LMM/015/0030/6

01/03.

LUSAKA, 1 - 4 MAR

IN-HOUSE SEMINAR
AFRICAN NATIONAL CONGRESS

ELECTORAL SYSTEMS

A CRITICAL SURVEY

by

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ELECTORAL REFORMS: A CRITICAL SURVEY

INTRODUCTION

The first point about the electoral system is that any debate about the method of representation is not conducted in conditions of icy detachment or motivated by neutrality. The central issue, as in all conditional arrangements is about <u>power</u> and how it is to be identified and distributed in a given political system. Much attention has been paid inside and outside South Africa to constitutional proposals where primary motivation has been to protect the centralised economic rights of the white racial minority and to obscure the total powerlessness of the black majority. These proposals cover the areas of centralised minority rights not 'group rights', the provision of a veto on 'social' issues to racial groups, federal forms of government associated with race and 'power-sharing' in the executive.

But this attention to constitutional forms has obscured a much more serious and important development concerned with the electoral process. While the regime will not concede the principle of one-person one vote, think-tanks in the West and liberal and big-business interests inside South Africa have moved away from the idea of communal or racial rolls towards an acceptance of universal suffrage at some stage of the governmental process, they have very carefully hedged their bets in two ways. Firstly, they have generally associated their acceptance of one-person one vote by proposing intricate and complex machinery for the election of an executive which would deny majority the right to rule and, therefore, bring about the change necessary in a post-apartheid society.

Secondly, and more importantly, nearly every one of the proposals for constitutional change is posited on a rejection of the Westminister 'first-past-the-post' system, which the whites have operated in South Africa since 1910, in favour of proportional representation. Two of the most important significant examples of this drive towards proportional representation are found in the KwaZulu-Natal Indaba proposals of December 1986 and the MPC Namibia Constitutional proposals of August 1987. The Indaba constitutional proposals are quite clear about their motives for supporting proportional representation. It is to ensure the 'representation of minorities and power-sharing' by guaranteeing 'minority group representation in the first chamber and forestalling the capacity 'any single party (having) more than 50% of the seats in the first chamber'(p.5, Constitutional Proposals submitted to the Minister of Constitutional Development and Planning, 13 May 1987).

This debate about the electoral system has a momentum of its own with a tendency towards a ready acceptance of the virtues of a political system the alleged grounds that its virtues are self-evident. Alternatively, there can be great external pressure for the adoption of a particular method without full consideration of its effects. SWAPO has had to accept the system of proportional representation for an election in Namibia since its acceptance, new and entrenched groups have been established by the racist regime which may thwart the certainty of a SWAPO victory.

In South Africa, all shades of white opinion seemed to be satisfied with the basic Westminister system until the early seventies. With the President's Council's support for 'constitutional' government, based on ethnicity and group right recognition, a ferment of proposals emerged. South Africa Act of 1909, the product of an exclusively white National Convention, created a unitary state and, apart from the entrenched clause an overwhelmingly flexible constitution, with a colour bar restricting membership of the House of Assembly. The electoral system – with its

...estminister model of government and a loading in favour of rural
...onstituencies, favoured the conservative and rural sections of the whi..
population. It therefore needed an oligarchical constitutional structu..
in which the white minority wielded unchallenged and effective politica.
power.

...e desire to change the electoral system is therefore closely associate..
with the ineluctable need of the racial oligarchy to maintain its power
more discreet and sophisticated forms. The underlying assumption behind
electoral systems must therefore be traced.

2. ELECTORAL SYSTEMS

Electoral systems determine the way in which votes are cast and the
relationship between votes and the allocation of seats. Electoral law
determines the procedure to be adopted for the actual conduct of electi...
- secret ballot, counting of votes, impersonation, postal ballots etc. ..
crucial elements associated with electoral systems are (i) the drawing up
of constituency boundaries and the number of voters in the geographical
area and (ii) the method of drawing up the electoral register. These a..
vital matters in the South African context because reliance on the ext..
power structure means the retention of power to manipulate totally the
electoral process. It is for this reason that there was unhappiness i..
Zimbabwean election of 1979 at the control over the election exercised
the Smith forces and disquiet that under Resolution 435 of 1978 the Un..
Nations will merely 'supervise' and not 'organise' the independence
election in Namibia.

