# TOUCH STONE EXTRA

# *Getting it in Proportion?*

## *Trade unions and electoral reform*

**REVISED EDITION**

# Contents

## Getting it in Proportion?

This Touchstone Extra has been prepared by the TUC as a discussion paper for the trade union movement. It seeks to set out the background to current discussions on changing Britain's electoral system and to provide information to trade union members enable them to actively engage in this discussion. It puts the debate in context by summarising the political and historical background against which our democracy has developed, examines how well the existing system works and looks at possible reasons for change. It describes the various alternative electoral systems, discusses the practicalities of change and concludes with a comparison of different systems and their advantages and disadvantages. It is not intended to draw any final conclusion about how our system could be changed, but rather to be used as a starting point to engage trade union members in a debate about the electoral system they would like to see.

Following a resolution agreed by TUC Congress 2015, this paper updates a first edition published in 2010, to reflect recent developments and debates in the trade union movement and in politics more widely.

## Touchstone Extras

Touchstone Extra publications are not statements of TUC policy but instead are designed, like the wider Touchstone Pamphlets series, to inform and stimulate debate. The full series can be downloaded at **tuc.org.uk/touchstonepamphlets**

# 1  Introduction

The composite motion on electoral reform passed at the 2015 Congress noted that the Conservative government elected in 2015 secured the support of just 24 per cent of the British population. Since that election unions have had to campaign as never before in defence of jobs, services, and our democratic right to organise.

Trade unions have democratic traditions built into our DNA. Members elect their workplace representatives and their national leaders, vote on policy and on when to take industrial action. In the campaign against the Trade Union Bill, unions argued for the right to be able to conduct ballots online. We secured an independent investigation into how electronic voting could work in practice, but our commitment to increasing democratic participation goes wider than this, and has a long history.

Debate on our electoral system is not an abstract one; the type of system we use fundamentally affects the nature of our politics. Change should not be taken lightly and the implications of any proposed new system must be fully considered. Our movement has powerful advocates both for change and for retaining the current system and it is important that all of these voices are heard.

Following the resolution at Congress 2015, this updated version of a 2010 TUC paper sets out to examine the background to the electoral reform debate and the role of unions, some of the arguments for and against change and the practicalities of different systems.

# 2 Background

Britain's early trade unions played a crucial role in the battle to give every adult the vote.

As one author puts it:

> *Union contingents were already in evidence during the demonstrations in favour of the Great Reform Act, which took the first step to extend the franchise in the borough constituencies in 1832. Then, in 1867, the unions were one of the major elements in the extra-parliamentary alliance which agitated successfully for the male householder franchise, a contribution to democracy which they repeated in 1884 when they campaigned for the extension of that franchise to the county constituencies. Even then, other aspects of constitutional reform remained high on the agenda of the TUC and its growing parliamentary group which eventually became the Labour Party: the state payment of MPs' salaries, for example, along with full manhood suffrage and the extension of the vote to women, which eventually came in 1918 and 1928.*[1]

Trade unions had an obvious interest in extending the vote. Unions were formed to give the unorganised and unrepresented a voice in the workplace to counter arbitrary employer power. Extending the franchise extended the same principles to society. A Parliament elected by, and accountable only to, property-owning and wealthy men would never act in the interests of the majority.

There was a healthy debate about the best way of organising the electoral system as the vote was extended. In the early years of the twentieth century, unions tended to back a proportional system. In 1913 the Labour Representation Committee (the early form of the Labour Party, whose votes were predominantly from unions) passed a motion saying "no system of election can be satisfactory which does not give opportunity to all parties to obtain representation in proportion to their voting strength."

Of course the early Labour Party was a small third party at that stage. Small third parties normally support electoral reform as a first-past-the-post system favours big parties. Without a change to the electoral system it still managed to replace the Liberal Party to form a majority government – though it had to wait until 1945 to do so.

Trade unions have also changed since those pioneering days of arguing for votes for all. The TUC now represents, in a single body, a range of unions with very different approaches to politics. Some are affiliated to the Labour Party, some involve themselves in electoral politics in other ways and some remain strictly neutral when it comes to party-political matters.

Modern electoral politics can be said to have started with the election of the 1945 Labour government. For much of the time since then, politics has been dominated by the two big parties. With the TUC careful to maintain maximum unity between unions with different political traditions, and having a full agenda of workplace-based practical issues to pursue, there was little formal union interest in the voting system or other constitutional issues for many years.

But that has changed. Starting in the 1980s, there has been rising union interest in constitutional change, including electoral reform. The departure of the SDP from the Labour Party, and its eventual merger with the Liberal Party, produced a significant third party vote for the first time in many years. This made it easier for Margaret Thatcher's Conservatives, with their hostility to trade unions, to achieve substantial majorities at elections without anything like majority support among the electorate.

This experience helped drive the campaign for devolution in Scotland and Wales. The Conservatives were in an electoral minority in each country, yet were running both from Westminster. Trade unions played an important role in the campaign for devolution in Scotland, where the STUC had a key and highly visible role in the Scottish Constitutional Convention that drew up the plans for devolution. These included a semi-proportional (additional member) electoral system for the Scottish Parliament. In Wales, the Wales TUC was one of the lead organisations in the cross party 'Yes for Wales' campaign and provided detailed evidence to the Commission established to design the structure and electoral system for the National Assembly. The UK now has many voting systems in devolved, local government and mayoral elections, as well as an unelected House of Lords.

In England too, more people started to point out that whatever the size of the Conservative majority in the House of Commons, many of their policies failed to command majority support among the electorate. This led to the formation of campaign groups such as Unlock Democracy (formerly known as Charter 88) and Make Votes Matter.

Labour's big majority in the UK general election in 1997 marked a break with the policies of the previous Conservative governments, but it did not stop the growing debate on electoral systems. In part, this was due to the new government's big programme of constitutional change including Scottish and Welsh devolution; an elected mayor and assembly in London; and a new system for European elections. All involved the introduction of various kinds of voting systems more proportional than the traditional first-past-the-post we still use for parliamentary elections.

Labour's 1997 manifesto promised a referendum on whether to change the Westminster system. The new Labour government set up a commission under Roy Jenkins, which reported in September 1998 and recommended a change to a new so-called 'AV+' electoral system. (See section 3 for an explanation of the alphabet soup of different electoral systems.)

Once in power, Labour did not go ahead with a referendum. Opponents won the upper hand, although there continued to be prominent supporters of change within the party.

The issue reached a high water mark around the Alternative Vote referendum of 2011, called by the Conservative-Liberal Democrat coalition government (as a concession to the Liberal Democrat part of the coalition). That referendum rejected the change, but did little to quell the sense that there space to change British democratic politics. Turnout in elections remains low (though it has improved since the low point of 2001), and many voters are disillusioned with our current political system.

