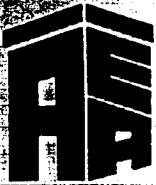


## Report of the Independent Commission on the Voting System: Volume 2

Submissions from representative / campaigning groups

The Association of Electoral Administrators



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# THE ASSOCIATION OF ELECTORAL ADMINISTRATORS

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Date : 26 February 1998

Dear Sir/Madam

**Independent Commission on the Voting System**

The Association of Electoral Administrators was founded in 1987 and is concerned with all matters relating to voter registration and the conduct of elections.

The Association is the only professional body extending throughout the United Kingdom which deals exclusively with electoral matters and has over 1000 members, the vast majority of whom work for local government authorities delivering electoral services.

Set out in the attached paper are the views of the Association upon "an alternative to the present system for Parliamentary elections". I shall be pleased to supplement these views with additional information, if desired.

yours sincerely

John Bambrook  
Secretary



# THE ASSOCIATION OF ELECTORAL ADMINISTRATORS

## Submission to the Independent Commission on the Voting System

### 1 Summary

- 1.1 It is not the Association's intention or purpose to promote a particular alternative to the present system of elections.
- 1.2 However, the Association believes that it is possible to draw broad conclusions, based upon the criteria set out in the body of this report, which can be used to shape the final choice of an alternative system.
- 1.3 The Association believes that the chosen alternative system should :-
  - (a) not seek "strict" proportionality, but should rather settle for "broad" proportionality, by which is meant that there should be a broad relationship between the number of votes won by a party and the number of seats gained, but that attempts to exactly equate the number of seats won to number of votes gained should be avoided.
  - (b) have a small bias in favour of single party government, but that this bias should not operate in such a manner as to allow a party to govern with substantially less than 50% of the votes cast.
  - (c) have a threshold for representation sufficiently high to exclude very small minority parties.
  - (d) ensure that nationally based minority parties achieve "fair" representation.
  - (e) ensure that regionally based minority parties achieve "fair" representation.
  - (f) ensure the maintenance of a link between a single representative and a geographical constituency for the majority of the seats in the parliament.
  - (g) be simple and easy to understand and administer.
  - (h) offer the voter a wide choice of parties and/or individual candidates, and should seek to enhance that choice by allowing for "cross-party" voting.
  - (i) incorporate a fixed term parliament.

## **2 Introduction**

- 2.1 The Association has noted and considered the Commission's terms of reference and welcomes the opportunity to make known its views upon the issues to be considered.
- 2.2 The Association is not concerned to promote the merits of any particular system of election; rather, this paper discusses factors and criteria to be considered in the choice of system to be recommended.
- 2.3 There is a very wide range of alternative systems from which the eventual choice could be made, and it is important to establish from the outset the criteria which are considered to be the most important, and if necessary, to place them in an order of priority.

## **3 The criteria for designing an alternative electoral system**

- 3.1 When considering the design of a new or alternative system of elections, the ideal is to start with a list of the factors or criteria which express the things you want to achieve or avoid, and in a very broad sense how the parliament will be constituted.
- 3.2 The criteria which follow are not exclusive, but are, in the Association's opinion, the most important. In drawing up these criteria the Association have drawn heavily on previous work in this subject area. The Association have also had regard to the terms of reference established for the commission.
- 3.3 The criteria are listed, at this stage, in no particular order of priority. The Association considers that any alternative system should:-
  - (a) provide for broad proportionality
  - (b) ensure a representative parliament
  - (c) facilitate stable and efficient government
  - (d) allow the government and representatives to be held accountable
  - (e) encourage the growth of strong and effective political parties
  - (f) promote a parliamentary opposition
  - (g) be accessible and meaningful
  - (h) have regard to issues of cost and administrative capacity
  - (i) ensure that the rights of any independent candidates are protected
  - (j) be capable of achieving wide acceptance amongst the electorate
- 3.4 In the following paragraphs, each of these criteria is examined in more detail.