This study refers only to the electoral system and provides insights ..
large number of what may appear to be technical and esoteric aspects.
all of them should be seen in the context of specific historical
experiences and the way in which they operate has shaped a country's
political culture.

One-party states, based on ideological or political patterns are _sui_
generis. Even where in some one-party systems certain functional
interests are allowed to organise, there is no real independence of th..
major and controlling party. As our Movement has committed itself to
multi-racial party system, this study therefore looks at 'Western' mod..
holding 'free' elections to a greater or lesser degree.

These may be grouped into three broad categories.

(i)   Electoral systems established by _evolution_. English-speaking
        Scandinavian countries have had fairly long histories of fre..
        elections; their electoral systems are a century or more old,
        there have been changes to reflect power interests.

(ii)   Electoral systems established following a constitutional
        disruption a generation ago. France, Germany, Italy and Aust..
        well-established electoral systems. But in each country, the
        present constitution was only established after the Second W..
        War and the change of regime was normally accompanied by a ch..
        in electoral system. What is taken for granted today was unc..
        a generation ago. It is therefore significant that the syste..
        often tailor-made to assure a certain result. The West Ge..
        system was developed to ensure that parties of the Left and ..
        would get no representation unless they obtained 5% of the vo..
        De Gaulle's 1958 electoral law for the National Assembly wh..
        served its purpose was changed in 1985 to ensure that the Soc..
        Party would obtain a higher proportion of the seats under the..

proportionately. The central distinction is between a method based upon preferential voting in multi-member constituencies - the single transferable vote - and a method of allocation based upon party lists. List systems can in turn be subdivided into those which allocate seats nationally, and those allocating within multi-member constituencies, and further subdivided according to the method by which candidates are chosen. A system may require the elector to vote solely for a party list, the particular candidates elected being determined by their order on the list, or offer varying degrees of choice of candidate within a party list, or even across party lists.

It is therefore, a mistake to refer to 'proportional representation' as if it denotes a single type of electoral system. 'Proportional representation' is in fact a generic term denoting a number of different systems sharing only a common aim of proportionality between seats and votes. This common aim, however, does not prevent the various proportional systems diverging considerably, one from another; and their political consequences, therefore, can be quite different.

The electoral system which a country adopts depends more upon its political tradition than upon abstract consideration of electoral justice or good government. There is a striking geographical dividing line between those countries using the plurality system and those which have come under proportional systems. For it is only in countries which come under British political influence - Commonwealth countries, the United States and Britain herself - that the plurality system is used for the election of the legislature. It is not used in any continental country. Every Continental democracy except France uses a list system, a method which has not been favoured in any Commonwealth country except Guyana and Sri Lanka. The single transferable vote method of proportional representation, by contrast, is the Anglo-Saxon method of proportional representation. For it has been employed only in Commonwealth or ex-Commonwealth countries. It has been used in elections to the Irish and Tasmanian Lower Houses, the Australian Upper House, and the Maltese legislature. It is also the only proportional system to have been tried in Britain; it has been used only in Northern Ireland, significantly.

3. PLURALITY
The plurality system, as it developed in Britain and in countries influenced by Britain, was closely linked to the notion of territorial representation. MPs represented not segments of opinion or ideological tendencies, nor of course political parties, but constituencies. They were attorneys seeking the redress of grievances before committing their constituencies to the payment of the expenses of government. Representation was in no way regarded as a means of expressing individual right or forwarding individual interests. It was this notion of representation which came to be adopted by the American colonists whose surroundings had recreated to a significant extent the conditions that had shaped the earlier experiences of the English people.

It was in America in the eighteenth century in the constitution of the colonies that the single-member constituency originated. Indeed, the single-member constituency formed the predominant basis of representation in Canada, Australia, New Zealand and the United States

before it came to be accepted as the norm in Britain. From the fifteenth century, the plurality system operated in Britain mainly in two-member constituencies. Until 1885, single-member constituencies had only existed because they were too small to be entitled to more than one member; now they became the unit on which all representation was to be calculated and all future schemes of redistribution had to rest.

