first three MMP elections. Every FPTP election in New Zealand from 1935
until 1993 saw one of the country’s two larger parties—Labour or National—gain an
absolute majority in the House of Representatives. One consequence of MMP has been
that, in the three elections to date, no single party has won more than half the seats in
Parliament. In 1996, the largest party won 44 out of the 120 seats; in 1999 the largest
party won 49 seats; and in 2002 the largest party won 52 seats.

Not surprisingly, then, New Zealand has changed from being a country accustomed
to single-party majority governments to being a country governed by coalitions. After
the first MMP election, two parties formed a coalition government that commanded a
small majority (61 out of 120 seats) in Parliament. Since that coalition disintegrated in
August 1998, New Zealand has had minority coalition governments that have had to
rely on either formal or informal supporting arrangements (negotiated with other parties
or, on occasion, with individual MPs) to ensure that their legislative programmes have
been able to win majorities in Parliament. One of the other criteria used by the Royal
Commission on the Electoral System was ‘effective government’. The commission
noted that electoral systems should ‘allow governments ... to meet their responsibilities.
Governments should have the ability to act decisively when that is appropriate’. In this
regard it should be stressed that MMP governments in New Zealand have had little
trouble governing: all have had their budgets passed without any real difficulty, and
none has faced the likelihood of defeat in a parliamentary vote of no confidence. At the
same time, New Zealand parliaments have fulfilled another of the royal commission’s
criteria by also becoming more effective. Governments can no longer rely on (indeed,
they seldom have) majorities on parliamentary committees, and there is a far greater
degree of consultation—of give and take—between government and opposition parties
in MMP parliaments.

The Royal Commission on the Electoral System also envisaged that under MMP
the Parliament would represent the Maori (New Zealand’s indigenous Polynesian
minority) and other special-interest groups such as women, Asians and Pacific Islanders
more effectively. This has happened. In the last FPTP Parliament, Maori accounted
for 7 per cent of the MPs. They now constitute 16 per cent of the members of the
legislature. The proportion of female MPs has risen from 21 per cent in 1993 to an
average of 29 per cent in the first three MMP parliaments. During the period 1993–
2002, the proportion of Pacific Island MPs went up from 1 per cent to 3 per cent, and
the number of Asian MPs rose from 0 to 2 per cent.

Discarding a long-established voting system is never an easy process politically, nor is
it likely to appeal to entrenched interests or to most incumbent politicians. Leading
electoral systems scholars have warned that major electoral reforms should not be
undertaken lightly. Nevertheless, there is growing evidence that the parliamentarians
of New Zealand and the public alike are learning to live with (if not necessarily love)
proportional representation. The reforms adopted in New Zealand in the early 1990s
and instituted in 1996 seem likely to last for a considerable time.
A Parallel System is a mixed system in which the choices expressed by the voters are used to elect representatives through two different systems—one List PR system and (usually) one plurality/majority system—but where no account is taken of the seats allocated under the first system in calculating the results in the second system.
CASE STUDY: Thailand

THAILAND: Combating Corruption through Electoral Reform

Allen Hicken

In 1997 Thailand adopted a new constitution which brought about sweeping changes to its political and electoral landscape. Reforms included the creation of an autonomous Electoral Commission to oversee and administer elections, new rules governing the relationship between the members of Parliament and the Cabinet, and the creation of an elected Senate—the first ever in Thailand. The constitution also replaced the Block Vote (BV) electoral system that had been in place for most of Thailand’s electoral history with a Parallel system made up of FPTP and List PR elements.

Prior to the 1997 reforms Thailand used the BV system to elect the House of Representatives. The Senate was entirely appointed. The country’s electoral districts were broken down into one-, two- and three-seat districts, with most districts having more than one seat. Seats were allocated by province in proportion to population. Voters cast their votes for candidates rather than parties, and were allowed to vote for as many candidates as there were seats in a district. They could not cast all their votes for a single candidate but could split their votes between candidates from different parties. They could also partially abstain by not casting all their available votes. Parties were required to field a full team of candidates for any district they wished to contest (for example, three candidates in a three-seat district). Seats were awarded to the one, two or three candidates who got the most votes on the basis of the plurality rule.

The BV system in Thailand had at least two major implications for the party system. These multi-seat districts had tended to produce multiple parties in each district, which in turn had contributed to the presence of a large number of parties in the House. The average effective number of national parties between 1975 and 1996 was more than six. Not surprisingly, no party ever commanded a majority, making large, multiparty coalition governments necessary. These coalition governments were generally indecisive and short-lived. Reformers hoped that by changing the electoral system they could bring about a reduction in the number of parties and a reduction in government inaction and instability.

Second, the system pitted candidates from the same party against one another in the same district. Although each party nominated a team of candidates, they often
tended to campaign against each other rather than trying to get voters to support all of the party team with all of their votes. This intra-party competition undermined the value of party labels to candidates and voters and contributed to making the parties factionalized and incohesive. One reflection of this was the rampant party-switching prior to every election, with attendant allegations of money politics. Intra-party competition, the weakness of party labels and the relatively small districts also encouraged politicians to cultivate and respond to relatively narrow constituencies. During election campaigns vote-buying helped candidates build personal constituencies. In office politicians focused on providing ‘pork’ and particularistic goods and services to their constituencies, often to the neglect of broader policy concerns and thus to the coherence and consistency of government policy. The drafters of the 1997 constitution hoped that through electoral reform they could encourage the development of party cohesion and meaningful party labels, and bolster the incentives of candidates and politicians to respond to broad, national constituencies.

In 1996 the House of Representatives, responding to long-simmering demands from within civil society for political reform, organized a Constitutional Drafting Assembly (CDA). A year later, after a widespread popular consultation and in the midst of a severe economic crisis that quickly escalated into a political crisis, the CDA submitted and the House approved a new constitution. The cornerstones of this new constitution were an elected Senate and an overhauled system for electing the House of Representatives. Gone is the Block Vote system for the House. Following a growing trend, the drafters of the constitution established a Parallel electoral system in Thailand. Four hundred single-member districts replaced Thailand’s multi-member districts. In these districts voters cast a single vote for their preferred candidate. The 1997 constitution also created a second tier of 100 seats elected from a single nationwide district by PR. A party must reach a threshold of at least 5 per cent of the party list votes in order to be eligible for seats in this tier. Each party is required to submit a list of candidates for voters to consider, and voters cast two votes, one for a district representative and one for a party list. Candidates must choose between running in a district and running on the party list. The two tiers are not linked: a party’s seats in one tier are not in any way dependent on the number of seats it has in the other tier.

