

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

Submissions from political parties / fora

Northern Ireland Forum for Political Dialogue

Northern Ireland Forum for Political Dialogue

**ELECTORAL SYSTEM
FOR
WESTMINSTER ELECTIONS**

**A REPORT
BY
COMMITTEE ON ELECTORAL REFORM**

*Presented to the Northern Ireland Forum for Political Dialogue
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Note

DRAFT REPORTS

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1. INTRODUCTION

1.1 At the plenary meeting held on Friday 13 June 1997 the Forum debated the issue of electoral irregularities and resolved to refer the matter to a Committee to recommend methods of countering these irregularities with a view to submitting such evidence to the Secretary of State for Northern Ireland for consideration within the Government's review procedure. The Committee met for the first time on 23 June 1997. Membership of the Committee is attached at Annex A.

1.2 The Committee on Electoral Reform reported to the Forum on 13 October 1997 and following the presentation of the report to the Government on 3 December 1997, the Forum at the plenary meeting on 23 January 1998 agreed to amend the Committee's terms of reference as follows:

- '(a) to monitor the Government's review on electoral reform in Northern Ireland;
- (b) to make a contribution to the Government's review of the electoral system to be used for Parliamentary elections;
- (c) to consider and recommend an appropriate system for any future election to a Northern Ireland Assembly

and report to the Forum.'

- 1.3 The Committee has been and will be continuing to liaise with the Government regarding its review on electoral reform. The Committee notes the recent publication of a report by the Northern Ireland Affairs Committee on Electoral Malpractice in Northern Ireland and hopes for a speedy outcome to the Government's review.
- 1.4 With regard to an electoral system for a Northern Ireland Assembly, the Committee presented its report to the Forum on 13 March 1998 and will shortly present the report to the Government.
- 1.5 This report outlines the deliberations by the Committee in considering an electoral system for the Parliamentary elections. This will be forwarded to the Independent Commission on the Voting System which was recently set up by the Government to consider and recommend an alternative electoral system for Parliamentary elections.
- 1.6 Before commencing any structured deliberations the Committee sought advice from Dr Sydney Elliott, Queen's University , Belfast regarding the type of voting systems which could be adopted. A transcript of the meeting with Dr Elliott is attached at Annex B of this report. The Committee would like to thank Dr Elliott for all his help and advice on this matter.
- 1.7 The Committee also sought submissions from each of the political parties participating in the Committee on the electoral system favoured for Parliamentary elections. Four parties put forward submissions and these are included at Annex C of this report. In addition the Committee

also considered as part of its deliberations a publication by Robert Blackburn ‘The Electoral System in Britain’.

- 1.8 Explanations as to how the electorate votes under first past the post and each of the systems put forward by the political parties, how the votes are counted and the result of using each system is set out in Annex D of this report.

2. BACKGROUND

2.1 Under the method of first past the post which is currently used for elections to Parliament the person who achieves the highest number of votes cast in each of the 651 Parliamentary constituencies (18 of which are in Northern Ireland) is declared the elected representative for each constituency. However the first past the post system (more properly called the simple plurality system) is the one which least conforms to the principle of proportional representation. Robert Blackburn in his publication 'The Electoral System in Britain' states

'First past the post voting is peculiarly disproportionate in its translation of votes into Parliamentary seats and this has a number of highly significant ramifications with regard to the composition and operation of Britain's Parliament with political leadership in Government'.

2.2 The following table shows the degree of variation between the total national votes cast for each of the four main parties and the parliamentary seats each party received in the 1992 General Election under the first past the post method.

<i>Party</i>	<i>% total vote</i>	<i>% seats</i>
Conservative	41.9	51.6
Labour	34.4	41.6
Liberal Democrat	17.8	3.1
SNP/PC	3.5	1.1

2.3 The Labour Government in its manifesto promised that it would establish an Independent Commission on the Voting System to recommend an alternative to the first past the post voting system. Details of this Commission were announced on 1 December 1997 by Home Secretary, Jack Straw.

2.4 The terms of reference of the Commission 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.

2.5 The Commission was asked to report within 12 months.

2.6 The Independent Commission on the Voting System visited Belfast on 12 March 1998 to hear evidence from the public and interested organisations on alternatives to the current first past the post system which is used for Parliamentary elections. However the Committee was disappointed with the lack of notice given for this visit. The Chairman of the Committee was however able to meet with the Chairman of the Commission to inform him of the Committee's work and was

encouraged to note that some members of the Commission were well versed in the Committee's report on Electoral Abuse.

3. VALUES AROUND WHICH AN ELECTORAL SYSTEM SHOULD BE BASED

3.1 As the Committee indicated in its report on an electoral system for a Northern Ireland Assembly, it is important to identify the values around which the design of an electoral system can take place.

3.2 When considering these values the Committee had to bear in mind the terms of reference of the Independent Commission which tasked the Commission to observe

- the requirement for broad proportionality;
- the need for stable government;
- an extension of voter choice;
- the maintenance of a link between MPs and geographical constituencies.

3.3 The Committee agreed that the values which were outlined as being important for any Assembly election in Northern Ireland were valid for elections to Westminster. However given the very much smaller number of seats the Committee accepted that there would be differences in emphasis.

3.4 The majority of the Committee recommends that future Parliamentary elections should be constructed around the following five values:

- the relationship between seats held and votes cast;**
- the link between an elected member and the constituency;**
- the need to give the voters a real choice on the ballot paper;**
- simplicity and understanding by voters of the voting system;**
- the need for stable government.**

With regard to the value identifying the need for stable government the Committee however noted that all the parties that could form the Government do not stand for election in Northern Ireland.

The Ulster Unionist Party (UUP) however felt that the key criterion should be the link between an elected member and a single member constituency ahead of other considerations.

4. **ELECTIONS IN NORTHERN IRELAND**

- 4.1 The people of Northern Ireland over the last 28 years have had experience of using three different types of electoral systems. First past the post (FPTP) (or Simple plurality) is used for Parliamentary elections and was used for elections to the Northern Ireland Parliament and local councils between 1929 and 1972.
- 4.2 The Single Transferable Vote (STV) was introduced in Northern Ireland in 1973. Since then STV has been used for council elections and since 1979, for elections to the European Parliament, even though first past the post was used in other parts of the United Kingdom.
- 4.3 STV was also used for Northern Ireland regional elections in 1973 (for the Power-sharing Assembly), in 1975 (for the Constitutional Convention) and in 1982 (for the Assembly). The 1996 Forum/Talks elections used a Constituency list system plus top-up.
- 4.4 One of the first issues the Committee considered was whether the system selected for the Parliamentary elections should be the same in Northern Ireland as in other parts of the United Kingdom. Under the current arrangements the first past the post system is used throughout the United Kingdom on general election day and separate electoral contests are fought in the 651 Parliamentary constituencies within the United Kingdom, 18 of which are situated in Northern Ireland.
- 4.5 The Ulster Unionist Party (UUP) indicated in its presentation to the Committee that the party was committed to the unity of the United

Kingdom and did not therefore favour a different type of electoral system in Northern Ireland from that which was applied in the rest of the United Kingdom.

4.6 The Democratic Unionist Party (DUP) indicated during deliberations that, as a first preference, the party would favour a system which was applied throughout the United Kingdom.

4.7 The Alliance Party however believed there was no valid reason why Northern Ireland should not use a different electoral system from the rest of the United Kingdom. The Alliance Party pointed out that this was already the case for elections to the European Parliament and district councils where STV is used in Northern Ireland and first past the post is used in other parts of the United Kingdom. The Party additionally pointed out that prior to 1950, there were MPs elected by the single X-vote, double X-vote (two member constituencies), limited vote (two Xs in three member constituencies) and University MPs elected by STV.

4.8 The Progressive Unionist Party (PUP) also indicated that it would favour the same system being applied throughout the United Kingdom.

4.9 **The Committee concludes that it would be preferable if the same system was applied throughout the United Kingdom for Parliamentary elections.**

5. ELECTORAL SYSTEM

5.1 The requirements identified in the terms of reference of the Independent Commission and the values identified by the Committee dictated to some extent which electoral system could be considered as a viable alternative.

5.2 The first of these was the requirement for broad proportionality. **The majority of the Committee agreed that this requirement effectively ruled out First Past the Post, Alternative Vote and Second (or Multiple ballot) which requires a second ballot to be held one week after the first if no candidate has succeeded in gaining 50 per cent of the vote on the first ballot.**

5.3 As no party proposed a List PR system, the choice of electoral system considered by the Committee was therefore restricted to:

Single Transferable Vote;

Additional Member System;

Alternative Vote.

5.4 As was the case regarding the type of electoral systems proposed by each political party for an election for an Assembly in Northern Ireland, there again was a broad range of systems favoured by parties for an alternative system for Parliamentary elections. As an alternative

system the Alternative Vote was favoured by the UUP, Single Transferable Vote (STV) was favoured by the Democratic Unionist Party (DUP) and the Alliance Party with the Additional Member System being favoured by the NI Women's Coalition (NIWC).

5.5 The UUP supported the status quo and favoured the continuance of the first past the post system linked in with the current 18 Parliamentary constituencies. The Party believed that this system ensured there was a direct link between the parliamentary representative and the constituency as only one representative was elected for each constituency. The Party also believed that from a point of view of a central Government, PR systems, such as STV, tended to weaken the link between the elected representative and the constituency as the current constituencies would have to be grouped into very large constituencies.

5.6 However given the requirement for proportionality the UUP indicated that the closest to the first past the post system would be the Alternative Vote in which the current 18 constituencies would be retained with the top two candidates in each constituency going into a second ballot. The Party pointed out that this system would at least maintain some degree of link between the elected representative and the constituency but stressed that this system was very much a second option.

5.7 Both the DUP and the Alliance Party supported the use of the Single Transferable Vote which they believed adequately satisfied all the Commission's criteria and the values identified by the Committee. The

use of this system would require either grouping the present 18 constituencies into a small number of new constituencies or new constituencies being drawn up by the Boundary Commission.

5.8 The Alliance Party recognised that the Additional Member System achieved broad proportionality but pointed out that this system generally involved a closed list which meant that voter choice is limited to the constituency vote. The Party also pointed out that this system additionally diminished the link between the elected representative and the constituency and created two classes of MPs, those with constituency links and those without.