Paradoxically, by the time the plurality system in single-member constituencies came to be the norm in Britain, the idea of representation upon which it was based already seemed unreal; for it had been eclipsed by the growth of the party system; and already in the eighteenth century Edmund Burke had insisted that Parliament was

> not a congress of ambassadors from different hostile
> interests, which interests each must maintain as an agent and
> advocate against other agents and advocates; but Parliament is
> a deliberative assembly for one nation, with one interest,
> that of the whole, where, not local purposes, not local
> prejudices ought to guide, but the general good, resulting
> from the general reason of the whole. [My emphasis]

With the growth of party and the eclipse of older ideas of territorial representation, the plurality system could no longer be defined as securing the representation of communities, and it came under attack from advocates of proportional representation who insisted that it failed to meet 'ideal' norms of democratic representation. The plurality system is seen as a means to stable and effective government which forces the voter to decide his priorities. It is conceded that the plurality system gives disproportional representation, but this is held to secure a positive benefit, since it is likely to yield single-party government without the need for coalitions. The plurality system secures this effect by systematically exaggerating the support of large parties while under-representing small parties (unless they are territorially concentrated).

The plurality system has been used in unicultural societies such as Australia and New Zealand and multi-cultural and deeply divided societies such as India, Canada and the United States. It is therefore not a sustainable argument that some variant of proportional representation had to be used in a society with 'ethnic' or racial cleavages such as South Africa. With the revival of nationalism in the United Kingdom, especially in Scotland and Wales in the past three decades, neither of the two major parties has advocated a system of proportional representation to meet the needs of these developments.

The chief advantages of the first-past-the-post system are: firstly, the system generally reflects the changing mood of the society by supporting effective government by ensuring that the mood of the people is reflected in the number of seats it obtains; secondly, it minimises the role of parties based on race, caste or ethnicity (unless they are regionally organised) and emphasises policy and ideology; thirdly, it promotes and assists national parties with national policies; fourthly, it encourages a national approach to issues and provides a unifying bond and loyalty. Finally, it allows for a major swing of public opinion to be reflected in the number of seats won, which proportional representation does not, as shown in the landslide victory of the Labour Party, with its reconstruction ideals and the desire to build a new kind of society, in 1945.

The thinking behind our Movement's constitutional guidelines for a democratic post-apartheid society is to promote the habits of non-racial

thinking, instil the practice of anti-racist behaviour and the acquisition of genuinely shared patriotic consciousness. To encourage these basic values, an electoral system must encourage _cohesiveness_, rather than _parochialism_, _centrifugal_ rather than _fissiparous_ tendencies, unity over narrowness in behaviour.

The plurality system therefore has considerable advantages. It has been the tried and tested system in South Africa for over seventy years, it is part of South African culture, at least in relation to whose who have controlled the levers of power.

4. MAJORITY SYSTEMS

Majority systems seek to do away with the possibility of a candidate winning a constituency on a minority vote. There are two types - the second ballot, used in elections for the French National Assembly and the Presidency, and the alternative vote used in elections for the Australian House of Representatives.

Under the former system, a second ballot is held shortly after the first, if no candidate has won an absolute majority of the vote. The rules concerning who can participate in the second ballot have varied quite considerably. In Third Republic France, any candidate could participate in the second ballot, whether or not he or she had competed in the first. In National Assembly elections in the Fifth Republic, the only candidates who can now compete in the second ballot are those who have gained the votes of 12.5% of the registered electorate - equivalent, perhaps to 15% of the vote - in the first ballot. For Presidential elections, only the top two candidates in the first ballot can compete in the second.

In National Assembly elections in the Fifth Republic, the only candidates who can now compete in the second ballot are those who have gained the votes of 12½% of the registered electorate - equivalent, perhaps, to 15% of the vote - in the first ballot. For Presidential elections, only the top two candidates in the first ballot can compete in the second.

The alternative vote is a preferential system of voting in single-member constituencies. The elector votes by expressing his first preference, and such subsequent preferences as he chooses. If no candidate has an absolute majority of the vote, the candidate with the fewest votes is eliminated, and his second preferences redistributed. This process continues until onecandidate has an absolute majority of the vote.

Both the second ballot and the alternative vote seek to prevent any candidate from being elected on a minority vote. They therefore encourage alliances between parties; since the allies can each put up candidates without fear of splitting the vote; whereas under the plurality system, the only form of electoral alliance possible between like minded parties is a mutual withdrawal of candidates, so that only one candidate from the alliance stands in each constituency. For this reason, the second ballot and alternative vote are likely to offer the elector a wider choice of candidate, and they allow, and may necessarily encourage, party fragmentation. Conversely, these systems are likely to discriminate against 'anti-system parties' which cannot find allies - the German Social Democrats before 1914 and the French Communists in the years immediately after 1958.

