

Engineering Electoral Systems: Possibilities and Pitfalls



Engineering Electoral Systems: Possibilities and Pitfalls



**KPPS
VI**

PILKADA
langgeng!

**PEMILIHAN
KEPALA DAERAH DAN WAKIL KEPALA DAERAH
KOTA SURABAYA
TAHUN 2005**

TPS
29

TPS
RANGKAH

Index

1	Introduction	5
2	Engineering Electoral Systems: Possibilities and Pitfalls	6
2.1	What Is Electoral Engineering?	6
2.2	Basic Terms and Classifications	6
2.3	What Are the Potential Objectives of an Electoral System?	8
2.4	What Is the Best Electoral System?	8
2.5	Specific Issues in Split or Post Conflict Societies	10
2.6	The Post Colonial Blues	10
2.7	What Is an Appropriate Electoral System Development or Reform Process?	11
2.8	Stakeholders in Electoral System Reform	13
2.9	Some Key Issues for Political Parties	16
3	Further Reading	18
4	About the Authors	19
5	About NIMD	20
Annex		
	Electoral Systems in NIMD Partner Countries	21
	Colophon	24

.....

.....

1 Introduction

The choice of electoral system is one of the most important decisions that any political party can be involved in. Supporting or choosing an inappropriate system may not only affect the level of representation a party achieves, but may threaten the very existence of the party. But which factors need to be considered in determining an appropriate electoral system?

This publication provides an introduction to the different electoral systems which exist around the world, some brief case studies of recent electoral system reforms, and some practical tips to those political parties involved in development or reform of electoral systems. Each electoral system is based on specific values, and while each has some generic advantages and disadvantages, these may not occur consistently in different social and political environments. There is no 'ideal' electoral system that fits every environment. But they do have one thing in common: for a successful and sustainable electoral system development or reform process, it is crucial to involve the broadest section of society possible, rather than the ruling elites only.

2 Engineering Electoral Systems: Possibilities and Pitfalls

2.1 What Is Electoral Engineering?

There has been increasing use of the term 'electoral engineering' to describe the development and implementation of constitutional and legal provisions for electoral systems frameworks that are targeted at achieving specific societal goals. The more 'engineering' that has been done, the greater the realisation has been that the results are not always what have been intended. In emerging democracies, the unsettled nature of party culture and systems, and the electoral system complexity that often arises out of the compromises necessary for post-conflict or post-authoritarian regime settlements, can intensify this unpredictability.

What are the key concepts and objectives of electoral engineering? What do political parties need to be aware of when they become involved in electoral system oriented constitutional and legal reforms – and in assessing expert advice on these?

2.2 Basic Terms and Classifications

An 'electoral system' is commonly understood as the rules that govern how votes obtained by a political party or candidates are translated into representatives (seats) in a representative body, and the interaction between these and party behaviour. This paper focuses on this issue. It does not deal with associated issues of state structure – such as presidentialism in its various forms versus parliamentarianism, and unicameralism versus bicameralism; nor does it deal with who is eligible to compete in or vote in elections, or the technical issues of how and by which bodies elections are implemented.

Electoral systems can be classified in different manners, but it is common to categorise them into four broad categories as shown in Table 1 opposite.¹ Each of these electoral system examples can have many variants, and the details of these variants will have significant and different effects on the system's outcome

and political party behaviour. For example, for List Proportional Representation, a very few of the significant details would be as follows.

- The district magnitude: how many representatives are to be elected from each electoral area? The lower the district magnitude the less proportional the system may be, and often the fewer parties are likely to gain representation.
- Thresholds: is there any minimum % of the vote a party must obtain to be considered in the allocation of representative positions and is it calculated on a nation-wide basis or in each electoral area? No or low thresholds may still allow representation to fringe or nuisance parties, but retain wide proportionality. Higher thresholds may significantly reduce proportionality and concentrate the party system by excluding all but the largest parties from representation.
- How are 'votes' defined: is it valid votes? Or all votes? Or have disputes been guaranteed by forgetting to define the term?
- Are the parties' lists of candidates 'closed' – where the party decides the order in which candidates are elected? Or are they 'open', where the voters influence this, so there is a potential for fragmentation from internal competition for votes between the candidates on a party's list, but theoretically greater accountability to voters of those elected?
- What is the mathematical formula used to convert votes into seats? The various potential formulas – using quotas or quotients – will affect the distribution of seats between parties, variously favouring parties with larger or smaller percentages of the total votes.

The variations, and their possible combinations, are limitless. There is always another way of tweaking any system. But the more complex the system, the less predictable its effects.

¹ This classification is based on that used in *Electoral System Design: The New International IDEA Handbook*, Andrew Reynolds, Ben Reilly and Andrew Ellis, International IDEA, Stockholm, 2005.

