

Debating Electoral Systems

GETTING MAJORITARIANISM RIGHT

Timothy M. Meisburger

Timothy M. Meisburger is director for Elections and Political Processes at the Asia Foundation. He wrote this essay while on sabbatical as a World Learning Democracy Fellow at the U.S. Agency for International Development (USAID). The opinions expressed here are solely his own and do not necessarily reflect the views of the Asia Foundation, USAID, or World Learning.

In their essay in the October 2011 issue of this journal, John Carey and Andrew Reynolds capably outline existing electoral systems in the Middle East and North Africa (MENA) and propose reforms in countries that have either begun a democratic transition or shown signs that such a transition may lie ahead.¹ Through their essay runs a vein of implicit or explicit support for the idea that electoral systems based on proportional representation (PR) of political parties will be best for whatever democracies may emerge in the MENA region, while majoritarian systems are more conducive to authoritarianism.

I would like to challenge these assumptions by suggesting that, in the special case of developing or emerging democracies, PR may not be the most appropriate system, and that in many cases majoritarian or plurality systems may do a better job of ensuring effective representation and promoting democratization.

Experience shows that effective democracies do not emerge overnight. Democratization is a process, not an event, and can take several generations. At different stages, it may require different electoral systems. PR may be a good choice for the mature democracies of northern Europe, which already have such key PR prerequisites as parties with clear ideological profiles, well-defined platforms, and democratic internal-governance rules. An emerging democracy, by contrast, might be better off with a system that is more flexible than PR and hence more likely to aid the development of democratic attitudes and the emergence of fully democratic parties and states.

Under PR, each voter is primarily choosing a party, with seats in the legislature awarded to parties based on their respective vote shares. There are two main types of PR, closed list and open list. In a closed-list system, a party puts forward a slate of, for example, ten candidates for a parliament of ten seats. In this case the “quota” for winning a seat is 10 percent of the vote. If the party receives 30 percent, the top three candidates on its list are elected. An open list works the same way, except that voters can also record a preference for a particular candidate on the list, so that the three elected may not necessarily be the top three on the list. Proponents of the open list say that voters are better represented through this system, while critics of PR point out that parties still decide who will be on the list, and that representatives still owe their main allegiance to party leaders rather than voters.² Under majoritarian or plurality systems, voters are primarily choosing candidates. Whichever candidate receives the most votes gains office, and votes for losing candidates are “discards” leading to no representation. Often referred to as first-past-the-post or winner-take-all, the plurality rule most commonly is combined with the single-member district (SMD) system, in which candidates vie for a single seat representing a particular geographic area. It is also possible to use majoritarian or plurality voting in multimember districts, though the practice is uncommon.

In most developing democracies, political ideology is not very important. People in developing countries seldom fit comfortably along the sort of left-right spectrum that is familiar to observers of European or European-descended polities. In emerging democracies, where political ideology is less important as an organizing principle, parties often form around preexisting social cleavages—including differences of religion, ethnicity, tribe, language, or culture—and PR-based systems can have the unfortunate effect of sharpening rather than dulling such splits.³

When parties are organized along lines of ethnicity or religion, as they are in Bosnia, parts of Africa, and much of the Muslim world, they are by definition exclusionary. You are inside or outside the group based on characteristics that you did not choose and cannot change. Under PR systems, the most successful party leaders are those who best represent their group’s interests through patronage and protection, rather than those with a broader focus on the general public welfare. Party leaders have no incentive to reach across ethnic or religious lines for votes; rather, to maintain their power it is often in their interest to perpetuate such cleavages. In Bosnia, this has been taken to such extremes that ethnic cleavage is embedded in the fabric of the constitution, and PR inhibits interethnic cooperation.

As an election system, PR is designed to provide proportional representation for ideologies and *parties* in government, rather than representation for a particular region. It is well suited to smaller countries with populations that are more or less homogeneous (one thinks of Northern

Europe) and with patterns of political contention that feature ideology rather than geography (such that a typical voter would rather be represented by someone ideologically congenial from across the country than by a near neighbor from a rival party). In other developed democracies

with less homogeneous populations and where political affiliation does not always fit comfortably on the familiar left-right spectrum, PR has been less successful.

When parties are dysfunctional or lack internal democracy or fail to faithfully represent their constituents' interests for some other reason, the quality of representation in PR systems can sink very low.

