

REVIEW OF THE ELECTORAL SYSTEMS



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REVIEW OF THE ELECTORAL SYSTEMS

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INTRODUCTION

Electoral systems have to be tailored as per the individual needs of states, as they determine the type and quality of representation, and therefore the political agenda of a country. The changes taking place over years in Georgia have affected the rules of electing the Parliament several times always remaining as the subject of controversy. The debates exacerbated in November 2019 after the rejection of the constitutional reform that could have transferred the country completely to the proportional system. New challenges has emerged: the issue of distinguishing the electoral models. The given paper reviews the issue and strives for determining the criteria on the basis of which it will be possible to differentiate between majoritarian, proportional and other electoral systems.

CLASSIFICATION OF ELECTORAL SYSTEMS

Electoral systems determine the rules by which votes are translated into seats. States choose different electoral systems depending on the size of the country, population, territorial arrangement, and voter needs. However, democratic states utilize only 12 major electoral models¹ that include the following three systems: proportional, majoritarian, and others. The classification is based on specific principles, yet the approaches to the differentiation criteria vary.

Two methods are usually used to differentiate between electoral systems. In the first case, the approach is very general and based entirely on the results of an election. Selecting a particular electoral system is determined by the rule of how votes are cast and transformed into seats.²

The alternative method is more detailed. Douglas Ray,³ the author, divides it into several components and discusses the mechanism by which votes are converted into seats, thus allowing for more accurate classifi-

¹ Reynolds A., Reilly B. and Ellis A., *Electoral System Design: The New International IDEA Handbook*, Stockholm, Sweden, 2005, Chapter 3, .63.

² Leduc L., Niemi R. and Norris P., *Comparing Democracies: Elections and Voting in 21st Century*, Thousand Oaks, CA., USA, 2010, Chapter 2, pp. 25.

³ American political scientist, professor at the Faculty of Political Science and Management at Yale University.

cation.⁴ While trying to understand the results, it is important to determine whether the mood of the electorate is proportionally represented in an elected body.⁵ If the number of candidates nominated by a party stands closer to the support they received in an election and the “wasted votes”⁶ are few, the results can be deemed to be proportional.⁷ In contrast, a disproportionate system ensures that only one party gets the majority of votes required to make important decisions (for example, to form a government).⁸ At such times, the number of wasted votes is quite high.⁹

The alternative classification¹⁰ is the basis for essential typologies. The electoral systems are distinguished by following three components: (1) electoral formula, (2) district magnitude, and (3) ballot structure. The district magnitude determines its **geographical arrangement** and size, i.e. the number of seats in one district, the ballot structure - the type of **electoral subjects**,¹¹ **the form of expression of will**,¹² and **the number of votes**,¹³ and the electoral formula - **the rule of converting votes into seats**.¹⁴

Most political scientists agree that the district magnitude out of the above three components has the greatest influence on the classification of the system - the more seats there are for a district, greater the effect on the degree of proportionality is.¹⁵ Nevertheless, in practice, the electoral formula is prioritized when classifying electoral systems.¹⁶

⁴ Reeve A. and Ware A., *Electoral Systems: A Comparative and Theoretical Introduction*. New York, NY, USA, 2006, Chapter 3, pp. 64.

⁵ Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 25.

⁶ In electoral systems, any votes given to a losing candidate or votes not required (extra) for the victory are called lost votes.

⁷ Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 29.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ An election subject: a party or a candidate.

¹² A ballot paper from which only one candidate is elected or the preference is given to.

¹³ One vote; as many votes as there are seats in a constituency; fewer votes than the number of seats in a constituency.

¹⁴ Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 26.

¹⁵ Ibid., Also, Farrell 2001, Lijphart 1994 papers.

¹⁶ Reeve A. and Ware A., the cited paper, Chapter 3, pp. 64, also Blais and Massicotte 2002, Bogdanor 1983 papers.