While interest in electoral reform has ebbed and flowed, some trade unionists have always backed first-past-the-post. They say it produces strong governments, discourages extremists and puts issues before the voters rather than leaving them to post-election deals between different parties (though the 2010 election still returned a hung parliament and resulting coalition government under FPTP).

Electoral reform was first debated at Congress in 2009, where unions agreed to call for debate on whether the electoral system should change. The issue then returned to Congress in 2015 where the delegates agreed on a composite motion which stated:

> *Congress calls on the General Council to launch a broad-based campaign for a fair electoral system that expresses the range of political opinion in the UK. The campaign should actively engage trade union members.*

This discussion document is one part of fulfilling that resolution. It draws no final conclusion about the best electoral system for the UK, but aims to encourage and inform a debate about electoral reform within and beyond the trade union movement. Insofar as it can be said to argue a case, it makes four points:

1    There is no perfect- democratic electoral system. We expect our democratic system to balance a number of different objectives that are not fully compatible with each other. No system can, therefore, meet them all, and any practical system is a result of compromises and choices between these objectives.

2    Different countries and communities have different political cultures, history and institutions. These can dramatically change the context in which an electoral system operates and the demands made on it. What is appropriate for the USA's two-party system may be quite wrong for countries with multi-party traditions or those making the transition from a non-democratic system without strong existing parties.

3    Circumstances can change. People may decide that they now want the electoral system to reflect different priorities. The political system can evolve – for example a strong two-party system can break down if parties split or new parties gain support. Many supporters of reform would argue that the UK's political landscape has evolved from the strong two-party politics of the years after the Second World War.

4    A country's electoral system will influence its politics. The way that parties and individual politicians behave will be influenced by the electoral system in which they seek to win power. What electoral system we have is therefore not some free-floating abstract debate, but can make a real difference to people's lives.

# 2  Is there a case for change?

Changing an electoral system should not be done lightly. Our present system for electing the House of Commons has not changed substantially for many years. It would be dangerous to make it easy or routine for the government of the day to change the electoral system in order to increase its chance of winning the next election. Most people involved on either side of the debate recognise that change shouldn't happen without a solid mandate.

Some people oppose first-past-the-post on principle and would argue that it has always been wrong, but many of those who now advocate alternatives argue that change is necessary because politics have changed. What once worked well, they say, no longer serves us today.

They argue that, in the Britain of the 1940s–60s, a two-party system reflected political reality. Most people thought two parties an adequate choice, and identified with one or the other. As those two parties had to win the middle ground to win an election the system prevented extremism, though it did not prevent radical change of the kind introduced after the Second World War, when the Attlee government had wide electoral support for a substantial reform programme.

But as these conditions no longer apply in the UK, the argument continues. Identification with the two major UK-wide parties has fallen. The rise of multi-party politics makes it possible for parties to win a first-past-the-post election with a relatively low level of support and, therefore, introduce radical change that does not have broad support. Fewer voters elect the government of the day, many feel unrepresented and many argue that their vote has no influence on the result. Analysis of voting trends confirms that electoral politics today is very different from half a century ago. There is broad consensus among parties other than Labour and the Conservatives for electoral reform, and support within Labour appears to be growing.

## Voting trends

Voting patterns have changed. Figure 1 shows the proportion of votes cast for parties other than Labour or Conservative since the 1945 election. This not only includes the traditional third party of Liberalism in various guises over the years, but also nationalists in Scotland and Wales and parties in Northern Ireland (which was once mostly represented by Conservative and Unionist MPs). In addition, in recent years the Greens and UKIP have enjoyed significant support, particularly in the European elections. The proportion of the electorate who have voted for the party who wins the election has declined, as Figure 2 shows.

The figures demonstrate how two trends have reinforced each other. First, turnout has fallen. In 1950 84 per cent of the electorate voted. That fell to 66 per cent in 2015 (though up from a low of 59 per cent in 2001). Second, the rise of support for parties other than Labour or Conservative, despite their continuing dominance of seats in the House of Commons, means that the winning party needs a smaller proportion of votes to get more seats than the other parties.

## Figure 1: Support for parties other than Labour and Conservative has grown
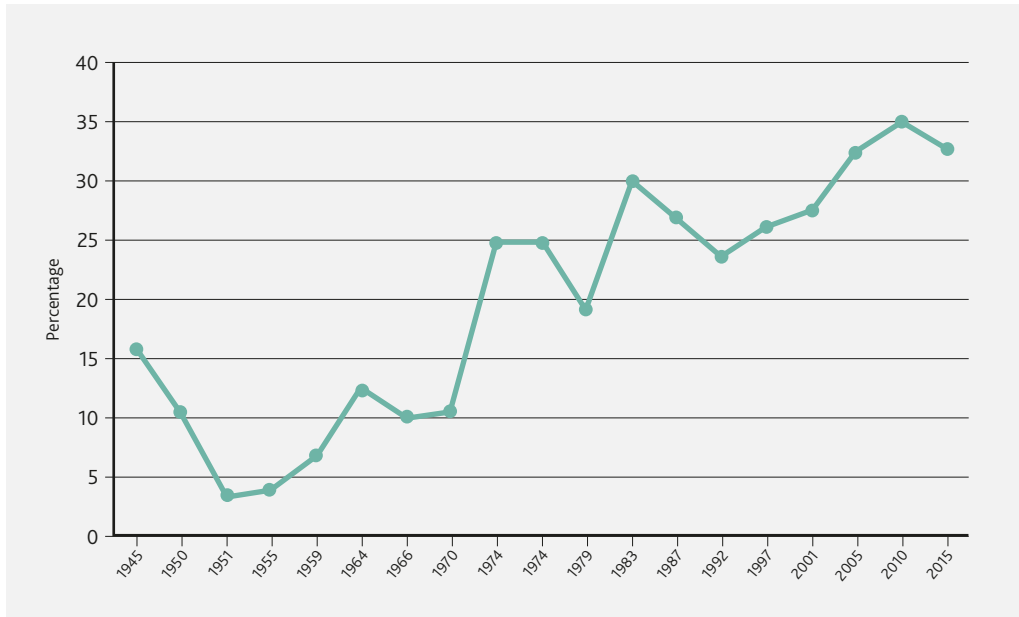


**Source:** TUC calculations from raw data found at www.election.demon.co.uk and www.electoralcommission.org.uk/publications-and-research/election-reports