5.9 The Alliance Party did not believe that the Alternative Vote system satisfied the fundamental requirement of proportionality and argued that this option should therefore be ruled out of consideration.

5.10 The Alliance Party also believed that within a divided society such as Northern Ireland, STV reduced the tendency towards polarisation of the communities and was an incentive to pluralism. The Party indicated that should STV not be recommended as the alternative system for the election of all members of the House of Commons it should be recommended for the election of the Northern Ireland MPs.

5.11 The NIWC recommended the use of the Additional Member System for Parliamentary elections. The Party believed that this system allowed for the maintenance of the elected representative link with the constituency while ensuring the worst disproportional ties were removed. The Party indicated that the list could be drawn up on a regional basis to ensure

greater sensitivity to local needs while the relative proportions of constituency and additional members could be determined according to the degree of proportionality required. The Party also pointed out that this system was relatively straightforward and easy to use allowing voters a clear idea of the consequences of their choices thus preserving accountability.

- 5.12 The NIWC recognised that STV is favoured by many reformers for the Parliamentary elections but the Party indicated that there might be some problems in adapting this system to a large electorate. The Party pointed out that constituencies might have to be so large as to lose any meaningful link between the elected representative and the constituency while ballot papers might contain so many names as to introduce confusion and make transfers incoherent.
- 5.13 The NIWC also indicated that some reformers have advocated the Alternative Vote system but the Party recognised that while this system kept the link between the elected representative and the constituency it was not very proportional.
- 5.14 The PUP did not wish to make a written submission but indicated during deliberations that the Party supported any form of Proportional Representation.
- 5.15 No response was received from either Labour or the Ulster Democratic Party.

- 5.16 **The majority of the Committee concludes that the required core values identified by the Committee are best addressed by the Single Transferable Vote based on a small number of constituencies and therefore recommends STV as an alternative to the present system for Parliamentary elections.**
- 5.17 **The Committee further recommends that, should STV be accepted as an alternative to the present system for Parliamentary elections, political parties should be fully consulted about the grouping of constituencies or the drawing up of new constituencies.**

6. CONCLUSIONS AND RECOMMENDATIONS

6.1 This chapter provides a summary of the conclusions and recommendations contained in this report.

The majority of the Committee recommends that future Parliamentary elections should be constructed around the following five values:

- the relationship between seats held and votes cast;**
- the link between an elected member and the constituency;**
- the need to give the voters a real choice on the ballot paper;**
- simplicity and understanding by voters of the voting system;**
- the need for stable government.**

With regard to the value identifying the need for stable government the Committee however noted that all the parties that could form the Government do not stand for election in Northern Ireland.

**The Ulster Unionist Party (UUP) however felt that the key criterion should be the link between an elected member and a single member constituency ahead of other considerations.
(Paragraph 3.4)**

The Committee concludes that it would be preferable if the same system was applied throughout the United Kingdom for Parliamentary elections. (Paragraph 4.9)

The majority of the Committee agreed that the requirement for broad proportionality effectively ruled out First Past the Post, Alternative Vote and Second (or Multiple ballot). (Paragraph 5.2)

The majority of the Committee concludes that the required core values identified by the Committee are best addressed by the Single Transferable Vote based on a small number of constituencies and therefore recommends STV as an alternative to the present system for Parliamentary elections. (Paragraph 5.16)

The Committee further recommends that, should STV be accepted as an alternative to the present system for Parliamentary elections, political parties should be fully consulted about the grouping of constituencies or the drawing up of new constituencies. (Paragraph 5.17)

ANNEX A



MEMBERSHIP OF COMMITTEE

MEMBERSHIP OF COMMITTEE ON ELECTORAL REFORM

<i>Ulster Unionist Party</i>	- Mr K Maginnis MP Mr R Coulter Mr S Gardiner Mr R Stoker
<i>Democratic Unionist Party</i>	- Mr P Robinson MP Mr N Dodds Rev W McCrea Mr I Paisley
<i>Alliance Party</i>	- Mr S Neeson *Mr D Ford
<i>Ulster Democratic Party</i>	- *Mr F McCoubrey
<i>UK Unionist Party</i>	- *#Mr J Dudgeon
<i>Labour</i>	- Mr H Casey
<i>NI Women's Coalition</i>	- Ms P Sagar
<i>Progressive Unionist Party</i>	- *Ms D Purvis

* attend the Committee on behalf of the party under Rule 14(4)(a) of the Forum Rules of Procedure.

party resigned from Forum on 16 September 1997.

ANNEX B



TRANSCRIPT OF MEETING WITH DR SYDNEY ELLIOTT (QUB)

NORTHERN IRELAND FORUM FOR POLITICAL DIALOGUE

COMMITTEE ON ELECTORAL REFORM

Thursday 22 January 1998

MINUTES OF EVIDENCE

(Dr S Elliott

(The Queen's University of Belfast))

on

ELECTORAL REFORM

The Chairman: First of all, on behalf of the Electoral Reform Committee, may I welcome you here today. We have been investigating electoral abuse, and we have more or less followed the Howarth investigation across the water. We have been looking at elections in Northern Ireland from a Northern Ireland perspective. I understand that you will be telling us about the types of voting systems that could be adopted, and we will of course look at those in greater detail at a future date.

Dr Elliott: Thank you very much for the invitation.

I would like to make a couple of initial remarks about electoral systems in general. There is very little that is not known about electoral systems nowadays. We tend to think that this is a new subject, but the high point for the construction of electoral systems was probably the 19th century. For example, you will hear about a Belgian lawyer called D'Hondt who constructed his system in the 1870s, but there were an enormous number of other systems at that time. For instance, in 1909 the Royal Commission on Systems of Election looked at about 1,000 different methods of allocating seats. So the theoretical part is known.

On the practical side, scholars like Arendt Lijphart or D W Rea have examined the empirical effects of different electoral methods on post-1945 western European countries. This provides an indication of the level of proportionality that a particular system will produce, what the impact might be on a party system and various other empirical details.

When trying to construct a system it is important to introduce values around which the design can take place. First, if your value is to have a close relationship between seats and votes then that will take you down the road of proportional representation. On the other hand, if your priority is the link between a member and his constituency then that will take you down a different road. While you can have a link between a Member of Parliament and a multi-member constituency, it is not as direct a link as with a single-member district. So, if that is your value you will consider a system which employs single-member districts. If

your choice is that and proportionality, then there may be some difficulty because that may lead to a majority method of election.

There are mixed methods of election. One of the most notable is the system used in Germany since 1949 — the additional-member system. In this system half of the members are elected by plurality while the other half are elected by a list system throughout the whole of Germany — each individual has two votes. The seats to votes relationship is very proportional.

There are several ways of looking at it. You may value the district link, and value fairness in terms of the allocation of seats, but you may also value your level of choice on the ballot paper. So, if you want the voter to have a choice of one, two, three or four candidates between the various parties, and a similar level of choice between the various individuals within each party, the different sexes within each party, and the different colours within each party, then you are talking about having some form of preferential ballot. On the other hand, if you want to mark an "X" against a single candidate's name, then you are talking about having a categorical ballot.

But none of these things run on exactly the same line. If you want very strict proportionality then you would select a list system with the largest territory as possible, but people would be ticking a list and not voting for an individual, so the amount of choice for the voter would be restricted. But if you were to consider having a single transferable vote or alternative vote system, then this would introduce the preferential ballot. So, you can have a preferential ballot with a majority form of election, which is slightly advanced on plurality, but you do not normally have a preferential ballot with a list form of proportional representation. It becomes far too complicated.

To summarize, the three values to consider are: fairness and the seats-to-votes relationship; the link to the constituency; and the level of choice for the voter. It is a combination of those values that you might want to look at.

The electoral systems for Scotland and Wales have already been defined, but I do not know whether this will place a constraint upon you in anyway. I am quite happy to talk about them. I have looked at the principles involved, and there are parts which I do not think can be adopted in Northern Ireland in exactly the same way.

The Chairman: Thank you very much. That was helpful. We will be looking at the development of devolution in Scotland and Wales, so it would be useful if you were to outline the systems which will operate there.

Dr Elliott: Scotland is to have its own Parliament with 129 members. The Bill for Scotland is before Parliament at the moment. The basic principle will be to take the existing Scottish seats at Westminster and to divide the Orkney and Shetland seat, giving 73 single-member districts. Members will be elected to those seats using the simple plurality system as currently used for Parliamentary elections. The Scottish parliamentary seat will, by and large, be the Westminster seat, with the exception of Orkney and Shetland. The additional 56 members will be decided on what could theoretically be called a regional list basis. They will be allocated on the basis of Scotland's eight European seats. So, for each of

those eight seats there will be seven additional members — a system with which Forum Members will be familiar.

How will these seats be allocated? Elections to this Forum have been pejoratively described in a number of ways, although when there is another Northern Ireland Assembly one or two of those people might be embarrassed by what they said. We used a quota allocation at the front end employing the Droop quota. There were five seats allocated to each of the Westminster constituencies, and this might have determined two or three of the seats, and occasionally four, with any remaining seats allocated using the highest average or D'Hondt. But the net effect of that mixed method of allocating seats could be attributed almost entirely to D'Hondt. It was nonsense to include two separate calculations. There was no rationale in doing that. I apologize if someone in this room designed that system; I do not know anybody who will own up to it. I think it was done behind closed doors in London and at the NIO. A long time ago I spoke to the Electoral Reform Society a long time ago, who said that they had submitted a paper and that was the last they had heard of it. I suspect that the responsibility for it lies quite close to home.

In the Forum election, the Droop quota was used at the front end and D'Hondt was used at the back end. Both help larger parties. With the exception of the 20 additional seats, there was nothing in that system to help the smaller parties. Therefore since it was going to help the larger parties we might as well have gone for D'Hondt and been quite clear about it. The system for Scotland makes some changes to that. The seats which are won in the single-member districts — the ordinary constituency seats — will be part of the calculation. For instance, when allocating seats by D'Hondt you normally begin with the divisor one, then two, then three and the seat is allocated to the person who has the highest average at each stage. In Scotland and Wales any seats won under the simple, single-member system will be counted.

Mr Paisley: Those are the 73 seats?

