

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

Submissions from representative / campaigning groups

Charter 88

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Dear Lord Jenkins

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I have pleasure in enclosing Charter 88's submission to the Independent Commission on the Voting System.

Charter88's conclusion is that broadly speaking there are three voting systems that meet your stated criteria – the Single Transferable Vote (STV), the Additional Member System (AMS) and the Alternative Vote (AV) Plus. Our interest is in ensuring that there is an even handed and informative debate about the merits of all three systems. That is why we have commissioned an opinion poll and additional research that concentrates on the Alternative Vote Plus – a system not tested in any previous opinion polls. We hope you will find it useful.

Charter 88 has also commissioned additional research from the authors of the Democratic Audit report, "Making Votes Count". This research is partly based on the results of a new ICM poll and these results are still being analysed. I hope to be in a position to send you a full report at some point next week. However, staff on the BBC1 TV programme, "On the Record", asked for some analysis based on the 1997 general election data and the authors also made some of this information available to the "Observer". Thus, some of the information may well be placed in the public domain this weekend.

I thought that you might like therefore to be given this information today as well. Most of it relates to interpolations from the 1997 data to simulate the results of AV (or SV) Plus elections - that is, local constituency elections under the AV or SV system, with varying degrees of top-up. The interpolations are preliminary calculations only and further work is being done which will provide a wider range of possible outcomes. For the time being, the figures show little difference. The analysis shows little real difference ultimately between the results for the AMS system shown in "Making Votes Count". Labour and the Liberal Democrats would have won more local seats and the Conservatives would have been compensated through top-up seats to produce more or less the same results as for AMS in 1997.

The critical question therefore is the level of top-up. At 50:50, the three main parties would have received the following allocations of seats in Great Britain (excluding Northern Ireland) under AV/SV Plus: Conservatives 204 [203 under 50:560 AMS], Labour 299 [303] and Liberal Democrats 118 [115]. On a 75:25 division, the figures are - Conservatives 184 [203], Labour 361 [361] and Liberal Democrats 81 [81]. Thus if it is thought desirable to open the door to single party government under a

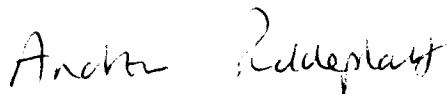
PR system, then a 75:25 divide under AMS, or AV/SV Plus, would allow a very popular party to achieve a Commons majority, as in 1997, though generally there would be a tendency towards coalition governments. The system would of course also retain local constituencies and would be more proportional. In 1997, the deviation from proportionality would have been halved as against the actual election result. Opinion poll questions found also that the electorate broadly favoured a mix of single-party and coalition governments over single party governments without a majority of the popular vote.

The survey also found that people liked voting under AV/SV Plus, but did not like STV voting; and in mock referendums, the researchers have found a marginal preference for the three main alternatives - AMS, AV/SV Plus and STV - over FPTP. There is a class difference in attitudes - with middle-class respondents keener on reform - and also regional differences, with voters in Scotland noticeably more favourable towards change and those in the Midlands far less favourable.

The Charter88 submission and the Democratic Audit report will be made public this Sunday, so we are sending advance copies to you with apologies for the short notice. Please do not hesitate to contact Andrew Puddephatt (0589 907563), Stuart Weir (01934 863668) or Anna Killick (0181 347 7090) at home over the weekend if you wish for any further information, or in the office at any time thereafter.

We are organising two seminars on sectoral perspectives on different voting systems – with Operation Black Vote and the British Youth Council. As soon as we have provisional dates for these we will contact your secretariat.

Yours sincerely



Andrew Puddephatt
Director

Charter88's submission to the Independent Commission on the Voting System

Introduction

Charter88's 77,000 signatories support a demand for 'proportional representation' as lying at the heart of the campaign for a fair and modern democracy. We believe proportional representation will help to make our democracy more vibrant, inclusive and capable of meeting the demands of the twenty first century.

