

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

Submissions from academics

Dr. David Farrell, University of Manchester and
Dr. Michael Gallagher, Trinity College, Dublin

5/1/98
C12 (26)

Department of Government

The University of Manchester, Oxford Road, Manchester M13 9PL
Telephone 0161 275 4886. Fax 0161 275 4925
4902



THE UNIVERSITY
of MANCHESTER

The Secretary
The Independent Commission on the Voting System
6th Floor
Clive House
Petty France
London SW1H 9HD

February 27, 1998

Fax. (0171) 271 8424 (9 pages inclusive)

Dear Secretary

My colleague, Dr. Michael Gallagher, and I were invited by the McDougall Trust to make the enclosed submission to the Independent Commission on the Voting System. I am faxing and mailing this to you today.

I would be delighted to provide any further information relating to the contents of this submission if required.

Yours sincerely

David Farrell, PhD
Senior Jean Monnet lecturer
<David.Farrell@man.ac.uk>

encl.

cc. Paul Wilder, McDougall Trust; Michael Gallagher, TCD

[February 27, 1998]

SUBMISSION TO THE INDEPENDENT COMMISSION ON THE VOTING SYSTEM (THE 'JENKINS COMMISSION')

David M. Farrell
University of Manchester

Michael Gallagher
Trinity College Dublin

The Home Secretary set down the following four criteria for the Jenkins Commission to consider: 'broad proportionality', the need for stable government, an extension of voter choice, and the maintenance of a link between MPs and geographical constituencies.

In this submission, we assess the pros and cons of seven main electoral systems according to each of these criteria. Our assessment is based both on the academic debates over electoral systems, and on the findings of focus group work which has been specifically commissioned for this exercise.¹ We conclude that different systems perform best on different criteria, and to make a definitive choice requires a decision on how to weight the various criteria. On balance, PR-STV and open-list PR, followed by AMS, appear to be the most suitable electoral systems in terms of the criteria set out in the Commission's terms of reference.

The seven systems being considered here are as follows.

Non-proportional systems (with single-member constituencies)

- First Past The Post (FPTP): the existing system; voters have a single categorical vote; candidates need a simple plurality to be elected
- Double ballot: used in France; voters have two categorical votes on separate days; candidates need a majority (50%+1) of the vote to be elected (though for French legislative elections it is possible to be elected with less than a majority)
- Alternative Vote (AV): used in Australia; voters can rank all candidates; candidates need an overall majority of the vote to be elected

Proportional systems (with multi-member constituencies)

- Closed-list PR: used in Spain; voters have a single categorical vote for a party list; the size of the constituency, or region, and the choice of electoral formula determines the proportionality of the result
- Open-list PR: voters can make a choice from among the candidates presented by the party; the size of the constituency, or region, and the choice of electoral formula determines the proportionality of the result
- Additional Member System (AMS): used in Germany; voters have two votes, one for a party list and one for a candidate to be elected in a single-member constituency under FPTP rules; the list PR result is crucial for maintaining proportionality
- Single Transferable Vote (PR-STV): used in Ireland; voters can rank all candidates; the size of the constituency determines the proportionality of the result

1. The requirement for broad proportionality

'Broad proportionality' is of course an imprecise term, and can be interpreted in many ways. What we can be precise about is the level of proportionality that any electoral system is likely to deliver when compared to the proportionality of the existing FPTP.

¹ David Farrell and Michael Gallagher were invited by the McDougall Trust to make this submission to the Jenkins Commission. The focus group work was carried out by NOP on behalf of the McDougall Trust. The research was funded by a grant from the Joseph Rowntree Charitable Trust. Full details are contained in a more comprehensive report written by David Farrell and Michael Gallagher. The views expressed in this submission do not necessarily reflect the conclusions drawn by the NOP investigators, nor do they necessarily reflect the views of the McDougall Trust.

