



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

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# 6. Advice for Electoral System Designers

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221. ONE OF THE clearest conclusions to be drawn from the comparative study of electoral systems is simply the range and utility of the options available. Often, designers and drafters of constitutional, political and electoral frameworks simply choose the electoral system they know best—often, in new democracies, the system of the former colonial power if there was one—rather than fully investigating the alternatives. Sometimes the elements of a peace settlement or external pressures constrain the options available.

The major purpose of this Handbook is to provide some of the knowledge for *informed* decisions to be made. The Handbook does not necessarily advocate wholesale changes to existing electoral systems; in fact, the comparative experience of electoral reform to date suggests that moderate reform, building on those parts of an existing system which work well, is often a better option than jumping to a completely new and unfamiliar system.

222. There is much to be learned from the experience of others. For example, a country with an FPTP system which wishes to move to a more proportional system while still retaining the geographical link to constituents might want to consider the experience of New Zealand, which adopted an MMP system in 1993, or Lesotho, which did so in 2002. A similar country which wants to keep single-member districts but encourage inter-group accommodation and compromise could evaluate the experience of AV in the Oceania region (Fiji or Papua New Guinea in particular). Any deeply divided country that wishes to make the transition to democracy would be well advised to consider both the multi-ethnic power-sharing government the List PR electoral system in South Africa has facilitated and the more troubled history of the Northern Ireland Assembly elected by STV. Lastly, a country which simply wishes to reduce the cost and instability created by a TRS system for electing a president could examine the AV option used by the Republic of Ireland. In all these cases, the choice of electoral system has had a clear impact on the politics of that country.

223. The following guidelines summarize the advice contained in this Handbook.

### ***Keep It Simple and Clear***

224. Effective and sustainable electoral system designs are more likely to be easily understood by the voter and the politician. Too much complexity can lead to misunderstandings, unintended consequences, and voter mistrust of the results.

### ***Don't be Afraid to Innovate***

225. Many of the successful electoral systems used in the world today themselves represent innovative approaches to specific problems, and have been proved to work well. There is much to learn from the experience of others—both neighbouring countries and seemingly quite different cases.

### ***Pay Attention to Contextual and Temporal Factors***

226. Electoral systems do not work in a vacuum. Their success depends on a happy marriage of political institutions and cultural traditions. The first point of departure for any would-be electoral system designer should be to ask: What is the political and social context I am working within? The second might be: Am I designing a permanent system or one which needs to get us through a transitional period?

### ***Don't Underestimate the Electorate***

227. While simplicity is important, it is equally dangerous to underestimate the voters' ability to comprehend and successfully use a wide variety of different electoral systems. Complex preferential systems, for example, have been used successfully in developing countries in the Asia–Pacific region, while the experience of many recent elections in new democracies has underlined the important distinction between 'functional' literacy and 'political' literacy. Even in very poor countries, voters often have, and wish to express, relatively sophisticated orderings of political preferences and choices.

### ***Err on the Side of Inclusion***

228. Wherever possible, whether in divided or relatively homogeneous societies, the electoral system should err on the side of including all significant interests in the legislature. Regardless of whether minorities are based on ideological, ethnic, racial, linguistic, regional or religious identities, the exclusion of significant shades of opinion from legislatures, particularly in the developing world, has often been catastrophically counterproductive.

### ***Process is a Key Factor in Choice***

229. The way in which a particular electoral system is chosen is also extremely important in ensuring its overall legitimacy. A process in which most or all groups are included, including the electorate at large, is likely to result in significantly broader acceptance of the end result than a decision perceived as being motivated by partisan self-interest alone. Although partisan considerations are unavoidable when discussing the choice of electoral systems, broad cross-party and public support for any institution is crucial to its being accepted and respected. The reform of the New Zealand electoral system from FPTP to MMP, for example, involved two referendums which served to legitimize the final outcome. By contrast, the French Socialist government's decision in 1986 to switch from the existing Two-Round System to PR was widely perceived as being motivated by partisan considerations, and was quickly reversed as soon the government lost power in 1988.

### ***Build Legitimacy and Acceptance Among All Key Actors***

230. All groupings which wish to play a part in the democratic process should feel that the electoral system to be used is fair and gives them the same chance of electoral success as anyone else. The paramount aim should be that those who 'lose' the election cannot translate their disappointment into a rejection of the system itself or use the electoral system as an excuse to destabilize the path of democratic consolidation. In 1990 in Nicaragua, the Sandinistas were voted out of the government but accepted the defeat, in part because they accepted the fairness of the electoral system. Cambodia, Mozambique and South Africa were able to end their bloody civil wars through institutional arrangements which were broadly acceptable to all sides.

### ***Try to Maximize Voter Influence***

231. Voters should feel that elections provide them with a measure of influence over governments and government policy. Choice can be maximized in a number of different ways. Voters may be able to choose between parties, between candidates of different parties, and between candidates of the same party. They may also be able to vote under different systems when it comes to presidential, upper house, lower house, regional and local government elections. They should also feel confident that their vote has a genuine impact on the formation of the government, not just on the composition of the legislature.

### ***But Balance That Against Encouraging Coherent Political Parties***

232. The desire to maximize voter influence should be balanced against the need to encourage coherent and viable political parties. Maximum voter choice on the ballot paper may produce such a fragmented legislature that no one ends up with the result they were hoping for. There is widespread agreement among political scientists that broadly-based, coherent political parties are among the most important factors in promoting effective and sustainable democracy.