There has been no real opportunity for people to debate electoral systems since before the First World War. The debate that will start now is therefore long overdue. We fully support the government's initiative in asking your Commission to choose one proportional system the debate can centre around; the referendum campaign will then help crystallise the arguments and prevent people getting overwhelmed by detail.

We support the requirement that any voting system chosen should meet your stated criteria - broad proportionality, encouragement of stable government, extension of voter choice and the maintenance of a link between MPs and geographic constituencies. We believe that there are three systems that would meet those requirements. They are – in broad terms - the Single Transferable Vote, the Additional Member System and the 'Alternative Vote Plus'.

In this submission we assess the extent to which different voting systems meet the requirements of your criteria and make some additional comments on the issue of a multiplicity of systems for the UK.

A report of an opinion poll and additional research written by the Democratic Audit team of Professor Patrick Dunleavy from the London School of Economics, Helen Margetts from Birkbeck College and Stuart Weir from Essex University has been commissioned in conjunction with this submission.

Broad Proportionality

First Past the Post's failure to meet a requirement of broad proportionality has been well documented. Using the 'deviation from proportionality' measure (1) which is accepted by most commentators, it has one of the highest scores of any voting system in the democratic world – an average of around 21% deviation from proportionality in the last four UK general elections.

We believe First Past the Post's disproportionality has contributed to many of the problems underlying our political system – a low level of turnout and high level of wasted votes, an increasing tendency for political parties to target floating voters in a handful of marginals, a lack of legitimacy for governments elected on a minority of the vote and a growing lack of representation of parties in particular regions. It is worth exploring these issues because it helps to clarify what degree of proportionality will be necessary in any system that replaces First Past the Post.

In the 1997 UK general election one of the most overlooked statistics was the level of turnout – only 72% of those registered to vote bothered to do so. This represents a decline of 12% since 1950. Among certain sectors of society the level of turnout is much lower. Both registration and turnout levels are lower among some ethnic minorities (2) and among the 18-25 age group. In safe seats – such as Hackney North – the turnout was as low as 51%. This decline in turnout, mirrored by the opinion poll evidence of growing levels of disaffection with both politicians and the political process are important indicators of the poor health of our democracy. According to Lijphart's 1994 analysis (3) average turnout is about 9% higher in proportional representation than non proportional representation systems.

One of the reasons for low turnout levels is a perception among voters that their votes do not count. In the 1992 general election 69% of votes cast were 'wasted' (combining votes for losing candidates with votes that swelled the surpluses of winning candidates) (4). A corollary of this is that parties target most of their campaigning resources, and possibly policies, at floating voters in marginal seats. This phenomenon is now well known amongst voters and may have further contributed to a decline in interest.

In 1951 the Labour party won 250,000 more votes than the Conservatives in a close run election, yet it was the Conservatives who were returned to power with an exaggerated majority (of 17 seats over all other parties in parliament). Labour did not officially complain, but the public and parties might not be so accepting of a similar result now. Given that, according to Rallings and Thrasher, there is now an inbuilt electoral bias towards Labour it is conceivable that a future Labour government could try to govern alone without even having got a plurality of the vote. Such a result would be extremely damaging to a government's legitimacy – indeed a similar result in New Zealand was one of the spurs leading them to reject First Past the Post.

The lack of representativeness of different parties across the regions is at unprecedented levels. Conservative voters in Wales and Scotland now have no representation at Westminster. We believe this situation would be unsustainable if it continued after another election.

The problems caused by disproportionality are severe and any new system would have to alleviate them. But how proportional would a new system have to be to achieve that?

Although simulations about the results different systems would have produced are open to question, most commentators would accept the deviation from proportionality scores produced at real elections.

The proportional representation voting systems used in other European Union countries deliver deviation from proportionality scores of 4-8%. We believe it would not be realistic or desirable to insist on a system guaranteeing that degree of proportionality in this country. There are probably only two systems that would meet that target. The first, the regional list system, would be unpopular for Westminster elections because of the strong attachment to small constituencies. The second, the Additional Member System with half the MPs being from the 'top up' pool would meet the target but might be ruled out because it would double the size of constituencies and create 325 non constituency MPs.