MAJORITARIAN ELECTORAL SYSTEMS

In a classical way, majoritarian elections are usually held in single-member districts, where a voter casts one vote. Such systems are characterized by ballot papers with a list of individuals (candidates) from which voters make their choice. Those candidates who obtain the best results win seats in a district. Accordingly, the support expressed to a candidate by the majority of voters in a district determines the number of votes that will be transformed into seats. However, the definition of majority and best results varies in different models. For example, members of the lower house of the House of Commons in the United Kingdom are elected by majority or a simple majority system.¹⁷ Such systems exclude a run-off and declare the winner to be the candidate who receives the most votes in a constituency.¹⁸ The method is based on First-Past-the-Post and Winner-Takes-All principles.¹⁹ A different majority is envisaged by French law, according to which the winner in a single-member constituency is considered to be that candidate who obtains the absolute majority of votes (50% + 1), yet the support of at least 25% of all registered voters in a constituency.²⁰ In the event that none of the candidates receive an absolute majority of votes, second round of the elections shall be scheduled.²¹

Elections with majority systems are mostly held in single-member constituencies, yet they may also be utilized in multi-member districts. The ballot structure varies according to the district magnitude and the number of seats but the election formula remains the same - the votes are converted in seats by a majority vote. The examples of the models are Multiple Non-Transferable Vote system, the same Block Vote.²² Here, constituencies always have multiple members.

In the Block Vote system, voters have as many votes as there are seats in a constituency, however, in contrast to the Cumulative Voting (CV)

¹⁷ Voting systems in the UK, the official website of the United Kingdom House of Commons, available at: <https://bit.ly/3bdtL9f> , updated: 04.05.2020.

¹⁸ Reynolds A., Reilly B. and Ellis A., the cited paper, Chapter 3, §76.

¹⁹ *Ibid.*, §77.

²⁰ French Election Code, Chapter 2, Subsection 2, Article 126, Legislative Base of France, available at: <https://bit.ly/2WfTNo1> , updated: 04.05.2020.

²¹ *Ibid.*

²² Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 27

model,²³ the voter cannot give the same candidate more than one vote, while one party has the right to nominate as many candidates as there are seats in a constituency.²⁴ Generally speaking, voters can abstain from using all votes.²⁵ The Cumulative Voting method is currently only used in a few states in the United States.²⁶ The Block Voting method is applied in countries with weak or undeveloped political parties.²⁷As of 2020 data, the Block Voting is used at the national level by Tuvalu and Tonga.²⁸

It is noteworthy that in some multi-member majoritarian electoral systems, the ballot structure consists of not candidates but parties.²⁹ For example, Party Block Vote (PBV) model, which is applied in a multi-seat constituency, a voter can cast one vote and give that vote to a political union rather than a candidate.³⁰ The winning political party that receives most of the votes will obtain all seats in the constituency.³¹ This model has survived in only a few states, including Chad.³²

Another model of the majoritarian electoral system different from the above is - Alternative Vote. The constituencies here are single-member, however, voters in districts have the opportunity to rank candidates.³³ Alternative Vote implies the type of preferential electoral system, where voters rank candidates in order of preference by assigning the candidates relevant numbers.³⁴ For example, if there are five candidates on the ballot paper, voters prioritize among the proposed candidates by indicating the rating from 1 to 5. In this model, the candidate wins a seat based on the principle of the absolute majority. Accordingly, those who receive the

²³ A voting system in which a voter in a multi-member constituency has as many votes as there are seats in the constituency and can give these votes to only one or all candidates.

²⁴ Reynolds A., Reilly B. and Ellis A., the cited paper, Chapter 3, §80.

²⁵ Ibid.

²⁶ Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 243, §6.

²⁷ Reynolds A., Reilly B. and Ellis A., the cited paper, Chapter 3, §81.

²⁸ Ibid.

²⁹ Ibid. §86.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 28.

³⁴ Ibid. pp.29

first preference of most voters will get a seat in the representative body.³⁵ If no candidate can be identified after the vote count, the candidate with the lowest result will be eliminated from the election and his/her votes distributed to the 2nd, 3rd, and so on candidates according to preference votes until the candidate with the absolute majority is identified.³⁶ The system is used to hold elections in the lower house of the legislative body in Australia.³⁷

Despite the characteristic differences between the majoritarian models, in each case the winner is determined based on the simple principle - a candidate or a party that wins the majority of votes in the elections receives the seat.

