

Report of the Independent Commission on the Voting System: Volume 2

Submissions from political parties / fora

Labour Party

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The Labour Party

Millbank Tower
Millbank
London SW1P 4GT

Telephone: 0171 802 1000
Facsimile: 0171 802 1234
E mail: labour-party@geo2.poptel.org.uk

Rt.Hon. Lord Jenkins of Hillhead OM
Chair: The Independent Commission on the Voting System
6th Floor, Clive House
Petty France
London
SW1H 9 HD.

Dear Lord Jenkins,

Labour Party Submission to the Commission on Voting Systems.

I enclose a copy of the Labour Party Submission on Voting systems. If there is anything else you need to know please do not hesitate to get in touch with me.

Yours sincerely,



Tom Sawyer

General Secretary



INVESTOR IN PEOPLE



Labour Party submission to the Commission on Voting Systems

1. *Introduction*

The Government announced the establishment of the Commission on Voting Systems in November 1997. The pledge to establish the Commission had been set out in Labour's election manifesto. Prior to the election it had been announced in the Report of the Joint Consultative Committee on Constitutional Reform.

The Commission's task is of crucial importance to the future of politics in our country. The electoral system is one of the cornerstones of our political system. Any decision to change such a fundamental element in our politics cannot be taken lightly. That is why the Government is committed to holding a referendum on the electoral system so that the people can decide how they elect the House of Commons.

First past the post will be an option in the referendum. It is therefore not the purpose of this submission to make a case for or against first past the post. Instead we explain how the Labour Party came to recommend a referendum and consider the principles which we believe should underpin any alternative to first past the post.

2. *Labour and electoral reform in the past*

In the earliest days of the Labour Representation Committee and the Labour Party, interest in proportional representation was strong. In 1918 Labour's conference endorsed PR but this commitment was dropped in 1926. In 1929 the second Labour government set up a Speaker's Conference under Viscount Ullswater to examine electoral reform. The inquiry failed to reach agreement but the Commons agreed to support the Alternative Vote before the measure ran out of time in the Lords.

In the immediate post war era, electoral reform aroused little interest in the Labour Party. But growing interest in the Labour Party in constitutional change encouraged a re-examination of the issues in the late 1980s.

In 1990 the Labour Party established the NEC Working Party on Electoral Systems. It was chaired by the then Professor Raymond Plant, now Lord Plant of Highfield. The work carried out by the Commission represented the most serious examination of electoral reform ever carried out by a British political party.

An important conclusion of the Plant Commission's work, which the Government has subsequently endorsed, was that there is no need for uniformity among the electoral systems to be used for different institutions. It is more important to ensure that the electoral system is appropriate for the body concerned. Thus a body such as the European Parliament need not have the same system as elections for the government of the United Kingdom.

The majority Plant recommendation for elections to the House of Commons was for the Supplementary Vote. This is a form of preference voting very close to the Alternative Vote, but where voters choose only their top two preferences.

Following the publication of the final report of the Plant Commission, the then Labour Party leader John Smith said that if Labour won the subsequent election there would be a referendum on the electoral system for elections to the House of Commons. This position was then backed by the Labour Party conference in 1993. When Tony Blair became party leader he endorsed the commitment and it was contained in the draft manifesto endorsed by a ballot of Party members, *New Labour, New Life for Britain* in 1996.

In October 1996 Labour and the Liberal Democrats established the Joint Consultative Committee on Constitutional Reform. This body set out in greater detail how a referendum might operate. It said the referendum should pose a straight choice between first past the post and an alternative system and advocated the establishment of an independent commission to examine the issues and recommend an alternative. These commitments were included in the Labour Party Manifesto for the 1997 election.

3. *Government action since the election*

Since the election the Government has proceeded with an ambitious and radical programme of constitutional reform designed to increase the accountability of government, to decentralise power and to create a new more open relationship between government and the people. The Government has introduced legislation to incorporate the European Convention on Human Rights, published a White

paper on Freedom of Information and established a Cabinet sub-committee to bring forward policy on reform of the House of Lords. A vital part of the Government's programme is the establishment of devolved bodies in Scotland, Wales, London and as part of the wider Good Friday Agreement, in Northern Ireland. In each case referendums have been held and the proposals endorsed. The Additional Member System will be used for the Scottish Parliament, the National Assembly for Wales and the London Assembly. In the recent elections to the Northern Ireland Assembly the Single Transferable Vote was used – the system already used in Northern Ireland for both local elections and elections to the European Parliament. The London Mayor will be elected by the Supplementary Vote.