Although both the second ballot (in most of its variants) and the alternative vote ensure that no candidate can win a seat unless he has the support of a majority of the voters in the constituency, they do not ensure that the party winning the election in the country as a whole will necessarily enjoy a majority of the votes. They do not achieve, and indeed do not purport to achieve, a proportional relationship between votes and seats. In France, for example in 1981 the non-Communist Left secured 62% of the seats in the National Assembly for only 38% of the vote in the first ballot, and 50% of the vote in the tour decisif (a total of the party vote in seats won on each ballot).

In the Australian House of Representatives in 1977 the Liberals gained an absolute majority of seats with fewer votes than Labour which secured only a quarter of the seats, and the Liberal/National Country Party alliance secured a large majority of the seats on a minority of the popular vote.

Majority or plurality systems share one fundamental feature: the number of seats which a party receives depends not only upon the number of votes which it gains, but upon where these votes are located. Under the plurality system, the number of seats which a party gains will depend upon the distribution as well as the size of its support. Under the alternative vote and second ballot systems, the ability of a party to form alliances with like-minded parties will be a further factor determining its electoral success. No system of election using only single-member constituencies can ensure proportional representation, since votes for those supporting losing candidates are 'wasted'. There is, therefore, a very profound conflict between the idea of territorial representation and the ideal of proportional representation; or between the representation of territories and the representation of opinion or party.

But it is clear why France and Australia have adopted these unusual methods - it is to keep out minority parties and to ensure that instability of governments through multi-party representation does not bedevil the formation of the Government, as happened with remarkable rapidity in the 4th
Republic, from 1945 to 1958. The Socialists inserted a short-lived system of proportional representation which resulted in the Fascist and racist party of Le Pen winning over 10% of the seats in 1984 but the Chirac government has gone back to the second ballot system as proportional representation 'favoured' the Socialists.

This is another sharp reminder that there are no ideal electoral systems but simply an electoral arrangement which is favoured by those who want to achieve certain aims and reach certains ends, namely the attainment of and retention of power.

5.   SINGLE TRANSFERABLE VOTE

The single transferable vote - the Anglo-Saxon version of proportional
representation - is a product of Victorian individualism, and its starting
point was a radically different conception of representation from that
embodied in the plurality system. Whereas representation under the
plurality system was conceived of as territorial in nature, representation
under this system was conceived as fundamentally personal; indeed in its
early years, the system was often described by the term 'personal
representation '. The elector was not properly represented simply
because he voted for an MP who reflected his own point of view. That is
why adherents of the single transferable vote regard electors who disagree
with the policies of their MP as unrepresented and their votes wasted.
The aim of the system is to ensure that the number of wasted votes is
minimised and that as many of the electorate as possible are able to elect
an MP of their choice.

The nineteenth century advocates of the single transferable vote were
well aware that the territorial principle, supposedly embodied in the
plurality system, was rapidly being overcome by the growth and developmen
of organised political parties. The plurality system, in their view,
fundamentally altered its nature when representation became that of party
rather than that of territory. MPs of independent outlook would be
squeezed out by the twin forces of the so-called tyranny of the majority
and the party machine.

The single transferable vote is a method of election providing for
preferential voting in multi-member constituencies. Its two central
features are the attempt to secure proportional representation of
political opinion, and the provision for choice of candidate within, as
well as between, parties. Proportionality would be secured since few vote
are wasted; instead they are transferred, so that fair representation of
opinion would be secured within each multi-member constituency. Votes
which could not be used to help elect a candidate - either because they
were surplus to what he needed to secure election, or because the
candidate had too few votes to be elected - were transferred to second or
third candidates. The only votes which did not help to elect a candidate
would be those cast for the runner-up, and those votes which could not
used because they were non-transferable, ie. because the voter had refuse
to indicate a full list of preferences. Thus, each elector would be
represented by a candidate of the party of his choice, and the vast
majority of electors would be represented by individual candidates of the
choice. Only in this way could personal representation - which was 'real
representation - become a reality.

