



Extracted from *Electoral System Design: the New International IDEA Handbook*

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4. Electoral Systems, Institutional Frameworks and Governance

171. ELECTORAL SYSTEMS HAVE LONG BEEN CONSIDERED TO HAVE SPECIFIC EFFECTS ON issues of governance, policy making and political stability. Different electoral systems have marked implications for governance in parliamentary systems. In particular, there is an inbuilt tension between electoral systems which maximize the potential for one-party government (e.g. plurality/majority systems) and those which make multiparty coalitions more likely (e.g. proportional systems). Both constellations have clear policy impacts: single-party government makes decisive policy making and clarity of responsibility much easier, while coalitions are more likely to produce more representative policies and more inclusive decision making. Similarly, major shifts in government policy are easier to achieve under single-party government, while coalitions are more likely to see issues discussed and debated before any changes are made.

172. Almost all countries which have a presidential or semi-presidential constitution elect the president directly. In addition, some republics which have parliamentary constitutions nevertheless elect their head of state directly.

In presidential systems, the extent to which an elected president can claim a popular mandate and legitimacy depends significantly on the means by which he or she is elected. Presidents who have clear majority support are likely to have much greater legitimacy and be in a stronger position to push their own policy agenda than those elected on a small plurality of the vote. This has an important impact on relations between the president and the legislature. A president elected by a clear absolute majority of the population can command a great deal of legitimacy in any conflict with the legislature. By contrast, Salvador Allende's election in Chile in 1970 on 36 per cent of the vote, and opposed by a right-wing Congress, helped create the conditions for the 1973 military coup.

173. The relationship between the legislature and the executive differs between parliamentary, semi-presidential and presidential systems. In a presidential or semi-

presidential system, the president's position does not depend on maintaining the confidence of the legislature: such a president cannot be removed from office on purely policy grounds. However, experience in Latin America in particular indicates that a directly elected president without a substantial block of support in the legislature will find successful government difficult.

In presidential and semi-presidential democracies, the electoral systems for the presidency and the legislature therefore need to be considered together, although the different roles of the president and the legislature bring different factors into play in making the two choices of system. The synchronization or otherwise of the elections and the provisions which may encourage or discourage fragmentation of parties and the relationship between parties and elected members should be considered at the same time.

Electing a President


174. In principle, any of the single-member district systems can be used for the direct election of a president. When a president is to be elected as the executive head of state, there is often a strong normative and practical preference for systems which ensure a victory by an absolute majority. The majority of all countries that have direct presidential elections use a Two-Round system.

175. The separation of the two rounds leads to efforts by the leading candidates to attract second-round support and endorsement from those eliminated after the first round. Such agreements are sometimes driven primarily by the desire for victory. They are thus perhaps less likely to reflect compatibility of policies and programmes than are pre-poll preference-swapping agreements reached between candidates in preferential systems with a single polling day. In addition, presidential elections held under TRS increase the cost of elections and the resources needed to run them, and the drop-off in turnout between the first and second rounds of voting can often be severe and damaging. For this reason, other options such as the Alternative Vote and the Supplementary Vote are increasingly being examined.

First Past The Post

176. The most straightforward way of electing a president is to simply award the office to the candidate who wins a plurality of the votes, even if this is less than an absolute majority. This is the case for presidential elections in Bosnia and Herzegovina, Cameroon, the Comoros Islands, Equatorial Guinea, Guyana, Honduras, Iceland, Kiribati, South Korea, Malawi, Mexico, Palestine, Panama, Paraguay, the Philippines, Rwanda, Singapore, Taiwan, Tunisia, Venezuela and Zambia. Clearly, such a system is simple, cheap and efficient, but in a strongly competitive multi-candidate contest it leaves open the possibility that the president will be elected with so few votes that he or she is not seen as the choice of a substantial majority of the electorate—and indeed may specifically be opposed by a substantial majority: the majority voted against him

لجنة الانتخابات المركزية
 انتخابات رئيس السلطة الوطنية الفلسطينية
 ١٩٩٦/١/٢٠



لا تقوِّع لصاغ أكثر من مرشح واحد (ضع إشارة X بجانب المرشح الذي تختار)

إسم المرشح	رقم	X
محمد ياسر عبد الرؤوف عرفات (أبو عمار)	١	
سميحة يوسف مصطفى القبيج خليل (أم خليل)	٢	

Palestinian FPTP presidential ballot paper

**ELECTORAL
COMMISSION
OF
KENYA**

PRESIDENTIAL ELECTION, 1992

In the NORTH MUGIRANGO BORABU Constituency

**PRESIDENTIAL
ELECTION, 1992**









COUNTERFOIL

No.
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NORTH MUGIRANGO BORABU

188

Constituency No.