Table 1: Classification of Electoral Systems

Category	Basic Characteristics	Examples of Systems	Country Examples
Plurality/majority	To be elected to office for an electoral area, a single candidate, or multiple candidates, must win the highest number of valid votes, or in some variants the majority of valid votes, in that electoral area.	First Past The Post (FPTP)	India, Kenya, Malaysia, UK, USA
		Block Vote (BV) and Party Block Vote (PBV)	Laos, Syria (BV) Singapore (partial), Cameroon (PBV)
		Alternative Vote (AV)	Australia (Lower House), Fiji
		Two Round Systems	France, Iran, Haiti, Mali
Proportional representation (PR)	Using multi-member electoral areas, the elected representatives for an electoral area are determined more or less in accordance with each qualifying contesting party's or candidate's share of the votes in that area.	List Proportional Representation (Closed List)	Cambodia, Nicaragua, South Africa, Sweden
		List Proportional Representation (Open List)	Colombia (optional Closed or Open), Denmark, Indonesia, The Netherlands
		Single Transferable Vote (STV)	Australia (Upper House), Ireland, Malta
Mixed (or Additional Member) Systems	Attempt to combine advantages of both plurality/majority (or 'other') systems and proportional representation systems, by having some representatives elected under each of these systems – of whatever specific type. They allow for potential representation for parties or candidates that are not the highest vote winners in an electoral area. They may (MMP), or may not (parallel), intentionally provide for representation to be generally in proportion to each party's share of votes.	Mixed Member Proportional (MMP)	Bolivia, Germany, Hungary, Lesotho, Venezuela
		Parallel	Japan, Pakistan, Philippines, Senegal
Other	Systems of various types that don't fit into the above categories.	Single Non Transferable Vote (SNTV)	Afghanistan, Jordan, Vanuatu
		Modified Borda Count	Nauru
		Limited Vote	Gibraltar, Spain (Upper House)

Splitting the Vote in Israel

Israel in 1996 moved from a traditional parliamentary system using proportional representation, and introduced direct popular election of the prime minister simultaneously with the parliamentary election, in order to strengthen executive power and reduce the influence of small parties on government. The result was that voters split their tickets, with many former mainstream party voters now voting for the candidate of their previously supported party for the prime minister, but a fringe party in the parliamentary election. This resulted in the election of a prime minister who did not have plurality support in the parliament, and increased representation – and influence – for minor parties.

- assist in promoting parliamentary oversight of executive activity; and
- be innovative in finding solutions to perceived past shortcomings.

It is apparent that there may be conflict between many of these objectives, and a decision will need to be made on which are the most important to any country at its stage of political and societal development. There often will not be agreement on this – various political parties and other political and social interest groups are likely to have different ideas about which are the higher priority objectives. Some potential conflicts are:

- ensuring effective voter influence balanced against encouraging coherent political parties;
- establishing accountable government yet providing broad based representation;
- keeping the system simple, yet not being afraid to innovate;
- balancing the need for short term solutions against longer term stability considerations; and
- maintaining accessibility by building on past electoral systems, without being restricted by their historic parameters.

2.3 What Are the Potential Objectives of an Electoral System?

The reasons for these unpredictable effects lie partly in that any electoral system is a set of compromises in attempting to attain a range of socio-political objectives, many of which are not complementary. Some of the possible objectives for an electoral system could be described as to:

- assist effective representation, so that all societal groups have potential access to political positions;
- minimise complexity, so that elections are accessible to voters;
- be realistic and sustainable with regard to a country's financial, technical, and administrative capacities;
- provide incentives for conciliation, cooperation and mutually beneficial action between political participants;
- encourage voters to influence who represents them;
- promote the public's perception of the legitimacy of the parliament and the government;
- assist the establishment of effective government;
- promote a system of coherent political parties;
- promote the accountability of the government, and elected representatives, to the public;
- encourage the growth of political parties that are inclusive of a broad range of societal groups;

In attempting to achieve a mix of objectives no electoral system can be value neutral. A choice has to be made about which values are the most important – recognising that whatever choice is made, various political forces may well be relatively favoured and others relatively disadvantaged.

2.4 What Is the Best Electoral System?

None, actually: each electoral environment has different factors to take into account, and countries will have different priorities amongst the competing objectives. While there are common factors and lessons that can be applied from other countries' experiences, whether electoral engineering is an art or a science is still open to debate. Each type of electoral system has particular general advantages and disadvantages – that may or may not occur in any specific environment - and may fulfil the objectives described above to a greater or lesser degree, but not always with the most expected outcomes. Here are a few examples.

Plurality/majority systems, especially those operating with single member electoral districts, are in general supposed to:

- be more conducive to accountable and responsive government due to the direct voter/representative link;
- concentrate party systems into few broad based parties; and
- provide stronger government as fewer effective parties means less need for post-election coalition forming.