Political science research in this area has come up with one very robust finding, namely that the more MPs elected per constituency, the higher the level of overall proportionality. Thus, a system based on single-member constituencies, such as FPTP, AV, or the double ballot, will deliver the least proportional results. (This is not just a logical deduction from abstract reasoning; it is the way things are in practice as well.) It is possible that, in any particular situation, AV might deliver a rather more, or rather less, proportional outcome than FPTP, and the same is true of the double ballot, but overall the degree of proportionality is likely to be in the same general area – which is to say, low. Thus a change to AV or the double ballot would not significantly alter the degree of proportionality of election outcomes.

A move to any version of PR based on, say, 5-member constituencies would significantly increase the level of proportionality. Thus PR-STV, or either open or closed lists in constituencies of this size, would lead to more proportional outcomes. Without some provision for 'national' seats to iron out disproportionalities arising at the level of the constituencies, though, the level of proportionality could not be guaranteed. (Such a provision is made in Denmark and Sweden, for example.) These systems would significantly increase the level of proportionality compared with FPTP, but they are not designed to *maximise* proportionality in terms of the overall relationship between votes and seats.

Proportionality can be maximised by choosing a system based on large constituencies. Once the constituency size becomes large enough (that is, a large number of MPs is elected from each constituency) the precise way in which MPs are elected makes little difference: the result will be highly proportional whether PR-STV, open lists or closed lists are used. On the other hand, in large constituencies the constituency link becomes weaker. AMS delivers a high level of proportionality, especially when the allocation of the list seats is made at national (as opposed to regional) level. This is sometimes tempered in practice, for example in Germany and New Zealand, by the imposition of a threshold below which small parties do not qualify for any list seats.

How important proportionality is to voters is debateable. In the McDougall Trust/NOP focus group discussions referred to in footnote 1, respondents strikingly did not evaluate either FPTP or any possible alternative primarily in terms of national proportionality; it was very much a secondary consideration. However, when prompted to think more deeply about electoral system options, two points emerged. First, there was an appreciation that systems under which all parties ended up with about the same share of the seats as they won of the votes were 'fair'. Second, there was a concern that government formation might become more difficult if too many parties won representation in parliament.

2. The Need for Stable Government

It is a commonly held belief that FPTP and the majoritarian systems 'guarantee' stable government, whereas proportional systems supposedly do not. Weimar Germany and postwar Italy are generally used as examples to buttress the latter viewpoint. The reality, however, is that the electoral system is just one factor determining government stability. It is easy to find examples of PR systems with records of highly stable government (e.g. Germany or Switzerland); equally there are FPTP cases of government instability (e.g. India, or the British Conservative government of 1992-97).

The threat to government stability can come from a parliament in which small parties and/or independents hold the balance of power. In practice, the sheer size of the UK, the likely size of any PR constituencies, and the numbers of votes a candidate will need to get elected is likely to rule out independents. It would always be possible to minimize the 'risk' of too many small parties and independents by limiting the size of constituencies and/or by imposing thresholds, thus diluting proportionality.

3. Extension of Voter Choice

Which systems would offer voters more choice?

The structure of the ballot paper determines how much choice is given to voters. The most 'closed' systems (offering voters a simple categorical choice) are FPTP and closed list systems, where voters can do little more than mark 'X' against their one choice. The most 'open' system is PR-STV, which allows voters to rank all candidates from all parties. If 'extension of voter choice' is the most important criterion, then PR-STV should be selected as the most ideal replacement for FPTP. Lying in-between these two extremes are a range of possibilities.

We can rank the different systems in terms of their 'openness' as follows:

PR-STV	can rank all candidates from all parties
Open list	can vote for candidates from more than one party
PR	'personal' votes determine ranking of candidates
AMS	two votes: one for candidate, one for party
AV	can rank all candidates, but only one gets elected
Closed list	two separate categorical ballots
FPTP	can only vote categorically for one party
	can only vote categorically for one candidate of one party

Do voters want more choice?