Dr Elliott: Yes. So, if a party has won two of the seats in a "European constituency", then the party's divisor begins at three. On the other hand, if a smaller party has not won a single-member district, then its divisor will remain at one — its chances of winning a seat are improved at that stage of the system. It is a question of whether it is preferable to use D'Hondt, which would continue to help the larger parties (except in so far as the number of seats are still taken into account), or whether it should be by something like the greatest remainder, which would help the smaller parties.

Another method would be to use the St Lague formula, which is probably the most proportional of the formulae. While the D'Hondt divisors always proceed by one, the St Lague formula does not do that; it begins at about 1.4 and moves to 2.7. This means that the seats are allocated more proportionately than you would get with D'Hondt, which everyone recognizes is helpful to the larger parties.

That is how the system for Scotland is set out, and the same applies to Wales. Scotland has 73/56 seats — 129 in total. In Wales the constituency basis is different. It has forty Westminster constituencies and it is proposed that twenty additional seats will be allocated, again on the basis of the European constituencies. So we will have to start thinking

in terms of these new European constituencies which may all come into effect simultaneously in 1999. For Wales this will mean a 50% increase on the existing number of Westminster seats. Twenty extra seats will be allocated on the basis of four additional members for each of the five European constituencies in Wales. Each European constituency will be allocated four extra seats regardless of the number of MPs covered by that area, which varies from seven to nine. This methodology will favour the larger parties, and although the four additional seats will help even out some of the problems, in terms of advancing proportionality the system does not work well.

The Chairman: Can a candidate for a Westminster constituency also stand for a European seat?

Dr Elliott: Yes, but he can only stand for one Euro seat. And if he is elected for the single-member district he is automatically removed from the European constituency list, with the nomination going to the next person. It is a bit like the system under which you were elected to the Forum. But it is an additional member system not unlike the German model, though there the split is 50:50 between the single-member districts and list districts. The breakdown of seats in Scotland and Wales is not quite 50:50, but the principle is broadly the same.

The Chairman: We all agree that whatever system is devised here, it will be based on proportionality. Members should steer clear of questions today on the details and intricacies of the various systems, which can be better addressed at a later date as we gather more information.

Dr Elliott: I would be quite happy to prepare a paper for the Committee.

The Chairman: That would be greatly appreciated.

Ms Purvis: You mentioned at the start that the systems to be used for both Scotland and Wales could not be applied to Northern Ireland because of some differences. What are they?

Dr Elliott: The first difference lies with the number of parliamentary constituencies, of which we have 18. If we were to calculate the additionality system for members on a ratio basis similar to that of Scotland or Wales there would be, say, 14 seats on top of the existing 18 constituencies to give an Assembly of 32 members — and that would be nowhere near enough. That falls way short of the number of members — 90 — currently provided for in the Northern Ireland Constitution Act.

There is a degree of uniformity about the method of election being suggested for the Parliament in Scotland and the Assembly in Wales, but there does not need to be uniformity over the number of members. People in Wales might not be too happy if we had a 90-member Assembly against 60 for theirs. That is one of those difficulties. I assume that it is down to politicians here to press that case.

If the election was constituency-based, some might argue that in order to have representation from all groups the threshold needs to be set at a certain level. If there were

only 32 seats — for example, even if the election was conducted on a Northern Ireland list, you would still need 3% of the vote to be sure of a seat. On the other hand, if you have 90 members you need just over 1% of the total vote to be elected. These are considerations that you should bear in mind when arguing for a number other than the 90 that is provided in the Northern Ireland Constitution Act 1973.

It would be difficult to apply the principles that have been adopted for Scotland and Wales here because we have only 18 Westminster seats, and you would have an inordinately large number of additional member seats. Arguments could be made for an election on a Northern Ireland-wide list, or a Northern Ireland divided into three or four with the seats determined by one, single method of election and not plurality. I do not know whether the Government are considering changing the Westminster form of election, but they may decide to create three or four new constituencies from which members could be elected to a Northern Ireland Assembly.

Mr Gardiner: Thank you, Dr Elliott, for a very enlightening presentation this morning. What form of election would you recommend for a Northern Ireland Assembly?

Dr Elliott: It is a matter of striking a balance. I was initially very sceptical about the effect of the single transferable vote and its impact, but people have got used to it and it works. We are used to it in local government and there are things to be said for it.

I am concerned though about the sheer number of people who have difficulty using this system and who unwittingly invalidate their vote. There were almost 17,000 spoiled votes in the 1993 local government election, whereas although the system of election to the Forum attracted a lot of criticism, the use of the simple X vote produced less than 4,000 invalid votes. It is therefore important that people can understand the system and can use it effectively. If there had been 12,000 personated votes in that election we would all be jumping on the table. But it is a matter of concern that 12,000 people more were not able to express themselves properly and validly under the single transferable vote system in the 1993 election than in the Forum election, where the simple X vote system was used.

Mr Paisley: Was there a difference in turnout?

Mr Lynch: The turnout for the Forum was 66% against 56% or 57% in the local government election. In relation to the point you made about spoilt votes, officials were highly assiduous in the Forum elections — presiding officers in the polling stations made a point of explaining voting procedures. But there does not seem to be the same degree of attention and care with other elections, be they for Westminster or local government, to ensure that people are clear as to what exactly they are doing. Do you think that aspect needs to be emphasized more forcefully in relation to presiding officers' training?

Dr Elliott: That is possible. It is noticeable that very little educational material comes from the Chief Electoral Officer's office immediately before a PR election to guide people.

The other problem with the single transferable vote system is that, with its high threshold of about 16.67% for a seat, it might not be helpful to the number of new parties which have now come on to the political scene.

No more than four parties across Northern Ireland command more than 16.67% support — the Forum includes 10. And there are many others who are close to some of the smaller parties in terms of share of the vote. So that is a consideration to bear in mind when trying to determine the form of election to an Assembly.

Mr Gardiner: You would make a good politician; I asked you a question and you avoided it. I asked you directly what system you would adopt for Northern Ireland. You talked round it and made various points.

Dr Elliott: Since you are at a new beginning, if I were you I would opt for a system where the threshold was set relatively low to include as many people as possible without disadvantaging the large parties who have their own bloc vote. Since I do not know what the exact number of members will be for a Northern Ireland Assembly, I am a bit reluctant to advocate an additional-member system because I do not think that would work in our circumstances. I would probably go for a single transferable vote system, but my constituency basis for it might be different.

The Chairman: That is really helpful, but we are still really only dealing with systems rather than reaching any final conclusions.

Mr Coulter: Thank you, Dr Elliott, for a most enlightening presentation. In view of the fact that there will probably be a European dimension to whatever system is brought in, would Northern Ireland be viewed as a single region or as a triple region?

Dr Elliott: In Scotland the parliamentary constituency is portrayed as the basis, with additional seats allocated over the wider European constituency. In reality the constituency is the European constituency with, in Scotland's case, an average of nine single members elected by plurality and the seven additional members. I think that the European constituency is going to be the new basis for elections. If that is the case, then Northern Ireland, as a single European constituency, cannot be treated in the same way. There is no decision yet to change the method of election for Westminster to proportional representation using, say, three multi-member units which could be used as a constituency base for an Assembly. Therefore, the additional members would be allocated from the whole of Northern Ireland. Since there are only 18 Westminster constituencies, I think the base would be quite clearly the European constituency. It could not be portrayed, as in Scotland, as 73 single-member districts with a top-up on a regional basis from the European constituency of an extra seven. In Northern Ireland, it would be the whole of the European constituency — that is, the whole of Northern Ireland using a regional list. Eighteen single-member districts could be added to it, but I think there would not be any real sense in that. It would be better simply to take the whole of Northern Ireland and have one form of election, not plurality. That would be more rational. I am not saying I would prefer it.

Mr Robinson: Are you not forgetting something in all of this? The elections are not the important thing — it is how you run the country after the elections that is important. The

elections are only the means by which the politicians end up running the country. And if it is to be a body that represents the people through constituency work, one of the key areas that has to be protected is the constituency. You cannot have fifty or a hundred people running around regarding the whole of Northern Ireland as their constituency. With regard to management of resources it is madness; it is a shocker.

You must have constituencies that are clearly identified and as small as possible. If you want to introduce the fairness of proportionality, you can do so quite reasonably. But we should not get away from the small constituency where people can identify with their elected representative and have someone to whom they can take their problems. The alternative is to have politicians chasing their tails across the province.

Dr Elliott: There is a theoretical response to that: there is nothing to prevent the party members elected in a large constituency being allocated territory to look after.

Mr Robinson: It does not work that way.

Dr Elliott: I know that it does not. It tends to work round those who are active — they have the most territory. In other words, the territorial bit is not necessarily important for the formation of a Government, but it is very important with regard to representation.

Rev William McCrea: People want to have someone they can go to if they have a problem. Surely you could not turn round and tell them to go round the whole country. That would be a nonsense.

Mr Robinson: Let me add to that. As most of us know, the reality is — that a constituent who goes to one elected representative is likely to go to them all, and you will have a hundred people chasing up the same problem. The constituent will just send a circular of his problem to all the Assembly members, and all of them will go to the Department with the same problem. The work will not only be duplicated but also multiplied by the number of representatives involved. It is just crazy — the Government will be writing the same letter to dozens of people. This happens already in the councils. Those politicians who are reputed to be the best constituency workers and those who are the best-known will get all the work.

What are the principles that need to be taken into account? We can weigh them by whatever factor we want, but you have already mentioned two or three. For example, you said it was important to have a system that people could use easily — that is a principle that we need to take account of. It is also important that we have one that people can understand. Nobody understood how the Forum election worked. It is important to have one that is fair and proportional; it is important that it be representative and that people can identify with those whom they have elected. What are the principles that we should take into account?

Dr Elliott: It is for you to choose those values. They determine the type of electoral system that is to be used. If the seats/votes link is more important than anything else, you are going down the road of proportionality. And if the MP/constituency link is more important, you are probably going in the direction of a majority method of election. You could either stay with plurality or use an alternative vote system. If no candidate is elected after the first

round, people express their preferences down the ballot paper — one, two, three, four — just as they do under the single transferable vote system.

Mr Robinson: You are bringing up another issue — that of making the system more complex. You put forward a good argument about the Forum system. As far as the elector is concerned, it does not really matter about all the calculations behind it — at least he understands it. Is it not important to ensure that people do not lose their votes because they do not understand how to work the system?

Dr Elliott: They would not lose their vote; they would express a preference.