Candidate's Name	Party Symbol	Voter's Mark
GEORGE ANYONA MOSETI		
DR. ANDERSON CHIBULE WA TSUMA		
DAVID MUKARU NG'ANG'A		
AJUMA OGINGA ODINGA		
KENNETH STANLEY NJINDO MATIBA		
DANIEL TOROITICH ARAP MOI		
MWAI KIBAKI		
JOHN HARON MWAU		

Elector's Serial No. in register

INSTRUCTIONS TO VOTER

1. Mark the paper by placing the mark X in the right-hand column above opposite the name of the candidate you wish to elect.
2. Do NOT place a mark opposite more than one candidate.

Kenyan FPTP presidential ballot paper

or her. Examples include Venezuela in 1993, when Rafael Caldera won the presidency with 30.5 per cent of the popular vote, and the May 1992 election in the Philippines, when Fidel Ramos was elected from a seven-candidate field with only 24 per cent of the popular vote. Taiwan experienced a major political shift in 2000 when the challenger Chen Shuibian won the presidency with just 39 per cent of the vote, less than 3 per cent ahead of the next candidate.

177. The United States is unique in conducting its national presidential election by FPTP at federal state level. The FPTP winner in each federal state gains all the votes of that state in an electoral college, with two exceptions, Maine and Nebraska, where the votes of the state are allocated two to the FPTP winner state-wide, and one to the FPTP winner of each individual congressional district in the state. The electoral college then elects the president by absolute majority. This can lead to a situation in which the winning candidate polls fewer votes than the runner-up—as in 2000 when the Republican candidate George W. Bush won despite polling some half a million fewer votes than the Democrat candidate, Al Gore.

Two-Round Systems

178. As in legislative elections, one way to avoid candidates being elected with only a small proportion of the popular vote is to hold a second ballot if no one candidate wins an absolute majority on the first round. This can either be between the top two candidates (majority run-off) or between more than two candidates (majority-plurality), as described above (see paragraph 96). France, most Latin American countries, all the five post-Soviet Central Asian republics, and many countries in francophone Africa use TRS to elect their presidents. Elsewhere in Africa the system is used by Angola, Cape Verde, Gambia, Ghana, Guinea-Bissau, Kenya, Mozambique, Namibia, Nigeria, São Tomé and Príncipe, the Seychelles, Sierra Leone, Sudan, Tanzania, Uganda and Zimbabwe; in Europe, apart from France, it is used by Armenia, Azerbaijan, Austria, Belarus, Bulgaria, Croatia, Cyprus, Finland, Georgia, Lithuania, Macedonia, Poland, Portugal, Romania, Russia, Slovakia, Slovenia and Ukraine; and it is found in Afghanistan, Haiti, Indonesia, Iran, Timor-Leste and Yemen.

179. There are a number of adaptations to straight majority run-off and majority-plurality rules. In Costa Rica a candidate can win on the first round with only 40 per cent of the vote; conversely, in Sierra Leone a second round is only avoided if one candidate gets 55 per cent in the first. In Argentina, a successful candidate must poll 45 per cent, or 40 per cent plus a lead of more than 10 per cent over the second-placed candidate. A similar 40 per cent threshold with a 10 per cent margin exists in Ecuador.

180. A number of countries also have minimum turnout rates for their presidential elections, typically 50 per cent, as is the case in Russia and many of the former Soviet republics; this is an additional mechanism for ensuring the legitimacy of the result.

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Afghan TRS presidential ballot paper

181. Apart from those countries where parties could create winning pre-election alliances so that presidential candidates could be elected in the first round (e.g. in Brazil in 1994 and Chile in 1989 and 1994), the experience of TRS has appeared problematic in Latin America. For example, in the 1990 elections in Peru, Alberto Fujimori obtained 56 per cent of the votes in the second round, but his party won only 14 of 60 seats in the Senate and 33 seats of 180 in the Chamber of Deputies. In Brazil in 1989, Fernando Collor de Melo was elected in the second round with just under half of the votes, but his party won, in non-concurrent legislative elections, only three of the 75 Senate seats and only 40 of 503 seats in the Chamber of Deputies. No president in Ecuador has had majority support in the legislature since TRS was introduced for presidential elections in 1978.







The problems of governance which have resulted demonstrate the importance of considering interlinked institutional provisions together. Although TRS produced presidents who had the second-round support of a majority of the electorate, it existed alongside systems for election to the legislature which did not guarantee those presidents significant legislative support. In Brazil in particular it encouraged party fragmentation. While the successful candidates gathered the support of other parties between the first and second rounds, there was little to enable them to keep that support in place after the elections.