The 1997 constitution also provided for an elected Senate, the first in Thailand’s history. Two hundred senators are elected using the SNTV system. The electoral districts range from one to 18 seats in size. The Thai version of SNTV also has an added twist. Constitutional reformers wanted to create a Senate that would remain above the messy partisan fray. As a result, senators are constitutionally prohibited from belonging to a political party and are not allowed to campaign for election.

What were the results of these constitutional reforms? As discussed above, one of the drafters’ chief goals was to reduce the number of parties in Thailand—hence the move to single-member districts and the 5 per cent electoral threshold in the party list tier. It appears that this goal has largely been achieved. In the 2001 election for the House of Representatives, the effective number of parties in the legislature fell dramatically from an average of 6.2 before 1997 to 3.1, reflecting both a decline in the number of parties contesting each single-member district and better coordination of parties between districts. For the first time since 1957 a single party, the newly formed Thai Rak Thai
party, nearly captured a majority of the seats. It later gained a majority after a smaller party disbanded and joined its ranks.

The drafters also hoped that adding a national party list tier and doing away with intra-party competition would encourage voters and candidates to focus more on party policy positions regarding national issues. This in fact began to occur in the 2001 election. For the first time in recent Thai electoral history, political parties, led chiefly by the Thai Rak Thai party, put significant effort into developing coordinated party-centred electoral strategies. Parties began to differentiate themselves in terms of their policy platforms and in some cases made those differences an important campaign issue.

However, there are reasons to be somewhat cautious in assessing the emerging changes in the Thai party system. First, the shift towards party-centred strategies was primarily confined to the campaign for party list seats, while contests in the 400 single-member districts generally remained candidate-centred affairs. This is certainly no surprise given the electoral system: single-member districts still generate incentives to cultivate personal support networks (although it appears somewhat less than under the Block Vote system). Second, the new electoral system has brought about a dramatic reduction in the average number of votes needed to win a seat. This is the combined effect of adding more seats to the legislature and switching from Block Vote to single-member districts. This weakens the incentives to abandon personal strategies: the smaller the number of votes required to be elected, the more likely it is that individual candidates will employ personal strategies. Finally, the presence of a non-partisan Senate, elected by SNTV, undermines somewhat the attempt to create a more party-oriented electorate.

Obviously, any assessment of the consequences of the 1997 reforms must still be tempered. With only limited data available, it is not possible to determine whether the outcomes of the 2001 and 2005 elections represent new trends or are a reflection of the ‘one-off’ personality of Prime Minister Thaksin Shinawatra, the leader of Thai Rak Thai. Nonetheless the 2001 and 2005 House elections already mark Thailand as an interesting case study of the consequences (sometimes unintended) of electoral system reform.
Albanian Parallel ballot paper
Senegal is one of only a handful of countries in Africa that have undergone a genuine democratic transfer of power as a result of the defeat of a sitting president. At the presidential level the electoral system is a two-round majority run-off system very similar to that used for elections for the president of France. Parties have incentives to put up candidates in the first round, and voters can freely vote for the candidate they really prefer while saving their ‘strategic’ vote for the second round. In 2000 the opposition parties denied President Abdou Diouf a first-round victory and, by previous agreement, united behind the leading opposition candidate, Abdoulaye Wade, to defeat the long-reigning Socialist Party (Parti Socialiste, PS) leader in the second round.

For the legislature, the electoral system was changed from a pure PR system by national list in 1978 to a mixed, Parallel system since 1983. Since then it has been modified numerous times. Most of the changes have been designed to provide for democratic legitimacy by ensuring that the system remains open to some opposition representation while maintaining the ruling party’s majority of seats. Like many mixed systems, Senegal’s relies on a national list for a part of the seats. Unlike most other Parallel systems, the plurality seats, rather than being decided in single-member electoral districts, are decided on the basis of Party Block Vote (PBV) in mostly multi-member electoral districts.

The PR seats (roughly half of the total) are allocated from the votes cast for the national list of each party, using a Largest Remainder Method with the Hare formula. The other seats are allocated by plurality vote in multi-member electoral districts in the 30 departments of the country, with between one and five seats each. The smaller parties and the opposition have always argued for a greater number of seats to be allocated from the national list, while the ruling party has always favoured a balance—ensuring that its domination of the plurality seats plus a proportion of the Parallel seats would enable it to retain power. For the 1998 election the ruling PS once again altered the distribution of seats, adding 20 new plurality seats. The PS won 18 of these and was easily able to maintain control of the legislature, despite the fact that it had only won a bare majority of the vote nationally (50.3 per cent).
President Wade, when he was leader of the opposition, argued for greater proportionality in the system and less reliance on the PBV seats, which heavily favour the party in power. For the 2001 elections, Wade, who had bitterly attacked the machinations by the PS, was in a position to alter this inequitable formula. Once in control of the presidency and with power to modify the electoral system, Wade could install a system designed either to be more representative of the voters’ wishes or to maximize the opportunities for his coalition (the SOPI Coalition, led by the Democratic Party of Senegal (PDS)). Coupled with the greater resources now available to his party, including the full weight of the presidency, this made the highly inequitable system he had previously attacked seem suddenly attractive.

The PS and the Alliance of Forces of Progress (AFP), the only other large parties, also felt that they could profit from an emphasis on the plurality PBV side of the seat distribution by potentially winning a plurality in several districts. They too chose to argue for increased weight for the plurality side of the election. The smaller parties pushed for pure proportionality based on a national list system or some compromise that would provide greater opportunities for a better seat-to-vote distribution. The ruling PDS opted for reducing the size of the National Assembly from 140 to 120 and moving from a 70 : 70 plurality : proportional distribution to 65 plurality and 55 national list PR seats. The PDS calculated that as the new party in power it could win a plurality in many departments, thus increasing its share of seats relative to its voter support.