Mr Robinson: Thousands lose their votes because they do not understand how to use the system.

Dr Elliott: That is the single transferable vote system. If you were introducing an alternative vote, you would educate people in case they did not understand it. The alternative vote system would ensure that whoever was elected from the single-member district would have the support of more than 50% of the people who voted in that constituency. That is not something you can necessarily say for a single member district at Westminster.

Which of the values is the most important? Is it proportionality, the constituency link, or the level of choice which the elector wants?

Mr Robinson: Let me tell you how you can avoid them being mutually exclusive. What principle is lost — and this is just one example — when you have fifty seats from single-member constituencies and fifty from a regional list based on proportionality?

Dr Elliott: Absolutely none.

Mr Robinson: It is easy to work; all people have to do is put in one X.

Dr Elliott: Two Xs; you have to vote from a list as well.

Mr Robinson: If people want to stand, they put their name on the ballot paper for the single-member constituency, and it is the parties that have the vote in the single-member constituency. It is complicated more by giving electors two votes, but there is nothing to say that if they vote for the Labour Party in constituency A that that vote is not also considered as a vote for the Labour Party on the list.

Dr Elliott: You could if you wished to, but that is not how it would be expressed in any form of elections. You would simply have one single vote for a single-member district.

Mr Robinson: It is a top-up system that you would be operating. You would have single constituencies, and you would work out the number of votes for each party.

Dr Elliott: But you have voted in the single-member district of East Belfast — that is all you have voted for.

Mr Robinson: You have voted for a party as well.

Dr Elliott: Yes, there is a party label attached to the individual. However in this form of election you would be voting for the individual and not simply for the party. The other one would have to be taken as a separate form of election.

Mr Robinson: It does not have to be.

Dr Elliott: As a body, you can draw it up as you wish.

The Chairman: I want to seek clarification about the whole question of spoiled votes under the single transferable vote system. Has any investigation ever been carried out in to how the votes were spoiled? As someone who has been involved in elections since 1977, the big problem that I have come across is people putting Xs beside the names and that spoils the vote.

Dr Elliott: That is not necessarily regarded as a spoiled vote.

The Chairman: But what about a series of Xs? Is that the predominant problem?

Dr Elliott: The Chief Electoral Officer could probably tell you. They are usually invalid for a number of reasons, and statistics used to be kept of the reasons why votes were regarded as spoiled. However, the returning officers usually try to operate a consensus system. Votes which are doubtful are kept to the end of the stage, and the parties get together to examine them and agree whether or not they should be taken into consideration.

Mr Dodds: My question is about spoiled votes. If you were to add the number of spoiled votes to the number of people who are not able to vote because of problems with identification and identity documents, and add that to the number of fraudulent votes due to personation, and then, perhaps, toss in all those who do not vote, you would not get a very accurate reflection of what people really want. There are many problems which, I hope, will be tackled.

There was an article in last Monday's 'Times' about the working group that is going to look at the mechanics of elections — how we actually go about voting in the polling booth. There is talk of introducing electronic voting, similar to the system in America which involves pulling down a lever but if we have a single transferable vote system, that will preclude the implementation of easier methods of voting. Why should we go through this ridiculous count thing when votes could be automatically counted by computer? In some American states the result of an election is known the moment the polls close because the count is automatic.

There are different groups all working separately; they need to be more co-ordinated.

Dr Elliott: That is very true. I read that article. I attended a meeting yesterday and that was the first time I had heard of the George Howarth report — nobody on the committee ever mentioned it to me. Just like the Secretary of State's revealing that she had not sent an

interim report, even by courtesy, to the chairman of another committee which was going to be reporting to her, this is another case of the left hand not knowing what the right is doing.

That type of system may be considered, although it would take a very sophisticated, smart chip to be built into your swipe card to enable you to vote on a preferential basis. That may well have an implication on people's thinking.

If I were trying to guess the direction of the current Labour Government, I would look at the major report which they commissioned whilst in Opposition — that done by Lord Plant. Now Lord Plant was quite clear on a couple of issues; for a parliament — in other words, a legislating body — he was quite clear that he would not recommend plurality, the current system, nor would he recommend proportional representation, he would recommend the alternative vote which kept the constituency link, or an additional member system and in a sense, any time the Government have declared their hand post-election, they have been consistent with that. They are going towards the additional member system for the Scottish Parliament and the Welsh Assembly but are not necessarily looking towards a change in respect of the national Parliament. Apparently Cabinet members hold differing views on that. Tony Blair is a bit reluctant to steer towards any form of proportional representation, but if he were to do so, it could be an additional-member system which would keep that constituency link which is so ingrained in Britain nowadays that it would be very hard to depart from. The principle which Plant was trying to establish was that, in a way, the form of election to bodies which were less than legislating ones did not matter; there could be diversity there. But he was quite clear about what he preferred for the national Parliament, and it was not proportional representation nor plurality, the current system.

Rev William McCrea: I am saying this tongue in cheek. If you were to devise a system which, in reality, was rigged, a system that would get you the result that you wanted — and this is probably what the Government have in mind for any election here, if the past is anything to go by — what would you come up with?

Mr Paisley: Lowest threshold.

Dr Elliott: No, it would probably not be the lowest threshold. It would depend on what way you wanted to rig it. This is off the top of my head — I have not looked at this recently — but it would be possible to do this by using a variety of St Laguë. By having a differential interval in your divisors, you could produce circumstances in which all the seats would go to four parties, or whatever — I hesitate to say to three parties, given the way structures —

Rev William McCrea: That is not what the Government will be looking for.

Dr Elliott: I do not know what they might be looking for. What might have been a preferred option in days gone by has never measured up to the threshold level required by the single transferable vote in five-member districts at the minute. If they were thinking of lowering the threshold in a single transferable vote system, the Government might have to think of, shall we say, half the number of Westminster constituencies — in other words, nine — to be sure that most of the parties that they might want in would get representation. In other words, if it was not a five-member district, but a ten-member district you are talking

about, say, 10% within that area and probably close to 1% over all of Northern Ireland.— I have no idea.

Rev William McCrea: Thank you for your submission, Dr Elliott. It was very helpful.

Mr Peter Robinson: Are there times when the number of seats is as much a factor as the electoral system, in terms of bringing small parties in?

Dr Elliott: The boundaries are important. Let us say there is to be an Assembly with 90 members. If the whole of Northern Ireland is one constituency, and you are operating a list system, just over 1% need to be elected, but if those 90 members are elected in 18 constituencies, at five members per constituency and if you use, say, the Droop quota, then you are talking about 16.67%, which is quite a high threshold for most people to attain. So the numbers are important as well. If the Government decides on 33 members then —

Mr Peter Robinson: They will decide on a number of around 100.

Dr Elliott: That seems to be sensible. When Parliamentary redistributions were being done in the past, the number of members was not usually reduced, and every member that currently held a seat was given the chance of winning another one. That may or may not apply to an Assembly, but that was what parliamentary boundary commissioners did in the past.

The Chairman: You have only to think back to the 1982 Assembly elections. South Antrim was a 10-seat constituency, I think, and there was the longest electoral count in history.

Dr Elliott: I have enjoyed this exchange of views and will be happy to provide further material or advice about what Committee members might consider. I will try to direct you in terms of values and if you want to bounce things off me, you will find that what you say to me and vice versa will be in the strictest confidence. That is the way I operate.

The Chairman: This has been very helpful. We would appreciate your letting us have a paper on this.

It all comes back to your opening remarks on the whole question of values. The problem is that the word "values" might mean different things to different people, but at least it is a starting-point.

Once again, thank you very much for your help.

ANNEX C



PRESENTATIONS/SUBMISSIONS FROM PARTIES

ORAL PRESENTATION



ULSTER UNIONIST PARTY

NORTHERN IRELAND FORUM FOR POLITICAL DIALOGUE

COMMITTEE ON ELECTORAL REFORM

Thursday 29 January 1998

MINUTES OF EVIDENCE (Mr P Weir (Ulster Unionist Party))

on

ELECTORAL SYSTEMS

The Chairman: Welcome to the Committee; we look forward to your submission. Do you intend to make a written submission at a later stage?

Mr Weir: We want to keep open the option of making a written submission at a later stage.

In considering electoral systems there are two things which strike one immediately. First, no matter what system is advocated for a body, there can be no perfect electoral system. That has been the experience of democracies throughout the world because they have come up with a wide and wonderful range of options.

Secondly, there are a very wide range of options available. The Ulster Unionist Party has looked at the principle ones which might be used both in Westminster elections and elections to a future Northern Ireland Assembly — the first-past-the-post system of single transferable vote, the additional member system, the alternative member system and the list system, which could be applied either to constituencies or on a province-wide basis. Finally, there is the top-up system which was used for the Forum.

When one considers an electoral system, one has to look at the purpose for which that system is designed. And there are, broadly speaking, two different types of systems. The traditional system which is used in Westminster elections is first-past-the-post. Its principle advantage is that it is easy to use and tends to produce strong Governments. Generally it tends to avoid coalition Governments. All the other systems represent some form of proportional representation in which the aim is to try to produce a proportional Parliament or Assembly, but often it does not lead to the same type of strong Government.

In judging what is best for both Westminster and a Northern Ireland Assembly there are several criteria which need to be applied to any system which is selected. First, you have to look at the nature of the Parliament or Assembly which you are electing. Secondly, any system selected has to have broad, public acceptance. Thirdly, any system selected has to be

broadly democratic and, in our view, rely on the elected representation side of things. Some parties have suggested, particularly with regard to Northern Ireland, some sort of upper chamber made up of people nominated by interest groups or whatever. That is not something we favour. We want to concentrate any system on the idea of elected representatives. Fourthly, there should be the widest choice of representation for the voter, both in terms of parties and of individuals and independents having the opportunity to put their names forward for election. Any system selected should have as few anomalies and quirks as possible. Additionally, a key determinant should be a direct link between those elected and the electorate. It should be a simple system which ensures that voters are not confused.

We are committed to the unity of the United Kingdom, and we believe that the system selected for the Westminster elections should be the same throughout the whole of the United Kingdom. We do not favour there being some sort of unusual system for Northern Ireland which is not applied throughout the rest of the United Kingdom. That is one criticism that we have of the system for the European elections in which, up until now, there have been PR elections on the STV model in Northern Ireland but individual constituency elections in the rest of the United Kingdom.