The democratic assumptions underlying PR are that all people will be represented in government through their respective parties, and that party members will share common ideas about most local and national issues. Unfortunately, in most developing democracies—and in the MENA region—parties are dysfunctional if they

exist at all. When parties are dysfunctional or lack internal democracy or fail to faithfully represent their constituents' interests for some other reason, the quality of representation in PR systems can sink very low. This, in turn, brings a danger that ordinary citizens will become disillusioned with democracy. Consequently, a party-based election system that requires functional and democratic parties may be ill suited to the Middle East, where most parties are in the early stages of democratic development.

In Tunisia, the MENA country generally rated as most likely to transition successfully to democracy, there are no long-established ideologically based *democratic* parties. The only established parties are the previous (undemocratic) ruling party and a few sham parties set up under the prior regime to provide an illusion of democracy. A party-based election in this environment, where most or all parties lack clear ideologies (the exception being the Islamist parties) or policy positions, will feature the existing undemocratic and unrepresentative parties, plus a handful of hastily established parties created by commercial, political, and military elites to protect their respective interests under the new “rules of the game.” By advocating a party-based election system before legitimate parties have had the opportunity to develop, we may inadvertently empower parties that have little or no democratic legitimacy.

Another drawback of PR systems in emerging democracies is that representative accountability is primarily upward to party leaders rather than downward to constituents. Because party leaders decide which candidates to put on the party's list in each district (and, under closed-list PR, also each candidate's ranking on the list), representatives owe their position to the party leadership rather than their own constituents. This

is not a problem if parties are internally democratic, allowing voters to express their aspirations through the party, but one of the most common problems encountered with parties in developing democracies is their lack of internal democracy.

In a number of countries that introduced PR in the early or mid-1990s, including Cambodia, Serbia, and South Africa, democratic development has been limited. In Egypt and Tunisia, where entrenched elites are likely to capture most parties, adoption of PR is likely to diminish voter influence and the quality of political representation, thereby potentially stoking public anger and instability. Should voters come to feel that they lack political efficacy in the new dispensation, their disillusionment could boost the appeal of radical or extreme alternatives.

The Danger of Extremism

Because PR allows even small minorities to get into government, it may provide a handhold for extremist parties. In a plurality system, a party with a small following that lives scattered among the rest of the populace will have little chance of winning seats. Plurality-rule politics is about chasing the “moderate middle,” not appealing to intense subgroups. Under PR, extremists have much better prospects of gaining a share of power, perhaps including access to government funding for campaigns and advertising. Well-known examples of this include the rise of the Freedom Party in 1980s Austria, and the National Socialists in Weimar Germany.⁴ In established democracies, PR contributes to party proliferation and weak coalition governments. Not only the Weimar Republic, but also Italy between 1946 and 1993 and Israel today are oft-cited examples. In the Israeli case, critics argue that the need to include hard-liners in the ruling coalition has hindered negotiations with the Palestinians.⁵

In majoritarian systems, parties must exert a broad appeal to be successful, and thus they pursue the median voter. The current lack of such a dynamic in the MENA region is glaring. If Egypt’s elections are held under a straight PR system (as Carey and Reynolds advocate), there will be dozens of poorly organized new parties competing against the former ruling party and the Muslim Brotherhood. Only a few of the new parties (led by prominent personalities) can expect to win even 4 or 5 percent of the vote and, with it, a few seats. The Brotherhood, which polls suggest has the support of about a fifth of the electorate, will win at least a fifth of the seats, and probably be the largest single bloc on a political landscape populated by dozens of small new parties.

By contrast, a majoritarian election held in an emerging democracy is likely to install in office a collection of prominent individuals (local notables) rather than a specific party. In this system, candidates prosper by broadening rather than narrowing and intensifying their appeal. In

an Egypt with plurality elections, to use a hypothetical example, the Brotherhood's 20 percent support would hand it only a few races (especially if the system featured two rounds or a distribution-of-preferences device such as the alternative vote). And those Brotherhood candidates who were elected would form a party caucus significantly more moderate than the one that would emerge under PR. For in the latter system party leaders choose candidates who display ideological purity and personal or party loyalty, and who may be counted on to maintain a solid front once in office. In a majoritarian system the same representatives would have needed to shift toward the moderate middle to get elected, and they would owe their primary allegiance to constituents rather than party bosses.

One of proportional representation's selling points is that it fosters the development of stronger parties. That is true, but the catch is that PR does not necessarily promote *democratic* parties. In Egypt, Tunisia, and other countries that lack established parties, PR may prevent the formation of democratic parties by empowering existing elites. These will have the money and clout to form parties quickly and campaign effectively, but will have little or no incentive to let the system ever become more inclusive and democratic. Representatives beholden to party leaders rather than voters will lack the independent democratic legitimacy needed to break party discipline and form cross-party alliances that might better represent constituent interests. Leaders have so much power under this arrangement that challengers to them find it hard to emerge and gain traction.