These calculations proved correct. Although the SOPI coalition received just under half of the votes (49.6 per cent), it won 89 of the 120 seats (74.2 per cent) in 2001. The former ruling party, the PS, finished second in terms of share of the vote, with 17.4 per cent, but garnered only ten seats, all in the proportional national list. In third place in the voting, the AFP of Moustapha Niasse (with 16.1 per cent of the vote), passed the PS in number of seats with 11, two of which it won on the plurality side by finishing first in one department. The Union for Democratic Renewal (URD), with 3.7 per cent of the vote, garnered three seats, one of which was a plurality seat in a single-member district in the small department which is the home of its leader. The African Party for Democracy and Socialism/Jef (AJ/PADS), with just over 4 per cent of the vote, won only two seats, both on the national list. Five additional parties were given one seat each on the national list by virtue of having the largest remainders, even though they did not achieve a full quota in votes. The remaining 15 parties which presented lists were excluded from the seat allocation.

The disproportionality in the 2001 election greatly exceeded even the high rates Senegal had experienced under PS rule. In the 1993 elections, 70 seats were allocated by the proportional formula on a national list and 50 in department-level districts using PBV; in 1998, seats were allocated 70 : 70 between the two electoral formulae, and disproportionality rose slightly. It rose sharply in the 2001 elections, the results of which were less proportional than the results of most elections in FPTP systems. As a consequence the legitimacy of the legislature is compromised. The SOPI coalition, which came to power in 2001 on the basis of arguments for democratic reform, has taken a major step backwards with its manipulation of the electoral system to its own advantage.
In Senegal, the objective of the then hegemonic ruling party in opting for a Parallel system was to ensure fragmentation of the opposition by discouraging coordination among parties, minimizing strategic voting and thereby providing an advantage to the largest party. The party furthered this objective by employing a ballot that offers a single choice that covers both the proportional and the plurality vote. Since the allocation of the proportional seats depends on the total number of votes a party or coalition receives, Senegal’s opposition parties have an incentive to present candidates in as many plurality districts as possible. The fact that all votes cast at the district level are added together for the allocation of the proportional seats reduces any advantages of coordination between parties across constituencies, and provides incentives for sincere rather than strategic voting. Thus, the ruling party was able to ensure wins for itself in most plurality districts.

A Parallel mixed system is also used at the local (rural council) and municipal levels. To ensure an overwhelming majority for the winning party on every council, half of the seats are allocated in a single bloc for the whole municipality using the Party Block Vote. The other half of the seats are allocated by List PR using the whole rural community or municipality as one district.

Senegal illustrates the way in which short-term political advantage can be the overriding factor in debates about electoral system change. An opposition that clamoured for change became a government which defended a status quo which suddenly looked beneficial. The potential down side of this is that, if the electoral pendulum swings back to the PS, the heavier emphasis on the PBV part of the Parallel system is almost certain to ensure that this will be reflected in a more than proportional gain of seats for the opposition, leaving the forces in the SOPI coalition back where they were before 2001. Alternatively, this approach can be seen as moving towards a two-large-party system, in which the two beneficiaries ensure that any potential third political force has a huge task to break in.
**Parallel Systems**

134. Parallel systems also use both PR and plurality/majority components, but unlike MMP systems the PR component of the system does not compensate for any disproportionality within the plurality/majority districts. (It is also possible for the non-PR component of a Parallel system to come from the family of 'other' systems, as in Taiwan.) In a Parallel system, as in MMP, each voter may receive either one ballot paper which is used to cast a vote both for a candidate and for his or her party, as is done in South Korea (the Republic of Korea), or two separate ballot papers, one for the plurality/majority seat and one for the PR seats, as is done for example in Japan, Lithuania and Thailand (see the case studies on Japan and Thailand).

Parallel systems are currently used in 21 countries and have been a feature of electoral system design over the last decade and a half—perhaps because they appear to combine the benefits of PR lists with those of plurality/majority (or other) representation. Armenia, Guinea (Conakry), Japan, South Korea, Pakistan, the Philippines, Russia, the Seychelles, Thailand, Timor-Leste and Ukraine use FPTP single-member districts alongside a List PR component, while Azerbaijan, Georgia, Kazakhstan, Lithuania and Tajikistan use the Two-Round System for the single-member district component of their systems.

Andorra, Senegal (see the case study) and Tunisia use the Party Block Vote to elect a number of their representatives. Monaco is the only country with a Parallel System to use BV, and similarly, Taiwan is unique in using SNTV alongside a PR system component.

135. The balance between the number of proportional seats and the number of plurality/majority seats varies greatly (see Table 5). Only in Andorra, Russia and Ukraine is there a 50 : 50 split. At one extreme, 81 per cent of South Korea’s 299 seats are elected by FPTP, with only 56 members coming from PR lists. At the opposite extreme, 75 of Timor-Leste’s seats are proportionally elected and only 13 are based on FPTP districts. However, in most cases the balance is much closer. For example, Japan elects just over 60 per cent of its representatives from single-member districts, with the rest coming from PR lists.
Table 5: Countries Using Parallel Systems