The Ulster Unionist Party is, broadly speaking, a party which supports the British Constitution. The British Constitution has been an evolving process, particularly with regard to elections. We support the *status quo* as regards Westminster elections. We favour a continuance of the first-past-the-post system linked in with the current constituencies. We believe that this has the broadest degree of public support throughout the United Kingdom. Members may argue about that, but we feel that it is a simple system which people understand. While there may be agitation and support for change among political parties, it is perhaps not reflected as widely among the British public. The British Constitution, with the exception of terrorism in Northern Ireland, has provided a stable framework for the United Kingdom. We have been able to avoid some of the instability that has appeared in other parts of the world and other parts of Europe.

The first-past-the-post system has a number of advantages. It avoids some of the problems of proportional representation. Principally, it ensures that there is a direct link between the parliamentary representative and the constituency. Now one of the advantages that this has led to in the British parliamentary system — and the parties here can testify to this — is that the Member of Parliament for a particular constituency is the representative of all the people and is duty bound to represent their interests whether or not they are supporters of that individual MP. I think that that is a very healthy process. Additionally, there are several problems with PR when it comes to Westminster elections. There is a wide range of schemes available for PR, so some of the criticisms I have of PR from that point of view will be applicable to some systems and some to others.

First of all, proportional representation has a tendency — and I think we have seen this to some extent, be it a good or bad thing — to lead to a certain fragmentation of politics. Rather than giving the people of Britain a clear choice between a Conservative Government and a Labour Government, it will, I think, tend to lead into smaller political parties, smaller blocks.

Secondly, in a number of instances, particularly before they reformed the system, it has led to unstable government. One has only to look at the number of Governments that Italy has had down the years and at the wide variety of parties and cobbled-together coalitions in somewhere like Israel. Therefore there is a danger of unstable government with proportional representation.

Thirdly, there is a greater chance of extremist parties getting into Parliament and then into power. We have occasionally suffered that in Northern Ireland. Under the current system, for example, two Sinn Fein representatives got elected, but generally speaking, with the occasional exception in Northern Ireland, it has meant that people supporting, say, a communist or fascist platform have not been able to get into Parliament. If one looks at the experience of continental Europe it is very different. One saw during the late 1980s and early 1990s a certain rise in support for fascist groups, and there has also been a degree of support for communist groups. This favouring that PR gives to extremist parties is not one that we find favour with.

Fourthly, it tends to mean that Governments are quite often dependent either on extremist groups or on the whims of particular independents. This can happen in any system, but it is probably particularly prevalent with PR. A Government will fall short of a majority and be dependent upon the support either of a very extreme group to stay in power or, alternatively, will have to pander to individual independents. At the moment in the Republic of Ireland the Taoiseach is dependent upon three or four pro-Government independents. In an article in 'The Irish Times' a couple of weeks ago those independents were listing the great concessions that they had got for their constituencies. Any student of the political history of the Irish Republic over the last 20 years will know about some of the deals that were done, particularly the deal between Charlie Haughey and Tony Gregory in which, irrespective of the national interests, an agreement was made to pump in large amounts of money into his constituency to gain the support of that particular independent. That is not a particularly healthy situation and it is one of the dangers of PR.

Conversely, there is the danger of a situation developing like that in Germany in which the Government is formed in smoke-filled rooms rather than by the will of the electorate. I think I am right in saying that virtually every German Government over the last 30 years has been dependent in terms of support on the small Free Democrat Party, which is, broadly speaking, a sort of Liberal Party. They supported the Social Democrats throughout most of the 1970s. They switched in the early 1980s to the Christian Democrats who have been in power since then with members of the Free Democrats in their coalition. Therefore, a party which is maybe the third, fourth or fifth largest party in a country can be the real power broker. With very little electoral support they are the people who can determine the complexion of a Government.

There are problems with specific forms of proportional representation from a point of view of a central Government. Many of the systems advocated tend to destroy or at least weaken the link between the parliamentary representative and the constituency. If one moves, for example, to a list system either on a regional basis or throughout the United Kingdom, there is no direct link between an individual member and a particular constituency. Even with single transferable vote, in which constituencies are grouped, the constituencies are very large, and it weakens the link with the constituency.

Some forms of PR, particularly the list system, can actually leave the selection of Members of Parliament very much in the hands of the parties rather than in the hands of the individual voters. At the moment the voter can vote for a particular individual. The problem, particularly with a large list system, is that people are voting purely for parties. Whoever is number one on that particular list, depending on the situation, will have a very easy ride. The lists will inevitably be drawn up by the parties and, to some extent, that takes the choice out of the hands of the electorate. There are dangers with certain systems, particularly the system used for the Forum election. Some forms of PR can deny individuals the right to stand. If they are members of a small party or independents it makes it very difficult for them.

If there were to be some form of proportional representation for Westminster, the closest to the first-past-the-post system would be the alternative-member system in which essentially we would retain all the constituencies that we have at the moment with the top two, if you like, going into a second ballot. That would be very much a second option, but at least it would maintain some degree of link between the individual member and the constituency.

There is a different situation when one moves to a form of Northern Ireland Assembly, and there are a number of reasons for that. There seems to be a much broader acceptance by the public and the political parties that any future Assembly has to be based on some form of proportional representation. That is largely accepted by most of the parties and would tend to rule out the first-past-the-post and alternative-member systems.

In a regional Assembly, because of differences of scale, some of the problems that you would encounter with PR in terms of central Government elections are overcome. Instead of 18 representatives from Northern Ireland you may well have somewhere in the region of 90. As such, you could still retain 18 constituencies with five members each. Although you would have, at that level, a PR system that maintains a strong connection between the individual and the constituency and enables the individual to cope with the constituency work, our preference, if there is to be some form of PR for a Northern Ireland Assembly, would be a single-transferable-vote model of 18 constituencies of five seats. We feel that that is broadly acceptable to most people.

Some people might argue that an Assembly with 90 members is too big when compared with the proportionate size of Scotland and Wales. Scotland has 129 members and Wales 60 for communities of 5 million and 3.5 million. We would be opposed to the scaling down of a Northern Ireland Assembly from 90 members, but we would, I suppose, keep an open mind if there were an argument for a slightly smaller body. If you were looking to retain proportional representation and if it contained the constituency element, there might be consideration given to the grouping of constituencies on a two-constituency basis. But, again, that would very much be a second option. We favour retention of the current 18 constituencies with five members per constituency. In those circumstances the advantages of single transferable vote are as follows: it retains that link between the member and his or her constituency, which list systems do not; it gives the electorate the opportunity to vote for independent candidates; it gives them the opportunity to vote for their preferred candidates within parties; and it produces a broadly proportional result. That last point is one of the key touchstones for any future Northern Ireland Assembly, and there is a great pressure for that

than perhaps there would be at central Government level. Finally, from a Northern Ireland point of view, single transferable vote is a system that voters are used to. It has been used in the European elections, the Assembly elections of 1973 and 1982, the Convention election of 1975 and in local government elections. Having said that, it still leads to voter confusion, and so any move towards a new system would only result in greater confusion.

If we look at alternative systems it can be seen that the advantages associated with single transferable vote do not apply. For example, list systems or additional member systems destroy the link between the constituency member and his electorate and weakens the opportunity for voters to vote for a particular candidate within a party or an independent. Furthermore, a list system tends to produce disproportionate results as was evident in the Forum election. In that election there was a range of parties with broadly similar views, particularly on the Unionist side, which tended to dissipate the Unionist vote. Under single transferable vote those parties would have won a greater number of seats, but that did not happen because of quirks within the system.

We would be concerned if there were to be a move towards a list system in Northern Ireland given the reasons I have already expressed. This is particularly true in Northern Ireland where there has traditionally been a differential turnout particularly between the west of the province and eastern parts of the province. Such a list system would tend to give a disproportionate say to people in the west and south of the province, and would not reflect the electorate's true wishes.

Finally, I would like to mention the top-up system as applied in the Forum election, a system whereby the top ten parties gained an additional two seats. I appreciate that it could be argued that it was done for a specific purpose but we remain opposed to its use, and it should certainly not apply to any form of Assembly election. I believe its use to be both artificial and undemocratic, and I am not aware of it being applied anywhere else in the world. It tends to increase the disproportionality of results, so that in the Forum election the smallest party gained 5,500 votes, or 0.7% of the vote, and yet they gained two representatives. Candidates should be elected on merit, and not rescued by use of an artificial system.

The Chairman: Dr Sidney Elliott has told the Committee that when trying to construct a system it is important to introduce values around which the design can take place. What would Ulster Unionists consider to be the important values?

Mr Weir: Any system must have broad public acceptance; it must be understood by the electorate, and ideally it would be one with which they are familiar; it should retain a link between the elected member and his constituency; and it should offer the widest possible choice of representation, enabling the electorate to vote for the party of their choice, for individuals within that party, and the opportunity to vote for independents.

The Chairman: I agree with your point that it is important to identify the individual with the constituency, and that was obviously missing from the Forum elections. However, it is the case that some people will incorrectly mark their ballot paper "1,2,3" et cetera in Westminster elections, while others will mark their ballot paper with an "X" in local

government elections. From the electorate's point of view, would it not be better to have the one system for all elections?

Mr Weir: First, we believe that any electoral system in Northern Ireland should reflect that which operates in the rest of the United Kingdom, particularly for Westminster elections. There is certainly a need for consistency, and that is one of the reasons why elections to a future Northern Ireland Assembly should be based on the STV model that applies to local council elections. The introduction of a third model would only lead to greater confusion.

In an ideal world the Ulster Unionists would be happy with a first-past-the-post system, as it would bring individuals even closer to the community. However, we recognize that this would not be the wish of the majority of parties in Northern Ireland nor may it be the wish of most of the public. People will have different views on this, but with the exception of some political parties I do not believe that there is a great demand in the United Kingdom for change to the way in which MPs are elected to Westminster. However, at local level there is a broader public acceptance of the system used in council elections.

Mr Paisley: We all realize that asking your party to present an argument against the current system of election to Westminster is like asking turkeys to vote for Christmas. It has been very, very good to your party in terms of electoral returns. You have said that you favour the first-past-the-post system for Westminster elections specifically because it leads to strong Government and it is simple. However, in a Northern Ireland context these are misnomers because Northern Ireland parties are not going to be in Government in Northern Ireland. Also, the idea, values and longevity of a hung Parliament are so transparent that there is no real lasting power there anyway. Furthermore, the Northern Ireland electorate has proved itself to be rather sophisticated and have shown themselves to be capable of embracing a more complicated system. Therefore, do you not see that your arguments in favour of first past the post are quite weak in that sense?