We believe a more reasonable approach, allowing for greater consideration of other factors, would be to aim for a system with a deviation from proportionality score of 10% or less. Which systems would meet such a target?

In the Republic of Ireland the average deviation from proportionality of the Single Transferable Vote has been 3.4% from 1948-92 (5).

Because few countries use Additional Member Systems with lower levels of top up MPs than 50%, we do have to make use of simulated models to assess their likely deviation from proportionality. According to the analysis in 'Making Votes Count' (6) averaging out simulated results for the two elections, the Additional Member System with 25% top up would have achieved a score of 11% deviation from proportionality and therefore failed to meet our target of 10%. However, the Additional Member System with 33% top up (deviation from proportionality of 8%) and the Additional Member System with 43% top up (deviation from proportionality of 5%) would have been acceptable.

The study written by Professor Patrick Dunleavy, Helen Margetts and Stuart Weir for your Commission contains analysis of the likely deviation from proportionality of different variants of the Alternative Vote Plus.

The Alternative Vote

The other system sometimes cited as a strong contender to replace First Past the Post is the Alternative or Supplementary Vote.

In Australia, the only country to use the Alternative Vote for its legislature's elections, the deviation from proportionality has been 14.5% over the last five elections. In Making Votes Count a simulation of what would have happened at the 1997 UK general election under the Alternative Vote showed its deviation from proportionality would have been as high as 23.5%. The 1997 general election was an unusual one, with one party particularly unpopular and hence the Alternative Vote exaggerating the swing to the other two to give an even more disproportionate vote than First Past the Post. However, the Alternative Vote's potential for unpredictability in this respect should still be borne in mind.

In conclusion, on the issue of deviation from proportionality we believe that the Alternative Vote or Supplementary Vote on their own would not meet even a lax criterion of 'broad proportionality.' They have their attractions for those commentators who believe that the British people would only like very incremental change; no boundary reviews and the maintenance of current constituency sizes. But while they might make some voters feel that their votes were less wasted at a local level, they would not promote the kind of proportional outcome and change in political culture which is needed.

Thresholds

It seems to us highly unlikely that the UK will go back to being a two party state. In 1951, 90% voted for either the Labour or Conservative parties. In 1997 only 75% did. New parties gaining representation – despite the hurdles of First Past the Post – include the Scottish Nationalists and Plaid Cymru. Many more voters would be likely to vote for small parties if they thought they had a chance of being elected. Potential Green Party voters, to take just one example, tend to be more numerous in the 18-25 age group, and the fact that they have little chance of getting elected may be a factor in young people's low level of turnout.

The Single Transferable Vote does not put up any artificial thresholds against small parties. However even in five member constituencies the natural threshold a small party faced would represent a considerable hurdle. The Additional Member System has been introduced in Germany with an artificial threshold that before a party is entitled to top up seats it must have won one constituency seat or 5% of the national vote. The Additional Member System that

will be introduced in Scotland will not contain artificial thresholds but a high 'natural threshold' due to the top up MPs being allocated on a regional basis.

We recognise there are complex arguments both for and against thresholds. The argument against thresholds is that they put up too high a hurdle for emerging or small parties. The arguments in favour of thresholds are that they prevent parties from splintering and they prevent the election of MPs from small extremist parties.

Because any voting system chosen must have the support of all sections of our society, we believe that consultation of those sections that have most to fear from the election of extremist racist parties is essential. We are organising a seminar with our sister organisation, Operation Black Vote, to explore the views of representatives of ethnic minority communities on this and other proportional representation issues and will conduct some basic research to inform it.

We trust the Commission will be able to balance the competing arguments when assessing the implications of both natural and artificial thresholds in different voting systems.

Stable government

The requirement that the system chosen promote 'stable government' is a curious one. We would have preferred a goal of accountable government as we believe accountable government is more likely to lead to effective government in the interests of the people.