### ***Long-Term Stability and Short-Term Advantage Are Not Always Compatible***

233. When political actors negotiate over a new electoral system they often push proposals which they believe will advantage their party in the coming elections. However, this can often be an unwise strategy, particularly in developing nations, as one party's short-term success or dominance may lead to long-term political breakdown and social unrest. For example, in negotiations prior to the transitional 1994 election, South Africa's ANC could reasonably have argued for the retention of the existing FPTP electoral system, which would probably have given it, as by far the largest party, a seat bonus over and above its share of the national vote. That it argued for a form of PR, and thus won fewer seats than it could have under FPTP, was a testament to the fact that it saw long-term stability as more desirable than short-term electoral gratification.

234. Similarly, electoral systems need to be responsive enough to react effectively to changing political circumstances and the growth of new political movements. Even in established democracies, support for the major parties is rarely stable, while politics in new democracies is almost always highly dynamic and a party which benefits from the electoral arrangements at one election may not necessarily benefit at the next.

### ***Don't Think of the Electoral System as a Panacea for All Ills***

235. While it is true that if one wants to change the nature of political competition the electoral system may be the most effective instrument for doing so, electoral systems can never be the panacea for all the political ills of a country. The overall effects of other variables, particularly a country's political culture, usually have a much greater impact on its democratic prospects than institutional factors such as electoral systems. Moreover, the positive effects of a well-crafted electoral system can be all too easily submerged by an inappropriate constitutional dispensation, the dominance of forces of discord internally, or the weight of external threats to the sovereignty of the country.

### ***But Conversely Don't Underestimate its Influence***

236. Throughout the world the social constraints on democracy are considerable, but they still leave room for conscious political strategies which may further or hamper successful democratization. Electoral systems are not a panacea, but they are central to the structuring of stability in any polity. Skilful electoral system engineering may not prevent or eradicate deep enmities, but appropriate institutions can nudge the political system in the direction of reduced conflict and greater government accountability. In other words, while most of the changes that can be achieved by tailoring electoral systems are necessarily at the margins, it is often these marginal impacts that make the difference between democracy being consolidated or being undermined.

### ***Be Mindful of the Electorate's Willingness to Embrace Change***

237. Electoral system change might seem a good idea to political insiders who understand the flaws of the existing system, but unless proposals for reform are presented in an appropriate way the public may well reject tinkering with the system, perceiving reform to be nothing more than a case of politicians altering the rules for their own benefit. Most damaging are situations when the change is seen to be a blatant manoeuvre for political gain (as was the case in Chile in 1989, in Jordan in 1993, and in Kyrgyzstan on several occasions since 1995 (see the case study)), or when the system alters so frequently that the voters do not quite know where they are (as some observers have argued is the case in Bolivia).

### ***And Don't Assume that Defects can Easily be Fixed Later***

238. All electoral systems create winners and losers, and therefore vested interests. When a system is already in place, these are part of the political environment. At a time of change, however, it may be unwise to assume that it will be easy to gain acceptance later to fix problems which arise. If a review of the system is intended, it may be sensible for it to be incorporated into the legal instruments containing the system change.

### ***Avoid Being a Slave to Past Systems***

239. Nevertheless, all too often electoral systems that are inappropriate to a new democracy's needs have been inherited or carried over from colonial times without any thought as to how they will work within the new political realities. Almost all the former British colonies in Asia, Africa and the Pacific, for example, adopted FPTP systems. In many of these new democracies, particularly those facing ethnic divisions, this system proved utterly inappropriate to their needs. Similarly, it has been argued that many of the former French colonies in West Africa which retained the TRS system (such as Mali) suffered damaging polarization as a result; and many post-communist regimes retain minimum turnout or majority requirements inherited from the Soviet era. One of the fascinating things about the map which comes with this Handbook is that in many ways it mirrors a map of the world's colonies 100 years ago, with many former British colonies using FPTP, those countries under French influence using TRS, and the former Belgian and Dutch colonies often opting for a version of the List PR systems used in continental Europe—although it is true to say that over time this is changing.

### ***Assess the Likely Impact of Any New System on Societal Conflict***

240. As noted at the very start of this Handbook, electoral systems can be seen not only as mechanisms for choosing legislatures and presidents but also as a tool of conflict management within a society. Some systems, in some circumstances, will encourage parties to make inclusive appeals for support outside their own core support base. Unfortunately, it is more often the case in the world today that the presence of

inappropriate electoral systems serves actually to exacerbate negative tendencies which already exist, for example, by encouraging parties to see elections as 'zero-sum' contests and thus to act in a hostile and exclusionary manner to anyone outside their home group. When designing any political institution, the bottom line is that, even if it does not help to reduce tensions within society, it should, at the very least, not make matters worse.

### ***Try and Imagine Unusual or Unlikely Contingencies***

241. Too often, electoral systems are designed to avoid the mistakes of the past, especially the immediate past. Care should be taken in doing so not to overreact and create a system that goes too far in terms of correcting previous problems. Furthermore, electoral system designers would do well to pose themselves some unusual questions to avoid embarrassment in the long run. What if nobody wins under the system proposed? Is it possible that one party could win all the seats? What if you have to award more seats than you have places in the legislature? What do you do if candidates tie? Might the system mean that, in some districts, it is better for a party supporter not to vote for their preferred party or candidate?

### ***A Design Checklist***

- Is the system clear and comprehensible?
- Has context been taken into account?
- Is the system appropriate for the time?
- Are the mechanisms for future reform clear?
- Does the system avoid underestimating the electorate?
- Is the system as inclusive as possible?
- Was the design process perceived to be legitimate?
- Will the election results be seen as legitimate?
- Are unusual contingencies taken into account?
- Is the system financially and administratively sustainable?
- Will the voters feel powerful?
- Is a competitive party system encouraged?
- Does the system fit into a holistic constitutional framework?
- Will the system help to alleviate conflict rather than exacerbate it?