## Figure 2: The proportion of the electorate voting for the winning party has declined
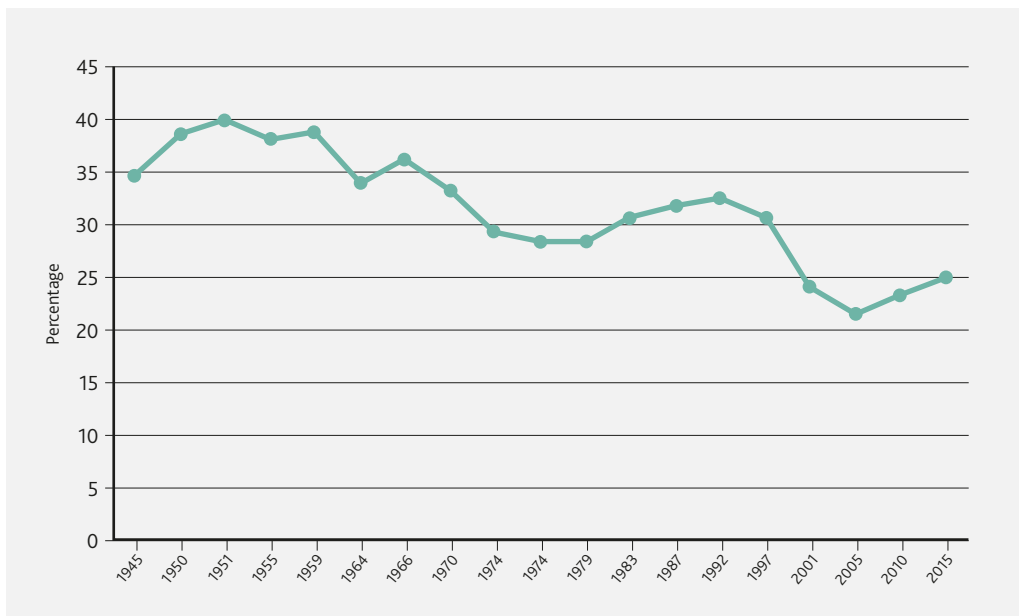


**Source:** TUC calculations from raw data found at www.election.demon.co.uk and www.electoralcommission.org.uk/publications-and-research/election-reports

Putting those two trends together produces a big fall in the electoral winning post – that is to say, the number of votes needed to win an election. In 1951, the winning party got 40 per cent of all the population eligible to vote, but in 2015 the proportion had fallen to 25 per cent (up from a low of 22 per cent in 2005). Supporters of change would argue that a government elected with just 25 per cent of the electorate does not have the strength of mandate enjoyed by one with 40 per cent.

This reduced winning post may be one explanation for the growing cynicism among voters. If you vote for a winning party you feel some small sense of ownership over the result, and thus may be more inclined to give your electoral choice the benefit of the doubt. But with three out of four electors not backing the winning party in 2015, it is not surprising that levels of cynicism are high.

Many electoral systems, including some that are designed to be more proportional than first-past-the-post, over-represent the winning party to some extent. This can aid the formation of a government and discourage the fracturing of politics.

But reform supporters argue that this now goes too far in the UK. Figure 3 shows this 'over-representation gap' – the difference between the share of seats won by the winning party and the share of the vote won by the winning party. On this measure, 1951 was the most proportional election and 2001 was the least (although there are better mathematical methods for measuring proportionality that look at all parties, they tell the same story).[*]

Electoral systems do not divide evenly into those that are proportional and those that aren't. A few systems are strictly proportional (though many think they have other drawbacks), but any democratic system has to produce governments that are seen to reflect the political will of the people. It must therefore have some degree of proportionality, even if it is not built in to the system.

First-past-the-post is not designed to be proportional, but usually the party with the most votes across the country forms the government (this was not the case in 1950 or the first election of 1974 – though neither government lasted long). In other words, for many people it is proportional enough. But Figure 3 does show that the trend is towards less proportional.

Another factor with first-past-the-post is that decisions about constituency borders and size can affect the result. Some constituencies, such as the Isle of Wight or Na h-Eileanan an Iar (formerly the Western Isles), can be bigger or smaller than average because of geographical factors. As party support is not evenly distributed, drawing constituencies differently can produce different results. This has been a huge issue in parts of the USA (where the phrase 'gerrymandering' was invented).

While the UK has avoided US extremes, it is certainly the case that periodic and properly independent boundary reviews of UK constituencies are normally said to end up favouring one or other of the two big parties. In recent decades, boundaries favoured the Labour party, but this has recently changed to favour the Conservative Party overall and the SNP for Scottish seats in Westminster. Changes proposed for implementation before the next general election may alter this balance.

---

[*] Because of the complexity of comparing different systems, some methods of analysis would produce a different result. For instance, using DV score methodology, ERS calculated that 2015 was the least proportional election ever.

**Figure 3: The gap between the winning party's proportion of Commons seats and its proportion of the popular vote has grown**
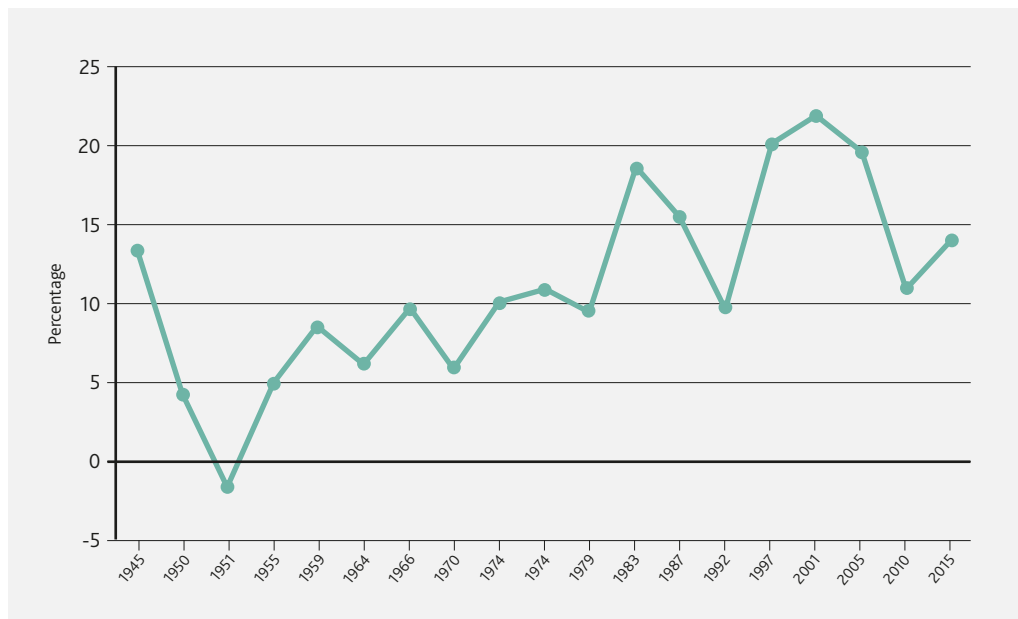


**Source:** TUC calculations from raw data found at www.election.demon.co.uk and www.electoralcommission.org.uk/publications-and-research/election-reports

## *Electoral systems and the wider political landscape*

A country's electoral system is not something neutral that lies above its politics. Politicians want to win elections and therefore will conduct their politics in ways likely to maximise their support in the current electoral system. Change the electoral system and it will undoubtedly change politics. For some this is part of the attraction of a new system, but such a change could result in unforeseen and unintended changes.