#### **4 Provision of broad proportionality**

- 4.1 The Association notes that the requirement is for "broad" proportionality, and not, for instance, "strict" proportionality. This will undoubtedly have a major effect upon the eventual choice of an alternative system.
- 4.2 The underlying rationale of proportional representation systems is to consciously relate the number of votes gained by a party to its share of parliamentary seats. Thus, if a major party wins 30% of the votes, it should win approximately 30% of the seats. Equally, if a party wins approximately 5% of the votes, it should win 5% of the seats.
- 4.3 The formula used to allocate the seats once the total votes are known can have a marginal effect upon the final allocation of seats, and a closer study of the "highest average" or "largest remainder" methods would be desirable before any final decision was made.
- 4.4 Of more importance, however, are the number of representatives to be elected for the electoral area and the threshold to be applied. The larger the number of seats in each electoral area and the lower the threshold, then the more proportional the system and thus the outcome will be, and the greater will be the chance of small parties gaining representation.
- 4.5 However, large electoral areas weaken the link between MPs and their constituents. Further, a low threshold can result in a proliferation of small parties, which can then hold the majority parties to ransom in coalition negotiations. However, a threshold should not be set so high as to exclude minority parties which have a solid base of representation, albeit thinly spread throughout the nation. Of equal importance is the need to cater for minorities which draw their support largely or only from a particular region of the nation.
- 4.6 A measure of proportionality can also be achieved by the use of a mixture of single member "plurality" seats, with a balance of seats allocated using a proportional system. The system used for the allocation of the "balancing" seats can either:-
- (a) seek to compensate for any disproportionality which arises from the single member seats, or
  - (b) allocate seats proportionally only within the "balancing" seats.
- Different consequences will flow from these two choices.
- 4.7 If a List System of proportionality is favoured, then issues such as the nature of the lists will have to be considered. Lists can be open, closed or free.

- 4.8 Open lists allow the voter not only to indicate their favoured party, but also their favoured candidate within that party. Closed lists are prepared by parties and voters are not able to express any choice between candidates. Free lists systems provide even further choice for the elector by allowing a vote for more than one candidate across parties or by allowing more than one vote for a single highly favoured candidate.

## **5 Ensuring a representative parliament**

- 5.1 Representation may take a number of forms, but at one level it requires that a defined geographical area should be represented by MPs who are chosen by the electors of that area and who are thus accountable to that area.
- 5.2 A parliament should also be representative of the party-political system existing within the country. If half the voters vote for a party, but that party gains no or very few seats, then that parliament cannot be said to be representative of the peoples' wishes.
- 5.3 A parliament should also be capable of reflecting the principal social groups within society. Thus, it should contain, wherever possible, men and women of all ages, people from all classes of society, and people from all religious and ethnic groups within society.

## **6 Facilitation of stable and efficient government**

- 6.1 The system chosen should contribute to stability of government rather than encouraging or fostering instability. The system chosen must also be perceived to be fair, should allow the government to enact laws and to govern, and should ensure that there is no discrimination against particular parties groups or individuals.
- 6.2 Fairness is a difficult concept to quantify or define, but basically the system should not be such as to allow a party which does not gain a majority of votes to govern.
- 6.3 The ability to pass laws is linked to the size of the majority enjoyed by the government - too large a majority and there is a perception of untrammelled power; too small a majority and there is a possible need to form coalitions which may not be what the voter wanted or envisaged when the votes were cast.
- 6.4 The system chosen must be electorally neutral - there must be no overt discrimination against any political grouping.

## **7 Holding government and representatives accountable**

- 7.1 One of the major strengths of the present plurality majority system used in United Kingdom elections, is the strong sense of a link between the electors and a single directly elected representative, because of the relatively small geographical constituencies. It is this link which allows electors to feel that they can influence the choice of MP for their constituency, and can remove him/her if this is desired.
- 7.2 At a higher level, electors are also able to influence the make-up of the government by throwing out the party in power, if this is desired.
- 7.3 These two factors are of enormous importance in making government and the individual representatives accountable to the electors. Any alternative system of elections should seek to enhance rather than diminish that accountability.
- 7.4 It is, of course, also important to the maintenance of accountability that there should be regular national elections and that there should be a range of candidates from which the electors can make their choice.
- 7.5 Consideration could be given to fixing the term of the parliament, requiring the holding of national elections at intervals of not more than, say, four years, with an option for the parliament to be dissolved earlier if desired. The advantage of a fixed term parliament would be that no uncertainty would exist as to the date of the next election and no unfair advantage could be obtained by the party of government in terms of the timing of an election.