PROPORTIONAL ELECTORAL SYSTEMS

Unlike the majoritarian system, the proportional electoral system is characterized by multi-member constituencies where each voter selects one candidate from the ballot paper. Often the candidate is a political party, however, other forms of expression of will and individual candidates on the ballot paper can be found as well.

The main principle of the system is the automatic translation of the votes obtained by a political party into a relevant proportion of seats in the legislative body,³⁸ i.e. the candidate is represented in proportion to the result he/she demonstrated during an election. The proportional electoral system combines two main models - Party List Proportional Representation and Single Transferable Vote (STV).³⁹

As mentioned above, ballot papers often include party lists in them.⁴⁰ Voters choose a preferred candidate who then can win seats for members of

³⁵ Ibid.

³⁶ Ibid.

³⁷ The Alternative Vote in Australia, The Electoral Knowledge Network, available at: https://aceproject.org/main/english/es/esy_au.htm , updated: 04.05.2020.

³⁸ Reynolds A., Reilly B. and Ellis A., the cited paper, Chapter 3, pp. 57-100.

³⁹ Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 29.

⁴⁰ Reynolds A., Reilly B. and Ellis A., the cited paper, Chapter 3, p. §106

his/her own list in accordance with the support received.⁴¹ There are essentially *open*, *closed* and *free lists* that are based on the principle under which potential MPs are presented on the lists and how voters can express their preferences.⁴²

In the *open list*, a voter may support a political party or a group as a whole, as well as one or more candidates on their list.⁴³ For example, in Sweden, voters may express their favor to either a political union or its individual members. However, in actuality, in only 25% of cases do voters choose a particular candidate and prefer to vote for a party.⁴⁴

The *closed lists* are the most characteristic of proportional systems. In particular, an electoral subject offers voters a detailed ranked list. In this model, the voter is deprived of the opportunity to prioritize between the candidates on the list and relies entirely on the party's decision.⁴⁵ While voting, the voter circles a specific political union that he or she supports.⁴⁶ The model is used for the proportional part of the parliamentary elections in Georgia.⁴⁷

The *free lists*, also known as Panachage,⁴⁸ allow voters, regardless of their support of a particular party, to vote for a candidate from a list submitted by another party as well.⁴⁹ Elections in the upper house of the legislative body of Spain, the Senate, are based on this concept.⁵⁰

The second most common model of the proportional electoral system is the Single Transferable Vote (STV), which is similar to the Alternative Vote

⁴¹ Ibid. §122.

⁴² Ibid.

⁴³ Ibid. §124.

⁴⁴ Ibid.

⁴⁵ Ibid. §123.

⁴⁶ Ibid.

⁴⁷ Constitutional Law of Georgia of 23 March 2018 "On the Amendments of the Constitution of Georgia", Chapter 11, Article 2, Paragraph 9, available: <https://bit.ly/2YvgdDb> , updated: 04.05.2020.

⁴⁸ Viola. M.D., Routledge Handbook of European Elections, New York, NY, USA 2016, pp. 195.

⁴⁹ Reynolds A., Reilly B. and Ellis A., the cited paper, Chapter 3, §125.

⁵⁰ Representation of the People, Institutional Act, Part 2, Chapter 3, Subparagraph 3, Article 172, Part 3, Subparagraph d. Available at: <https://bit.ly/2Wfj6q4> , updated: 04.05.2020.

but differs from the latter in the electoral formula.⁵¹ If in the first case the counting of votes continues until one candidate with an absolute majority of votes is identified, in the STV, the preference given by voters is counted until the established quota⁵² are reached and overcome by relevant candidates within the number of seats in the multi-seat constituency.⁵³ The principle of this model does not give preference to the choice of the majority and announces a candidate or a party as the winner if they exceed the set threshold. The STV system was particularly popular in 19th century Britain and its colonies. However, at present, only the lower house of the Republic of Ireland and the local self-government bodies of Scotland are elected under the Single Transferable Vote model.⁵⁴

“OTHER” ELECTION SYSTEMS

This family mainly consists of electoral models that incline towards more proportional (semi-proportional) or more majoritarian (semi-majoritarian) principles.