While First Past the Post has promoted single party government, single party government is not necessarily stable in the long term. In the post war period there have been many 'swings of the pendulum', with 6 out of 15 elections producing a change in governing party.

Presumably the implication inherent in this requirement is that the chosen system should avoid frequent changes in coalition partners and/or greater incidence of elections. It is true that any system meeting the deviation from proportionality score of 10% or less would be likely to lead to more coalition government than at present. For example, at the top end of the spectrum if the Additional member System with 50% top up had been in place, according to 'Making Votes Count' there would have been coalitions at every election from 1987-1997. If more moderately proportional systems were adopted the likelihood of coalitions is reduced; with top up elements between 25% and 33% it is possible there would have been coalition government in 1992 but single party government in 1997.

There is also evidence that public opinion is becoming more receptive to the idea of coalition government. Polls show growing numbers of people want parties to co-operate more together.

Whether coalitions are stable depends on factors outside the voting system. Many examples from other countries could be quoted for both stable and unstable coalition government, as well as effective or ineffective government.

In conclusion any of the three systems we have recommended is likely to lead to an increase in the incidence of coalition government, although it will depend on the level of top up in the case of the Additional Member and Alternative Plus systems. However they will also lead to more responsive and accountable government, and in that respect are more likely to promote a consensual style of politics in the long run that will promote stability.

An extension of voter choice

Charter88 recently commissioned an ICM poll to establish the importance voters attached to being able to vote for individual candidates in the forthcoming elections to the European Parliament. The Regional List system is going to be introduced for those elections. Respondents were asked to 'vote' on two sample ballot papers. One had a closed list where voters could only put their cross next to a party name. The other ballot paper allowed them to use the Belgian system of putting a cross either next to the party name or next to one of the candidates on that party's list.

51% of respondents preferred the Belgian system compared with 47% preferring the closed list system. Support for the more open system was highest among social classes A and B. Despite the fact that there has been little publicity about the systems for the European Parliament elections and that there is a low recognition factor for MEPs, two fifths of respondents did choose to exercise a right to vote for an individual candidate rather than just putting their cross in the party box.

It is an important principle that wherever possible voters should be able to vote for an individual candidate.

The Single Transferable Vote presents voters with the maximum choice in this respect. Voters can number all the candidates on the multi member ballot paper in order of preference – perhaps more than twenty names. This enables them to put a popular Green candidate first

for example followed by all the Labour candidates. Such flexibility would be welcomed by voters. But how do the other systems fare?

The versions of the Additional Member System proposed for the Scottish Parliament and Welsh Assembly will only allow voters a choice to vote for an individual candidate on the constituency part of the ballot paper. It could be argued that they will only have the same degree of choice for an individual candidate as they have now, under First Past the Post. However, there is an extension of voter choice in that they can vote for a candidate from one party on the constituency side and a different party on the list side. Ideally voter choice should also be extended to the list section of the ballot paper by giving voters a choice to vote for an individual candidate which would effectively then 're-order' the party list.

Even if the list element was still a closed list, the Alternative Vote Plus would increase voter choice on the constituency side because voters would number candidates in order of preference.

Some commentators have argued that even though closed lists do not extend voter choice, they have other advantages. 'Making Votes Count' shows that even as late as 1997 voters using open lists discriminated against candidates with Asian names for example. Where parties are keen to promote particular groups of candidates, such as women or black candidates, they can place them at the top of closed lists with a greater chance of securing their election. Charter88 has always argued for parliament to be more socially representative of the population, but we do not believe this possible advantage of closed lists outweighs their disadvantages.

We would urge that the lists in the Additional Member System and Alternative Vote Plus systems are as open as possible – at the least allowing voters to put a cross next to one candidate's name but ideally to re-order the list through preferential voting. Our primary reason for arguing this is our concern that closed lists will increase the control of the central party machine so that fewer candidates with a wide range of views are selected. We note for example that press reports in January 1998 said the Labour party would be allowing one member one vote for the members of each of its regions to select a long list of candidates for the European Parliamentary election lists. However the regional party executive would then have the power to select the short list and to order it.