To provide an example, the introduction of proportional elections for the European Parliament provided an important boost first to the Green Party, UKIP and, in the past, the BNP. (We will discuss electoral reform and extremism in more detail later.)

Some of this may be due to the sense among voters that they are not choosing a government and that this leaves them freer to express their own preference. But some will also reflect the better chance of minority parties getting elected in a more proportional system – voting for a significant third or fourth party is much less likely to be a 'wasted vote'.

But our current first-past-the-post system also influences the way we do politics in the UK, perhaps in ways that are not obvious as we take our existing system for granted. This should be an important part of the debate about change. Both sides of the argument have important points to make.

Status quo supporters say that first-past-the-post encourages big parties, and thus prevents a fracturing of politics into many small parties. This is because in what is mainly a two-party system, there is a big disincentive for a party to split.

Under first-past-the-post, a split in one party benefits the other big party (who presumably the two sides of the inter-party dispute still oppose) by splitting the vote against them in each constituency. In addition, the smaller of the split factions would find it very hard to win any seats unless its support was geographically concentrated. While its members may feel very strongly about whatever caused the split, they will arguably have less influence in an under-represented third party than they do as members of a big party.

Of course, some third parties and independents win seats under first-past-the-post. But while there have been a few three- and even four-way marginal seats, more often the battle ends up being between two parties as supporters of other parties vote tactically against their least favourite party. For example, the Labour vote has been squeezed in many seats in the southwest, which are now closely contested by the Conservatives and Liberal Democrats. There are similarly seats – mostly urban – where the battleground is between Labour and Liberal Democrats, although this shifted to a certain extent in 2015. UKIP are now second in many seats throughout England, particularly in the South East and East. In Scotland and Wales there are two-party contests involving the nationalists.

Supporters of changing the electoral system often say that first-past-the-post is bad for democracy because it makes parties concentrate on swing voters in marginal seats. Most parliamentary constituencies are safe seats. Because they are unlikely to change hands, the argument runs, parties ignore and neglect them. Similarly, core voters are, by definition, unlikely to change their votes so there is a temptation to discount their views.

Instead, parties concentrate on the voters most likely to change their vote in those seats most likely to switch allegiance at an election. A high proportion of swing voters are among the people least interested in politics, polls suggest. Few seem to fit the role of the idealised floating voter taking care to weigh up the pros and cons of the detail of party manifestos.

Critics say this has driven focus-group politics where gimmicky policies are developed to appeal to this small group at the expense of the interests of core voters and of developing a coherent appeal to the whole country. As the recent campaign financing scandal has shown, it also encourages parties to spend their resources on those seats most likely to change hands.

This argument is strongly supported by many of the trade unionists who support electoral reform. They argue that the interests of Labour-voting trade union members, who make up a substantial proportion of the party's core support, have been neglected as they do not live in marginal seats and are not seen as swing voters. Electoral reform, they argue, is not just an issue for the chattering classes, but could make a big difference throughout the country, particularly those regions dominated by safe seats.

## Turnout and engagement

Although the argument that the current system ignores the interests of core voters is of particular interest to Labour-affiliated unions, there is a wider connected complaint. This is the argument that votes are not of equal value under first-past-the-post in the UK.

If you live in a safe seat constituency, your vote is highly unlikely to affect the outcome of the election. Whatever you do, the same party as usual is almost certain to win. Parties often do not attempt to campaign in safe seats, and fail to make contact with voters, which tends to depress turnout. Even if you live in a marginal seat, your vote only makes a difference if you support one of the two leading parties in that constituency. If you support another party you have the choice of either 'wasting' your vote on your preferred candidate or voting tactically against the party you dislike the most. Many people would prefer both to be able to back their chosen party and be able to minimise the chances of their least preferred option winning. The current system does not allow this.

Some would say this is the worst of both worlds:

- In a safe seat the result is a foregone conclusion. You can back your chosen party even if they can't win, as however you vote it won't affect the outcome. Your vote does not count.

- In a marginal seat, your vote has most influence if you vote for the candidate most likely to beat the major party that you dislike the most. Your vote can count, but only if you vote tactically. For many that will mean not supporting their favoured party.

These arguments have led electoral reformers to say that we need a more proportional system to 'make votes count'. This may be one reason why turnout has fallen and why there is growing alienation from politics, reformers say. This argument was set out in detail in the Power Commission's Report[2] (which had strong input from the trade unions). They refute the assertion that turnout has fallen because of growing voter apathy, and say that it is instead due to a growing alienation "felt towards politicians, the main political parties and the key institutions of the political system." They point to evidence of high levels of involvement in community and non-party political involvement, even among those who do not vote.

A fall in turnout is clearly undesirable, but it also has a political effect. It is not the case that everyone is equally liable to stay at home on election day. It is older and more affluent voters who are more likely to vote. This can be seen in other countries too. In the US, Barack Obama was in part able to win because he persuaded people who are traditionally less likely to vote – basically the young, ethnic minorities and the poor – to turn out.

Looking at voting behaviour, it seems that the older you are, and the higher your social class, the more likely you are to vote.

**Table 1: Proportion of population who voted in the 2015 General Election, by class**

| Class | AB | C1 | C2 | DE |
|---|---|---|---|---|
| Percentage | 75 | 69 | 62 | 57 |

**Source:** Ipsos-Mori, August 2015

**Table 2: Proportion of population who voted in the 2015 General Election, by age**

| Age group | 18–24 | 25–34 | 35–44 | 45–54 | 55–64 | 65+ |
|---|---|---|---|---|---|---|
| Percentage | 43 | 54 | 64 | 72 | 77 | 78 |

**Source:** Ipsos-Mori, August 2015[3]

Of course, simply changing the electoral system on its own is unlikely to fix the issue of low turnout. People need attractive policies, leaders to whom they can relate and parties with which they can identify. But many reformers argue that a voting system that encourages politicians to campaign everywhere because every vote counts is more likely to encourage parties along this road. And while there are other ways of encouraging greater diversity among candidates, parties may be more likely to field a more diverse range of candidates in order to maximise their appeal to voters.

Another factor that may affect participation is the registration system. The coalition government were criticised for changing the registration system to individual registration, rather than one person being able to resister all voters in a household. This change is likely to have disproportionately affected urban, mobile people in unstable accommodation such as student halls of residence and people living in private rented accommodation.

## Coalition governments?

A more proportional system would be more likely to lead to coalition governments. First-past-the-post usually gives the party that wins the most votes more seats than a strictly proportional share-out would allow. It thus has more chance of forming a 'strong' single party government.