<table>
<thead>
<tr>
<th>Country</th>
<th>No. of PR Seats</th>
<th>No. of Plurality/Majority (or Other) Seats</th>
<th>Plurality/Majority (or Other) System</th>
<th>Total no. of Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andorra</td>
<td>14 (50%)</td>
<td>14 (50%)</td>
<td>PBV</td>
<td>28</td>
</tr>
<tr>
<td>Armenia</td>
<td>56 (43%)</td>
<td>75 (57%)</td>
<td>FPTP</td>
<td>131</td>
</tr>
<tr>
<td>Azerbaijan</td>
<td>25 (20%)</td>
<td>100 (80%)</td>
<td>TRS</td>
<td>125</td>
</tr>
<tr>
<td>Georgia</td>
<td>150 (64%)</td>
<td>85 (36%)</td>
<td>TRS</td>
<td>235</td>
</tr>
<tr>
<td>Guinea</td>
<td>76 (67%)</td>
<td>38 (33%)</td>
<td>FPTP</td>
<td>114</td>
</tr>
<tr>
<td>Japan</td>
<td>180 (37.5%)</td>
<td>300 (62.5%)</td>
<td>FPTP</td>
<td>480</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>10 (13%)</td>
<td>67 (87%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRS</td>
<td></td>
<td></td>
<td></td>
<td>77</td>
</tr>
<tr>
<td>Korea, Republic of</td>
<td>56 (19%)</td>
<td>243 (81%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FPTP</td>
<td>299</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lithuania</td>
<td>70 (50%)</td>
<td>71 (50%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRS</td>
<td>141</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monaco</td>
<td>8 (33%)</td>
<td>16 (67%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BV</td>
<td>24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pakistan</td>
<td>70 (20%)</td>
<td>272 (80%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FPTP</td>
<td>342</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Philippines</td>
<td>52 (20%)</td>
<td>208 (80%)</td>
<td>FPTP</td>
<td>260</td>
</tr>
<tr>
<td>Russia</td>
<td>225 (50%)</td>
<td>225 (50%)</td>
<td>FPTP</td>
<td>450</td>
</tr>
<tr>
<td>Senegal</td>
<td>55 (46%)</td>
<td>65 (54%)</td>
<td>PBV</td>
<td>120</td>
</tr>
<tr>
<td>Seychelles</td>
<td>9 (36%)</td>
<td>25 (74%)</td>
<td>FPTP</td>
<td>34</td>
</tr>
<tr>
<td>Taiwan</td>
<td>49 (22%)</td>
<td>176 (78%)</td>
<td>SNTV</td>
<td>225</td>
</tr>
<tr>
<td>Tajikistan</td>
<td>22 (35%)</td>
<td>41 (65%)</td>
<td>TRS</td>
<td>63</td>
</tr>
<tr>
<td>Thailand</td>
<td>100 (20%)</td>
<td>400 (80%)</td>
<td>FPTP</td>
<td>500</td>
</tr>
<tr>
<td>Timor-Leste</td>
<td>75 (85%)</td>
<td>13 (15%)</td>
<td>FPTP</td>
<td>88</td>
</tr>
<tr>
<td>Tunisia</td>
<td>52 (80%)</td>
<td>37 (20%)</td>
<td>PBV</td>
<td>189</td>
</tr>
<tr>
<td>Ukraine</td>
<td>225 (50%)</td>
<td>225 (50%)</td>
<td>FPTP</td>
<td>450</td>
</tr>
</tbody>
</table>

136. Advantages. In terms of disproportionality, Parallel systems usually give results which fall somewhere between pure plurality/majority and pure PR systems. One advantage is that, when there are enough PR seats, small minority parties which have been unsuccessful in the plurality/majority elections can still be rewarded for their votes by winning seats in the proportional allocation. In addition, a Parallel system should, in theory, fragment the party system less than a pure PR electoral system.

137. Disadvantages. As with MMP, it is likely that two classes of representatives will be created. Also, Parallel systems do not guarantee overall proportionality, and some parties may still be shut out of representation despite winning substantial numbers of votes. Parallel systems are also relatively complex and can leave voters confused as to the nature and operation of the electoral system.
In 1993 the long-dominant Liberal Democratic Party (LDP) split and lost control of the main chamber of the Japanese Diet in the general election that followed. One of the achievements of the new coalition that formed in its place was reform of the electoral system, which had been widely viewed as a source of corruption and the basis of the LDP’s long-standing dominance.

Under the old electoral system (SNTV), the 511 members of the House of Representatives (the lower house) were elected from 129 districts of between one and six seats each. This system had been in use since 1947 and had produced a distinctive approach to elections among the major parties, particularly the LDP. Under this system any party that hoped to win enough seats to obtain a majority or a significant minority of seats needed to put up multiple candidates in most districts. Thus, in order to maximize their representation, parties needed to find methods of ensuring that each candidate would poll the minimum number of votes required to be elected, rather than having each candidate follow his natural instincts by attempting to maximize his vote. A candidate who received more than his ‘fair share’ of the vote could actually hurt colleagues who received fewer votes: candidate A’s ‘unnecessary votes’ could be enough to prevent candidate B of the same party from gaining a seat.

The LDP dealt with this problem through particularistic policies that targeted selected groups of voters and provided them with ‘pork’ and other benefits. As the first winning party under the SNTV system, the LDP controlled the spoils of office, making it difficult for the various opposition parties to mount an effective challenge. Not surprisingly, this system contributed to corruption. Furthermore, under such a personal and particularistic system, political choice and debate based on substantive policy issues were not given due importance.

By the early 1990s citizens’ anger at the system had produced great pressure for electoral reform. The LDP’s inability to agree on and pass reform legislation contributed to a split in the party that gave power to the opposition (including the LDP defectors) in 1993. The concept of a US-style two-party system and frequent alternation of parties in government had grown in popularity among politicians, scholars and the
media, and had come to be seen as a ‘magic bullet’ that would solve the problems of the Japanese political system. As a result, many called for the establishment of a system of single-member districts (SMDs). However, members of the smaller parties in the new government feared that this would crowd them out of the system and thus opposed such a move. The resulting compromise created the two-tier system that is in use today.

The reformed electoral system is a Parallel system consisting of two tiers—List PR and FPTP single-member districts. Each voter casts one vote in each tier. For the first election under this system, in 1996, there were 200 seats in the PR tier divided between 11 regional districts, ranging in size from seven to 33 seats, and 300 SMDs in the second tier. Efforts at rationalization led the Diet to reduce the number of PR seats to 180 prior to the second election in 2000. The 11 PR districts now range in size from six to 29 seats.

In a Parallel system, there is no compensatory mechanism that adjusts the overall number of seats won by each party to better reflect the proportion of the vote actually received. The predominance of SMD seats over PR seats thus advantages larger parties that can win SMD seats. The two tiers of the Japanese electoral system are related in another, more unusual, way, however. Japan’s electoral laws allow candidates to mount dual candidacies by standing both on a PR list and for an SMD seat.

While the PR tier is technically closed-list, there is also a provision that allows for some degree of voter influence over the ranking of candidates on the lists. Parties are allowed to present lists that give equal rankings to some or all of those candidates who are nominated both on a party list and for an SMD. After those who win in the SMDs are removed from consideration, the final ranking of the SMD losers on the PR list is determined by how well each polled in comparison to the winner in his or her district.

This provision has a number of benefits for parties. First, it allows them to abdicate the politically challenging job of ranking candidates. Second, it encourages candidates who are ranked equally on the PR lists to campaign more vigorously to win votes in their districts. While parties do make much use of equal ranking, they also retain the option to give some candidates firm rankings. This is also useful, as a higher or ‘safe’ ranking on the PR list can be used as an incentive to convince a candidate to run in a single-member district in which there is little chance of winning.