Preferential Voting

182. One way of getting around the disadvantages of TRS is to merge the first and second round into one election. There are several ways of doing this. AV is one obvious solution; it is used to elect the president of the Republic of Ireland. A lower-placed candidate who picks up many second-preference votes can overtake higher-placed candidates. The most recent example of a president winning through the transfer of preferences in this manner was the 1990 election of Mary Robinson to the Irish presidency.

183. A second possibility is the preferential system used for presidential elections in Sri Lanka and for London mayoral elections, known as the Supplementary Vote. Voters are asked to mark not only their first-choice candidate but also their second (and, in Sri Lanka, their third) choices. The way in which this is done differs: in Sri Lanka, voters are asked to place the numbers '1', '2' and '3' next to the names of the candidates, in the same manner as under AV and STV. In London, no numbers are required; the ballot paper contains two columns, for a first-choice vote and a second-choice vote, respectively. Voters are asked to mark their first-choice and second-choice candidates accordingly. This means that voters do not have to write in any numbers themselves.

184. Counting is the same in both cases: if a candidate gains an absolute majority of first-preference votes, he or she is immediately declared elected. However, if no candidate gains an absolute majority, all candidates other than the top two are eliminated and their second- (or, in Sri Lanka, second- and third-) choice votes are passed on to one or

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Sri Lankan preferential presidential ballot paper

the other of the two leading candidates, according to the preference ordering marked. Whoever achieves the highest number of votes at the end of this process is declared elected. This system thus achieves in one election what TRS achieves in two, with significant cost savings and greater administrative efficiency.

185. The disadvantages of the Supplementary Vote system include its additional complexity and the fact that voters are effectively required to guess who the top two candidates will be in order to make full use of their vote.

186. Despite these differences, both AV and the Supplementary Vote have the same core aim: to make sure that whoever wins the election will have the support of an absolute majority of the electorate. The use of preference votes to express a second choice means that a second round of voting is not required, and this results in significant cost savings as well as benefits in administrative, logistics and security terms.

Distribution Requirements

187. Three countries—Indonesia, Kenya and Nigeria—combine their presidential elections with a so-called ‘distribution requirement’, which requires candidates to gain a regional spread of votes, in addition to an absolute majority, before they can be declared duly elected. In Indonesia, which held its first direct presidential elections in 2004, a successful presidential and vice-presidential candidate team needed to gain an absolute majority of the national vote and at least 20 per cent of the vote in over half of all provinces to avoid a second round of voting. This requirement was inspired by Nigeria, another large and regionally diverse country, where presidential candidates need not only to win an absolute majority of the vote nationally but also to secure at least one-third of the vote in at least two-thirds of the country’s provinces.

188. Distribution requirements do have the benefit of encouraging presidential candidates to make appeals outside their own regional or ethnic base, and if appropriately applied can work very well. However, the specification of two requirements for victory always carries the possibility that no candidate will fulfil both. It is important that designers note this possibility and include provisions to resolve it, because a system which produces no winner and no method of finding a winner could create a vacuum of power fraught with the dangers of instability.

The second round in Indonesia merely requires a simple majority for the winner to be declared elected, but Nigeria retains the distribution requirement for the second round too, which creates the possibility of a third round. If this were to take place in practice it could have implications both for the length of the election period and for the financial and administrative resources required.

Distribution requirements introduce strategic imperatives for candidates. In Kenya, to be elected president a candidate has to receive a plurality overall and at least 25 per cent of the vote in at least five out of the eight provinces. Even so, throughout the 1990s

a divided opposition allowed Daniel Arap Moi to remain president with less than an absolute majority of the vote.

Electing an Upper House

189. Not all legislatures consist only of one chamber; particularly in larger countries, many are bicameral. Most second chambers (often called upper houses or senates) exist for one or both of two reasons. The first is to provide a different type of representation or represent different interests, most often the regions or provinces of a country. The second is to act as a 'house of review', to provide a brake or delay against impetuous decisions in a lower chamber. The powers of upper houses are often less than those of lower chambers, especially when they are chambers of review. Around the world, about two-thirds of all countries have unicameral legislatures, while the remaining one-third have some kind of second chamber.

190. The structures of these vary widely, but in general the most common use of second chambers is in federal systems to represent the constituent units of the federation. For example, the states in the USA and Australia, the Länder in Germany and the provinces in South Africa are all separately represented in an upper house. Typically, this involves a weighting in favour of the smaller states or provinces, as there tends to be an assumption of equality of representation between them. In addition, many second chambers feature staggered elections: half the chamber is elected every three years in Australia and Japan; one-third of the chamber is elected every second year in the USA and India, and so on.

191. Some countries whose upper houses are 'houses of review' place special restrictions on them. In Thailand, for example, the Senate is now elected, but senators are prohibited from belonging to a political party or campaigning for election.