An example of the former is the Single Non-Transferable Vote (SNTV) model, which has survived in only a few countries and was applied in the lower chamber of the legislative body of Japan in the second half of the 20th century.⁵⁵ The structure of the model is identical to the Single-Transferable Vote system, where districts have multiple seats, parties are represented by as many candidates as there are the seats in a constituency, and voters have one vote.⁵⁶ However, transferring votes here is restricted that increases the room for internal competitions and manipulations.⁵⁷ Based on the above peculiarities, the SNTV system is known as Strictly Limited Vote and classified as a semi-proportional system, as it ensures the representa-

⁵¹ *Ibid.*, pp. 30.

⁵² The quota is calculated on the Droop quota principle as follows: the number obtained by dividing the valid number of votes by one more than the number of members to be elected, and adding 1.

⁵³ Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 30.

⁵⁴ Reynolds A., Reilly B. and Ellis A., the cited paper, Case Study: The Republic of Ireland, pp. 72.

⁵⁵ *Ibid.*, Case Study: Japan, pp. 114.

⁵⁶ *Ibid.*, §139

⁵⁷ *Ibid.*

tion of independent candidates and minorities. Consequently, the greater the number of seats in a constituency, the more proportionate the system is.⁵⁸ For example, if two candidates nominated by one party in a four-seat constituency receive a total of 50% support, both will win the seats only if the support is evenly distributed. Otherwise, the chances that one from the two candidates of the same electoral subject obtaining less individual support will win the seat are minimal.⁵⁹ This electoral system divides votes between candidates of one political union, yet allows those who have not won the support of the majority but still obtained “seats” due to the redistribution of votes enter the legislative body. Elections under the SNTV system are held in three countries - Afghanistan, Jordan and Vanuatu.⁶⁰

The Limited Vote model is based on similar principles as well. The system has been applied since 1977 to compose the upper house of the legislative body of Spain, the Senate.⁶¹ In this model, unlike the Single Non-Transferable Voting system, voters can elect several candidates, yet the number of votes in a constituency is less than the number of seats.⁶² It is noteworthy that in the elections for the Spanish Senate, in any provincial district,⁶³ regardless of its size, the number of seats is four,⁶⁴ and voters can enjoy the right to three votes.⁶⁵ The ballot structure includes an open four-candidate party list submitted by subjects and voters give their vote to a specific candidate.⁶⁶ The Panachage is also allowed, i.e. the voter can

⁵⁸ *Ibid.*, §140

⁵⁹ *Ibid.*, §139

⁶⁰ *Ibid.*, pp. 166- 173.

⁶¹ Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 27.

⁶² Reynolds A., Reilly B. and Ellis A., the cited paper, §142.

⁶³ According to the Constitution of Spain, there are two types of constituencies - provincial and insular. Provincial constituencies are located in the Spanish Peninsula and each of them has four seats. The distribution of the seats in the insular constituencies is determined by the population and is reflected in three or two seats.

⁶⁴ The Constitution of Spain, Chapter 2, Article 69, Paragraph 2. Available at: http://www.juntaelectoralcentral.es/cs/jec/documentos/CONSTITUCION_ENG , updated: 04.05.2020.

⁶⁵ Representation of the People, Institutional Act, Part 2, Chapter 3, Article 166, Part 1, Subparagraph A. Available at: <https://bit.ly/2YLD0zU> , updated: 04.05.2020.