However, some recent empirical studies have shown no greater satisfaction with democracy or representation in countries with single member district systems. In countries where political parties' support is regionally based, the expected concentration of parties may not occur under plurality/majority systems – as in India and Malaysia. Conversely, where legislatures have few members, plurality/majority systems can wipe out 'opposition' representation totally (for example the Seychelles).

Proportional representation systems are in general supposed to:

- be conducive to promoting power sharing;
- result in a greater number of effective parties thus allowing a range of views to be represented in parliamentary institutions; and
- are often believed to lead to less accountable and stable governments.

However proportional representation systems may highly concentrate the number of political parties (especially if district magnitudes are low, or thresholds are high as in Mozambique), or maintain dominance by a single party in particular cultures (for example South Africa). Proportional representation systems can give high levels of individual representative accountability where party lists of candidates are 'open' to voters' choice. However, this measure may also have the side effect of reducing the prospects of representatives of potentially disadvantaged groups such as women and ethnic minorities being elected.

The introduction of any new electoral system, unless very carefully prepared, can cause confusion, leading to outcomes such as high levels of invalid votes (for example the Scottish regional/local government elections of 2007), or challenges to election legitimacy (as in Fiji in 2000 – see box on page 11).

Defragmenting Party Systems in Colombia

Colombia's party system had been characterised by very large numbers of relatively weak parties and dominance of representation by one party. This had been blamed on the electoral system – a closed list proportional representation system that was unusual in that it allowed parties to nominate multiple candidate lists in each electoral district. The practical outcome of this was that the electoral system operated more like a single non transferable vote system than proportional representation. Only the top candidate from each candidate list had any chance to be elected, which promoted personality based politics and very strong intra-party competition for votes, leading to party fragmentation.

In 2003 the congress reformed the electoral system to provide that: each party could nominate only one candidate list in each electoral district; these lists could be closed or open lists; there was a 2% of votes threshold for parties to be included in the allocation of seats; and a different formula to allocate seats to parties – that favours parties who obtain larger shares of the vote – was introduced. In the ensuing 2006 election, there was a marked defragmentation of parties at the national level, campaigning moved towards inter-party rather than intra-party, and the number of voters voting for closed list alternatives could indicate a move towards party policy-based political choice.

Indonesia: Seeking More Accountability in a Multiparty System

During the 30 plus year rule of President Suharto in Indonesia, only three political parties were allowed existence, each supposedly representing a sector of society. Post Suharto liberalization of electoral participation rules saw 21 parties represented in the parliament following the 1999 election, and a lack of knowledge by voters of who represented them. This was widely believed (especially amongst the major parties) as being too many parties, and having negative effects on accountability. The participation rules were tinkered with and district magnitudes reduced for the 2004 elections - which still resulted in 16 parties being represented in the national parliament (due to regional power bases of some parties). Voters still did not know who represented them.

The participation criteria are being tinkered with again in an attempt to reduce party numbers at the 2009 elections, and this is likely to be done again for 2014. Alternative methods to achieve a reduction in the number of effective parties and strengthen voter/representative links – such as representation thresholds and reform of candidate selection methods – have not been seriously considered.

2.5 Specific Issues in Split or Post Conflict Societies

There have been two competing broad approaches to electoral engineering for societies where there are significant ethnic, religious, social or regional polarisations, or there has been recent conflict:

- a consociational approach – whose theoretical basis is that conflict management is best assisted by ensuring all potential cleavage groups gain representation in institutions of governance. The focus is thus on post-election negotiation of power sharing. This approach tends to promote proportional representation based electoral systems. Its critics note potential tendencies

for party fragmentation and representation of extremist views; and

- a centripetal approach – whose theoretical basis is that conflict management is best assisted by providing electoral system-based incentives for vote pooling. This approach promotes electoral systems that favour pre-election deal making between political parties, such as alternative vote systems. It also promotes electoral rules requiring a demonstrated geographic or ethnic 'spread' of support for electoral success (for example the Nigerian and Indonesian presidential electoral systems). Its critics note its potential lack of inclusiveness in representation and relative complexity.

Each approach has had its chances to use countries as its experimental laboratories, and each has had its share of unforeseen outcomes.

2.6 The Post Colonial Blues

In countries emerging from colonialism, or other strong external influence, the pressure to adopt the electoral system of the colonial or mentor country can be strong. This need not necessarily only be in play in an immediately post colonial period. It has often been supported by a country's educated elites, many of whom will have received their higher education in the colonial or mentor country, and may be most familiar with the electoral system that is associated with that country. Thus:

- anglophone countries in Africa in general adopted first-past-the-post parliamentary electoral systems on the UK model;
- francophone countries in Africa often followed French models in areas such as two round electoral systems and electoral implementation by a ministry of state;
- Papua New Guinea has re-adopted the Australian alternative vote electoral system; and
- some CIS countries have followed the (then) Russian model of a parallel system.