The single transferable vote gives the elector the power to choose betwee
candidates of the same party. This differentiates it sharply from the li
systems of proportional representation, most of which offer only minimal
choice or no choice at all. To the individualists who sponsored the sing
transferable vote, the representation of opinion was as important as the
representation of the party, and the voter ought be allowed not only to
decide which party was to govern the state, but also to influence the
policies it should follow. A central characteristic, therefore, of the
single transferable vote is that it contains built-in primary election, a
one which allows every elector, whether or not a registered member of a
political party, to play a part.

play a part. In conception, therefore, the single transferable
vote may be seen as an attempt to translate into practical terms, the
principle of the 'free development' of individuality' which Mill
wrote On Liberty to defend as 'one of the leading essentials of well-
being.'

The single transferable vote has worked out very differently in
practice. It has, with the exception of Australia, only been used in
small, rural societies where political affiliations have been
organised on 'tribal lines' rather than being based on socio-
economic cleavages. The characteristic features of the transferable
vote have fitted well into such societies. But it is, in consequence,
difficult for the political scientist to distinguish between the
effects of the electoral system itself and those which flow from the
nature of the society in which it operates.

A central concern of early advocates of the single transferable vote
was to weaken the role of the party machine. Some even hoped that it
might lead to the abolition of parties altogether and their replacement
by single issue groups. And yet, in those areas where the system
operates, parties and party governments are not noticeably weaker than
in other countries. In Ireland and Tasmania, the parties have often
circumvented the purpose of the system - to provide a choice of
candidate - by dividing multi-member constituencies geographically into
bailiwicks, each candidate confining himself to one bailiwick and
each bailiwick functioning as a single-member constituency. In
addition, Ireland and Malta have seen the growth of personal political
machines, organisations whose loyalty is owed to a particular
candidate rather than to the party as a whole.

The hopes that the single transferable vote would lead to legislatures
of high intellectual quality have also been confounded. Indeed,
there have been frequent complaints of the calibre both of members of
the Irish Dail and the Tasmanian House of Representatives. Legislators
are said to be narrow and parochial, more interested in servicing
their constituents and filling the pork-barrel than in holding the
executive to account on policy issues. Yet these may be criticisms
more of the roles and expectations of rural societies than of the
electoral system itself.

The single transferable vote has been found to yield a high degree of
proportionality, not as great as list systems, but far higher than
plurality or majority systems. Yet, there have often been anomalies.
In the elections in Malta in 1981, with only two parties competing,
the system yielded, for the first time in sixty years in that country,
an anomalous result, the Labour Party securing 49.1% of the first
preference votes and 34 seats, while the Nationalists with 50.9%
of first preference votes gained only 31 seats.

In Ireland, also, there has been some disproportionality. In both 1965 and 1969, Fianna Fail won an absolute majority of the seats on less than 50% of the vote, and on a smaller vote than the two main opposition parties-Fine Gael and Labour - combined. In 1969, the Fianna Fail vote fell to 45.7% and the two main opposition parties gained 51.1% of the vote yet Fianna Fail remained in Government and even increased its share of the seats. In 1973, by contrast, the Fianna Fail vote was higher than in 1969, and the vote of the two opposition parties - 48.8% - lower than in 1969. Yet the Fianna Fail share of seats fell to 47.6% and it lost power to Fine Gael/Labour coalition.

Supporters of the single transferable vote profess themselves relatively untroubled by these anomalies. The purpose of the system, in their view, is not to secure proportional representation of the parties, but proportional representation of opinion, and, in particular, of opinion which cuts across party lines. But since they do not give a clear operational definition enabling one to measure proportionality of opinion, it becomes difficult to offer any evaluation of their claim. Even so, defenders of the system can plausibly assert that it provides the voter with a greater degree of effective choice than other electoral systems. But critics would argue that this value is not worth pursuing if it means the introduction of large multi-member constituencies and intra-party factionalism which, in their view, will militate against strong and effective government. In reality, this system encourages individualism and factionalism and minimises the possibilty of strong government by encouraging the growth of small parties and their representation and by ensuring that ideology plays a smaller role than individual projection.

6. List Systems

List systems, as used by every Continental country except for France, constitute the other main type of proportional representation. Until recently, they were regarded as unsuitable by advocates of proportional representation in Anglo-Saxon countries. In 1976, however, the Hansard Society's Commission on Electoral Reform, recommended that Britain adopt a variant of the West German electoral system, while in 1977 the Labour Government proposed a version of the Finnish electoral system for Britain's first elections to the European Parliament. But this proposal was turned down by the British House of Commons.