In countries without established parties, the wiser path is to foster the creation of democratic parties rather than to strengthen existing undemocratic parties in hopes that they will eventually become democratic. The best choice for producing democratic parties in a transitional country may be an SMD system where candidates run as individuals, regardless of their party affiliation. Since elections will not be party-based, each legislator will have equal power, and each will be free to form whatever alliances seem best for constituent interests. Over time, democratic factions and parties may develop organically as interest groups form, interact, and coalesce. The class of party potentates (not to mention the single strongman) that is PR's trademark is less likely to appear, as SMD disperses power equally among representatives whereas PR concentrates power in the hands of a few party leaders.

PR and Representation

Advocates of PR often present it as being more representative than other systems, but this is generally not the case in developing democracies. True, women or minorities can easily be added to a party list, but because their accountability is to leaders rather than constituents, they

lack the independence required to effectively support constituent interests. For example, female representatives in PR systems are prevented by party discipline from forming cross-party alliances with other female representatives to advance issues of specific interest to women. In PR systems, representation is seen as an ascriptive property (based on ideology, ethnicity, religion, tribe, or gender) rather than as a process. Consequently, in many PR countries entrenched elites like to point to token minority members in their parties or governments as proof of “representation,” regardless of the tokens’ actual desire or ability to look out for the interests of those whom they are supposedly “representing.”

Although it may be slightly more complicated to ensure representation for minority or disadvantaged groups in majoritarian systems, there are means available to accomplish that goal (including smaller districts, gerrymandering, and reserved seats) that also preserve representative independence and enhance accountability. Small district sizes lower entry barriers for women and minorities because fewer resources are required to run in the election than would be needed in a large multimember district. Also, a legislature drawn from small single-member districts with a residency requirement for candidates is more likely to be representative of the general population, and much less likely to be dominated by capital-based economic or political elites, rather than a legislature drawn from large multimember districts (as in a PR system).

Proponents of PR also assert that it results in fewer wasted votes and more representation. Since even small parties can expect to win a few seats, most voters will be able to point to a party elected with their support. In a first-past-the-post system, PR-friendly critics assert, even a mathematical majority of the vote may be “wasted” by being dispersed among candidates who fail to gain office. But this criticism assumes that if your candidate is not elected, you are unrepresented in government—a basic misunderstanding of geographical representation. It is like saying “You voted for pizza, everyone else voted for Chinese food, so you get no dinner.” Representatives in geographical districts do their best to represent all of their constituents, or they do not get reelected.

In their section on Tunisia, Carey and Reynolds support closed-list PR for the transition: “At the constitution-making moment,” they assert, “the inclusiveness of electoral rules must be a top priority.” At the same time, they acknowledge that the “inclusiveness” provided by closed-list PR is achieved by sacrificing accountability, and suggest that this be fixed later by changing to a system that promotes greater accountability. But changing an established electoral system is extremely difficult, particularly when the change involves making legislators more accountable.

In the early 1990s, Reynolds, Arend Lijphart, and Jørgen Elklit strongly supported a PR system for South Africa after its transition from apartheid; but by 2000, even they had realized that the lack of geograph-

ical representation had seriously compromised accountability in a polity where the leaders of the dominant African National Congress essentially have de facto power to appoint most of the national legislature.⁶ Although the need for reform in South Africa is widely acknowledged, there is little incentive for those now in charge to weaken their power by altering the system, and to date there has been no reform. This is not an isolated case. Scholars have shown that it is much more common for consolidating democracies to switch from SMD to PR or a mixed system, than it is to go in the other direction.⁷ Unsurprisingly, party leaders tend to support a change to PR because it enhances their power, and to resist a change to SMD because it diminishes their power.

PR and Conflict

Is PR a good choice for postconflict countries, as is often said? Friends of MENA-region democracy should approach this claim with caution. Although it is true that in several countries suffering from long-term conflict PR has been a key element in consociational⁸ power-sharing agreements that ended the conflict, high-level power-sharing between the elites at the top of warring factions has seldom resulted in an improvement in democracy for the average person, who often ends up trading one set of authoritarian leaders for another.