In addition to the new devolved bodies the Government will introduce a system of regional lists for the next elections to the European Parliament in June next year.

In each case the Government has chosen the most appropriate system for the body concerned. The nature of the body, the political traditions in each place and the party structure have all been factors. In Scotland for example, the additional member system was agreed in the cross party Scottish Constitutional Convention. In Northern Ireland there are many precedents for the use of STV and all parties there accept that a proportional system is important given the historic divisions in the community. Most countries use list systems of one sort or another for elections to the European Parliament. And in London the Government wanted a Mayor who would have a strong mandate from the people.

For elections to the House of Commons there are also specific factors. These elections determine the composition of the dominant chamber in Parliament and decide which party will form the executive. They are an opportunity for the people to reaffirm their support for or to change their leaders. General elections such as those in 1945, 1979 or 1997 were crucial moments which defined the direction the country wished to take for the future.

4. *The Commission's terms of reference*

The Commission's terms of reference are as follows:

“The Commission shall be free to consider and recommend any appropriate system or combination of systems in recommending an alternative to the present

system for Parliamentary elections to be put before the people in the Government's referendum.

The Commission shall observe the requirement for broad proportionality, the need for stable government, an extension of voter choice and the maintenance of a link between MPs and geographical constituencies."

The Commission's criteria do not all point in one direction. They must be balanced against one another and require careful consideration. Judgements have to be made about the proper weight to be given to each of the requirements the Commission have been asked to consider. We ask the Commission to bear in mind the need for a system which sustains, open, stable and accountable Government.

The constituency link

We believe that the constituency link is, and should continue to be, the bedrock of the parliamentary system. It is widely understood and is deeply embedded in Britain's parliamentary history and culture. It is strongly supported by the public and it ensures MPs are clearly representative of and answerable to a clearly defined group of electors. It also helps to keep MPs and government Ministers in touch with the public. The constituency link also allows by-elections to take place. These have formed a valuable part of our politics. Although they are obviously influenced by local factors they also give voters an important opportunity to express their views on government between elections.

The relationship between MPs and their constituencies has in fact become stronger over the years. The days when MPs could make semi-regal visits every few months are long gone. These days many MPs live in the constituency and have constituency offices. Most hold regular advice surgeries and the volume of constituency mail they deal with has gone up markedly over the years. Research has shown that in 1964 MPs collectively received 10,000 letters a week. By 1987 the figure had increased to 40,000 a day. Today it is almost certainly much higher. Of course not all this mail comes from constituents but a high proportion of it does and is evidence of the demands the public very understandably make on their elected representatives.

The retention of the constituency link is therefore vital in any alternative electoral system.

Stable Government

Securing stable government is obviously another vital consideration in the electoral system to be used for the House of Commons. In the UK we expect the House of Commons, acting on behalf of the electorate, to provide and sustain a government with a clear mandate. From it will be drawn most of the Executive which in turn will normally rely on the support of a majority of the members of the Commons. The Commons also sustains a strong Opposition, which is vital to making Government accountable to Parliament and the public. Any changes to the electoral system should not compromise these essential features.

Of course stable government is not purely a result of the electoral system. It will also depend on the structure of parties and the political culture and history in a particular country. But the electoral system can either reinforce stable government or tend to undermine it.

By stable government we mean a government which is generally able to last its full electoral term and which is also able to carry through its manifesto pledges. We would regard as unstable governments which were unable either to last their full term or which ran into regular difficulties because of parliamentary arithmetic.

Britain has enjoyed broadly stable and representative government over the last fifty years. We believe this has been assisted by the preponderance of single-party majority administrations, though it is of course a product of wider political factors too.

Government has changed hands but that is not evidence of instability provided the new government can govern effectively for its full term. Indeed the power of the voters to throw out an unpopular government is crucial in a democracy and should be retained in any alternative to first past the post.