List systems are of many different types with varying political consequences, and it is a mistake to speak of 'the list system' as if there was only one type. They can be classified according to four criteria: (a) whether the list is national or sub-national, ie, regional or local; (b) whether the proportional allocation of seats is at national level or in multi-member constituencies; (c) whether the system allows voters to choose between different candidates of their preferred party - or even across parties - or whether it confines them to voting for a party list, with the order of candidates being determined by the party; and (d) the nature and size of the threshold. The 1986 Kwa...-Zulu-Natal Indabe proposals use a variation of the list system.

(a) National list systems are used only by Israel and the Netherlands. Israel has no constituencies at all. In the Netherlands constituencies do not determine how many seats each party wins. But they may determine which candidate fill the party seats. Other countries using list systems employ regional or local lists with multi-member constituencies, except for West Germany which combines regional lists with single member constituencies.

(b) Countries using national list systems allocate seats proportionately at national level. Other countries can choose to allocate seats either regionally or nationally. Countries using regional or local constituencies but allocating seats proportionately at the national level include Germany, Denmark and Italy. National proportionality is secured through through the allocation of supplementary seats from a national pool. Allocation at national level will result in greater proportionality than allocation at regional or local level. In addition, small parties which cannot gain representation uder a system requiring regional allocation - because they do not have sufficient strength in any one region - might secure representation under a system requiring national allocation, by acquiring support in a number of regions.

(c) List systems may or may not allow the elector to choose between candidates of the same party. Israel is an example of a country where there is no choice at all: the elector simply votes for the party symbol, and the candidates elected to the legislature are decided by the parties. Such a system is an example of the closed list. The West German system also allows the elector no choice between candidates of the same party; while the variant of it recommended by the Hansard Society Commission in 1976, whereby proportionality is secured through the election of the 'best losers' in single member constituencies may be seen as a 'hidden list' system, in that the names of the candidate on the list do not have to be presented to the electorate, as candidates on an actual list must be. Most countries allow some choice of candidate, but this is often very limited. A typical ballot paper of a system allowing some limited choice - which may be called the flexible list - is the Belgian one.

On this ballot paper, the elector can either vote for the list in the order decided by theparty, in which case he marks the top of the ballot paper - the so called case de tete - or he may vote instead for a particular candidate by ticking a name on the list.

The possibility of a greater degree of electoral choice can be illustrated by the example of the open list system in Finland, where there is no case de tete, and the elector is not presented with an ordered list at all, but instead with a series of names in alphabetical order. He votes by marking a space beside the candidate of his choice.

Finally, there is the case of the so-called free list in Switzerland and Luxembourg where, again, the candidates are not placed in any order of preference by the parties, but, by contrast to Finland, the elector has not one vote, but as many votes as there are candidates to be elected. He may cast his votes for candidates of different parties and cumulate two votes on any one candidate if he wishes.
Such wide scope for preference voting can be afforded only by 'relatively homogeneous high consensus societies, in which the divisive forces on which opposition parties thrive are quite weak'.

Both the open list and the free list systems give the voter control of the party list, so that the list is no longer an ordered one. But they are still party list systems in that they share this central feature, that every vote (whether or not given in the first instance to an individual candidate) is automatically and without further reference to the voter's wishes, added to the total of the list on

which that candidate appears. Thus a vote for one candidate on
a party list can help elect another candidate on the list of the same
party, whom the voter might not support, and might not approve of. Such
a result can never happen under the single transferable vote; on
the other hand, party list systems are likely to provide, especially
when allocation is at national level, a greater degree of proportionality
than the single transferable vote.

(d) However, not even the purest national list systems, such as
Israel and the Netherlands, offer complete proportionality, In every
system there is a threshold, either implicit or explicit, limiting small
parties. The Netherlands has a national threshold established
by the number of members elected to the Lower House of the legislature -
150. This means that any party which cannot attract the support of
1/150 of the voters, ie, 0.67% will not secure representation. In Israel,
there is a statutory threshold of 1% - the lowest explicit threshold in
any 'democracy', the highest   is West Germany's where it is 5%.

For countries operating a regional or local constituency system, there
is an implicit threshold set by the size of the constituency, except
where the threshold is overcome by national allocation of seats. Parties
which might have sufficient national support to gain seats where there is
allocation at national level, may, if their support is very evenly
spread, fail to secure sufficient votes in any one constituency to secure
representation where allocation is at sub-national level. Under the
single transferable vote system, of course, the threshold is set by the
size of the quota and any party unable to secure enough votes to reach
the quota anywhere will be unrepresented.