Voters have not been asked this specific question in surveys to date. There is some evidence of a sympathy for 'PR' systems, though generally the survey questions are ambiguous. Furthermore, the respondents do not really understand the implications for voter choice of moving from FPTP to some other electoral system. The McDougall Trust/NOP focus groups were designed to tease out attitudes to the various systems on offer, with just this issue in mind. After some discussion about the FPTP system, four main systems were introduced (in varying order across the groups) to the respondents: AV, PR-STV, closed list, and (two-vote) AMS. The following two points emerged.

First, most respondents started by expressing support for the existing FPTP system, even when some of its shortcomings were raised in the discussion (such as the lack of proper choice, or the disproportionality of the result). The general comment made was along the lines of 'how could you possibly improve on this system'. At the end of the two-hour session, by which time the respondents had been introduced to a range of different systems, opinion shifted dramatically so that most were now in support of the idea of change to a different system. The principal reasons given in favour of change, included: fairness, and greater choice.

Second, there was less agreement on which system to adopt. The closed list system – which is most likely to be adopted as the new system for European Parliament elections – was not popular, both because it was seen to give too much control to the party leadership for the ranking of candidates, and because it weakened the link between politicians and voters. Opinion was divided most sharply on PR-STV: some liked it for the richness of choice it offered, others felt it would confuse voters. AMS and AV were probably the most popular of the systems, but even here there were reservations. The principal virtue which both were seen to share in common was the maintenance of single-member constituency representation (see below), but these were also singled out as systems which gave voters more choice, without adding too much to potential levels of confusion.

Will voters be able to make proper use of a more complex system?

Voter choice undoubtedly brings with it the potential of voter confusion, and this issue was raised by several respondents in the McDougall Trust/NOP focus groups. Much stress was placed on the simplicity of FPTP. Having said that, the following points are of relevance here.

First, at the beginning of each session, the respondents were asked to describe how FPTP works. In many cases, this revealed rather low levels of understanding of the mechanics of the system, and a large number of respondents were genuinely surprised to learn that MPs can be elected with less than 50 percent of the vote. The fact that there was such high levels of ignorance about the mechanics of FPTP raises a question about just how much significance should be attached to the dangers of voter confusion under more complex electoral systems.

Second, each of the four alternative electoral systems was introduced by a 5-10 minutes summary, aided by a simple diagrammatic example. The respondents were invited to ask questions about the system. In the subsequent discussions, it was clear that they had understood both the mechanics of how all the systems worked and the nuances of how they would affect the nature of representative politics. Not only did they feel sufficiently confident to discuss the merits and demerits of the different systems, when asked to sketch sample ballots papers (without having been shown any actual ballot papers), without exception all managed to draw these accurately. This finding is consistent with the 'real' evidence of how quickly voters in Northern Ireland (PR-STV) and New Zealand (AMS) adapted to electoral reform. In short, while there may be genuine concerns over the dangers of voter confusion under more complex electoral systems, the reality is that voters are able to pick up the nuances of a new system pretty quickly.

4. Maintenance of a link between MPs and geographical constituencies

The existing link between MPs and constituents is evidently highly valued by voters, who are immediately suspicious of any change that might have the effect of weakening this link. This is clearly a factor in favour of AV. Under this system, the way MPs are elected is a variant of, indeed an improvement on, the existing method, rather than a break from it. In the focus groups it was clear that at first glance many voters find it hard to imagine that any electoral system not based on single-member constituencies can possibly preserve the link between themselves and 'their' MP.

However, further probing suggested that some of the voters' initial concerns are based on misconceptions. One common worry was that in multi-member constituencies, the MPs would represent different parties, making it hard for them to reach agreement on policy. Voters evidently thought of MPs in some sense 'governing' the constituency and could not see how MPs from different parties will reach agreement on how this is to be done. While the existence of this worry must be acknowledged, it is clearly based on a misunderstanding of the role of MPs, and as such is likely to be dispelled during a referendum and/or education campaign.