There is to some extent a trade off between the stability of government and pure proportionality. Pure proportional systems are the most likely to lead to coalitions. Coalitions are not by definition unstable, but the process of forming a government can be time consuming and divisive and small parties can gain a pivotal position where they wield power which is disproportionate to their degree of electoral support. We do not believe the electoral system should result in perpetual coalition. Nor do we believe that a Government is illegitimate because it has won less than 50 per cent of the vote. The existing system produces a clear "winner" and "loser" in accordance with the broad national mood. In 1997 Gallup asked voters not just for their actual voting intention by party but also to choose between a Conservative Government led by Mr Major and a Labour Government led by Mr Blair. Although Labour scored 46 per cent in the poll on

voting intention, 58 per cent said they would prefer a Labour Government and 32 per cent said a Conservative Government. It was clear at the last election that the country wanted change, as was probably also the case in 1979 even though Gallup did not ask the same question during that campaign. We believe that any alternative to the current system should be capable of giving expression to the desire for such change within our party system. We therefore believe that the Commission should suggest an alternative that makes single party majority government realistically possible when, as is generally the case in Britain – one party is clearly the predominant choice of the electorate.

Broad proportionality

We believe the Commission should consider both proportionality of representation and proportionality of power achieved by particular parties in considering its proposed alternative. These are not the same: when no party is able to form a government on its own, smaller parties gain considerable power to determine the shape of the government.

Different systems result in varying degrees of proportionality of representation. Few systems result in an exact correlation between aggregate votes cast across the country and seats won. This is a particular difficulty in a series of local constituency contests which are then totalled up to give a national result.

It has been argued that more proportional systems increase turnout and participation in politics. There is little evidence to prove this. Turnout did drop to 71 per cent at the last election but Britain's turnout is in line with most European countries and even at 71 per cent was higher than Portugal where the most recent turnout was 68 per cent or Ireland where it was 65 per cent.

It would be a mistake to place so much stress on pure proportionality of representation that small parties are given disproportionate power compared to their level of support in the country. This has been a feature of experience in other countries which it is important to avoid.

Voter choice

We believe the Commission should consider two aspects of voter choice – the choice of the individual voter and whether the overall result in terms of the Government supported by the House of Commons can be said to reflect the broad choice of the electorate as a whole.

Various systems could be argued to extend the choice of the individual voter. STV allows voters to distinguish between both parties and individual candidates within parties. AMS allows voters to vote for both a candidate and a party, normally at a regional level. And the Alternative Vote or Supplementary Vote allows voters to rank candidates in order of preference.

The current system has been criticised for encouraging tactical voting or resulting in “wasted” votes, but this criticism presupposes that positive or negative motivation in the elector can be distinguished and of course places a value judgement on such motivation. Does it really follow that because a vote is primarily motivated by dislike of a given candidate it is in a sense less legitimate than a “positive” vote for a candidate with no chance of winning? The ability to reject candidates and parties is arguably one of the primary functions of an election.

Systems capable of producing clear winners help to ensure that governments are held to account between elections – and that they pay a clear electoral price at the following election if they fail to deliver what they promise. For all the cynicism around politics, the preparation and delivery of manifesto commitments is a serious and solemn business – with all involved, government, opposition and the public alive to the consequences of actions not matching promises.

Systems which inevitably lead to coalitions can undermine the direct accountability which other systems produce. Instead they can provide an excuse for non-delivery of manifesto promises. Where post-election deals have to be done, voters cannot know until after they have voted the precise programme to which the resulting government will be committed. Furthermore, systems which produce a fragmented government also often yield a fragmented opposition which is equally inimical to open and accountable government.

In a system which leads to coalition, it can be argued that sometimes no one voting for a single party gets the government they want. In New Zealand, for example, few would argue that the electorate voted for the coalition which resulted from their most recent election, where the New Zealand First Party reversed its attitude on likely coalition partners after the election. Others have argued that in Germany, the coalitions which have emerged in recent years have constituted a fair reflection of voter preferences. The Commission must therefore bear in mind that elections should be capable of translation into a government which reflects the predominant national mood.

Conclusion

This submission has shown that the Commission's terms of reference require a careful balance of judgement between the different criteria. The task of recommending a possible alternative to the first past the post electoral system is of vital importance to the future of our country. We hope that the points we have made will be of help to the Commission in your deliberations and we look forward to considering your conclusions in the Autumn.

July 1998