Mr Weir: No, I do not agree with that. Also, it would be perverse for any party to argue in favour of a system which is against party's own interests.

Mr Paisley: The Alliance Party have just voluntarily given up 1% of their vote in their presentation.

Mr Weir: Ulster Unionists are perhaps not noted for quite the same level of generosity.

We support the British Constitution and as such we believe that the same system of election to Westminster should be applied throughout the United Kingdom.

You also indicated that there is relatively little that smaller parties can do when there are hung Parliaments. While that is probably true under the current system, it has led to instability in some European countries where coalitions have been formed. By contrast, the Ulster Unionist Party believes that the first-past-the-post system has led to constitutional stability within the United Kingdom. So we do have a certain amount of confidence in the

current system. You can always find fault with whatever system is chosen, as none is perfect; but the first-past-the-post system is the most suitable one for the Westminster elections.

Mr Ford: You made the point that first past the post makes for strong Government. But it is only since the 1950 General Election that the entire United Kingdom has voted by first past the post in single member constituencies for Westminster; prior to that there were STV university members and double-member constituencies. Since that time, eight General Elections have produced a Government with a strong majority, and six have not. Therefore I do not buy your argument that first past the post produces strong Governments when its success rate is only eight out of 14.

Mr Weir: There has been a purely first-past-the-post system since 1950. The university constituencies were an anomaly, which is one of the reasons why they were abolished in the 1950s.

Mr Ford: Or in 1969, in one case.

Mr Weir: But even before 1950, most elections were based on a first-past-the-post type system. Therefore, to drag in the university constituencies is to slightly cloud the picture. If you look at the history of parliaments in the Republic of Ireland it is clear that the PR system tends to exacerbate the hung-parliament situation and reduces the likelihood of a single party holding power. Broadly speaking, the first-past-the-post and proportional representation systems are, to some extent, designed to produce different results. First past the post is largely designed to produce a single central Government, relying on one particular party. Proportional representation, by its definition, is designed to produce a proportionate Assembly or Parliament. It is therefore less likely to produce a Government of a single party; most elections under PR tend to produce some form of coalition Government. It is very rare for PR to produce Government by a single party.

Mr Ford: And yet the two most successful single political parties in Europe — the Swedish Social Democrats and Fianna Fáil, at least until the last decade — have both been consistently elected to majority Governments for most of the past 50 or 60 years. I accept there may be a weight of evidence, but the suggestion that first past the post is the way to produce single party stability wears a little bit thin.

Mr Weir: I think the weight of evidence though does tend to suggest that. If you look at the Irish Republic, 1977, I think, was the last time that an election there produced a single-party majority in the Dáil; they have had coalition Government ever since, relying particularly on a handful of independents.

I do not know enough about the Swedish example to be able to comment, but one can always quote exceptions to the rule. But in the vast bulk of cases, PR has produced coalition Governments; the history of continental Europe over the last 50 years indicate that.

Mr Ford: But has coalition Government necessarily been unstable Government? We can all poke fun at Israel and Italy, but you have cited the Scandinavian countries or Switzerland.

Mr Weir: Again, you can pick out individual exceptions, but the weight of evidence tends to support my argument that PR can lead to a very unstable Government. In Germany, a very small party has essentially control over the Government. Indeed, had the Free Democrats switched at any stage over the last 15 years you would have had a Social Democrat Government. And so Governments are not formed, broadly speaking, through the voter choice but through deals cut with a small number of independents, which give them a disproportionate say in the make-up of the Government.

Mr Ford: I don't think we are going to resolve the national issue, but I would like to record my welcome for the fact that the Ulster Unionists are now converted to STV at local level.

Mr Bolton: You referred to anomalies and quirks in the STV system. Mr Farry referred to manipulation of the election process for any new Assembly in terms of the proposed number of seats for each constituency. For example, if each constituency were to return six members instead of five it would benefit the smaller parties. Who should be the arbiter in such a situation to ensure fairness?

Mr Weir: There is clearly a problem there. Broadly speaking, most of the models that have been considered for a Northern Ireland Assembly over the last 15 years have been based on five seats per constituency, which would give a 90 member Assembly. That has got the broadest degree of acceptance. I think that five members per constituency is probably about the right number. But there will always be quirks with whatever system you operate. On a tangent, you need also to tackle the problems of electoral fraud which has plagued the various electoral systems here. I think most parties would tend to agree that 90 is probably about the right size for an Assembly, with five members for each of the 18 constituencies.

Mr Bolton: The question really was who would be the arbiter if the parties did not agree?

Mr Weir: I will have to give that some further consideration.

Mr Paisley: We are fairly emphatically opposed to the top-up system. However, have you considered the possibility of having a top-up system that could operate on the basis of a threshold, which would make it a little bit fairer?

Mr Weir: Again, there is a complication. Any additional members who are elected by way of a top-up system are not directly linked in with constituencies. That is one problem. Secondly, if you have a top-up system, as was the case in the Forum election, where each party, regardless of size, gets the same amount of extra seats, that works disproportionately to the advantage of smaller parties over the larger ones.

Mr Paisley: You are really opposed to the top-up under all circumstances?

Mr Weir: It is not a system which we favour.

The Chairman: Thank you, very much. It has been very helpful. If you do decide to make a written submission it would be appreciated, but everything will be on the record anyway.

Mr Weir: I think that the oral evidence will probably cover most things. But we may wish to make a written submission at a later stage.

WRITTEN PRESENTATION



DEMOCRATIC UNIONIST PARTY

DUP SUBMISSION ON ELECTORAL REFORM FOR WESTMINSTER ELECTIONS

We believe that the values which were outlined as being important for any Assembly election in Northern Ireland are valid for elections to Westminster. However, given the very much smaller number of seats there will be differences in emphasis.

Those values include:

The relationship between seats held and votes cast;

The link between an elected member and his or her constituency;

The need to give voters a real choice on the ballot paper;

Simplicity and understanding by voters of the voting system.

The first past the post system on its own without any element of proportionality is widely regarded as being long past its sell by date. Since it is not a proportional system it distorts the true views of the electorate.

In view of the limited number of seats to be elected - 18 compared to 90/100 for an Assembly - the need for proportionality and the need for the retention of some link between the member and the constituency, we propose a system based on grouping the present 18 constituencies into a small number of new constituencies with members elected by the STV system.

WRITTEN PRESENTATION



ALLIANCE PARTY

Alliance Party of Northern Ireland

Submission to the Independent Commission on the Voting System

1 Introduction

1.1 The Alliance Party welcomes the establishment of the Independent Commission on the Voting System.

1.2 The Party has supported the use of the Single Transferable Vote (STV) system of Proportional Representation in Northern Ireland since 1972. It is long-standing policy that STV should be used in all public elections in the United Kingdom, including for the House of Commons. In particular, Alliance believes that there is a strong case for the use of STV in Northern Ireland, even when it is not used in other parts of the UK, as is already the case for elections to the European Parliament and district councils.

1.3 The Party has been confirmed in its stance by the experience of using three different electoral systems over the last 28 years in Northern Ireland. Simple Plurality (First past the post or FPTP) is used for Parliamentary elections and was used for the Northern Ireland Parliament and local councils between 1929 and 1972. STV has been successfully used for council elections since 1973, for elections to the European Parliament since 1979, and for Northern Ireland regional elections in 1973 (for the Power-Sharing Assembly), in 1975 (for the Constitutional Convention), and 1982 (for the Assembly). The 1996 Forum/Talks elections used a Constituency List (plus top-up) system which is considered to have been a failure by a wide spectrum of political opinion in Northern Ireland.

1.4 Under its terms of reference, 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”. It is clear that Simple Plurality, Second (or Multiple) Ballot and the Alternative Vote do not satisfy the fundamental requirement of proportionality. The choice is restricted to STV and list systems - either closed or open and either stand-alone or as part of an Additional Member System.

1.5 It is the firm belief of the Alliance party that STV is the only electoral system that can address each of these requirements. It is notable that, with the sole exception of New Zealand, STV has become the dominant system of Proportional Representation in countries based on the Anglo-Saxon political culture. It is used in Northern Ireland, the Republic of Ireland, Malta, and Tasmania and in some municipalities in the United States.

2 Proportionality

2.1 The most important aspect of any electoral system is that it accurately reflects the views of the voters. Total party proportionality can only be achieved through the use of the List system on a national basis, without any minimum threshold. This would almost certainly have to be a closed, rather than open, list and such a system has significant disadvantages under the Commission's other criteria. There are also serious dangers in promoting such precise proportionality, with the prospect of all government activity being blocked by a tiny group of independents. The example of Israel is not encouraging. A national list - or even a list system in a few large regional constituencies - would also breach the requirement for a geographical link.

2.2 Lists can be used within smaller constituencies. However, the smaller the units used, the bigger the risk that proportionality will be lost. When constituency lists were used in Northern Ireland in 1996 to elect 5 people, they produced some very non-proportional results. For example, in Foyle, non-Nationalists won 30% of the vote but achieved no seats; in Lagan Valley, non-Unionists won 40% of the vote and received no seats. While overall there was a broadly proportional outcome, this was lacking in many constituencies.

2.3 AMS is used in Germany to seek a balance between proportionality and a constituency link. It generally achieves broad proportionality, although there is clear - and growing - evidence that the double vote system is being manipulated to produce unfair results. In particular, the current Government has a larger majority in the Bundestag than it deserves because of voters giving their constituency vote to the CDU and their list vote to the FDP.

2.4 The key distinction between STV and List systems in small constituencies, in terms of the production of proportional results, is the transferable vote. This ensures that votes are not wasted. STV does not guarantee perfect proportionality, but in practice has a remarkable track record in producing only small deviations from proportionality. These minimal deviations can be more than tolerated given the other strengths of the system.

2.5 STV is said to marginally favour larger parties. The quota which guarantees election varies from 25% of the vote in a three seat constituency to 12.5% in a seven seat constituency. However, candidates who achieve more than half the quota on first preferences are often able to achieve election, by receiving transfers from other candidates. In practice, parties that achieve 5% of the popular vote nationally are likely to gain fair representation, especially if there are minor geographical concentrations of support.