It is clear that voters are attached to the idea of an MP whom they can see as their own, who is taking an interest in the constituency, and to whom they can take a problem if need be. One strong reservation about closed list systems was that they were 'faceless' – not only would the voters quite probably not know anything about the candidates who were benefiting from their votes, but the elected MPs would not necessarily know, or indeed care, anything about the constituency. Moreover, re-election for the MPs would depend crucially on being selected in a high position on the list, not on being known to and popular among the voters. A closed list system is the most likely to break or at least weaken the constituency link.

The constituency link under AMS

The three other versions of PR all preserve the link, though in different ways. AMS, at least superficially, bears most resemblance to the existing position, in that each constituency still has one MP. The difference is that each constituency would be larger, since not all the MPs would be elected from single-member constituencies. Each of these MPs would have to serve an area and a population much larger (potentially twice as large) than at present.

The role of the list MPs (whether these be regional or national) in constituency service is unclear, but is unlikely to be significant. Their mandate does not come from the constituency votes, so they will not be under any obligation to respond to the demands of voters from any constituency, and nor will their re-election depend on the support of constituency voters; as under closed-list PR, it will depend on their position on the list, which is determined by the party candidate selectors. Respondents in the focus group discussion were evidently a little confused about the status of these list MPs, some seeing the role of 'regional MPs' as akin to that of a 'regional manager' in a business. Again, such confusion is likely to be dispelled quickly by an information campaign.

If the Hansard Society variant of AMS were used, where voters have only one vote and the 'additional' seats are awarded to the parties' best losers, then all MPs would be tied to a constituency and the link would be stronger. The disadvantages of this are (i) while many of the new double-sized constituencies would have 2 MPs, some would have only 1, while others would have 3 or even 4; (ii) the legitimacy of MPs who were rejected by the voters in a constituency but then somehow 'won' anyway would be questioned, as would the legitimacy of the electoral system itself that produced this outcome. Indeed, even under the German two-vote variant of AMS, there will be problems of candidates who lose in a constituency being nonetheless elected from a list, something that has caused discontent in both Japan and New Zealand. This possibility was commented on unfavourably in some of the focus groups; generally there was support for the idea of AMS being a two-vote system.

The link under STV and open-list PR

STV and open-list PR, both entailing multi-member constituencies, are sometimes seen as likely to weaken the link with a constituency, but this is almost certainly a mistaken perception. Under both of them, voters have a choice of candidates. Under PR-STV, voters can rank order all candidates; under open-list PR, the choice is among candidates of the voters' party. In each case, the elected MPs owe their election to the voters, and have a mandate from them rather than simply from the candidate selectors. (Having said that, in the case of open list in large constituencies, there is a risk of voter confusion if the list of candidates becomes too long.)

Moreover, re-election depends upon retaining the favour of the voters, which produces a powerful incentive for MPs to keep in close touch with the concerns of their constituency. The problem of 'facelessness' associated with closed lists would not arise; all MPs and candidates would have a strong incentive to establish a personal profile. Voters would be able to punish non-performing MPs without having to desert the party, an option not available under FPTP, AV, AMS or closed-list PR. In addition, voters would have a choice of MPs to contact about a problem. The great majority of voters would be represented by at least one MP of their own party; far fewer people would be compelled to approach an MP whose views may be opposed to their own than is the case under any single-member constituency system.

In the focus group discussions it was evident that some voters quickly picked up this aspect of PR-STV and could see that MPs would be directly answerable to them. Discussion of list systems concentrated on closed lists, but the principle of open lists, and the benefits these bring, are easy to grasp. This is an important point, which is not always appreciated by those who believe that the FPTP system brings about an almost sacred link between MPs and constituents that cannot be matched by any other electoral system. While there has been a tendency to assume that this link is stronger in Britain than elsewhere, research from many countries shows that constituency service is an important role of MPs almost everywhere. Where the electoral system offers voters a choice among candidates of the same party, the MPs' natural tendency to discharge their constituency responsibilities conscientiously is reinforced by the knowledge that the voters have the power to replace under-performing MPs with another candidate of the same party. Both STV and open-list PR will maintain the link with constituencies, and because situations where Conservative voters are represented by a Labour MP or vice versa will be far less common than at present, the quality of constituency representation will actually improve.