192. A less common type of alternative representation is the deliberate use of the second chamber to represent particular ethnic, linguistic, religious or cultural groups. A second chamber may also deliberately contain representatives of civil society. In Malawi, for instance, the constitution provides for 32 of the 80 senators to be chosen by elected senators from a list of candidates nominated by social 'interest groups'. These groups are identified as women's organizations, the disabled, health and education groups, the business and farming sectors, the trade unions, eminent members of society and religious leaders. The much-maligned British House of Lords is occasionally defended on the grounds that it contains individuals with specific policy expertise who can check government legislation drawn up by generalist politicians. Similarly, second chambers in countries like Fiji and Botswana are used to represent traditional chiefs, although these are appointed in the first case and elected in the second.

193. Because of these variations, many second chambers are partly elected, indirectly elected or unelected. Of those that are elected, most jurisdictions have chosen to reflect the different roles of the two houses by using different electoral systems for the upper

house and the lower house. In Australia, for example, the lower house is elected by a majoritarian system (AV) while the upper house, which represents the various states, is elected using a proportional system (STV). This has meant that minority interests which would normally not be able to win election to the lower house still have a chance of gaining election, in the context of state representation, in the upper house. In Indonesia, the lower house is elected by List PR, while the upper house uses SNTV to elect four representatives from each province. In Colombia, while both houses are elected by PR, the Senate is elected from one nationwide district, thus making it more likely that small parties and minority interests will be represented in that chamber.

Different Tiers of Governance

194. As noted above, the requirements for designing an electoral system vary depending on the type of body to be elected and its function and powers. When a body is designed to serve supranational, provincial or local interests, the considerations involved in the choice of system are different from those involved when designing national legislative bodies.

Electing Supranational Bodies

195. Supranational bodies with significant decision-making power encompassing a number of countries, such as the European Parliament, are as yet a rarity but may become more commonplace with the globalization of politics and the aggregation of interests at a regional level. The EU has adopted, and now made effective, a requirement for all member states to adopt a proportional system for elections to the European Parliament: 23 member states use List PR, and two (the Republic of Ireland and Malta) use STV. Seats are allocated to member states not purely in proportion to population but by a tiered system which gives equal numbers of representatives to countries of approximately equal size but also over-represents smaller countries.

196. The designers of such systems give greater priority to choosing systems which produce regional and partisan balance than to localized geographical representation. The European Parliament has 732 MEPs (Members of the European Parliament) representing over 500 million people, which makes small district connections between voter and representative impossible.

197. While the European Parliament is a supranational body, it has not yet achieved a separate electoral identity in the minds of voters, even though citizens of one member state are also allowed to be a candidate in another member state. Elections to it are seen for the most part as contests between the national political parties in each member state. It is probably generally true that existing national political parties will play a major role in the development of supranational electoral systems and that dominant regional traditions at national level (in the case of the European Parliament, PR) may dominate at supranational level also.

THE EUROPEAN PARLIAMENT: Elections to a Supranational Body

Andrew Ellis and Stina Larserud

In June 2004 the citizens of 25 European countries went to the polls to elect their representatives to the European Parliament. Many were doing so for the first time, while others were in countries with experience of up to five previous elections to the Parliament. In 2004, all were conducting their elections under a proportional electoral system.

The first piece of legislation covering elections to the European Parliament came in 1976, when the Act Concerning the Election of the Representatives of the Assembly by Direct Universal Suffrage was agreed. As the name implies, this act determined the principles for direct elections of the representatives from each member state. In the early days of the EU, the members of the European Parliament were nominated by the legislature in each member state, with no direct input from the electorate. The passing of the 1976 act meant that from then on the members would be elected by direct universal suffrage in each member state; and in 1979 the first European Parliament elections were held in the then nine member states—Belgium, Denmark, France, the Federal Republic of Germany, Italy, Luxembourg, the Netherlands, the Republic of Ireland and the United Kingdom—resulting in a total of 410 elected members.

The act of 1976 determined many things regarding the elections, such as the length of the parliamentary term and the eligibility of candidates, but did not in itself determine the actual electoral system to be used in these elections. It did, however, give the European Parliament the task of drawing up a proposal for a uniform electoral procedure. Until such a procedure came into force, the act left the electoral procedures to the national provisions of the member states.

As most member states at the time were using a PR system of one form or another to elect their legislatures, either alone or as one component of the electoral system, the choice of which electoral system to use for the European Parliament was a simple one. Belgium, Denmark, the Federal Republic of Germany, Italy, Luxembourg and the Netherlands were already familiar with the List PR system in one form or another, and all their representatives were therefore elected under a List PR system (except for the one representative of Greenland, included within the representation of Denmark, who

was elected by FPTP until Greenland left the European Community in 1985). The Republic of Ireland chose to elect its representatives using its preferential STV system. There were only two exceptions: the UK with its FPTP electoral system and France with its Two-Round system for national elections were both unfamiliar with the PR system.