In the past it would have been difficult to argue that parties' internal selection procedures should be subject to acts of parliament. However, the fact that all parties will now have to register and there may be future rules imposed about party funding changes the situation. We

would argue that the principle of maximising voter choice involves both opening up lists and putting pressure on parties to select candidates as democratically as possible.

The 'complexity argument'.

Many of the arguments made against preferential voting – such as the Single Transferable Vote and Alternative Vote Plus – and against opening up party lists are based on the fact that they would make ballot papers more complex.

'Making Votes Count' contains the most up to date research on voter attitudes to different ballot papers. 17% of respondents needed further explanation before they could fill in an Additional Member System ballot paper. 21% of respondents needed additional explanation before they could fill in the Alternative Vote ballot paper and the most complex was the Single Transferable Vote which led to 30% of respondents asking for further help.

However there was an increase in the number of respondents who expressed more than one preference on the Single Transferable Vote ballot paper, comparing 1997 with 1992, and it is probable that with education voters would become as adept at filling in a Single Transferable Vote ballot paper as they are in Ireland.

In addition, the 1998 State of the Nation opinion poll conducted by the Joseph Rowntree Reform Trust on open and closed lists for the European Parliament elections showed that despite no publicity or public education campaigns 80% of respondents were able to fill in the more complex open ballot paper without needing any additional explanation.

In conclusion, the fact that some voting systems are described as complex should not in itself be an argument against adopting them. Other countries use complex voting systems without their electors experiencing significant difficulty in filling in the ballot papers.

Link between MPs and their constituencies

Ivor Crewe showed that 18% of people had been in contact with their MP to ask for information and help (1986). One of the reasons for the relatively high level of contact between MPs and their constituents in this country is the absence of other sources of help; constituents do not have any regional representatives to go to for example. It is arguable that many of the enquiries they do make of MPs would be better dealt with elsewhere and that a

greater proportion of MPs' time should be spent on effectively scrutinising government in the interests of their constituents.

However, it is undoubtedly the case that a strong link between constituents and MPs is desirable and that for example a completely regional or national list system for elections to the Commons would not be popular. We would argue that all three of the systems we support would enable sufficient contact between constituents and MPs whilst leading to an improvement generally in the level and quality of parliament's accountability.

Multiplicity of systems existing side by side

The 1999 elections to the European parliament will be fought under the regional list system. The Scottish Parliament and Welsh Assembly will be fought under the Additional member System. The London mayor might be elected by the Supplementary Vote.

We do not perceive the existence of a multiplicity of systems existing side by side to be a problem as long as each system is the most appropriate for the purpose and there has been sufficient public education. It is also essential that review dates are built into legislation so that where some future streamlining might be desirable – such as in making any lists more open - a proper debate on the merits of the issue can take place.

Footnotes

(1)The 'deviation from proportionality' score is achieved by subtracting the percentage of seats a party gained in the Commons from its vote share to give a deviation for each party. Then the deviations for all parties are added (disregarding plus or minus signs, which would otherwise mean that they cancel out) and divided by 2.

(2)Le Lohe (1990) showed only 36.3% of Afro-Caribbeans had voted in a survey of five Northern England towns after the 1987 elections. These results were mirrored in a 1991 poll by the Runnymede Trust.

(3)Lipjhart 'Electoral Systems and Party systems: a study of twenty seven democracies 1945-1990' OUP (1994)

(4)The Other National Lottery by Patrick Dunleavy, Helen Margetts, Stuart Weir. A Democratic Audit Discussion paper available from Charter88 (1996).

(5) David Farrell 'Comparing Electoral Systems' published by Prentice Hall Harvester Wheatsheaf (1997)

(6) Making Votes Count; replaying the 1990s general elections under alternative electoral systems, Democratic Audit Paper number 11 in association with Birkbeck College, London and the Public Policy Group, London School of Economics. (1997) Available from Charter88.