However the social and political conditions, such as political party maturity, size of parliaments, the electorate's knowledge, party funding, and administrative impartiality are never the same in the colonising or mentor country as in a variety of emerging democracies. First past the post systems have resulted in one-party domination in parts of English speaking Africa (as in Lesotho in the early 1990s); and two round presidential elections have had the potential to concentrate the focus of multi-ethnic conflicts into serious conflict between two ethnic blocs (such as in Benin).

A conscious choice on the basis of country specific conditions, rather than any real or imagined cultural affinities, is a much sounder basis for choosing an appropriate electoral system.

2.7 What Is an Appropriate Electoral System Development or Reform Process?

There are many different methods that could be used for developing or reforming the electoral system. One basic issue to be decided is whether the reform process needs to embrace wholesale reform of governance relationships within society, or only the electoral system issues. Another is determining at what level any agreed reforms should be embedded - whether it is a constitutional review or legal review process. Different political interests are likely to have different views on whether the reform process results in proposals that are binding on or merely to be considered by the government – and the various reform methodologies may be more amenable to one or the other of these positions.

A very important issue is who is driving and who is managing the electoral system reform process. Leaving this in the hands of too narrow a group, especially one close to a ruling elite, may see the electoral system reform process frustrated by delays to the extent that there is no chance of reforms being implemented during the current electoral cycle. Development of broad coalitions for reform, including civil society groups, often provides a more effective basis for influencing electoral reform agendas and timetables than a single party acting on its own. Formally involving the public in the electoral reform process, through inviting public submissions, holding public hearings and workshops, and transparent reporting of the process, may broaden both input to and support for electoral system reforms, though there have been electoral system reforms that have had positive impacts without these.

Apart from externally driven reforms, such as those required as part of an internationally facilitated post conflict settlement, potential methodologies for recommending or mandating electoral systems reform include:

- direct democracy methods, such as referendums or popular consultations (such as was used to approve changes in New Zealand) or specially elected congresses or conventions;

Electoral Systems and Ethnicity: The Fiji Experience

Following experience with an ethnic Fijian nationalist coup in 1987, in 1996 Fiji sought international expertise to assist in engineering new constitutional and legal provisions for elections. Significant objectives were to promote future democratic stability and harmony between the ethnic Fijian and Indo-Fijian populations, and facilitate the political rights of the islands' minority Indo-Fijian population.

The prevailing centripetalist advice resulted in an alternative vote system, quite foreign to the country's political culture, being introduced to replace the first past the post system inherited from the UK on independence.

In the ensuing 1999 elections an Indo-Fijian Party won a majority of parliamentary seats with less than one third of the first preference votes. The preference deals it made with ethnic Fijian parties contributed largely to this win, but the effects of these deals were not obvious to many who voted for these ethnic Fijian parties.

There was an unsuccessful Fijian nationalist coup attempt in 2000, resulting in the fall of the Indo-Fijian led government. One outcome of the attempted coup was electoral re-engineering that entrenched an ethnic Fijian majority in future parliaments – the opposite of the outcome that was intended by introducing the alternative vote system.

There was a further and successful coup in 2006. Where there is longstanding inter-ethnic rivalry, electoral system change may not be sufficient of itself to facilitate power sharing.

- specially commissioned independent inquiries (such as the Electoral Task Team in South Africa, the Independent Commission on the Voting System in the United Kingdom, and the Electoral Reform Technical Committee in Zambia);
- using existing independent general legal reform bodies (such as the 2003 investigation by the Law Commission of Canada);
- parliamentary committees or inquiries. These may be bodies with a permanent brief on electoral issues (such as the Joint Standing Committee on Electoral Matters in Australia, or the Commission on Home Affairs in Indonesia) or temporary committees; and
- intra- or inter-party and within legislature discussions (as in Mexico and Colombia).

South Africa: Electoral System Is Not the Major Representation Issue

As required by its constitution, in 2002 South Africa set up an official independent inquiry to review its electoral system and recommend any improvements. The inquiry's terms of reference made clear that the review was to consider the current system equally with any proposed alternatives. There is some community unhappiness about the link between representatives, held by some to be due to the closed list PR system with provinces as the smallest electoral unit. However the electoral system is generally regarded as to have worked well, especially when combined with the lead taken by the largest party in its internal requirements for inclusiveness in candidate selection. The majority report of the official inquiry recommended that mixed member proportional representation system be introduced, to enhance the links between voters and representatives while maintaining inclusiveness. A minority report recommended retaining the present electoral system. As yet the system has not been changed.

The electoral system itself is not the issue that has generated most public debate in South Africa. The more prominent issue has been the legalisation of floor crossing – by which, under specified conditions, representatives elected from one party's candidate list may defect to another party or form new parties during their term of office. Opponents have argued that this distorts the process of representation and especially of maintaining representation proportionate to votes won in the last election. However, legal challenges to floor crossing law have been unsuccessful.