Sometimes the only way to stop a war may require guaranteeing unsavory characters a protected place in government, and in such cases, PR may be the best option. But in many cases where there were several possible options during the fluid time around transitions, PR has been recommended and adopted with little discussion about whether it would be best over the long term. Rather than reaching first for PR, constitution drafters in the Middle East and those proffering advice would be well-advised to examine other options and carefully consider whether the short-term stability provided by elite power-sharing is going to be worth the long-term loss of democratic accountability.

A more appropriate system than PR for the developing democracies of the Middle East may be the simple SMD system. It is easy to understand and, because the district size is small, voters will be in closer touch with each representative. Accountability and transparency are enhanced rather than diminished, and research has shown that enhanced accountability yields more responsive and less corrupt government, helping to prevent disillusionment with democracy once the initial euphoria of a postauthoritarian transition has passed. Proportional systems, by contrast, require large multimember districts, diluting accountability and transparency and distancing representatives from their constituents.

The smaller districts of SMD also mean that fewer resources are required to run for office than are needed in a typical large multimember district, easing participation by disadvantaged groups. Unlike PR sys-

tems, where power is concentrated in party leaders or even (as in Cambodia) a single person, SMD elections are less party-based. Each legislator will have been individually elected and have the same power as his or her colleagues, and each legislator will have the freedom to form cross-party alliances if and when it seems these will best serve constituent interests. Because party affiliation is looser to begin with, there is a greater chance that democratic and responsive parties will develop over time.

While SMD promotes more moderate parties and candidates than PR, if several candidates are running for a single seat, the more liberal and centrist candidates could split the vote and allow an extremist candidate from a disciplined party to win a seat with a relatively small plurality. In countries where this is a concern, the possibility of extremist candidates being elected can be further reduced through the adoption of a two-round or alternative-vote SMD system, which would require a winning candidate to garner a majority—not just a plurality—of the votes or preferences in the district.

The choice of an electoral system must not be taken lightly. Experience shows that it is a key step in the constitutional development of emerging democracies. The choice can have a significant effect not only on the long-term quality of a country's democracy, but also on the underlying political stability of the country itself. No system should be selected without extensive public discussion of the various options and their implications. Most countries have few people familiar with different electoral systems. Far too often in transitional or developing settings, the choice of a system is the work of a lamentably small group of people who then enshrine their decision in a constitution adopted after a sketchy public debate held in a context where few have a full grasp of the long-term significance of electoral-system design. Electoral experts and their supporters have a moral obligation to help ensure that ordinary voters in emerging democracies can develop that grasp in a timely way. Above all, this means doing all that can be done to insist that the process for choosing an electoral system must go forward in a way that is deliberative, open, and consultative rather than rushed, closed, and untransparent.

NOTES

1. John M. Carey and Andrew Reynolds, "Comparing the Arab Revolts: The Impact of Election Systems," *Journal of Democracy* 22 (October 2011): 36–47.

2. For an explanation of how, even under an open-list arrangement, party leaders exert overweening power over who becomes a legislator, see Maja Sahadžić, "The Electoral System of Bosnia and Herzegovina: A Short Review of Political Matter and/or Technical Perplexion," *Contemporary Issues* 2, no.1 (2009): 61–78.

3. Donald Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985).

4. The Weimar Republic's system of no-threshold, national-list PR allowed Adolf Hitler's National Socialists, in their breakout election in 1930, to go from 12 seats in the 491-member Reichstag to 107 seats in an enlarged (577-member) body. Under first-past-the-post rules, the Social Democrats would have doubled their seats rather than declined from 153 to 143, and the National Socialists would have actually lost seats. See Dieter K. Buse and Juergen C. Doerr, eds., *Modern Germany: An Encyclopedia of History, People, and Culture, 1871–1990* (2 vols., New York: Garland, 1998), 2:192.

5. For an example of this argument, see Seth Freedman, "Look to Israel for a Case Study in Proportional Representation's Flaws," *Guardian*, 29 April 2010, available at www.guardian.co.uk/commentisfree/2010/apr/29/israel-proportional-representation.

6. See the October 2002 report of the Electoral Institute for the Sustainability of Democracy in Africa, "South Africa: Proportional Representation: Pros and Cons," available at www.eisa.org.za/WEP/sou3.htm.

7. Andrew Reynolds, *Designing Democracy in a Dangerous World* (New York: Oxford University Press, 2011), 76.

8. "Consociational democracy means government by elite cartel designed to turn a democracy with a fragmented culture into a stable democracy." Arend Lijphart, "Consociational Democracy," *World Politics* 21 (January 1969): 216.