3 The Need for Stable Government

3.1 In debate within the United Kingdom, the argument for and against the use of a system of Proportional Representation often comes down to the presumed trade-off between the stability that supposedly arises from single party governments and the instability and weakness of multi-party governments. Stability is a subjective term. It can be measured by: (a) the length of time governments can survive without the need for fresh elections; (b) the consistency in policy and decision-making that persists between successive governments; and (c) the ability of governments to legislate through having majority support in the legislature.

3.2 There is some evidence to suggest that single party governments have been more durable than multi-party governments. However, this is not necessarily the case. Coalition governments in West Germany/Germany have regularly lasted four years. Coalition governments have also been durable in the Benelux countries, Switzerland and Scandinavia. This is in contrast to Italy and Israel which are watchwords for instability. In the United Kingdom, single party governments have usually been durable, at the expense of proportionality.

3.3 Consistency in decision-making is better achieved when there is greater continuity of the parties composing successive governments. This is more likely with multi-party coalitions, as one or more parties tend to become part of the next coalition. In situations in which single-party governments predominate, complete change in the composition of governments is more frequent.

3.4 Political stability, in all these senses, is only partially determined by the nature of the electoral system. The degree of fragmentation of the political party system, and the nature of social problems and divisions within society are much more direct contributors to political stability. The experience of Northern Ireland under Simple Plurality in the late 1960s shows that a government with a large majority is not a guarantee of stability.

4 Extension of Voter Choice

4.1 STV and the Open List are clearly the only alternatives that allow for an extension of voter choice. Meaningful voter choice comes from the voter having some choice not only over the party to support but the individual candidate to represent them. The Open List options restrict this choice to within a single party. Closed Lists and AMS actually restrict voter choice.

4.2 Closed Lists remove any consideration of the candidate from the electorate. The only choice the voters have is between parties. More power is concentrated in the hands of the party selectorate. The experience of the Alliance Party in 1996 demonstrates that it is actually very difficult for parties to arrange the order of candidates on a list in an internally democratic manner, even when the party organisation wishes to do so. The use of Lists encourages parties to be inward looking, as ambitious politicians will spend an disproportionate part of their time on internal party politics trying to impress the party 'selectorate' at the expense of service to the electorate. It restricts the development of community-oriented politics.

4.3 AMS generally involves a closed list. Effective voter choice is limited to the constituency vote. In the UK, experience shows that more than half of all such votes are often wasted. Individuals have no choice over the members to be elected with their list vote, which is of more significance than their constituency vote.

4.4 In contrast, STV takes some of the power away from the narrow party selectorate and puts it in the hands of the electorate. Voters can order their preferences in any way they wish. They can give emphasis to the candidates from one party, one geographical area, or by gender etc. Some issues, such as attitudes to Europe, transcend party differences. Voters can preference the candidates who are pro- or anti- Europe irrespective of party. Under FPTP, loyal party voters are left with candidates whose individual views they don't necessarily support.

4.5 STV does not increase intra-party competition compared to other systems. Internal party competition occurs over nominations in single member constituencies, and over places on a list. STV only brings this into the public arena by giving the electorate a say over the outcome of the contests. In this party's experience, there has not been any undue competition between party nominees under STV that has jeopardised the credibility of the party or undermined its ability to win seats. Evidence from the Republic of Ireland suggests that parties which are seen as disunited suffer at the polls.

5 Maintenance of a link between MPs and geographical constituencies

5.1 The constituency link between the public representative and the electorate is one of the most important aspects of the British political culture. The role of the public representative is not only to legislate in the elected body on behalf of the country as a whole, but to speak up for constituency interests and to tackle the individual problems that voters might raise.

5.2 All List Systems remove this constituency link. Even when the list is used on a constituency basis, as in Northern Ireland in 1996, there is no substantial constituency link built up between representatives and electors. Voters have selected a party, rather than an individual, and there is little identification with the personalities that the list has produced. It is clear that across Northern Ireland there is very little knowledge of Forum members, except those who are also councillors or MPs. They are not identified in the local press and they do not generally receive requests to do casework. There is a generally acknowledged problem throughout the UK with many individuals not knowing the name of their MP or councillor. Lists exacerbate this. Forum Members elected on a constituency list are almost totally unknown, and those from the regional 'top up' list, other than leaders of minor parties, are totally unknown.

5.3 AMS also diminishes the constituency link. Proponents argue that half or so of MPs represent constituencies. There are two main problems, however. First, constituencies will have to be expanded in size - maybe doubled - as the number of directly elected MPs is reduced to accommodate those produced by the List element of AMS. Second, AMS would create two classes of MPs, those with constituency links and those without. The problems of having a constituency MP against whom a majority of electors have voted would persist.

5.4 STV actually enhances the constituency link. As multi-member constituencies will produce a range of representatives, constituents can approach the member with whom they feel most comfortable. Whatever MPs may feel about their willingness to serve all constituents, it is common for an individual not to wish to seek help from a member who has taken a high profile on certain issues or for whom they did not vote.

5.5 Although many individuals are not aware of the constituency in which they live, STV can improve recognition. First, STV removes the arbitrary nature of many constituency boundaries, since in most cases a county or a city will be entitled to a number of seats that ensures no internal boundaries are required. Second, the regular process of boundary review, with a ward or two shuffled between single-member divisions is rendered largely unnecessary. The total number of seats can be adjusted without changing the boundaries. Individuals will be

more easily aware that they live in the City of X, or County of Y, than in East X or North West Y. They will identify with at least one of the MPs for the larger constituency.

5.6 In the Republic of Ireland, there is some criticism of the constituency link, with suggestions that TDs spent too much of their time dealing with constituency problems at the expense of time they should spend on Parliamentary duties. However, the strong emphasis upon constituency work and clients in that country is as much a reflection of its political culture as its electoral system. It is also clear that constituency work is becoming a growing part of the work of public representatives at all levels in the UK under Simple Plurality.

6 Northern Ireland

6.1 Alliance believes that there are particular benefits in the use of STV in a divided society such as Northern Ireland. These benefits have also been recognised by other parties. Within the current Talks process, all parties except the DUP have expressed support for STV. Even the very small parties which do not accept 'pure' STV have supported it with some form of 'top-up' system, to preserve their own representation.

6.2 It should be remembered that STV was introduced for the elections of 1973 against the wishes of Unionists of all shades and they expressed strong opposition for some years. Their conversion to support for the use of STV within Northern Ireland is an indication of its benefits by ensuring fairness to all parties.

6.3 Although Alliance opposed two classes of MP (as produced by AMS), there is no valid objection to the use of more than one electoral system for MPs. Prior to 1950, there were MPs elected by the single X-vote, double X-vote (two member constituencies), limited vote (two Xs in three member constituencies) and University MPs elected by STV.

6.4 Within a divided society, STV has particular benefits. The key lies in the transferability of votes. There is no risk of a wasted vote if the first choice candidate is unsuccessful. This reduces the inducement towards polarisation into two opposing camps and is an incentive to pluralism. In addition, voters are encouraged to consider the merits of all candidates and to express ordered preferences for all those with whom the voter has some degree of sympathy. In 1925, the use of STV gave cross-community parties representation in the Northern Ireland House of Commons. STV is also generally regarded as having contributed to the healing process after the Civil War in the Irish Free State.

7 Conclusions

7.1 Alliance is firmly convinced both that STV meets the criteria set for the Commission, and that, of the possible systems of PR, only STV does so. The Party believes STV has proved its value in elections in Northern Ireland in the 1920s and since 1973, as well as in the Irish Free State/Republic of Ireland.

7.2 STV is suitable for all types of election, from choosing the President of a state to voting for a parish council, as well as for the internal use of voluntary bodies, political parties and trade unions. It could be introduced in time for the next parliamentary general election, either by amalgamation of existing constituencies or by a simple boundary commission process. Neither process would be anything like as time consuming as a normal boundary review, with far fewer boundaries to be drawn.

7.3 Alliance has no hesitation in recommending STV as beneficial for the whole of the UK. However, in the event that the Commission does not recommend STV as the alternative system for the election of all members of the House of Commons, we urge that STV be recommended for the election of Northern Ireland's MPs. The benefits of STV to Northern Ireland are proven in District Councils, regional bodies and the European Parliament: the system should be used for the election of all public representatives.

March 1998

WRITTEN PRESENTATION



**NORTHERN IRELAND
WOMEN'S COALITION**

Electoral System for Elections to Westminster House of Commons

A submission to the Committee on Electoral Reform of the Northern Ireland Forum from the Northern Ireland Women's Coalition Party

A recent survey of electoral systems in democratic states throughout the world (Blais & Massicote, 1997) revealed that, of 77 states designated as "strong democracies", 34 had PR systems, 10 had "mixed" systems which include a PR element, and 26 were plurality-based. The survey confirmed the view that "Europe is the heartland of PR"; of 33 European states, 27 had some form of PR system. South America, with its European influences, has also shown a preference for PR elections. The authors concluded that the "debate over the vices and virtues of various electoral formulas is still very much alive, but proportional representation may be closely associated, in the minds of many, with the ideal of democracy." (116) This association of proportional representation with democracy is borne out by the fact that many of the emerging post-communist states, especially in Central and Eastern Europe, have opted to include at least elements of PR in their new electoral systems, in spite of pressure to resist fragmentation in the interests of building 'strong government'. The exclusion that accompanies advantaging large parties, can, in the long run, lead to greater instability.

Most commentators agree that there is no 'perfect' electoral system. The decision to adopt a new system, or keep the existing single member plurality system, must be based upon an understanding of the wider political and social contexts which will have a bearing on any decision. Likewise, there are certain core values, some of which are common to all democratic societies, which must be taken into account when deciding upon the appropriate system. These values include:

- inclusiveness
- proportionality/ fairness
- accountability
- effectiveness
- straightforwardness and intelligibility

A system for UK elections

Any system of elections for the UK would have to balance the desire to incorporate these values with the need to take traditions and wider cultural questions into account. In addition, the size of the electorate and the nature of regional and other differences must be weighed in the balance. What works for a small, relatively homogenous country will not necessarily work with a larger, more diverse electorate. While there is little argument about the disproportionality in the present UK system, there is less agreement about how much disproportionality might have to be accepted in order to achieve effective and clearly accountable government.