Various proposals have been put forward as a solution to South Africa's
'ethnically and racially' divided population. Some have attempted to use
the single-transferable vote in order to reduce the role of the ANC; others
have proposed (as with the 'Institute for Social Inventions') formulae of
extraordinary complexity whose avowed purpose is to allay white and
'minority' anxiety, to encourage 'centre parties' and to ensure continuity
of government, which is the code-word inserting parties which will not
disturb the status quo of apartheid, after apartheid has been abolished.

The 1986 Indaba electoral proposals, on the other hand, are tailor made
for the kind of governmental structure proposed. 68 out of the 100 seats
would be elected on a constituency-based system with proportional
representation. There would be 15 constituencies, conveniently using the
present local areas, ensuring that whites would be over-represented.
Voters will vote in constituencies whose number of seats will be determined
by an electoral commission. Parties or 'groups' will obtain the seats on
the basis of whether they have attained the electoral quota, which is
calculated by dividing the number of votes cast in the constituency by the
number of seats allocated to that constituency.

The remainder of the 34 seats would be allocated in proportion to the votes
they have attained across the province, in all the constituencies, thus
combining a constituency list with a regional list. There is a scarcity of
detail about how the electoral system is to be organised but this is in
keeping with the avowed aim of ensuring that no party obtains more than 50%
of the seats in the first chamber. Since the second chamber has an
equality of seats for all the 'background' groups, there is a clear
commitment to anti-majoritarianism in the Indaba proposals.

CONCLUSION

Proportional systems are clearly the most complex. For proportionality is determined by a number of different factors - the size of the constituency or unit of allocation of seats, the precise formula used for allocation and whether or not there is a threshold. In addition, proportional systems may or may not allow for choice of candidate. Yet these variables are, to some extent at least, independent of each other in that they may be combined and recombined in different ways. There are undoubtedly many ingenious ways of breeding new combinations. But electoral engineering is a highly inexact science and one liable to rebound upon those who try to practise it. What all these systems share is that they are based on 'one person - one vote'. Although a regional element may be included, there is no reliance on 'ethnicity', group voting or a 'federal' parliament based on units based on regions, race or indirect election. There is always <u>direct</u> voting.

In the context of the South African struggle there are two dimensions that have to be recalled in the choice of electoral systems. The first concerns the way in which our Movement is to be involved in the first ever vote to decide who takes office.

This would be determined by the nature of the struggle and the extent to which we are allowed to participate freely in the total election process, which covers also our role in determining the electoral process.

There is much to be said for the 'plurality' or first-past-the-post system in the first-ever free election. As the only movement with support from all national groups and with a national focus and a national organisation, we could put up candidates in all constituencies. The principal disadvantage of this system is that it relies heavily on the even-handedness of those who delimit the boundaries of constituencies and who organise the registration of voters in each constituency. Boundary manipulation - a much practised art - could easily dissipate actual electoral strength by a process of carving up ANC support, area by area, to ensure that natural majorities (urban workers, for example) are lumped in Natal with rural and conservative forces. As urban areas co-exist with homelands, it would be possible to engineer constituencies where the ANC would be in a minority.

Control over delimitation is therefore vital.

If, on the other hand, a first-ever election was really a trial of strength, an indication of political support, there is a great deal to be said for the 'national list system', as used in Israel and which the British imposed on Guyana to avert a Jagan victory. Under this system, seats are allocated on the basis of the proportion of votes obtained in a country-wide constituency. There is no need for constituency boundaries and delimitation or even voter registration as it does not matter where one votes. 40% of the votes results in 40% of the seats. As no other party would be able to achieve such a large proportion of the seats, the probability of forming a Government in a constituent assembly, together with allies which would be thrown up, is higher. In any event, 40% is the most conservative estimate. The role of the homeland fiefdoms may be diminished, especially if 'tribal' parties are not allowed to contest elections. But minority parties could continue to be represented, which is a demand from so many quarters.

Proportional representation systems, on the other hand, have a built-in mechanism to ensure that no party obtains over 50% of the seats; they inevitably give rise to coalitions through the over-representation of minority interests. 'Wheeler-dealing' becomes a necessity and compromise and equivocation, rather than the pursuit of national policies, are operative ideals.