5. Some practical considerations

Two further practical considerations might have a bearing on how different electoral systems should be evaluated.

Drawing constituency boundaries

First, the task of drawing the constituency boundaries, at present undertaken by the Boundary Commission, is much more crucial, complex and contentious under some systems than under others. Put simply, it matters a lot when the electoral system is based on single-member constituencies – as all political actors well know – and doesn't matter a great deal when large multi-member constituencies are used. In the extreme case, where the country is one large constituency is used, it doesn't matter at all, because there are no boundaries to be drawn! More realistically, if the country were divided into, say, about 120 5-seat constituencies, there would be far fewer constituency boundaries to determine than at present, and it would make less difference to the overall outcome exactly where those boundaries were drawn. If the country were to be divided into, say, about 30 20-seat constituencies, the outcome within each constituency would be highly proportional and it would hardly matter at all where the boundaries were drawn. Larger constituencies, then, reduce both the workload and the impact of boundary drawing. It would be wrong to assume that sticking with a single-member constituency system would involve less work, on the ground that this requires 'no change'; in reality, the existing system requires constant change and a never-ending process of reconsidering and redrawing over 600 boundaries.

This factor is an argument against FPTP, AV and the double ballot, and in favour of some version of PR (PR-STV or lists) in multi-member constituencies. Under AMS, the combination of single-member constituencies and lists means that, in terms of the impact on parties' fortunes, the boundaries of the single-member constituencies should not matter much; provided there is a sufficiently high proportion of list seats, the parties will be proportionally represented overall regardless of who wins the single-member constituencies. On the other hand, even with AMS the details might matter a lot to individual MPs or candidates, so the Boundary Commission might still find itself bogged down in local details.

Voter education

The focus groups provided impressive evidence of the way in which groups of ordinary voters, who in many cases professed themselves uninterested in election-related topics at the start of the discussion, were quick to grasp the essential elements of a number of electoral systems, and in particular seemed to have little difficulty getting to grips with the concept of preferential voting. There was some unease, and some plain confusion in some instances, for example about the rationale of PR-STV or the role of the regional MPs under AMS, so a campaign of voter education will be needed before any new system is used. All the evidence is that, given such a campaign, these and the other options too will be perfectly comprehensible to the voters. In the case of PR-STV and AMS, we have the direct experience of Northern Ireland and New Zealand to draw on: two countries where voters, long accustomed only to FPTP, had no problems in understanding and adjusting to PR-STV and AMS respectively. Indeed, any voter education campaign in this country can build on the experiences in Northern Ireland or New Zealand if either PR-STV or AMS were to be the system chosen.

6. Recommendations

The following Table provides a summary evaluation of the main electoral systems according to the criteria set out in the Commission's terms of reference.

	Broad proportionality	Need for stable government	Extension of voter choice	Maintenance of a link between MPs and geographical constituencies
FPTP	–	+	–	++
AV	–	+	+	++
Double ballot	–	+	+	++
Open list in large constituencies	++	o	++	–
Open list in small constituencies	+	o	++	++
Closed list in large constituencies	++	o	–	–
Closed list in small constituencies	+	o	–	+
AMS	++	o	+	++
PR-STV	+	o	+++	++

Note: + positive, o neutral, – negative.

As we see it, no single system can contribute to ensuring more stable government; therefore our assessment is based on the remaining three criteria. The decision on which electoral system to select will depend on how much weight the Commission attaches to each of these criteria. If 'broad proportionality' is the main criterion then the Commission should opt for list or AMS, with PR-STV also worthy of consideration. If the constituency link is the main criterion, then the Commission should choose AMS, PR-STV or open list in small constituencies. If voter choice is the main criterion, then the Commission should choose PR-STV, with open list worthy of consideration.