## **8 Encourage the growth of strong and effective political parties**

- 8.1 One of the bed-rocks of established democracies is the strength of the political parties within that nation. Whether in power or opposition, strong, established parties are needed to consolidate the democratic tradition and ensure long term stability. Thus, any alternative system should tend to encourage strong parties rather than to entrench or promote party fragmentation
- 8.2 Similarly, any alternative system should tend to encourage the formation of broad based parties rather than parties which are narrowly based, as can happen when the threshold is set at too low a level. In Israel, for example, the very low threshold of 1.5% has, it is argued, led to the formation of extremist religious parties, which are often leading players in the formation of coalition governments.

## **9 Promotion of a parliamentary opposition**

- 9.1 For there to be effective government, there must also be an effective opposition. The present system recognises that factor in the style and standing which is accorded to the Leader of the Opposition.
- 9.2 As previously mentioned, the twin factors of size of electoral area and threshold will act to make an electoral system either more or less accommodating to minority or opposition representation.
- 9.3 Any alternative system must ensure that there is an effective opposition or opposition grouping which is free to critically assess proposed legislation, and able to represent their constituents effectively. Oppositions should be of sufficient size and strength to be effective, always assuming that their performance at the ballot box warrants this.
- 9.4 The system should not make opposition weaker or impotent, since thereby, the tradition of democratic government is fatally weakened.

## **10 Independent Candidates**

- 10.1 It has to be recognised that independent or non-aligned candidates will wish to stand for election. Indeed these have been an increasing feature of U.K. Parliamentary elections over recent years, and it is argued that our democracy is the richer because of the presence of these candidates.
- 10.2 Any alternative system must ensure that the rights of such candidates should and need be protected.

## **11 Accessibility and meaningfulness**

- 11.1 The present system of elections has been in use for many years and electors are, as a consequence, familiar with it, even if they do not always understand it.
- 11.2 However, many of the systems of proportional representation which involve voting for lists of candidates, of whichever variety, would place before the electors very complex ballot papers. This could lead to large numbers of spoiled papers, a sense of bewilderment on the part of electors and possible alienation from the process. It would also require considerable expenditure upon voter education and familiarisation programmes.
- 11.3 Elections also have to be accessible in the sense that electors can easily get to a polling place, that the electoral register is up to date and there is confidence that the vote is secret.



- 11.4 There is also the broader issue of whether the elector feels that their vote can make a difference to the result. In some electoral systems, the numbers of wasted votes (the number of votes above the majority) can amount to a substantial proportion of the overall total of valid votes.
- 11.5 It is of paramount importance in a democratic society that the electoral arrangements and their outcome should command wide acceptance amongst the electorate.
- 11.6 Lastly, the system chosen should not be such as to threaten to undermine the legitimacy of parliament itself. For example, the system used in the Australian elections between 1919 and 1946 was the Alternative Vote in multi-member districts. This produced lop-sided and unrepresentative results, and tended to call into question voters support for the Senate itself. When the system was altered to STV in 1948 this was perceived to be fairer and more credible, thus restoring confidence in and respect for the Senate.

## **12 Issues of cost and administrative capacity**

- 12.1 Elections are not fought on the pages of learned journals or submissions to Commissions. Elections cost money to conduct and have administrative consequences.
- 12.2 Britain is not a poor nation, but could we afford to choose the "two-stage" system of elections on successive occasions required under the two round system?
- 12.3 Further, the present system gives a result relatively quickly after the close of polls. Some of the more complicated forms of List PR systems can take several days before the result is known, during which there is a period of potential sterility whilst the nation and the parties await their fate.
- 12.4 Automation of the counting process would assist in overcoming some of this delay, but would represent an additional initial cost. However it is likely that the initial investment would lead to savings in the longer term.

John Bambrook  
Secretary  
Association of Electoral Administrators

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