That is not to say that such an outcome is guaranteed. First-past-the-post general elections will not always produce a clear winner – and we have had hung parliaments before, most recently 2010–2015. But the more proportional the system, the more likely it is that we would have a minority or coalition government.

Strong governments are somewhat in the eye of the beholder. People may understandably be keener on a strong government with a working majority from the party they back, and less keen on one formed by a party they oppose. Margaret Thatcher's government, for example, was both strong and unpopular with trade unionists.

Supporters of first-past-the-post often argue that coalitions are undemocratic because the government's programme is determined by horse-trading after an election rather than the party whose manifesto has the most support – even if only backed by a minority of voters – getting the chance to implement it. Electoral reformers counter that most parties are coalitions (and indeed first-past-the-post encourages this) and that there is just as much horse-trading in such parties but it is done behind closed doors – some before an election, but quite a lot afterwards too.

The more proportional systems used in Wales and Scotland have produced both coalitions and minority governments as well as majorities. Trade unions have managed to influence both kinds in important ways, though this may have as much to do with strong trade union traditions in the devolved parts of the UK as their electoral arrangements. Trade unions played an important role in the campaigns for devolution.

In other European countries where more proportional systems tend to produce coalition governments, unions tend to be influential players within a social partnership system where policy-makers often look to produce consensus where possible.

While electoral systems are only one aspect of this European model, it may well be that political systems in countries that produce coalitions are more open. Because issues are not resolved within a single party, there is inevitably more debate in public and that gives unions more opportunity to influence discussions and help shape consensus.

On the other hand, in a single party system, a determined government will find it easier to implement a radical programme of change that may – or may not be – union-friendly. Consensus systems may do better than producing a lowest common denominator compromise, but it is rare for any group to get it all their own way.

### *Fixed-Term Parliaments Act 2011*

A major piece of constitutional reform passed recently was the Fixed-Term Parliaments Act 2011. This act reduces the power of the prime minister to dissolve parliament and call an election at a time that suits them most in terms of electoral advantage. There are still two specific circumstances when an election can be called before the fixed term is completed: if two thirds of the House of Commons agrees to call one, or when a vote of no confidence is passed in the sitting government and no alternative government can pass a Queen's Speech within 14 days of such a vote.

This legislation could complicate future coalition negotiations in the event of an election being held with no majority winner, as the expectation would be that parties should seek to form coalition or minority governments and not call a second election right away. In a departure from the majoritarian tradition, it strengthens parliament's hand against the sitting government in that minority governments would be able to negotiate legislation as they went along and not require a coalition partner or a confidence and supply arrangement. It also puts up barriers to a government, in times of constitutional crisis, calling another general election right away to strengthen its legitimacy, though, as discussed above, this would also make it less likely that a new government could be formed and implement a programme of radical change. This paper is published in the immediate aftermath of the referendum vote to leave the EU and Prime Minister David Cameron's resignation. It is yet to be determined whether or not there will be an early general election as a result, and how the fixed-term Parliament will be used.

## Right to recall

Since the Recall of MPs Act 2015, MPs have been able to be recalled in a very limited number of circumstances (a custodial prison sentence; suspension from the House by the Committee on Standards; or providing false or misleading expenses claims). After this there is an opportunity to call a by-election if 10 per cent of their constituents sign a petition, but for some this doesn't go far enough.

Supporters of a more extended right to recall would like to see voters being able to directly recall their MP, making MPs more accountable to their electorate. However, opponents of extending the right to recall argue that it would make it difficult for principled MPs to vote for legislation that could be unpopular locally, making them vulnerable to lobbying from pressure groups.

## Extremists and small parties

One issue that is hotly debated as part of the electoral reform agenda is whether a new electoral system would help the far-right and hard right. There are arguments on both sides of this question.

The BNP gained seats in Europe and in the London Assembly under their more proportional systems. But they first gained a bridgehead in democratic politics by winning council elections run on a first-past-the-post basis.

Electoral reformers would argue that the real problem was not that the BNP had won seats, but that their support had grown. Their electoral success was a symptom of the problem, not the cause.

But there is a counter argument that says allowing hard right and far-right parties to win seats gives them a platform and helps legitimise views that should not be part of the political mainstream. It has given them more access to the media, and thus helped them reach voters that they would normally not be able to target.

Of course, the only sure way to ensure that extremist parties are not elected is to prevent them from participating in elections. But whether that is the right thing to do is a different argument and not within the scope of this document. Whatever electoral system or legal framework for parties we have, there is still a need for constant vigilance against the far-right and their poisonous and divisive ideas. Unions will need to continue to campaign actively against them while encouraging the other parties to implement policies that will reduce the appeal of far-right ideas.

Many people who support a more proportional electoral system accept that it is perfectly reasonable to have a threshold that stops parties with very small levels of support from getting elected. This is not just a guard against giving a platform to dangerous extremist views with little support, but also prevents the fracturing of politics into many small parties and the election of single interest or frivolous parties.

Some systems therefore have a formal threshold. For example, a party needs five per cent support before it can claim any seats in Germany. In many other systems there are effective thresholds. There is no set percentage of votes that a party has to achieve, but the system works in such a way that any party needs a significant level of support before it can achieve representation. (In Chapter 3, the comparison of different practical proportional systems looks at whether they have an effective threshold.)

Effective thresholds are normally a desirable by-product of other features of the electoral system, particularly a desire for geographical representation. The smaller the area in which you apply a proportionality test, the higher the effective threshold becomes. For example, if you were to make the whole UK a single constituency and elect 500 MPs, you would need around 0.2 per cent of the vote to elect a single MP. If you break that down into 50 constituencies of 10 MPs, then you would need a much higher proportion of votes in that constituency – just under 10 per cent – to win a single MP.

Closer to the political mainstream, but still of serious concern to many trade unionists, has been the rise of UKIP. Some have argued that a factor in the growth of UKIP is that our current electoral system allows the political parties to neglect parts of their electorate in safe seats. Other factors include the fact that they gained a major breakthrough in the 2014 European parliamentary elections, with a more proportional voting system. UKIP has also sought to position itself as outside the political establishment and appeal to voters who, for whatever reason, are disillusioned with politics in general. Many UKIP voters tend not to be those who have been perceived as swing voters in marginal seats, that our current system rewards parties for targeting. The election of UKIP candidates could, therefore, be seen as a signal to the other parties that their policies are not speaking to a significant group of voters. Reformers argue that it is better to have this challenge revealed and responded to, than for it to fester and express itself in other ways.

# 3 Different electoral systems

There are many electoral systems used in different elections, even within the UK.

Whole books have been written about their pros and cons, and electoral reformers have often been sharply divided about the merits of different alternative systems in debates, which can become very technical – and sometimes rather tedious.