The UK simply copied the electoral system used for the elections to the House of Commons and applied it to the European Parliament elections as well. This system suited the two largest parties, Labour and the Conservatives, very well, and made it difficult for any third party to enter the arena. Resistance against a representative holding a dual mandate also contributed to the adoption of FPTP for European Parliament elections in the UK. If serving in both the European Parliament and the British Parliament simultaneously were to be prohibited, as some British politicians wanted, and some form of PR were also to be adopted, party lists would be likely to be made up of unknown candidates not elected to any other national or local body, which would carry the risk of undermining the perceived importance of the elections. A candidate-centred, single-member district system, where candidates would be closer to their electorate, was thought to be a better solution.

None of this thinking applied to Northern Ireland. Concern to ensure the representation of majority and minority communities, combined with the fact that the parties of England, Scotland and Wales do not normally contest elections there, resulted in the use of STV for Northern Ireland's three seats. An attempt was made to challenge in the courts the use of FPTP for European Parliament elections in England, Scotland and Wales on the basis of the requirement contained in the act for a uniform electoral procedure to be proposed, but this was unsuccessful. The system used in England, Scotland and Wales only changed in 1999 when the European Parliamentary Elections Act was passed, as the UK anticipated the changes that would be forced on it as the process which led to the 2002 Council decision (see below) got under way. From 1999 onwards, the UK joined the other member states in the use of a PR system, choosing List PR with closed lists and regional electoral districts.

In France—despite its using TRS for the elections to the national legislature—a closed List PR system with one national district was adopted as early as 1977, before the first European Parliament elections in 1979. The reasons for this were many. One of the main advantages of a plurality/majority system—the formation of stable majority governments—was clearly not relevant for these elections, and the proportional representation of all political parties was seen as a much more important criterion for the design of the electoral system. The nationwide district in combination with a 5 per cent threshold was thought of as providing a balance between a high level of proportionality on the one hand, and the desire to exclude parties with little support on the other. The ability to fill vacant seats between elections with the next person on the list, thus eliminating the need to hold by-elections, was another advantage that led to the adoption of the List PR system. After five elections, the wish to strengthen the relationship between voters and representatives, and the desire for greater geographical representation (a disproportionate number of those elected had been residents of Paris), led to the nationwide district being abandoned before the election in 2004. It was replaced by eight multi-member districts for the election of France's 78 representatives

to the European Parliament.

The next piece of important legislation on the European Parliament elections was concluded in 2002 with the Council Decision 8964/02 amending the Act Concerning the Election of the Representatives of the Assembly by Direct Universal Suffrage—an amendment to the 1976 act. Twenty-six years after the establishment of provisions for direct elections, this decision specified a common electoral system family for European Parliament elections for all member states. Article 1 reads: ‘In each Member State, members of the European Parliament shall be elected on the basis of proportional representation, using the list system or the single transferable vote.’ For the 2004 elections, all 25 member states thus used a PR electoral system.

While all these systems belong to the same family, they also differ in some respects. Twenty-three countries (Austria, Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and the UK) use List PR, while Malta and the Republic of Ireland use the Single Transferable Vote. This difference may be expected, since the List PR system makes up at least a part of the electoral system for the national legislatures of 21 of the 23 countries (France and the UK being the exceptions), while the Republic of Ireland and Malta both use STV for their national elections.

In the 23 countries using List PR, some used closed lists, while others have chosen open lists—a choice which in most cases mirrors that made for national elections, although Greece is one exception. Equally, some member states, especially the smaller ones, elect their members from one national district, while others have set up a number of districts at regional level.

The threshold for gaining representation in the different member states also varies. The 2002 decision allows for the individual countries to determine the threshold, but sets the ceiling for any formal threshold at 5 per cent. Some countries, for example Cyprus, Hungary and Sweden, use formal thresholds, again for the most part mirroring their use at national level (although Belgium, which uses a formal threshold for national elections, does not do so for European Parliament elections). Not only the formal thresholds, but also the actual level of support needed to gain representation—natural thresholds—vary significantly between member states. The reason for the variations in thresholds is found in the combination of the number of representatives to be elected from each country and the level at which the electoral districts are defined (more specifically, the number of representatives to be elected from each district). Italy, with one nationwide district and 78 representatives to elect, has a very low effective threshold of under 1 per cent, while the four electoral districts and 13 representatives of the Republic of Ireland mean that a successful candidate under STV will need to win a much higher proportion of the vote. In 2004, the winning candidates in Ireland received between 12.9 and 25.9 per cent of the first-preference votes in their district.