2.8 Stakeholders in Electoral System Reform

Electoral system reforms are about power shifts by electoral design, which like all power shifts may create turbulent political events and instability, particularly in cases when the prevailing political system has coincided with the entrenchment of structural inequality. As the multitude of stakeholders in electoral system reform involves diverse issues and competing interests, making reform inclusive means that a political space for stakeholder participation should be deliberately created. Although it is unrealistic to imagine that all stakeholders will agree on all aspects of the reform agenda, the fact that contentious issues are debated openly, as democratic societies should do, will make the end-product transparent and even amenable to those who were against certain of its aspects.

For example, electoral systems determine party performance in, and chances to win, elections, and with this the ability to hold power, and form and control the resources and personnel of government. Political parties' attitudes towards electoral systems are shaped by whether the system adopted gives them advantages against their competitors. As a rule, political parties prefer to retain the electoral system that is advantageous to them and campaign to reform the system that is disadvantageous to them.

Table 2 on page 14 and 15 outlines the major stakeholders in electoral system reform and their role in the electoral reform process. However, the table may give the impression that the stakeholders operate in isolation from each other, with each group safeguarding its interest in the process by trying to ensure that the electoral system it prefers prevails over the others. In fact, they often interact. For example, in some countries the President or Prime Minister, having sought technical advice from the Electoral Management Body, requests the Speaker of Parliament to table draft legislation (such as for an electoral reform law or referendum) before the commencement of a consultation process which will eventually lead to the parliament's debate and approval of new electoral law and its promulgation.

Experience is that there have often been serious problems for electoral system reforms when the executive branch interferes in the consultation process, or expresses strong opinions predicting the outcome of the consultation process before it has even begun. Cases of executive branch interference in electoral system reform or engineering are reminiscent of one-party regimes or regimes characterized by extreme executive dominance. In such cases the opposition, supported by democracy and human rights activists and some opinion leaders, legislators, regional and sub-regional and international election observation missions is likely to cry foul, dubbing the process as one of cooptation and not participation.

The need for an inclusive electoral system reform agenda necessitates adherence to a multiple-stakeholder approach. This provides safeguards against the monopolisation of the electoral system reform agenda, process and outcome by a few interest groups which may disenfranchise others, leading to the reform's rejection at best and political violence at worst.

Operating within a framework of an inclusive electoral system reform agenda is an exercise in democracy, whereby multiple problem-solving scenarios are discussed in a transparent and participatory manner. The outcome is more sustainable than that of narrow-based electoral system reform agendas, no matter how technically sound they may be.

Table 2: Major Stakeholders in Electoral System Reforms

No.	Stakeholder	Role in the Electoral Reform Process
1	The Executive	Although in most countries Members of Parliament can sponsor bills, in states characterized by Executive Branch dominance, the Prime Minister or the President, in consultation with the Speaker of Parliament, work with parliament to set in motion the electoral system reform process.
2	Electoral Management Body (EMB)	The Electoral Management Body may be part of a governmental ministry or other government body, be an independent body, or be a hybrid of these. If the EMB is part of the government apparatus, it may be closely associated with the government's electoral system reform agenda. If the EMB is an independent body, it should be above partisan politics and should not take sides in determining the outcome of the consultations leading to the electoral system reforms. It would be usual for the EMB to provide technical advice on the impacts of potential reforms, and it may provide members or secretariat assistance to any official committees or commissions appointed to review electoral systems. It could also be given functions such as overseeing and coordinating the contributions of the various stakeholders, preparing necessary timetables and documentation, and developing a public information strategy on the reform process.
3	Political parties	Strong and sustainable democracy is dependent on political parties that function effectively. They are crucial actors in bringing together diverse interests, recruiting and presenting candidates, and developing competing policy proposals that provide people with a choice. In a democracy there is no substitute for open competition between political parties in elections.
4	Opinion leaders (such as clergy, intelligentsia, traditional chiefs and former heads of state)	These groups can bring the voice of reason and moderation into the electoral system reform process. This role is crucial, particularly at times of crisis and transition.
5	Special interest groups (such as women, youth, the elderly and underrepresented geographical areas)	Special interest groups articulate the particular agenda and interest of the group and assist them to be considered.
6	Media and information sector	The media and information sector assists the creation of a transparent electoral system reform environment through provision of information. It plays the role of a watch dog on the electoral reform process.
7	Democracy and human rights lobby groups.	Democracy and human rights lobby groups play an important role in making sure that issues of human rights are addressed.
8	Civic education experts	Civic education experts help in the process of educating the public about their rights and obligations. They also contribute to the creation of public awareness and understanding of electoral systems issues.
9	Minorities (e.g. ethnic, religious, and regional demographic minorities)	In pluralistic societies the articulation of minorities' interests plays an important role. The reciprocal roles of minorities and dominant groups determine whether societies will have stability or continuous conflicts.
10	Constitution/electoral system/electoral law experts	Electoral system reforms and their associated laws and regulations are elaborations of constitutional provisions. Establishing a technical committee of experts to advise on the controversial matters that may arise in electoral system reform can have multiple benefits. Ensuring consistency between the constitution and subsidiary law will eliminate a potential cause of future political disputes. Secondly, electoral system design is essentially a technical process determined by political consultation. Knowing the advantages and disadvantages in theory and in practice of the electoral systems being debated is essential, and expertise on these issues must be available. These experts may be drawn wholly or substantially from the EMB, or, where the independence of the EMB is in doubt, from other independent sources.