The first trial of the system came in 1996, and the results were largely seen as disappointing. In the years since the new electoral laws were passed, the LDP had re-established itself in power and the opposition parties had undergone a number of realignments. This instability led to the persistence of previous patterns, an overall win for the LDP, and little movement towards the hoped-for two-party system. The somewhat complicated nature of the system also produced dissatisfaction among the electorate, particularly regarding the phenomenon of losing SMD candidates being ‘resurrected’ in the PR tier. The results were especially counter-intuitive in cases in which the first- and third- (and occasionally fourth-) placed candidates from a single-member district won seats but the second-placed candidate (usually from the most competitive of the opposition parties) failed to win a place. It was also unclear that any significant decline in corruption and money politics had taken place.

By the time of the second election under the new system, in 2000, there had been a reduction in the number of competitive candidates vying for each SMD seat. However,
the move towards a two-party system again made only slight progress as the non-communist opposition was still splintered and the centrist Komeito party had switched sides and joined the LDP-led coalition.

The third test of the new system took place in November 2003. In September, the small Liberal Party merged with the dominant opposition Democratic Party (DPJ). The merged party (which retained the DPJ name) gained an impressive 40 seats in an election that featured the use of party manifestos for the first time. The remaining opposition parties of significant size lost all but a few of their seats. On the government side, the LDP and the smaller of its two coalition parties also lost seats, leading to the smaller party being absorbed by the LDP. With most seats concentrated in the hands of the two leading parties, only Komeito remains as a significant small party. The LDP is still in coalition with Komeito, in part because it needs Komeito support in the upper house, but also because support from the well-organized Komeito played a large part in the victories of many of its SMD candidates.

The results of the legislative election of 2003 support the idea that the effects of electoral system reform are not felt immediately and that entrenched habits and processes require time to change. These outcomes also suggest that the mixed-member system may not be likely to produce a complete consolidation into a US-style two-party system, as the existence of the PR tier allows third parties to persist.
Other Systems

138. In addition to the plurality/majority, proportional representation and mixed systems there are a number of other systems that do not fall neatly into any particular category. Amongst these are the Single Non-Transferable Vote, the Limited Vote and the Borda Count. These systems tend to translate votes cast into seats in a way that falls somewhere between the proportionality of PR systems and the results of plurality/majority systems.

The Single Non-Transferable Vote (SNTV)

139. Under SNTV each voter casts one vote for a candidate but (unlike FPTP) there is more than one seat to be filled in each electoral district. Those candidates with the highest vote totals fill these positions.

SNTV can face political parties with a challenge. In, for example, a four-member district, a candidate with just over 20 per cent of the vote is guaranteed election. A party with 50 per cent of the vote could thus expect to win two seats in a four-member district. If each candidate polls 25 per cent, this will happen. If, however, one candidate polls 40 per cent and the other 10 per cent, the second candidate may not be elected. If the party puts up three candidates, the danger of ‘vote-splitting’ makes it even less likely that the party will win two seats.

Today, SNTV is used for elections to the legislative body in Afghanistan, Jordan, the Pitcairn Islands and Vanuatu, for second chamber elections in Indonesia and Thailand, and for 176 out of 225 seats in the Parallel system used for the Taiwanese legislature. However, its best-known application was for Japanese lower-house elections from 1948 to 1993.

140. Advantages

a. The most important difference between SNTV and the plurality/majority systems described earlier is that SNTV is better able to facilitate the representation of minority parties and independents. The larger the district magnitude (the number of seats in the constituency), the more proportional the system can become. In Jordan, SNTV has enabled a number of popular non-party pro-monarchist candidates to be elected, which is deemed to be an advantage within that embryonic party system.

b. SNTV can encourage parties to become highly organized and instruct their voters to allocate their votes to candidates in a way which maximizes a party’s likely seat-winning potential. While SNTV gives voters a choice among a party’s list of candidates, it is also argued that the system fragments the party system less than pure PR
systems do. Over 45 years of SNTV experience, Japan demonstrated quite a robust ‘one party dominant’ system.

c. Finally, the system is praised for being easy to use and understand.

141. **Disadvantages**

* a. Small parties whose votes are widely dispersed may not win any seats, and larger parties can receive a substantial seat bonus which turns a plurality of the vote nationally into an absolute majority in the legislature. Although the proportionality of the system can be increased by increasing the number of seats to be filled within the multi-member districts, this weakens the voter–MP relationship which is so prized by those who advocate defined geographical districts. Multi-member districts of up to 18 members in Thailand, for example, are at the very top end of what is manageable.

* b. As with any system where multiple candidates of the same party are competing for one vote, internal party fragmentation and discord may be accentuated. This can serve to promote clientelistic politics where politicians offer electoral bribes to groups of defined voters.

* c. Parties need to consider complex strategic questions of both nominations and vote management; putting up too many candidates can be as unproductive as putting up too few, and the need for a party to discipline its voters into spreading their votes equally across all a party’s candidates is paramount.

* d. As SNTV gives voters only one vote, the system contains few incentives for political parties to appeal to a broad spectrum of voters in an accommodatory manner. As long as they have a reasonable core vote, they can win seats without needing to appeal to ‘outsiders’.

* e. SNTV usually gives rise to many wasted votes, especially if nomination requirements are inclusive, enabling many candidates to put themselves forward.

**The Limited Vote (LV)**

142. Like SNTV, the Limited Vote is a plurality/majority system used in multi-member districts. Unlike SNTV, electors have more than one vote—but fewer votes than there are candidates to be elected. Counting is identical to SNTV, with the candidates with the highest vote totals winning the seats.

This system is used for various local-level elections, but its application at the national level is restricted to Gibraltar and to Spain, where it has been used to elect the Spanish upper house, the Senate, since 1977. In this case, with large multi-member districts,
each voter has one vote less than the number of members to be elected.

143. Advantages and Disadvantages. Like SNTV, LV is simple for voters and relatively easy to count. However, it tends to produce less proportional results than SNTV. Many of the arguments relating to internal party competition, party management issues and clientelistic politics apply to LV in a similar way as to SNTV.