While a common electoral system family is now specified for European Parliament elections, there is little sign of any momentum for further integration. Although party groups are formed within the European Parliament, there is no sign that national parties are willing to relinquish any significant leading role to pan-European parties. There is thus every likelihood that decisions about electoral system details will remain

in the hands of national politicians, influenced by their own interests and their existing national traditions.

Debate seems more likely to centre on the low voter turnout in European Parliament elections, which remains a major concern of the EU member states. Despite the use of a PR system in all countries—an electoral system family which is usually linked to a higher voter turnout than other systems—turnout is still strikingly low. At the 2004 elections, the 15 countries that were members before enlargement in 2004 had an average turnout of 52.9 per cent, and the 10 new member states an even lower figure of 40.2 per cent. It appears that as long as the electorate sees European Parliament elections as being secondary, with little clarity as to what changes result when representation changes at elections, interest and turnout will remain low. The electoral systems used are not seen as a controversial element, and there is very little serious debate about their amendment. It is therefore likely that the electoral systems will remain fairly constant in the near future.

Electing Federal/State Assemblies and Autonomous Jurisdictions

198. The legislatures of regions or states within a federation may use the same electoral system as the national legislature (symmetry), as happens in South Africa's closed-list PR system, or they may use different systems (asymmetry), as in the UK, where the Scottish Parliament and the National Assembly for Wales are elected by MMP and the national legislature is elected by FPTP. The system for a state legislature may give primacy to the inclusion of minority groups within its borders or balance between urban and rural interests. The more autonomy a region has, the less the pressure for its electoral arrangements to mirror those of other states or provinces. The very fact of its being an autonomous jurisdiction implies that its attributes and needs are quite distinct from those of other areas.

Electing Local Authorities

199. Any of the electoral systems outlined in this Handbook can be used at the local or municipal government level, but often there are a number of special considerations arising from the particular role of local government. In particular, because local government is more about the 'nuts and bolts' issues of everyday life, geographical representation is more often given primacy. The use of local elections as a step towards democratization is an example of this (see the case study on China).

200. Single-member districts can be used to give every neighbourhood a say in local affairs, especially where political parties are weak or non-existent. Where these districts are small, they are usually highly homogeneous. This is sometimes seen to be a good thing, but if diversity within a local government district is required the 'spokes of a wheel' principle of districting can be applied. Here, district boundaries are not circles drawn around identifiable neighbourhoods but are segments of a circle centring on the city centre and ending in the suburbs. This means that one district includes both the urban and the suburban voters, and makes for a mix of economic class and ethnicity.

201. In contrast, the municipalities in some countries which use PR systems for local government have one single-list PR district which can proportionally reflect all the different political opinions in the municipality. In order to achieve this, however, specific space may need to be made for representatives of local associations who are not driven by party-political ideology to nominate lists, and perhaps also for independents to be nominated as single-person lists.

202. It is also true that the choice of local electoral system may be made as part of a compromise involving the system for the national legislature. For example, in some newly democratizing countries such as Congo (Brazzaville) and Mali, tradition and the French influence have resulted in a Two-Round System for the national legislature, while a desire to be inclusive and more fully reflect regional and ethnic loyalties resulted in the choice of PR for municipal elections.

CHINA: Village Committee Elections: First Steps on a Long March?

Dong Lisheng and Jørgen Elklit

With the 'household contract responsibility system' introduced in the Chinese countryside in the late 1970s, farmers began to produce for their families. As production was decentralized, the collective-oriented organization of the People's Communes became outdated.

The earliest villagers' committees (VCs) emerged in the Guangxi Autonomous Region in 1980–1. Formed without the knowledge of the local authorities, these organizations were created by village elders, former cadres and community-minded villagers. The intention was to address a decline in social order and a broader political crisis as production brigades and teams stopped functioning at the grass-roots level. Within months, local officials had reported this development to the central government. The National People's Congress (NPC) leaders encouraged experiments with this new form of organization.

In 1982, VCs were written into the constitution as elected mass organizations of self-government (article 111). In contrast to the relationship between the commune and production brigade or production team, the newly restored township—the lowest level of government—does not lead the VC but only exercises guidance over it. Another difference is the introduction of direct election by all eligible voters. In 1987, the Provisional Organic Law of Villagers' Committees was passed, setting out general principles for direct elections to VCs and defining the tasks and responsibilities of the VCs. Implementation of the law, including the enactment of detailed regulations, was left to the provincial and lower-level authorities. The quality of elections and overall implementation varied considerably, and after ten years perhaps only 25 per cent of the more than 658,000 villages (the latest figure, for the end of 2002) in China had experienced direct elections in full accordance with the law.