A detailed study of electoral systems depends on two contingencies. Firstly, a decision on which system is favoured by our Movement. Secondly, whether we are in a position to influence the occasion of the first election, which is associated with the crucial distinction between an election for a constituent assembly or an ordinary general election for the taking of office. Whatever the occasion, we must guard against an electoral system which ensures anti-majority tendencies and which retains the power to organise elections in the hands of our enemies.

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Table 1: The electoral systems of 39 countries.

	A	B	C	D	E	F	G	H	I	J
Australia	M		2	M		148	148	Y3	Y	18
Austria	P	M6	2	PR	HA	183	9	Y4	N	18
Bahamas	M		2	PL		43	43	Y5	Y	18
Barbados	M		2	PL		27	27	Y5	Y	18
Belgium	M		2	PR	HA	212	30	Y4	N	18
Botswana	pE		2	PL		34	34	Y5	Y	21
Canada	M		2	PL		282	282	Y5	Y	18
Colombia	PE	PL4	2	PR	LR	199	23	N4	N	18
Costa Rica	PE	PL4	1	PR	LR	57	7	N4	N	18
Cyprus	PE	M5	1	PR	LR	56†	6	N5	Y	21
Denmark	M		1	PR	LR	179	19	Y4	N	18
Dominican Republic	PE	PL4	2	PR	LR	120	27	N4	N	18
Ecuador	PE	M5	1	PR	LR	71	12	N5	N	18
Fiji	M		2	PL		52	52	Y5	Y	21
Finland	P	M*6	1	PR	HA	200	15	Y4	N	18
France	P	M7	2	PR	HA	577	104	Y5	N	18
West Germany	p		2	MX	HA	496**	248	Y4	N	18
Greece	p		1	PR	LR	300	56	Y4	N	18
Iceland	P	PL4	1††	PR	HA	60	8	Y4	Y	20
India	p		2	PL		542	542	Y5	Y	21
Republic of Ireland	P	M7	2	PR	STV	166	41	Y5	Y	18
Israel	p		1	PR	HA	120	1	Y4	N	18
Italy	p		2	PR	LR	630	32	Y5	N	18
Jamaica	M		2	PL		60	60	Y5	Y	18
Japan	M		2	PL		511	130	Y4	Y	20
Luxembourg	M		1	PR	HA	64	4	Y5	N	18
Netherlands	M		2	PR	HA	150	1	Y4	N	18
New Zealand	M		1	PL		95	95	Y3	Y	18
Norway	M		1††	PR	HA	157	19	N4	N	18
Papua New Guinea	M		1	PL		109	109	Y5	Y	18
Portugal	P	M5	1	PR	HA	250	20	Y4	N	18
Solomon Islands	M		1	PL		38	38	Y4	Y	18
Spain	M		2	PR	HA	350	52	Y4	N	18
Sweden	M		1	PR	LR	349	28	Y3	N	18
Switzerland	p		2	PR	HA	200	26	N4	N	18
Trinidad	p		2	PL		36	36	Y5	Y	18
United Kingdom	M		2	PL		650	650	Y5	Y	18
United States of America	PE	PL4	2	PL		435	435	N4	Y	18
Venezuela	PE	PL5	2	PR	LR	200	23	N5	N	18

KEY
A Head of state: M = monarch; P = directly elected president; p = indirectly elected president; E = president has executive powers.
B How president is elected: M = majoritarian; PL = plurality; term of office in years.
C Number of chambers in parliament or congress.
D How parliament or lower chamber is elected. M = majoritarian; PL = plurality; PR = proportional representation; MX = mixed system.
E What type of PR is used; LR = largest remainder; HA = highest average; STV = single transferable vote.
F Number of elected members.
G Number of constituencies.
H Is dissolution possible? Y = Yes; N = No; term of office in years.
I Are by-elections possible? Y = Yes; N = NO.
J Minimum voting age.

* In Finland an electoral college, which is elected by proportional representation, chooses the president by majoritarian vote.
† The number of Greek Cypriot MPs. Provision is made for the election of 24 Turkish Cypriot members, but these seats have remained vacant.
** The number of West German MPs is, on occasion, rather higher.
†† In Iceland and Norway the parliament, elected as a single chamber, is divided into two for certain purposes.