No.	Stakeholder	Role in the Electoral Reform Process
11	Census experts and surveyors	The role of census experts and surveyors is crucial when the intended electoral system reforms involve delimiting, changing or creating new constituencies. Where and how constituency boundaries are drawn always has the potential to advantage or disadvantage political parties. Instead of leaving this issue to the manipulative skills of politicians, census experts, working as technicians, are expected to endow the constituency delimitation process with legitimacy.
12	Legislature	The role of the legislature in the electoral system reform process is to provide the legal or policy initiative for the process, and to deliberate and legislate after the consultations are completed.
13	The general public	Because major objectives of electoral system reforms are to ensure participation, inclusiveness and integrity, their ultimate goal is to address the general public's (the voters') general concerns. Another major reason why the public should be involved through its representative institutions, and also through a steady flow of information, is to bolster its trust in politics.

2.9 Some Key Issues for Political Parties

Understanding some key issues will assist political parties when they engage in discussions or negotiations on constitutional or legal frameworks for electoral systems.

1 ***Be rigorously objective about what will serve a party's presumed self interest and over what period.***

There are many examples of parties supporting electoral change that was counterproductive to their interests, or that did not recognise differences in its short and long term effects. Think of how the system will affect the party when it is out of power, as well as when it is in power.

2 ***An electoral system is a facilitator, not a determinant.*** It can assist the direction of democratisation, but cannot guarantee or determine it.

3 ***Recognise that electoral systems are based on values.*** No electoral system will be perfect – each has a different set of biases and will always serve some objectives better than others.

4 ***Recognise the advantages of simplicity.*** Simple electoral systems are more predictable in effects, may be less costly to implement, and are easier to analyse and adjust in future for apparent shortcomings. They also have transparency advantages. If voters don't understand how the system has treated their votes, they are less likely to accept the outcome. Introducing multiple new electoral systems and rules for voting at the same or similar time may have particularly confusing effects.

5 ***Don't expect that an electoral system that has provided a party with success in the past will continue to provide these results in a more open society.*** Systems favouring the largest party may favour a different largest party under more open competition.

6 ***Don't expect that party systems and relative strengths will stay the same under new electoral systems.*** New electoral systems create new party formations, systems and behaviour.

7 ***Carefully consider how much flexibility is appropriate in the electoral system's rules,*** especially how much detail needs to be in high level instruments such as constitutions. Constitutionally entrenching electoral provisions can put them beyond the reach of malevolent forces, but can make implementation, and especially any later necessary reforms, much more difficult.

8 ***Learn from world wide experience by taking a broad range of advice*** – from both practically oriented and academic sources. Like many consultants, each electoral design 'expert' has her/his own favourite systems and limits to experience.

9 ***Consider an appropriate electoral system development/reform process*** – who drives it and who participates. Electoral systems affect the whole of society, not just the overtly political players. Involving civil society expertise and building reform coalitions with civil society can fill gaps in political party knowledge, capabilities, and provide broader based support for reform.

10 ***Consider the implications of all aspects of the system.*** A simple looking system on the surface may have significant impacts hidden in the detail. For example, what is the process for determining electoral district boundaries in single member district or low district magnitude based systems, and what is the threshold for representation in proportional representation systems? Such details can have a huge impact on a party's chances of electoral success.

11 ***Fiddling around the edges of a system with minor 'improvements' only provokes similar responses from other political players.*** This can lead to the electoral system not being just overly complex, but being driven away from its intended results by a series of seemingly minor, countervailing amendments by political forces with different ideas of their self interest.

12 **Consider the financial and skills costs – both for the nation and for parties**, in ensuring a proposed electoral system is implemented fairly and accurately. Is the electoral system sustainable? Realise that some systems that look simple and inexpensive – such as plurality/majority systems based on single member districts, may have significant hidden financial costs, problems for effective implementation, and difficulties for parties.

13 **Be careful about succumbing to a ‘grass is greener on the other side’ syndrome**. Any other electoral system may not in fact be better than the existing one. The existing electoral system may not be perfect, but it may be a reasonably appropriate compromise. Modification of the existing system may be a better option than starting afresh with a different type of system.