⁶⁶ Representation of the People, Institutional Act, Part 1, Chapter 6, Subparagraph 2, Article 46, Paragraph 7.

distribute his/her three votes among candidates on different party lists.⁶⁷

This model is also found in Gibraltar, which is historically the result of Spanish influence.⁶⁸ The Parliament of Gibraltar consists of 17 members, and voters can elect no more than ten preferred candidates in a single-member district election.⁶⁹ Typically, the winning party gets ten seats and the opposition seven.⁷⁰ The translation of the votes received through the SNTV and Limited Vote models into the seats is based on the principle of proportionality. A candidate with most votes, within the number of seats in the constituency, gains no advantage over other candidates who have also won the seat. Therefore, it is considered that the above systems are semi-proportional.

MIXED ELECTION SYSTEMS

Another family, mixed electoral systems, is broadly defined as the conversion of votes into seats under two systems - proportional and majoritarian, where the former represents the principle of representation and the latter the principle of majority.⁷¹ There are different models of mixed electoral systems, however, the states that form their legislative bodies in this manner are usually bicameral, characterized by a multi-tier electoral system, and serve to balance the representation.⁷² In them, the multi-tier system is associated with representation. Voters express their will in two stages - first, they vote for a candidate from the nominal list, and then, for a party of their choice on the ballot paper. Accordingly, the representative is elected at two levels.

Such systems include parallel (the same Mixed Member Majoritarian,

⁶⁷ Representation of the People, Institutional Act, Part 2, Chapter 3, Subparagraph 3, Article 172, Paragraph 3, Subparagraph D.

⁶⁸ Reynolds, A., Reilly, B. and Ellis, A., the cited paper, §142.

⁶⁹ GENERAL ELECTION, 2015 GENERAL INFORMATION, Gibraltar Electoral Reference, pp. 5-6. Available at: https://www.parliament.gi/images/general_election_2015/general_information.pdf, updated: 04.05.2020.

⁷⁰ Ibid.

⁷¹ Schugart S.M. and Wattenberg P.M., *Mixed-Member Electoral Systems - The Best of Both Worlds?* Oxford, UK 2001, Chapter 1, pp. 11.

⁷² Ibid., pp. 10.

MMM) and mixed proportional (Mixed Member Proportional Representation, MMP) models. In both models, the voter casts votes with two ballot papers. However, the parallel model completely separates the results obtained by the majoritarian and proportional system, they are not correlated and the results are independently reflected in a relevant body.⁷³ The model is used in the current electoral system in Georgia.

In the case of the MMP model, the results obtained under different principles reflect on each other and ensure the proportionality.⁷⁴ The individual variations of such models are the German and Hungarian electoral systems, where the results of majoritarian and proportional elections balance each other in such a way that the will of the electorate is represented in obtained seats.⁷⁵

The multi-tier model is not just a criterion for mixed electoral systems, and it is often found in proportional systems.⁷⁶ The principle, adhered to by all mixed systems, is that the seat is granted to a candidate who wins the support of the majority in an election with the Nominal List.⁷⁷

CONCLUSION

As per Duverger's law, a single-seat constituency, a single ballot paper, and a simple majority promote a bipartisan system, while two ballot papers, a simple majority and proportional representation, form multipartyism.⁷⁸ It should be once again stressed that the main distinguishing feature among them is the rule by which votes are converted into parliamentary seats. The majoritarian electoral system is based on the principle of victory of the will of the majority, whereas proportional elections allocate the victory according to the results to all subjects who manage to overcome the

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Leduc L., Niemi R. and Norris P., the cited paper, Chapter 2, pp. 31.

⁷⁶ For example, the Dutch electoral system, where the system is proportional but the electoral structure envisages two-tier and regional representation.

⁷⁷ Schugart S.M. and Wattenberg P.M., the cited paper, Chapter 1, pp. 11.

⁷⁸ Grofman B., Blais A. and Bowler S., *Duverger's Law of Plurality Voting: The Logic of Party Competition in Canada, India, the United Kingdom and the United States*. New York, USA, 2009, Chapter 1, pp. 1-2.

thresholds imposed by law. Majoritarian electoral systems, mainly in the context of bipartisan joint control, recognize the effectiveness of majority rule, while proportional electoral systems provide party pluralism in the legislature where consensus is a key prerequisite for decision-making.