**Borda Count (BC)**

144. A final—and unique—example of electoral system design is the modified Borda Count used in the tiny Pacific country of Nauru. The Borda Count is a preferential electoral system in which electors rank candidates as for the Alternative Vote. It can be used in both single- and multi-member districts. There is only one count, there are no eliminations and preferences are simply tallied as ‘fractional votes’; in the modified Borda Count devised by Nauru, a first preference is worth one, a second preference is worth half, a third preference is worth one-third and so on. These are summed and the candidate(s) with the highest total(s) are declared the winners.

**Electoral System Tiers and Hybrid Systems**

145. Many electoral systems, both plurality/majority and proportional, have a single tier of representation: each voter in the country votes once and there is one set of elected representatives. In one-tier List PR systems, the lists may be at national level, as in Namibia and the Netherlands, or at regional level, as in Finland and Switzerland.

In mixed systems, there are usually two tiers of representatives, those elected under the plurality/majority system and those elected under the proportional system. In Hungary, however, there are three tiers: plurality/majority representatives of single-member districts elected using TRS; and representatives at both regional and national levels elected using List PR.

It is also possible for an electoral system to have two tiers without being mixed in character. Two-tier proportional systems may have both national and regional lists (as in South Africa) or regional lists only (as in Denmark). In the two-tier plurality/majority system of the British Virgin Islands, there are representatives elected from single-member districts using FPTP and representatives elected from the Islands as a whole using Block Vote.

**Table 6: Variations on Proportional Representation**

<table>
<thead>
<tr>
<th>Voter Choice</th>
<th>Tiers</th>
<th>Closed List</th>
<th>Open List</th>
<th>Free List</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>One: regional</td>
<td>e.g. Spain, Macedonia</td>
<td>e.g. Latvia, Indonesia</td>
<td>Switzerland, Luxembourg</td>
</tr>
<tr>
<td></td>
<td>One: national</td>
<td>e.g. Namibia, Moldova</td>
<td>Netherlands</td>
<td>-</td>
</tr>
</tbody>
</table>
146. Electoral systems with two or more tiers need to be distinguished from hybrid systems, in which one part of a country elects its representatives using one electoral system, and another distinct part of the country elects representatives using a different system. In Panama, about two-thirds of the representatives are elected from multi-member districts using List PR, while the remaining third are elected from single-member districts using FPTP.

147. Table 7 summarizes advantages and disadvantages of the principal electoral systems. It is important to keep in mind that the advantages and disadvantages presented here can vary from case to case and depend on a large number of factors. For example, turnout can in fact be high under an FPTP system, and a List PR system can produce strong legislative support for a president. Also, what is seen as an advantage in one context or by one party can be viewed as something negative in another context or by another party. However, the table does give an overview of some of the likely implications of the choice of electoral system. It can also give an indication of the relationship between electoral system choice and political/institutional outcome, even allowing for the effects of differences of detail within each type of electoral system.

Table 7: Five Electoral System Options: Advantages and Disadvantages

<table>
<thead>
<tr>
<th>Advantages</th>
<th>Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>List Proportional Representation (List PR)</strong></td>
<td>• Weak geographic representation</td>
</tr>
<tr>
<td>• Proportionality</td>
<td>• Accountability issues</td>
</tr>
<tr>
<td>• Inclusiveness</td>
<td>• Weaker legislative support for president more likely in presidential systems</td>
</tr>
<tr>
<td>• Minority representation</td>
<td>• Coalition or minority governments more likely in parliamentary systems</td>
</tr>
<tr>
<td>• Few wasted votes</td>
<td>• Much power given to political parties</td>
</tr>
<tr>
<td>• Easier for women representatives to be elected</td>
<td>• Can lead to inclusion of extremist parties in legislature</td>
</tr>
<tr>
<td>• No (or less) need to draw boundaries</td>
<td>• Inability to throw a party out of power</td>
</tr>
<tr>
<td>• No need to hold by-elections</td>
<td></td>
</tr>
<tr>
<td>• Facilitates absentee voting</td>
<td></td>
</tr>
<tr>
<td>• Restricts growth of single-party regions</td>
<td></td>
</tr>
<tr>
<td>• Higher voter turnout likely</td>
<td></td>
</tr>
<tr>
<td>The Systems and their Consequences</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Advantages</strong></td>
<td><strong>Disadvantages</strong></td>
</tr>
<tr>
<td><strong>First Past The Post (FPTP)</strong></td>
<td>• Excludes minority parties</td>
</tr>
<tr>
<td>• Strong geographic representation</td>
<td>• Excludes minorities</td>
</tr>
<tr>
<td>• Makes accountability easier to enforce</td>
<td>• Excludes women</td>
</tr>
<tr>
<td>• Is simple to understand</td>
<td>• Many wasted votes</td>
</tr>
<tr>
<td>• Offers voters a clear choice</td>
<td>• Often need for by-elections</td>
</tr>
<tr>
<td>• Encourages a coherent opposition</td>
<td>• Requires boundary delimitation</td>
</tr>
<tr>
<td>• Excludes extremist parties</td>
<td>• May lead to gerrymandering</td>
</tr>
<tr>
<td>• Allows voters to choose between candidates</td>
<td>• Difficult to arrange absentee voting</td>
</tr>
<tr>
<td>• Strong legislative support for president more likely in presidential systems</td>
<td></td>
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<tr>
<td>• Majority governments more likely in parliamentary systems</td>
<td></td>
</tr>
<tr>
<td><strong>Two-Round System (TRS)</strong></td>
<td>• Requires boundary delimitation</td>
</tr>
<tr>
<td>• Gives voters a second chance to make a choice</td>
<td>• Requires a costly and often administratively challenging second round</td>
</tr>
<tr>
<td>• Less vote-splitting than many other plurality/majority systems</td>
<td>• Often need for by-elections</td>
</tr>
<tr>
<td>• Simple to understand</td>
<td>• Long time-period between election and declaration of results</td>
</tr>
<tr>
<td>• Strong geographic representation</td>
<td>• Disproportionality</td>
</tr>
<tr>
<td>• May fragment party systems</td>
<td>• May be destabilizing for deeply divided societies</td>
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<tr>
<td>• May be destabilizing for deeply divided societies</td>
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<tr>
<td><strong>Parallel System</strong></td>
<td>• Complicated system</td>
</tr>
<tr>
<td>• Inclusiveness</td>
<td>• Requires boundary delimitation</td>
</tr>
<tr>
<td>• Representation of minorities</td>
<td>• Often need for by-elections</td>
</tr>
<tr>
<td>• Less party fragmentation than pure List PR</td>
<td>• Can create two classes of representatives</td>
</tr>
<tr>
<td>• May be easier to agree on than other alternatives</td>
<td>• Strategic voting</td>
</tr>
<tr>
<td>• Accountability</td>
<td>• More difficult to arrange absentee voting than with List PR</td>
</tr>
<tr>
<td>• Few wasted votes</td>
<td>• Does not guarantee overall proportionality</td>
</tr>
<tr>
<td><strong>Mixed Member Proportional (MMP)</strong></td>
<td>• Complicated system</td>
</tr>
<tr>
<td>• Proportionality</td>
<td>• Requires boundary delimitation</td>
</tr>
<tr>
<td>• Inclusiveness</td>
<td>• Often need for by-elections</td>
</tr>
<tr>
<td>• Geographic representation</td>
<td>• Can create two classes of representatives</td>
</tr>
<tr>
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<tr>
<td>• May be easier to agree on than other alternatives</td>
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**Considerations on Representation**
Representation of Women