But if we accept that different systems can be valid in different circumstances then it is important to understand broadly the various options and their strengths and weaknesses. Even if people, as the motion passed at the 2015 TUC Congress indicated, generally accept that there are major problems with first-past-the-post, it is unlikely that a change would succeed unless an alternative system can win wider support. Any system has advantages and disadvantages.

We have not covered multi-round elections here – although they are used in France. This system requires people to vote in a first stage election with the most successful candidates going through to a run-off in a second round. There is very little support for this approach in the UK, and with turnout a problem there are clearly risks in expecting people to vote more than once.

## Types of electoral system

### First-past-the-post

Our current system needs least explanation. The country is divided up into roughly equal constituencies and the candidate that receives the most votes in each is elected. Its strengths and weaknesses have already been described.

### Alternative vote

As with first-past-the-post, the country is divided into roughly equal constituencies that elect a single MP. But in the alternative vote (AV) system, voters put candidates in order of preference.

When the votes are counted, candidates' first preferences are tallied. If one candidate has more than half the first preferences, they are elected. If not the candidate with the fewest first preferences is eliminated and their second preferences are added to the other candidates' totals. If necessary this process is repeated until a candidate gets more than half the total vote.

One strength of this system is that people no longer need to vote tactically. They can vote for their top choice of party, but do not have to worry that it will be a wasted vote as they can continue to express their preferences. The other strength is that every MP can claim that they have the support of half of those voting. Australia has an AV system.

But AV is not designed to be proportional. If only one person is being elected, such as the London Mayor, it is fair to call this a proportional system as the winning candidate has more than half the voters' support (though strictly speaking voters can only express two preferences in London).

However, if there are many constituencies, as in a parliamentary election, there is no guarantee that the House of Commons would be more proportional under AV than under first-past-the-post. Sometimes it would be more proportional but sometimes less, and AV has a tendency to help one under-represented party at the expense of another as we shall see below.

AV favours centre-ground parties because they are the most likely to get second preference votes from big party supporters. In first-past-the-post, many Labour supporters will tactically vote for the Lib Dem candidate if Labour is likely to be third, but others will stick with Labour. (The mirror image occurs in seats where the Conservatives are third.)

Under AV, Labour or Conservative supporters whose party is likely to be third can also cast a tactical second preference, thereby making it more likely that the third party will win. The proportional effect only works when the party is seen as being in the centre ground between the two main parties. As the Liberal Democrats get a smaller proportion of seats than votes, this could – in a 'rough justice' kind of way – make the Commons more proportional. But not every constituency, even in England, has the Lib Dems in likely second place. In seats where they are third, AV could end up making the election result less proportional.

It depends on how other party second preferences divide. If equal numbers of people choose Labour and Conservative for their second preference then they will not affect the result. But other party second preferences are not always evenly divided. If they back one of the two big parties over the other, it can make the winning party even more over-represented. This is because in seats where the losing big party might just hold on under first-past-the-post against the winning big party, then they could well lose the seat under AV. This is because more other party second preferences go to the winning big party. AV has in this situation led to the winning party becoming even more over-represented than it would have done under first past the post.

AV can therefore make an election result more proportional by boosting a centrist third party, but less proportional by benefiting the winning party at the expense of the second party. In some UK elections – probably the majority – the first bias would have made the bigger difference if they had been run as AV. The result would, therefore, have been more proportional than first-past-the-post. But in some, the second bias may have more effect and the result would have been less proportional.

The Electoral Reform Society modelled the 2015 election to see what the House of Commons might look like with different voting systems. In this instance the result would have been less proportional and the Conservative party would have extended their majority.

While AV helps centre-ground parties as they are likely to be popular second choices, it does not help parties with significant support evenly distributed across the country but who do not win second preferences as easily. For example, the Greens could win 15 per cent of the vote in each constituency but not win a single seat under AV or first-past-the-post. Under the ERS's model, UKIP would not have gained any extra seats despite being the third party in terms of vote share.

Under AV, there would still be safe seats. While AV makes it easier and perhaps more likely that seats will change at elections, there are still large parts of the country dominated by one of the two big parties (or the SNP in Scotland). These areas would continue to be 'safe' for those parties.

The expenses scandal and rise of the far-right has led to questions being asked about whether safe seats are good for democracy. AV does not meet this concern.

In 2011, a referendum was held to decide whether to change to an AV system and was conclusively rejected by the public (68 per cent against versus 32 for, on a 42 per cent turnout).

## Proportional systems

Very few electoral systems are designed to be strictly proportional. This is for a range of reasons, but there are two in particular:

- Proportionality only deals with parties. Most systems also consider it desirable to give voters a say over candidates and/or give them the duty to represent particular geographical areas. If voters only get to choose between parties then it is likely that the party machines decide the candidates.

- Strict proportionality encourages a multiplicity of small parties. There is a danger that these will be single-issue, extreme or flippant. This can make politics so fractured that it makes it hard to form a government and can lead to a cacophony of different voices that confuse voters. Most systems, therefore, either have a deliberately chosen threshold (for example Germany's formal 5 per cent threshold) or have an effective threshold. This is normally done by having constituencies of some kind that return only a limited number of candidates – rather than a single constituency covering the whole country.

Most practical electoral systems, even those designed to be much more proportional than the UK system, are, therefore, not strictly proportional to the last degree. They also incorporate other factors, such as wanting constituency representation, being able to directly choose individual candidates as well as parties, or having a threshold to exclude very small parties.

There are many varieties of practical system that deliberately aim to include a degree of proportionality, but they are broadly divisible into three general types:

### Party lists

In a party list system, voters vote for the party rather than the candidate. Seats are then divided between the parties in proportion to the votes cast. The winning candidates are drawn from lists submitted by the parties.

In Israel, there is a single national constituency, making it easy for very small parties to get elected. In the UK, we use a list system for the European elections with regional constituencies. This introduces an effective threshold that excludes very small parties, but has allowed UKIP and the Greens to get elected. The most populous regions have more MEPs, thus making the effective threshold a bit lower in those regions.

One variation on the party list system gives voters the chance to express a preference between candidates on the party list, but in practice voters tend not to do that.

One potential democratic drawback is that party list systems can lead to a highly centralised system for the selection of candidates. To get elected a candidate needs to be high on their party list, rather than make an appeal to the electorate. Once elected, critics argue, representatives need to keep in with their party machines rather than with voters.

This could be countered by some form of primary system which can be open (to all voters in a constituency) or closed (to party members or registered supporters only). Primaries are most commonly used in list systems, but have been used in other systems, including FPTP.

### Multi-members constituencies

Unlike the party list system, this approach is still based around candidates rather than parties. It is based on big constituencies that elect more than one candidate. Voters order their candidates in preference, and can therefore choose between candidates from the same party. The votes are counted in most multi-member constituency systems by the single transferable vote (STV) method.