In 1998, the NPC made the Organic Law permanent. The law has clarified and improved some aspects of the prescribed election procedures and strengthened the rules on transparency and popular control of VCs. The permanent law is seen by many as a political and legal consolidation of the village election process, but its full implementation remains a challenge—perhaps even more so after the introduction of

more demanding standards, for instance, in relation to secret polling booths and the direct nomination of candidates. The quality of elections across the country still varies considerably.

The VC members are elected for three years, with no limit on the number of terms for which a person can be re-elected. The VCs usually consist of between three and seven members, one of whom is chair and one or two vice-chairs. Although there is variation from province to province, VCs generally oversee all the administrative matters of a village, including budget management, public utilities, dispute resolution, public safety, social order and security, health issues and local business management. A large village can consist of more than 10,000 people, while small ones might only have several hundred. The 'average village' has 1,000–2,000 inhabitants.

VCs report to the Village Assembly or the Village Representative Assembly. As the former meet only once or twice a year, the latter, composed of 25–50 people from the village and selected by Villagers' Small Groups, play a greater role in decision making and in the supervision of the VCs. A Village Election Committee administers village elections.

Village elections have now been held in all 31 provinces, autonomous regions and municipalities. By 2003, the provinces of Fujian and Liaoning, two front-runners in this regard, had completed eight and seven elections, respectively, and 19 provinces had held between four and six elections. At least one province held its first village elections as late as 2000. There is no single election day for all VC elections across the country. During a province's designated election year, the counties and townships within the province together decide the election days for the villages within their jurisdictions.

Each election adheres to the same basic framework. The first step in the process is the registration of voters, which is handled by the Village Election Committee. A list of registered voters must be prepared and publicly displayed 20 days prior to the election. Voters are allowed to challenge the registration lists. Except for those who have been deprived of political rights, all those aged 18 or above enjoy the right to vote and to be elected without regard to ethnicity, race, sex, profession, family background, religious belief, level of education, property or period of residence in the community. One important challenge is the large number of voters whose residence registrations are in their 'home village', but who live and work a long distance away, often in a major urban area. It is difficult or impossible for most such voters to get back to their village on election day. At the same time, they cannot attend the elections in the cities in which they work and reside. Therefore they cannot actually exercise their right to vote.

Following voter registration, candidates are nominated directly by villagers. In most provinces, the requirement is to have only one more candidate than there are seats to be filled as chair, deputy chair, and ordinary members. In recent years, nominations in some provinces have been organized through villagers attending either a meeting of the Village Assembly or a meeting of the Villagers' Small Group, while the latest development in other provinces is to have no pre-election nomination. In these areas, voters receive either a blank piece of paper or a blank ballot paper with only the different positions indicated above the relevant columns. If the election fails to produce a new committee or to fill all positions it de facto becomes a first-round election, and a run-off election follows.

The final election must be direct. The use of secret ballots and polling booths (or rooms) is mandatory in most provinces. There are three voting styles: (a) mass voting, where all voters go to a central voting place in the morning, vote, and remain there until the end of the count; (b) individual voting throughout the course of the day of the election; and (c) proxy or absentee voting, or 'roving boxes'. Most of the provinces use mass voting. The ballot papers used contain names of candidates listed under the post for which they are standing; and the voting is done by the voter marking the names of the candidates he or she wishes to elect. The voter can mark as many candidates as there are posts (one chair, one or two vice-chairs, and a number of committee members) in the village. For an election to be considered valid an absolute majority of eligible voters must cast their ballots and winning candidates are required to get 50 per cent of the vote plus one. When no candidate receives a majority, a run-off election is held within three days. In run-off elections, candidates are only required to receive 33 per cent of all votes cast. Winners take up their positions immediately.

Village elections are important in that the election law mandates the basic norms of a democratic process—secret ballot, direct election and multiple candidates (even though their numbers are very restricted). Other elections in China have yet to implement these norms. The progress made in relation to VC elections has raised expectations as to whether and when direct elections will work their way up from the village to the township, county, and even higher levels of government. Each round of VC elections also strengthens local capacity to administer electoral processes.

An assessment of the significance of China's village elections has much to do with the question whether such 'limited democracy' can lead to genuine democracy. There are different ways of assessing how democratic elections are. The three universal criteria of free, fair and meaningful elections are appropriate terms of reference. China does not meet any recognized standards of free and fair elections in choosing its national parliament and local councils, and in many cases elected village leaders do not exercise as much authority as the Chinese Communist Party (CCP) secretaries do. However, just because the village elections are not fully free or fair, and some VCs do not command complete authority, it cannot be concluded that they are completely unfree, unfair, or meaningless. Elections should not be evaluated against some absolute standard but rather viewed as positioned on a democratic continuum.