148. There are many ways to enhance the representation of women. As discussed in paragraph 107, proportional systems tend to result in the election of more women. Electoral systems which use reasonably large district magnitudes encourage parties to nominate women on the basis that balanced tickets will increase their electoral chances. Some List PR countries require that women make up a certain proportion of the candidates nominated by each party.

149. In addition to the choice of electoral system, there are also a number of other strategies that can be used to increase the number of women representatives.

a. First, there are reserved seats, where a certain number of seats are set aside for women in the legislature. These seats are filled either by representatives from regions or by political parties in direct proportion to their overall share of the national vote. Reserved seats typically exist in plurality/majority electoral systems, and are often entrenched in a country’s constitution. This happens in a handful of countries, including Afghanistan (two women for each of the 32 provinces or roughly 25 per cent of seats), Uganda (one woman for each of the 56 districts, or roughly 18 per cent of seats) and Rwanda (24 women are elected by a women’s-only ballot, accounting for 30 per cent of the seats). In India, seats on local authorities in some states are divided into three groups: at each election, only women may be nominated for one group of seats, thereby guaranteeing a minimum of one-third women elected, with the side effect of a two-term limit for elected men.

b. Second, the electoral law can require political parties to field a certain number of women candidates for election. This is most often done in PR electoral systems, for example in Namibia (30 per cent of candidates at the local level) and Peru (30 per cent of candidates). It is also required in the List PR component of Bolivia’s MMP system (30 per cent of candidates). However, the laws do not always guarantee that the target will be met unless there are strict placement mandate and enforcement mechanisms guaranteeing that women are placed in electable positions on party lists. This is the case in Argentina (30 per cent in winnable positions), Belgium (the top two candidates must be one of each sex) and Costa Rica (40 per cent of winnable positions).

c. Third, political parties may adopt their own internal quotas for women as legislative candidates. This is the most common mechanism used to promote the participation of women in political life, and has been used with varying degrees of success all over the world: by the ANC in South Africa, the Peronist Party (PJ) and the Radical Civic Union (UCR) in Argentina, CONDEPA (the Conscience of the Fatherland) in Bolivia, the Party of the Democratic Revolution (PRD) in Mexico, and the Labour parties in Australia and the UK, and throughout Scandinavia. The use of women-only candidate short-lists by the Labour Party at the 1997 UK elections almost doubled the number of female MPs, from 60 to 119.
In 2004, 14 countries had quotas entrenched in the constitution (including most recently Afghanistan), 32 countries had quotas provided for by legislation, and at least 125 parties in 61 countries had adopted their own voluntary party quotas. In terms of electoral system type, 17 countries with plurality/majority systems have quotas, and there are 15 in mixed electoral systems and 45 in PR systems. Two of the ‘others’—Afghanistan and Jordan—have quotas.

150. Systems that guarantee women representation in the legislature vary where both their success and their consequences are concerned. For example, reserved seats may help guarantee that women make it into elected positions of office, but some women have argued that quotas end up being a way to appease, and ultimately sideline, women. Being elected to a legislature does not necessarily mean being given substantive decision-making power, and in some countries women legislators, particularly those elected from reserved or special seats, are marginalized from real decision-making responsibility. Yet in other countries women have used the position afforded to them by quotas to make significant contributions to policy making and influence ‘traditional’ policy making.

For further details and data see the IDEA/Stockholm University Global Database of Electoral Quotas for Women at www.quotaproject.org.

Representation of Minorities

151. There are also many ways to enhance the representation of minorities and communal groups. Again, electoral systems which use reasonably large district magnitudes encourage parties to nominate candidates from minorities on the basis that balanced tickets will increase their electoral chances. A very low threshold, or the complete elimination of a formal threshold, in PR systems can also facilitate the representation of hitherto under-represented or unrepresented groups. In plurality/majority systems in particular, seats are sometimes set aside in the legislature for minorities and communal groups.

152. Reserved seats can be used to ensure the representation of specific minority groups in the legislature. Seats are reserved for identifiable ethnic or religious minorities in countries as diverse as Colombia (‘black communities’), Croatia (the Hungarian, Italian, Czech, Slovak, Ruthenian, Ukrainian, German and Austrian minorities), India (the scheduled tribes and castes), Jordan (Christians and Circassians), Niger (Tuareg), New Zealand (Maori), Pakistan (non-Muslim minorities), Palestine (Christians and Samaritans), Samoa (non-indigenous minorities), Slovenia (Hungarians and Italians) and Taiwan (the aboriginal community).

Representatives from these reserved seats are usually elected in much the same manner as other representatives, but are sometimes elected only by members of the particular minority community designated in the electoral law. This requires a communal roll (see paragraphs 155–157). While it is often deemed to be a normative good to represent small communities of interest, it has been argued that it is a better strategy to design structures which give rise to a representative legislature without overt manipulation of
the electoral law or legal obligation, and that quota seats may breed resentment on the part of majority populations and shore up mistrust between various cultural groups.