STV is too complex to explain in full here, but in brief it initially allocates an elector's vote to his or her most preferred candidate. After this candidate has either been either elected or eliminated, surplus or unused votes are transferred according to the voters' subsequent preferences.

Supporters of STV say that it produces reasonably proportional results, allows voters to choose between candidates of the same party and has an effective threshold that discourages small parties.

Critics argue that multi-member seats undermine the traditional UK relationship between a constituent and an MP. It can be divisive within parties by encouraging candidates to campaign against other candidates from the same party to ensure that they are the winning candidate. The counting system is complex and can be difficult to understand. To be genuinely proportional it needs big constituencies. In more sparsely populated parts of the country this would make for very large constituencies. However, there is some room for flexibility within STV, varying constituency sizes to take geographical issues into account.

## Mixed systems

A system with top-ups starts by electing representatives from traditional constituencies. Any system can be used, including first-past-the-post or AV, for this first stage. Further representatives are then added from party lists to make the overall result more proportional. These top-ups can be chosen in various ways.

Technically this family of systems is known as either an additional member system (AMS) or mixed member system. It is often described as a hybrid system because it combines two approaches, and there are two types of representative: those elected from constituencies and those coming from party lists.

Multiple variations are possible as there are many different approaches to electing both the constituency and party lists. The methods chosen and the balance between the two types of representative can give AMS systems many different characters. Some give highly proportional results, others will be less proportional. Some have high effective thresholds, and other low. In some, constituency voices will dominate; others look more like purely proportional party list systems. The Scottish Parliament, London and Welsh Assemblies are all elected using variants of AMS.

In 2009, the Jenkins Commission also recommended an AMS system for UK general elections. It proposed single member constituencies elected by AV on slightly bigger boundaries that we now have. These would be topped up by additional members. Voters would have two parts to their ballot paper. They would express preferences for their constituency MP and then have a single vote they could give either to a party or an individual candidate. This kind of system is commonly known as AV+. The recommendations were not acted on in 2011 when the UK public voted on whether to adopt a simple AV system instead.

AMS also have their opponents. A potential problem with AMS for those who value the local link is that they introduce two types of MP: those with constituency duties and those without. And for those who favour a more proportional approach, AMS is less proportional than other systems; although larger top-up areas or more top-up MPs could remedy this.

## What difference would a new system make?

The Electoral Reform Society modelled the 2015 election to see what the House of Commons might look like with different voting systems. Any such exercise comes with a very big health warning. We do not know how politics might change if we had a different electoral system. Nor do we really know how people would vote if they could express preferences when they come to vote. There is some polling evidence available, but we still need to make some assumptions.

There are different ways of introducing the different systems. Fewer, larger STV constituencies would produce more proportional results than an STV system with more, but smaller, constituencies.

Interested readers are, therefore, encouraged to read the report in which the modelling is set out, together with the assumptions and opinion poll evidence used. While these are reasonable, such an exercise can never be definitive. Peter Snow memorably introduced any attempt to project election results from opinion polls or a small sample of results on the BBC's election results programme as "just a bit of fun". This should be taken in the same spirit.

## Table 3: 2015 general election – the vital statistics

| Party | Votes | % vote | % of electorate | % seats | Seats | No. of votes needed to elect an MP |
|---|---|---|---|---|---|---|
| Conservative | 11,334,576 | 36.9 | 24.1 | 50.9 | 331 | 34,243 |
| Labour | 9,347,304 | 30.4 | 20.1 | 35.7 | 232 | 40,290 |
| UKIP | 3,881,099 | 12.6 | 8.4 | 0.2 | 1 | 3,881,099 |
| Lib Dem | 2,415,862 | 7.9 | 5.2 | 1.2 | 8 | 301,982 |
| SNP | 1,454,436 | 4.7 | 3.1 | 8.6 | 56 | 25,972 |
| Green | 1,157,613 | 3.8 | 2.5 | 0.2 | 1 | 1,157,613 |
| Others | 1,106,945 | 3.5 | 2.4 | 3.2 | 21 | 52,711 |
| Total | 30,697,835 | – | – | – | 650 | – |

**Source:** BBC (Electorate: 46,420,413)[4]

## Table 4: Modelling the 2015 general election using different electoral systems

| Party | FPTP | Party Lists | AV | STV |
|---|---|---|---|---|
| Conservative | 331 | 242 | 337 | 276 |
| Labour | 232 | 208 | 227 | 236 |
| UKIP | 1 | 80 | 1 | 54 |
| Lib Dem | 8 | 47 | 9 | 26 |
| SNP | 56 | 30 | 54 | 34 |
| Green | 1 | 20 | 1 | 3 |
| Outcome | Cons majority 5 | Cons short by 84 | Cons majority 21 | Cons short by 50 |

**Source:** Electoral Reform Society[5]
(Models for AMS systems are not available. AMS systems may be set up in different ways, depending on the number of FPTP seats and proportional top-ups.)

# 4 The practicalities of change

It does not make sense to discuss whether a change in our electoral system is needed without also thinking about how change might come about. There are two issues at stake: how we decide whether we want to change our electoral system, and how we choose a new replacement system.

It is widely argued that a referendum is the right way to determine whether there should be constitutional change, as happened in the Alternative Vote referendum of 2011, the Scottish independence referendum of 2014, and the referendum on Britain's membership of the EU in 2016. There are two broad arguments for this. First, it would be wrong to ask MPs to decide on the future of an electoral system in which they have won seats. As individuals they have a vested interest in the status quo. Second, a change to our electoral system is a fundamental change to our constitutional arrangements and it is right that this should be decided by citizens as a whole. However, Parliament would still need to decide to hold a referendum.

But while ending first-past-the-post might be the consequence of a referendum, it is harder to work out what should replace it. There are a number of different ways of deciding the best alternative system.

Parliament could simply decide to offer an alternative in a referendum.

Alternatively there could be a referendum that offers multiple choices. There are basically three alternative approaches that have support:

- The status quo of first-past-the-post

- The alternative vote of single member seats but with preference voting

- A system designed to be more proportional.

But there are problems with having a three-way choice in a referendum (not least the issue of which voting system to use for the referendum!)

First, a three-way choice is likely to confuse many voters – and make the public debate in the run up to the election more difficult. A clear choice between two options is likely to be much livelier and more straightforward, but can be polarising. Second, this still does not establish which is the best proportional system for the UK. There also needs to be a mechanism to do this.

But as MPs have a vested interest in the current electoral system, it is probably not a good idea to ask them to decide an alternative. A number of suggestions have been made about how best to decide an alternative, more proportional, system.

Some favour a citizens' jury. This would be a group of citizens chosen at random, though probably many more than twelve, who would deliberate and decide the best system. An alternative approach would be some kind of constitutional convention similar to the one organised in Scotland. This brought together the political parties and representatives of civil society such as trade unions, employers and religious leaders. It could of course also include a citizen's jury element if this were thought to be appropriate.