The VC elections have produced a ripple effect as village CCP branch elections in some cases have invited ordinary villagers to cast a vote of confidence, and some experiments with elections of township government leaders have taken place. China's democratization now appears to require that the top leadership's political decisions find an echo at the grass roots. After two decades of continuously improved direct elections at the village level, elections at higher levels of government appear technically feasible; the question is whether and how there will be further change in the direction of democratization.

大关庄村第五届村委会选举选票

职务	主任候选人		副主任候选人			委员候选人								
	关利泽	李少顺	李少顺	关利泽	勾井仕	关其宝	李栓芬	关其宝	勾井仕	李少顺	关其宝	刘万喜	关利泽	关其国
姓名														

- 说明：1. 主任候选人，副主任候选人，委员候选人，超过法定人数的选票无效。
 2. 同意的在候选人姓名下方空格内划“○”；不同意的划“×”；另选他人在空格内写上候选人的姓名，并在其姓名下方空格内划“○”，未划符号的无效。
 3. 不许将同一候选人担任两种或两种以上职务，否则该候选人的票无效。



Chinese village election ballot paper

203. The debate between parliamentarism and presidentialism in national constitutions has a counterpart in discussion of the structure of local government. Directly elected governors and mayors who head executive authorities that are separate from the elected local legislative body are becoming more popular worldwide, at the expense of elected authorities with collective committee structures directly responsible for services. The range of systems for electing governors and mayors is in principle the same as that for the direct election of presidents, and parallels may also be drawn when considering the issues surrounding the relationship between the electoral system and the legislative–executive relationship at local level.

Electoral Systems and Political Parties

204. Different kinds of electoral system are likely to encourage different kinds of party organization and party system. While it is important for party systems to be as representative as possible, most experts favour systems which encourage the development of parties based on broad political values and ideologies and specific policy programmes, rather than narrow ethnic, racial or regional concerns. As well as reducing the threat of societal conflict, parties which are based on these broad ‘cross-cutting cleavages’ are more likely to reflect national opinion than those that are based predominantly on sectarian or regional concerns.

205. Highly centralized political systems using closed-list PR are the most likely to encourage strong party organizations; conversely, decentralized, district-based systems like FPTP may have the opposite effect. But there are many other electoral variables that can be used to influence the development of party systems. For example, new democracies like Russia and Indonesia have attempted to shape the development of their nascent party systems by providing institutional incentives for the formation of national rather than regional political parties (see the case study on Indonesia). Other countries such as Ecuador and Papua New Guinea have used party registration and funding requirements to achieve similar objectives. Access to public and/or private funding is a key issue that cuts across electoral system design, and is often the single biggest constraint on the emergence of viable new parties.

Just as electoral system choice will affect the way in which the political party system develops, the political party system in place affects electoral system choice. Existing parties are unlikely to support changes that are likely to seriously disadvantage them, or changes that open the possibility of new, rival parties gaining entry to the political party system, unless there is a strong political imperative. The range of options for electoral system change may thus be constrained in practice.

206. Different kinds of electoral system also result in different relationships between individual candidates and their supporters. In general, systems which make use of single-member electoral districts, such as most plurality/majority systems, are seen as encouraging individual candidates to see themselves as the delegates of particular geographical areas and beholden to the interests of their local electorate. By contrast,

systems which use large multi-member districts, such as most PR systems, are more likely to deliver representatives whose primary loyalty lies with their party on national issues. Both approaches have their merits, which is one of the reasons for the rise in popularity of mixed systems that combine both local and national-level representatives.

207. The question of accountability is often raised in discussions of political parties and electoral systems, especially in relation to individual elected members. The relationships between electors, elected members and political parties are affected not only by the electoral system but also by other provisions of the political legislative framework such as term limits, provisions regulating the relationship between parties and their members who are also elected representatives, or provisions barring elected members from changing parties without resigning from the legislature.

208. The freedom for voters to choose between candidates as opposed to parties is another aspect of accountability. Many countries in recent years have therefore introduced a greater element of candidate-centred voting into their electoral systems, for example, by introducing open lists in PR elections.

Direct Democracy Options

209. This Handbook covers issues of electoral system design for the election of representatives at all levels. When considering the question of accountability, however, a broader framework may be necessary which also takes into account the role of institutions of direct democracy. The use of referendums is becoming more common worldwide. Switzerland has a long history of use of the citizens' initiative, a procedure which enables legislative proposals to be submitted by groups of citizens to popular vote. While Venezuela is the only country which provides for a recall vote against a directly elected president, such votes can be demanded against legislators and/or regional and local office holders in some presidential systems and many US states.