ELECTORAL REFORM FOR WESTMINSTER

by Graham Arnold, Farringdon Chambers

The referendum on 5 May on the alternative vote system (AV) for elections to the House of Commons had been a long time coming. As long ago as 1997 the Labour party made a commitment for a referendum. As a result an independent commission on the voting system for Westminster was set up under Lord Jenkins in that year. The subsequent Jenkins report (1998) recommended ‘AV-plus’ as an alternative electoral system to first-past-the-post system for elections to the House of Commons.

There was however no referendum under the Labour government. It was argued by Labour ministers that stock should first be taken of how alternative voting systems for Scotland, Wales, Northern Ireland, the London Mayor and MEPs worked in practice before considering reform for Westminster. It was in fact only as result of the political negotiations by parties to the coalition government formed in 2010 that the decision to hold a referendum was reached.

The Jenkins Commission still provides a valuable analysis of the various alternative voting systems. In considering reform for Westminster elections, the Jenkins Commission assessed each of the systems against the background of four ‘requirements’. These were (i) broad proportionality; (ii) the need for stable government; (iii) an extension of voter choice; and (iv) the maintenance of a link between MPs and geographical constituencies. As the Commission pointed out these four ‘requirements’ are not entirely compatible.

General Election results 1979 – 2010

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First-past-the-post

The electoral system previously used in the UK for elections to the House of Commons is the single member constituency with simple majority system, also known as the first-past-the-post system (FPTP). The candidate who gets the largest number of votes is elected as Member of Parliament for that constituency, regardless of whether he or she has more than 50% support. The party with the most seats in Parliament, regardless of whether or not it has a majority across the country, normally becomes the next government.

The advantages to this system are that it is a simple system for the voter to understand and, generally, it produces the clearest majorities. Clear majorities make for more stable government. However, on the other hand, ‘landslide elections’ are also more likely to occur, which can lead to an unaccountable executive. A greater criticism of FPTP is that the overall percentage of seats obtained in Parliament by a party is not proportionate to their overall percentage of votes in the country. The system works such that if a party is consistently in second or third place across the country, it may have a substantial number of votes overall but obtain very few seats. For example the Liberal parties in 1983 obtained a quarter of votes cast and yet only obtained 3.5% of seats in the Commons. By contrast larger parties that win many constituency seats with less than 50% of the vote gain a disproportionate number of seats. In 2001, Labour obtained 40.7% of the votes in the UK but obtained 62.5% of the seats in Westminster. Targeting marginal constituencies in recent elections has enabled the Liberal Democrats to improve their ratio, but to many it remains an unsatisfactory return on votes cast.

Another argument against FPTP is that it renders a large proportion of votes ineffective. Only one MP is elected in each constituency and therefore votes for unsuccessful candidates are simply wasted (in contrast to most PR systems). This may be a cause of voter apathy. In ‘safe seat’ constituencies, voters may feel there is no point casting their vote at all, such as Conservative voters in Durham or Labour voters in Kensington.

Alternative systems

Most alternative systems are designed to make the number of seats won by a party more proportionate to the distribution of votes cast. Note the generic term Proportional Representation (PR) is used for any system which introduces greater proportionality than FPTP.

The Jenkins Report summarised the main alternatives systems as follows:

The Alternative Vote (AV)

The Alternative Vote, which like FPTP is based upon single member constituencies, is a majoritarian system. Winning candidates must secure the support of over half the voters in a constituency. The vote is exercised by recording preferences against the candidates on the ballot paper. If no candidate receives more than half of the votes cast on the first count of first preference votes, the candidate who received the fewest first preference votes is eliminated and his/her second preferences are distributed between the other candidates. This process continues until one candidate has achieved an overall majority. (The proposed system under the referendum).

Supplementary Vote (SV)

The Supplementary Vote system is similar in method and purpose to the Alternative Vote system, the key difference being that, under SV, voters are limited to indicating a first and second preference. Where candidates receive more than half of first preference votes cast on the first count they are deemed elected. If not, all but the top two candidates are eliminated and the eliminated candidates’ second preferences are
examine. The candidate with the greatest share of the resultant vote is elected.
(This system is used to elect the Mayor of London.)

**Single Transferable Vote (STV)**
The Single Transferable Vote system is essentially preferential voting (as in AV) in multi-member constituencies. Voters are able to rank as many candidates, both within parties and across different parties, as they wish in order of preference. Any of those candidates who reach a certain quota are deemed to have been elected. The surplus votes of candidates elected on the first count and the votes of those with fewest votes after subsequent counts are distributed on the basis of preferences to the remaining candidates until sufficient candidates reach the quota and are, as a result, elected.
(This system is used in Northern Ireland both for local elections and elections to the European Parliament (MEPs)).

**List Systems**
There are many variations of this system. However, the basic model is quite simple; rather than voting for a specific candidate, electors vote for a party in a multi-member constituency or region, or sometimes a whole country. All the votes are counted and each party receives seats in the constituency in the same proportion as the votes it won in that constituency or region. Each party has a list of candidates, ranked according to the party’s preference, published on the ballot paper. Candidates will be elected in order of that ranking.
(This system has been used in mainland Britain for elections to the European Parliament since 1999, note Northern Ireland uses STV.)

**The Additional Member System (AMS)**
This is a mixed system; basically, AMS is a combination of the FPTP system and a list system. The purpose is to retain the best features of FPTP while introducing proportionality between parties through party list voting. Under an additional member system, voters cast two distinct votes - the first for a constituency candidate and the second a party vote. The allocation of additional members then serves to correct the disproportionality which arises from the election of single constituency candidates.
(This system is used to elect members to the Scottish Parliament, the Welsh Assembly and the London Assembly.)

**Hybrid systems**
It is interesting to note in its conclusions, the Jenkins Report (1998) recommended a mixed system of an AV system with a 'top up' from a list system. The proposed system was termed **Alternative Vote Plus (AV+)**. As with AMS, Voters would have two votes - one for a constituency MP (elected on AV basis) and the other for a party of their choice. The Report recommended 80-85% of MPs would be elected to their single seat constituency on an AV basis. In addition, to mitigate any disproportionality, a further 15-20% of MPs would be selected from a regional list according to the party vote. The proposed change in the 2011 referendum went no further than simple AV.