A further issue is the order of a referendum and any constitutional convention or citizen's jury. There are three broad approaches:

- Set up a constitutional convention first and puts its recommendation to a referendum

- Hold a referendum to set up a convention with the aim of changing the current system, and with Parliament bound to implement its recommendations

- Hold a referendum to set up the convention, and then hold a further referendum on its recommendations.

# 5 Conclusion

This discussion paper does not come to a firm conclusion about the best electoral system for the UK. It is clear, however, that electoral politics as it currently stands does not "express the range of political opinion in the UK", as the composite motion to Congress 2015 puts it.

But it does make the argument that there is no perfect electoral system. There are a range of requirements that can be made of voting systems, but they cannot all be achieved in a single system. History, culture and politics all play a part in determining a country's favoured electoral system.

Nor do electoral systems stand in some neutral way above a country's politics. Politics will shape the electoral system that works best for a country but, equally importantly, electoral systems will also affect politics. Politicians will seek to maximise their representation; as that is secured in different ways in different electoral systems, if a country changes its voting system it is likely to change its politics.

Table 5 (see page 29) summarises the pros and cons of different electoral systems. In the left-hand column are some criteria that people may want from an electoral system. Each system is then scored against each criterion. The best option (or options) is awarded three stars. Two stars means it goes some considerable way towards meeting the criterion. One star means it goes a little way, and an 'X' means it does not meet it at all or even works against it.

This is somewhat rough and ready. There are variations in all the proportional systems that will affect their scores. For example, we have given AMS and STV two stars for proportionality, but they can be made more proportional by having more top-ups or bigger constituencies respectively. Nor can we work out the ideal system from totting up the stars in each column as some of these criteria are contradictory and others overlap. If you want strong government, for example, then you will favour over-representation of the winning party, which will mean you cannot have proportionality.

## Table 5: A comparison of different electoral systems

| Criteria | First-past-the-post | AV | Party lists | STV | AMS |
|---|---|---|---|---|---|
| Strong constituency link | *** | *** | X | * | ** |
| Proportional | X | X | *** | ** | ** |
| Avoids coalitions | ** | X | X | X | X |
| Excludes extremists and small national parties | *** | *** | X | ** | ** |
| Is based on candidates rather than parties | *** | *** | X | *** | ** |
| Doesn't concentrate power in party machine | *** | *** | X | ** | ** |
| Discourages infighting | *** | *** | ** | X | ** |
| Allows independents and local parties to be elected | * | * | X | *** | ** |
| Avoids power being exercised by a minority | X | X | *** | ** | ** |
| Easy to understand | *** | *** | ** | X | ** |
| Every vote can affect the outcome | | * | *** | *** | *** |
| Ensures government has majority support of voters | X | X | *** | ** | ** |
| Eliminates safe seats | | * | * | *** | ** |
| Decisions about boundaries don't affect results | X | X | *** | * | ** |
| Discourages party splits | *** | * | X | * | * |
| Encourages party to engage with all voters | | | *** | ** | ** |
| Simple ballot paper | *** | ** | *** | * | X |

In 2015, a Conservative government was elected with the support of 24 percent of the electorate. Alongside other reformers, some prominent voices in the trade union movement are now calling for a system that would allow all votes to count, open up politics, inspire people to vote and provide the space for alternatives to be heard. In this updated report, we have sought to provide information that can inform the debate on the practicalities and implications of change, and the options for what sort of electoral system the UK should have. An open and wide-ranging discussion is needed and it is one that should have trade unionists at its heart.

# 6 Recent thought and further reading

Since the first edition of this pamphlet was published in 2010, there have been several important works on electoral reform. The work of academic Alan Renwick, including the 2011's very accessible *Citizen's Guide to Electoral Reform*[6] (intended to inform readers ahead of the AV referendum), will be of interest to electoral reform-minded readers.

Others, like Bowler and Donovan's 2013 work, *The Limits of Electoral Reform,*[7] have been much more pessimistic in the assessment of what can be achieved to change politics through electoral reform, and presents a comparative study assessing electoral reforms for the extent of their promised effects (generally finding them to be more modest than the rhetoric) and unexpected effects.

For the latest debates, there is the lively online source Democratic Audit,[8] a research unit based at the London School of Economics, examining all aspects of UK democracy but frequently covering electoral reform in blog form. This source is updated regularly and is highly recommended.

The Electoral Reform Society publishes analysis of general elections (some of which you can find referenced in this paper), most recently *The 2015 General Election: A Voting System in Crisis,*[9] arguing that the current voting system is not just unrepresentative but exacerbates regional polarisation and threatens to divide the UK.

A major concern of trade unionists interested in electoral reform will be the equality impact of different electoral systems on representation. Women's equality organisation the Fawcett Society covered electoral systems and gender equality in a 2013 report, *The impact of electoral systems on women's political representation,*[10] finding that there is a positive correlation between proportional systems and women's representation, but that while PR provides an opportunity for increased representation, positive strategies to bolster representation are also needed.

# *Notes*

1    Alastair J Reid (2002) *Trade unions: a foundation of political pluralism?* www.historyandpolicy.org/papers/policy-paper-05.html, accessed 11 January 2010.

2    The Power Inquiry (2006) *Power to the People: the report of power: an independent inquiry into Britain's democracy* www.powerinquiry.org/report/index.php, accessed 11 January 2010.

3    Ipsos Mori, www.ipsos-mori.com/researchpublications/researcharchive/3575/How-Britain-voted-in-2015.aspx

4    BBC News online, www.bbc.co.uk/news/election/2015/results

5    The Electoral Reform Society (2015) *The 2015 General Election: A Voting System in Crisis,* www.electoral-reform.org.uk/blog/system-crisis, accessed 20 June 2016.

6    Renwick, Alan (2011) *The Citizen's Guide to Electoral Reform,* Biteback Publishing, London.

7    Bowler, Sean and Donovan, Todd (2013) *The Limits of Electoral Reform,* OUP.

8    Democratic Audit, www.democraticaudit.com, accessed 17 June 2016.

9    Ibid.

10   Fawcett Society (2013) www.fawcettsociety.org.uk/wp-content/uploads/2013/03/Fawcett-briefing-on-impact-of-electoral-systems-on-womens-representation-October-2012.pdf, accessed 17 June 2016.

## The TOUCHSTONE Blog

Go to **touchstoneblog.org.uk** for informed
and lively progressive comment on the big policy
issues of the day. Blog posts are written by TUC
experts with a passion for social justice.

*TUC*

Trades Union Congress
Congress House
Great Russell Street
London WC1B 3LS

**tuc.org.uk**

Cover illustration: Lo Cole