Although the STV system is favoured by many reformers for Westminster elections, it is clear that there might be some problems in adapting this system to a large electorate. Constituencies might have to be so large as to lose any meaningful link between members and electors, while ballot papers might contain so many names as to introduce confusion and make transfers incoherent.

A single, nation-wide party list system would be more proportional but has the disadvantage of removing the constituency-electors link and reducing the potential for expressions of dissent within parties as well as excluding the likelihood of independents gaining seats.

Some have advocated a minimal reform to introduce the 'alternative member' system, which is used in Australia. While this is not very proportional, it keeps the member-constituent link while allowing voters to indicate two preferences rather than only one. Some commentators see this system as likely to produce some biases, and as unlikely to remedy the existing disproportionalities. Of all the versions of this system available, the French 'second-ballot' model appears fairest, as voters can register a clear first preference then make their second choice in the light of information about which parties or candidates are most likely to benefit.

Overall, a version of the German 'additional member' system would appear to have many advantages for the UK. It allows for the maintenance of the member-constituent link while ensuring that the worst disproportionalities are removed. The German experience indicates that government under this system can be stable and effective, balancing parties' to have control over candidate selection with voter autonomy. The lists of additional members could be drawn up on a regional basis to ensure greater sensitivity to local needs, while the relative proportions of constituency and additional members can be determined according to the degree of proportionality required.

The NI Women's Coalition therefore recommends this system as the best possible for Westminster elections. It retains features of the existing system which are valued, while allowing for the removal of certain glaring defects. It is relatively straightforward and easy to use, allowing voters a clear idea of the consequences of their choices, thus preserving accountability.

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ANNEX D



ELECTORAL SYSTEMS

ELECTORAL SYSTEMS

- D. ❶** First Past The Post
- D. ❷** Single Transferable Vote
- D. ❸** List Proportional Representation
- D. ❹** Additional Member System
- D. ❺** Alternative Vote

(Extracts from publication
Electoral Systems - An Introductory
Guide by Andy Reynolds)

FIRST PAST THE POST (FPTP)

How you vote:

Under First Past the Post the voter simply places an X by the candidate of their choice. Only one X is allowed and any other mark will usually invalidate the ballot paper.

How is it counted?

First Past the Post uses single-member constituencies which means that one MP is elected from each defined constituency. All the ballot papers in a constituency are counted and the candidate with the most votes is elected, regardless of whether they have received an absolute majority of the votes (ie over 50% of the vote).

What is the result?

FPTP usually produces two main parties in Parliament with a number of other geographically concentrated parties with a few seats (with the exception of some third parties such as the Liberal Democrats in Britain). The system means that political parties need a geographical spread of support if they are to form a government. FPTP will usually produce a government with a clear parliamentary majority, although this is by no means always the case.

SINGLE TRANSFERABLE VOTE (STV)

How you vote?

A single transferable vote ballot paper asks the voter to list candidates in order of preference by using numbers instead of a simple X vote. A voter may number one, some or all of the candidates on the ballot paper. There is no need to vote for all the candidates of one party, the voter is free to number candidates in a way that cuts across party lines.

How is it counted?

Under STV MPs are elected from multi-member constituencies, ranging from approximately 3 to 12 members in size. A quota for election is worked out which is the minimum number of votes required by a candidate to be elected. If there are 5 MPs to be elected from the constituency then the quota will be just under 17% of the vote. The first stage of the count is to total all the first preferences received by each candidate. Any candidates who have reached the quota are automatically elected at this stage. If there are still places to be filled then the surplus votes of winning candidates (those in excess of the quota needed for election) are redistributed to the candidates left in the race. These votes would be transferred to the candidate who appears 2nd on the ballot paper. If the winning candidate's surplus was 10 votes and they had 100 votes to transfer then all these votes would be transferred at a value of 1/10th of a vote.

If this still fails to fill all the places up for election then the lowest polling candidate is eliminated and his or her votes redistributed to the candidate who appears next on their ballot paper. This process continues in this way until all places have been filled.

What is the result?

STV means that the elector can exercise a wide degree of choice through their ballot paper. They can choose between both parties and candidates of the same party. STV would imply larger constituencies than in FPTP but in Parliament the number of MPs gained by each party would more closely mirror the national percentage vote that party won. Smaller minority parties would also be more likely to be represented in Parliament. Once again the resulting proportionality of Parliament would make coalition government more likely.

LIST PROPORTIONAL REPRESENTATION (LIST PR)

How you vote:

The simplest forms of List PR systems ask the elector to vote for one political party by placing an X (as in Israel and Namibia). However there are variations in which voters can vote for candidates rather than parties, choose more than one party or reorder the party list.

How is it counted?

The main objective of all PR systems is to award seats in Parliament in proportion to votes gained in the country. List PR is in a way the purest version of this principle as a party winning 40% of the vote is awarded 40% of the seats. The elected MPs come from ordered party lists which are presented to the electorate before the election (although the voter may not necessarily be able to influence the party's list). If there was a Parliament of 200 members and a party won 40% of the vote then the top 80 names on their candidate list would be elected. These members are elected from large multi-member constituencies, either on a regional basis, or in some cases a national basis where the entire country forms one enormous constituency (eg Israel).

What is the result?

The size of constituencies, the nature of any threshold (see Glossary) and the ability of voters to influence the party lists will all determine the results under a list PR system. However in most cases list PR will allow for small, minority parties to be represented in Parliament in proportion to their national strength. Coalition governments are more likely as a party would have to win an absolute majority of the popular vote to rule alone. List PR is much more likely to lead to a multi-party Parliamentary system.

ADDITIONAL MEMBER SYSTEM (AMS)

How you vote:

An additional member ballot paper gives the voter the chance to cast two votes. The first vote is for a constituency representative and the second is for a political party. The voter places one X by their chosen candidate and one by their chosen party, they do not necessarily have to be from the same party. It is perfectly legal to vote for the candidate of the Small Hat Party and with the second party vote choose the Big Head Party.

How is it counted?

The Additional Member System is effectively a combination of First Past the Post and List Proportional Representation. Half the MPs are elected from single member constituencies whilst the other half of the Parliament is elected from each party's "list" of candidates. In the constituencies seats are won by the candidate who receives the most votes, as in First Past the Post. However your second vote is the most crucial one as this determines how many seats each party is awarded in Parliament. Each party's number of seats are "topped up" with Additional Members until they equal the percentage of second votes they received nationally. To be awarded additional member seats, a party may need to pass a threshold. In Germany, which uses AMS, this is 5% of the total (second) votes cast. Such a threshold guards against the over-splintering of Parliament and means that only parties with significant minority support will gain Parliamentary representation. The imposition of a threshold is likely to make the resulting Parliament not perfectly proportionate.

AMS is best illustrated by the example below:

	Constituency seats won	2nd Votes	Total Parl. entitlement	List seats
Party A	235	44%	319	84
Party B	91	33%	239	148
Party C	1	11%	79	78

(NB: Parliament of approx. 640 members, half elected from Constituencies and the other half from the party lists.)

The Additional Members are chosen from Party Lists which are presented on a regional basis. Each ballot paper will have the top five candidates of a party's list printed on it although there is no ability to influence the order of the party list.

What is the result?

The Additional Member System will produce a Parliament roughly proportionate to the popular vote in the country (bearing in mind the 5% threshold for representation). Therefore to form a government alone a party would have to win over 50% of the votes. Such a high level of vote needed makes coalition governments far more likely. Some MPs would have constituency responsibilities whilst the Additional Members would have none.

ALTERNATIVE VOTE (AV)

How you vote:

Under the Alternative Vote the voter is asked to list the candidates in order of preference on the ballot paper using numbers. They may just place 1 by one candidate's name or they could number all the candidates. Unlike STV voters would not be asked to differentiate between candidates of the same party.

How is it counted?

AV uses single-member constituencies similar to those used under First Past the Post. The first stage of the count is to total the first preferences of each candidate. If one candidate receives over 50% of these votes then he or she is duly elected for the constituency. However if no-one reaches this level then the lowest polling candidate is eliminated and his or her votes redistributed to the next candidate listed on the ballot paper. This process continues until one candidate reaches the 50%+ 1 needed for election.

What is the result?

The Alternative Vote has similar effects on the make up of Parliament as the First Past the Post system. Two main parties are likely to emerge with minority parties only receiving representation if they are geographically concentrated. AV is designed to ensure that each MP is supported by over 50% of his or her constituents and does so by instituting tactical voting on the ballot paper itself. Political Parties are more likely under AV to win an outright parliamentary majority even if they do not win an absolute majority of the votes.

ANNEX E



GLOSSARY

GLOSSARY:

Additional Member System

A combination of List Proportional Representation and First Past the Post single member constituencies. Additional Members are allotted to bring a party's parliamentary seats up to the level of their national percentage vote. In Germany half the parliament are constituency members and the other half additional members.

Alternative Vote

Preferential voting used in single member constituencies. Ensures a winning candidate receives an absolute majority (50% +1) of the votes cast.

Constituency

The geographical division of the electorate. Constituencies may be single member or multi-member in size. In some cases an entire country forms one enormous constituency for the purpose of returning MPs.

First Past The Post

Winning candidates simply receive the most votes cast in their constituency. This system predominates in Britain, and countries historically influenced by Britain, such as: Canada, India, New Zealand, the United States of America and South Africa.

List Proportional Representation (List PR)

Seats are awarded in proportion to votes cast for each party. The elected members are taken from ordered "party lists" which are drawn up before the election by the party headquarters. List PR systems range in size of constituencies they use and the ability they give to voters to reorder the party lists.

Multi-Member Constituency

Any constituency which elects more than one MP. Most forms of PR use multi-member constituencies.

Proportional Representation

The term for all electoral systems that seek to award seats in parliament in proportion to votes cast nationally. The larger the constituencies the more proportionate parliament will be.

Single Member Constituency

A constituency that just elects one MP to Parliament. Single member constituencies are used under First Past The Post and the Additional Member system.

Single Transferable Vote

A combination of preferential voting and multi-member constituencies. This system, used in Ireland, gives a roughly proportionate result whilst allowing voters to choose between candidates from the same party as well as choosing between parties themselves.

Threshold

The level of percentage vote required, under most PR systems, in order for a party to be entitled to parliamentary representation.