14 **Have patience**. The full outcomes of an electoral system may well not occur during the first or even second electoral cycle in which it is used.

15 **Excessive optimism may bring disillusionment** when the expected goals are not directly achieved by a change in the electoral system (for example expecting a reduction or expansion in the effective number of parties). Moderating expectations can assist in refocusing attention on the new system’s implementation, rather than relying on the new rules as the cure.

A Checklist for Electoral System Developers and Reformers

When developing new or reforming existing electoral systems, check whether the following indicators have been achieved:

- Is the system based on clear priorities for the values it is to promote and the objectives it is targeted to achieve?
- Is the system workable in the country’s current and foreseeable future contexts?
- Does the system promote conflict mitigation and conciliation processes appropriate for the country’s environment?
- Is the system simple and clear enough for voters to understand how representatives are elected?
- Does the system provide a framework for election competition whose results will be regarded as legitimate?
- Have all possible election scenarios been analysed during the system’s development?
- Does the system encourage stable parties with the capacity for meaningful inter-party competition?
- Are there sufficient technical skills and administrative and financial resources available to make the system sustainable?
- Are voters given sufficient influence to believe that their participation in elections is worthwhile?
- Is there widespread agreement that the system has been developed through a legitimate process?
- Does the system promote consideration being given to multiple political viewpoints and social groups?
- Is there a clear and legitimate process for evaluating the system’s performance and developing any required improvements?

3 Further Reading

General Reference Materials

Norris, Pippa, *Electoral Engineering: Voting Rules and Political Behaviour*, Cambridge University Press, Cambridge, 2004. Available on the internet at <http://ksghome.harvard.edu/~pnorris/Books/Electoral%20Engineering.htm>

Reynolds, Andrew, Reilly, Ben and Ellis, Andrew *Electoral System Design: The New International IDEA Handbook, International IDEA*, Stockholm, 2005. Available on the internet for download in Acrobat format at http://www.idea.int/publications/esd/upload/ESD_full_with%20final%20changes%20inserted.pdf

The ACE Knowledge Network, internet electoral resource at <http://www.aceproject.org> This contains an encyclopaedia section focusing on electoral systems at <http://aceproject.org/ace-en/topics/es>

Texts About Specific Electoral System Design Issues

Curtice, John and Shively, Phil, *Who Represents Us Best: One Member or Many?*, Centre for Research into Elections and Social Trends Working Paper No. 79, Oxford, September 2000. Available on the internet at <http://www.crest.ox.ac.uk/papers/p79.pdf>

Grofman, Bernard and Stockwell, Robert, *Institutional Design for Plural Societies: Mitigating Ethnic Conflict and Fostering Stable Democracy*, Centre for the Study of Democracy, University of California Irvine, Paper 0001, 2001. Available on the internet at <http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1075&context=csd>

Horowitz, Donald L., *Electoral Systems and Their Goals: a Primer for Decision-Makers*, Center on International Cooperation, New York University, 2003. Available on the internet at <http://www.cic.nyu.edu/archive/pdf/E6ElectoralSystemsHorowitz.pdf>

Larserud, Stina and Taphorn, Rita, *Designing for Equality: Best Fit, Medium Fit and Non favourable Combinations of Electoral Systems and Gender Quotas*, International IDEA, Stockholm, 2007. Available on the internet at http://www.idea.int/publications/designing_for_equality/upload/Idea_Design_low.pdf

Taagepera, Rein, *Designing Electoral Rules and Waiting for An Electoral System to Evolve*, Paper for Constitutional Design 2000 Conference, Kellogg Institute, University of Notre Dame, 1999. Available on the internet at <http://kellogg.nd.edu/events/pdfs/taageper.pdf>

4 About the Authors

Alan Wall

Alan Wall has over 20 years of experience in electoral administration and as a democracy adviser. In early 2007 he held a three month fellowship at NIMD.

He is a co-author of the *Handbook of Electoral Management Design* (International Institute for Democracy and Electoral Assistance, Stockholm, 2006), and since 1998 has been a contributor to the web-based ACE (Administration and Cost of Elections) Project. From 1984 to 1994 he held various management positions with the Australian Electoral Commission. He has since managed IFES's operations in Azerbaijan in 1999, and in Indonesia between 2000 and 2004, been a senior electoral official for the United Nations in Eastern Slavonia in 1996 and Nigeria in 1998, and been an adviser to the South African government for the local government elections of 1995. Since 2005 he has been Country Director for Democracy International's local government election assistance and opinion polling programs in Indonesia, and has also assisted authorities in Iraq and Ukraine to review voter registration systems.