153. Instead of formally reserved seats, regions can be over-represented to facilitate the increased representation of geographically concentrated groups. In the UK, Scotland and Wales have more MPs in the British House of Commons than they would be entitled to if population size alone were the only criterion. The same is true in the mountainous regions of Nepal. Another possibility is the ‘best loser’ system currently used in Mauritius, whereby some of the highest-polling losing candidates from a particular ethnic group are awarded seats in the legislature in order to balance overall ethnic representation.

154. Electoral boundaries can also be manipulated to promote the representation of particular groups. The Voting Rights Act in the United States has in the past allowed the government to draw weirdly shaped districts with the sole purpose of creating majority Black, Latino or Asian-American districts; this might be called ‘affirmative gerrymandering’. However, the manipulation of any electoral system to promote or protect minority representation is rarely uncontroversial.

Communal Representation

155. A number of ethnically heterogeneous societies have taken the concept of reserved seats to its logical extension. Not only are seats divided on a communal basis, but the entire system of representation in the legislature is similarly based on communal considerations. There is a separate electoral register for each defined community, which elects only members of its ‘own group’ to the legislature.

In Lebanon, multi-member districts are defined, in each of which an allocation of seats between confessional groups is determined. Representatives are elected by Block Vote from communal rolls separately to the seats allocated for each confessional group. In Fiji, electors are able to vote both for their own communal candidates and for candidates in ‘open’ districts.

156. Most communal roll arrangements were abandoned after it became clear that communal electorates, while guaranteeing group representation, often had the perverse effect of undermining the path of accommodation between different groups, since there were no incentives for political intermixing between communities. The tasks of defining a member of a particular group and distributing seats fairly between them were also full of pitfalls. In India, for example, the separate districts which had existed under colonial rule for Muslims, Christians, Sikhs and others were abolished at independence, although some reserved seats remain in order to represent the scheduled tribes and castes (see the case study). Similar communal roll systems used at various times in Pakistan, Cyprus and Zimbabwe have also been abandoned. Despite a controversial history of use, Fiji continues to elect part of its legislature from separate communal rolls for indigenous Fijian, Indian, Rotuman and ‘general’ electors.
157. While some communal roll arrangements give the task of determining who falls into which category to some form of registration body, others give this choice to the individual. The predominant example of a communal roll system still in place among contemporary democracies is the optional separate roll for Maori voters in New Zealand. Maori electors can choose to be on either the national electoral roll or a specific Maori roll, which now elects seven Maori representatives to the legislature. The results of New Zealand’s first PR elections since 1996 could, however, be said to have weakened the rationale for the communal system: twice as many Maori representatives have been elected from the general rolls as from the specific Maori roll.

**The Timing of Elections**

158. Elections, whether they be for national, executive, legislative, state-wide or local bodies, may not necessarily be held on a single day (or specific days) but can instead be staggered. The reasons for separating elections over a significant period of time can be both practical and political. Staggering of elections usually occurs when there are major logistical preparations involved (e.g. elections to the lower house of India, the Lok Sabha) or when security concerns require it. Administrative and security considerations mean that it is far easier for the Indian Electoral Commission to sequence the holding of legislative votes across both time and states. Legislative elections from state to state can be weeks apart. The difficulties facing staggered elections include ballot security. In order for areas voting later not to be influenced by areas voting earlier, ballot papers need to be held at a secure centralized point until all voting has taken place.

159. More common is the staggering over time of presidential, legislative and federal state elections. There is evidence to suggest that holding presidential and legislative elections on the same day can advantage the president’s party, and can make executive-legislative fragmentation less likely and thus make government more coherent—especially in embryonic democracies. However, if there is a desire to accentuate a separation of powers or there are logistical capabilities to consider then it may be necessary to separate presidential and legislative elections.

**Remote Voting**

160. Remote voting is used in many countries, both old and new democracies, around the world, to broaden participation. Remote voting may take place in person somewhere other than an allotted polling station or at another time, or votes may be sent by post or cast by an appointed proxy. When the requirements to qualify as a remote voter are minimal, remote voting can make up a significant proportion of the total vote. In Finland it has been as high as 37 per cent of all votes cast and in the 2003 legislative elections in the Marshall Islands it was 58 per cent. In Sweden, where it is commonly about 30 per cent, voters can also change their pre-cast vote if they subsequently travel to their allocated polling station on election day. However, its use may have implications for electoral system design, with issues of election integrity being salient.
161. Remote voting is easiest to administer under a nationwide List PR system with only one list per party, and most complicated under a system using single-member districts. Particularly if out-of-country voting is to be implemented, the practicalities of getting the right ballot paper to each elector need to be considered carefully. Requiring a country’s embassies to issue ballot papers may not sit easily with a system with a significant number of electoral districts, because of the logistic challenge of ensuring that each embassy receives the right selection of ballot papers and gives the right ballot paper to each elector. If ballot papers are to be despatched by post, there will be an impact on the election timetable.

162. Once cast, out-of-country votes can be included in the absentee voter’s home district (as in New Zealand); counted within single (or multiple) out-of-country districts (as in Croatia); attached to one or more particular districts (as in Indonesia); or merely added to the national vote totals when seats are allocated under a nationally-based List PR system (as in the Netherlands).

**Turnout Issues**

163. There is an established relationship between the level of turnout in elections and the electoral system chosen. PR systems are in general linked with higher turnout. In plurality/majority systems, turnout tends to be higher when national election results are expected to be close than when one party looks certain to win, and also higher in individual districts where results are expected to be closer.

164. As a measure to improve electoral legitimacy, some countries, notably several of the post-communist former republics of the USSR, introduced mandatory minimum turnout levels: if the turnout in an electoral district did not reach, for example, 50 per cent, the election would not be valid. However, the use of mandatory turnout levels can create administrative nightmares if repeated elections consistently fail to achieve the required turnout levels, leaving electoral districts in limbo. Ukraine, for example, abolished mandatory turnout provisions for the 1998 elections after the experience of repeated by-elections failing to reach the required turnout.

165. Several countries address the issue of participation by using compulsory voting, including Australia, Belgium, Greece and many countries in Latin America. Many other countries, however, reject compulsory voting on principle. While it is probably equally compatible with any electoral system, its use can be considered simultaneously with other turnout-related issues.