On balance, PR-STV and open-list PR, followed by AMS, appear to be the most suitable electoral systems in terms of the criteria set out in the Commission's terms of reference.

Dr. David M. Farrell

Senior Jean Monnet lecturer, Department of Government, University of Manchester. A trustee of the McDougall Trust, Dr. Farrell co-edits *Party Politics*, and *Representation*.

Relevant publications

- David Farrell, *Comparing Electoral Systems* Herts.: Prentice Hall, 1997
- Shaun Bowler, David Farrell, Ian McAllister, 'Constituency Campaigning in Parliamentary Systems with Preferential Voting: Is There a Paradox?', *Electoral Studies* 1996, 15: 461-76.
- David Farrell, et al., 'Designing Electoral Institutions: Varieties of STV Systems', *Political Studies*, 1996, 44: 24-43.
- Shaun Bowler & David Farrell, 'Voter Strategies Under Preferential Electoral Systems: A Single Transferable Vote Mock Ballot Survey of London Voters', in Colin Rallings, et al. (eds), *British Elections and Parties Yearbook*, 1995, London: Cass, 1996, 14-31.
- David Farrell & Ian McAllister, 'Legislative Recruitment to Upper Houses: The Australian Senate and House of Representatives Compared', *Journal of Legislative Studies*, 1995, 1: 243-63.
- Shaun Bowler & David Farrell, 'A British PR Election: Testing STV With London's Voters', *Representation*, 1995, 32: 90-94.
- Shaun Bowler & David Farrell, 'Legislator shirking and voter monitoring: impacts of European Parliament electoral systems upon legislator/voter relationships', *Journal of Common Market Studies*, 1993, 31: 47-71.
- Shaun Bowler & David Farrell, 'Voter behavior under STV-PR: solving the puzzle of the Irish party system', *Political Behavior*, 1991, 13: 303-20.
- Shaun Bowler & David Farrell, 'Party loyalties in complex settings: STV and party identification', *Political Studies*, 1991, 39: 350-62.

Dr Michael Gallagher

Lecturer in Political Science at Trinity College Dublin. Author of the electoral systems chapter in the widely-used textbook *Representative Government in Modern Europe*, teaches electoral systems, member of the editorial board of *Electoral Studies*, and was a consultant on electoral systems to the Constitutional Review Group in the Republic of Ireland.

Relevant publications

- Michael Gallagher, et al. *Representative Government in Modern Europe*. New York: McGraw-Hill, 1995.
- Michael Gallagher and Pier Vincenzo Uleri (eds), *The Referendum Experience in Europe*. Basingstoke: Macmillan, 1996.
- Michael Gallagher, 'Electoral systems and voting behaviour', pp. 114-30 in Martin Rhodes, et al. (eds), *Developments in West European Politics*. Basingstoke: Macmillan, 1997.
- Michael Gallagher, 'Comparing proportional representation electoral systems: quotas, thresholds, paradoxes and majorities', *British Journal of Political Science* 1992, 22: 469-96.
- Michael Gallagher, 'Proportionality, disproportionality and electoral systems', *Electoral Studies* 1991, 10: 33-51.
- Michael Gallagher, 'Does Ireland need a new electoral system?', *Irish Political Studies* 1987, 2: 27-48.
- Michael Gallagher, 'The political consequences of the electoral system in the Republic of Ireland', *Electoral Studies* 1986, 5: 253-75.
- Michael Gallagher and A. R. Unwin, 'Electoral distortion under STV random sampling procedures', *British Journal of Political Science* 1986, 16: 243-53.
- Michael Gallagher, 'The impact of lower preference votes on Irish parliamentary elections, 1922-1977', *Economic and Social Review* 1979, 11: 19-32.
- Michael Gallagher, 'Party solidarity, exclusivity and inter-party relationships in Ireland 1922-1977: the evidence of transfers', *Economic and Social Review* 1978, 10: pp. 1-22.
- Michael Gallagher, 'Disproportionality in a proportional representation system: the Irish experience', *Political Studies* 1975, 23: 501-13.