Mohamed Salih

Mohamed Salih is Professor of Politics of Development in the Netherlands: at the Institute of Social Studies, The Hague and at the Department of Political Science, University of Leiden. He is the author of *African Democracies and African Politics* (Pluto, London 2001) and co-author of *Political Parties in Africa: Challenges to sustained multi-party democracy in Africa* (International Institute for Democracy and Electoral Assistance, Stockholm, 2007). Professor Salih is the editor of *African Political Parties: Evolution, Institutionalization and Governance* (Pluto, London 2003) and *African Parliaments Between Government and Governance* (Palgrave/Macmillan, New York, 2005, reprinted 2006).

5 About NIMD

The Netherlands Institute for Multiparty Democracy (NIMD) is an organization of political parties in The Netherlands for political parties in young democracies. Founded in 2000 by seven parties (CDA, PvdA, VVD, GroenLinks, D66, CU and SGP²), NIMD works with more than 150 political parties from 17 countries in Africa, Latin America, Asia and Eastern Europe.

The NIMD supports joint initiatives of parties to improve the democratic system in their country. The NIMD also supports the institutional development of political parties, helps them develop party programmes and assists them in efforts to enhance relations with civil society organizations and the media.

In a relatively short period of time, NIMD has received international recognition for its work. The unique character of NIMD as a joint-initiative of governing and opposition parties in the Netherlands and the specific working methods it has developed since its foundation, have set an example in Europe and led to increasing demand for NIMD's knowledge, expertise and experience.

The paper *Engineering Electoral Systems: Possibilities and Pitfalls* is a publication of the NIMD Knowledge Centre. Established in 2007, the centre collects and discloses expertise and information about democratization around the world, with specific reference to political parties.

www.nimd.org





² CDA: Christian Democrats; PvdA: Labour Party; VVD: Liberal Party; GroenLinks: Green-Left Party; D66: Liberal Democrats; CU: Christian Union; SGP: State Reformed Party.

Electoral Systems in NIMD Partner Countries

as at July 2008

21

Country	First Chamber	Second Chamber	President
Afghanistan	Single Non Transferable Vote ◆ 2004 ¹	-	Two Round System
Bolivia	Mixed Member Proportional (First Past the Post and Closed List Proportional Representation) ◆ 1996 ²	Party List Plurality ³	Two Round System ⁴
Georgia	Parallel (Closed List Proportional Representation and Two Round System)	-	Two Round System
Ghana	First Past the Post	-	Two Round System
Guatemala	Closed List Proportional Representation	-	Two Round System
Indonesia	Open List Proportional Representation ◆ 2004 ⁵	Single Non Transferable Vote ◆ 2004 ⁶	Two Round System ◆ 2004 ⁷
Kenya	First Past the Post	-	Two Round System
Malawi	First Past the Post ■	-	First Past the Post
Mali	Two Round System	-	Two Round System
Mozambique	Closed List Proportional Representation	-	Two Round System
Nicaragua	Closed List Proportional Representation	-	Two Round System
South Africa	Closed List Proportional Representation ◆ 1994 ⁸	-	Indirectly elected (by parliament)
Surinam	Open List Proportional Representation	-	Indirectly elected (by Electoral College based on parliament)
Tanzania	First Past the Post ⁹	-	First Past the Post ◆ 2000 ¹⁰
Zambia	First Past the Post	-	First Past the Post
Zimbabwe	First Past the Post	First Past the Post	Two Round System

	Plurality/majority systems
	Mixed systems
	Other systems
	Proportional representation systems

◆ Recent electoral system change and date
■ Electoral system under review in 2008.

¹ Changed from First Past the Post.

² Changed from Closed List Proportional Representation.

³ In each electoral district the party with a plurality of votes is awarded two seats and the party with the next highest votes one seat.

⁴ First round is direct popular vote; if no candidate receives a majority in the first round the top two candidates are voted on by the National Assembly in the second round.

⁵ Changed from Closed List Proportional Representation.

⁶ Changed from indirect election.

⁷ Changed from First Past the Post.

⁸ Additional reserved seats for women are filled by proportional representation amongst the parties represented in parliament, and other additional seats are filled through appointment by the President and by the Zanzibar parliament.

¹⁰ Changed from Two Round System.

Published by the NIMD Knowledge Centre, The Hague, 2nd edition (July 2008 ©)

1st edition: ISBN/EAN: 978-90-79089-01-7 (September 2007 ©)

Authors

Alan Wall and Mohamed Salih

Editing

Berendien Bos and Maarten van den Berg, NIMD

Photography

Alan Wall, Canberra, Australia

Design

Carrie Zwarts and Stephan Csikós, The Hague, The Netherlands

Printing

Drukkerij ImPressed, Pijnacker, The Netherlands

ISBN/EAN: 978-90-79089-07-9

Cover photo

Canberra, National Museum of Australia. By Alan Wall.

The leaf refers to the NIMD logo, symbolizing the growth of multiparty democracy around the world.
