

TOWARDS A UNIQUE EUROPEAN ELECTORAL SYSTEM?

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ABSTRACT:

THIS RESEARCH AIMS MAINLY AT IDENTIFYING THE MOST APPROPRIATE ELECTORAL SYSTEM CONCERNING THE COMMON EUROPEAN ELECTIONS. IT MAKES A THOROUGH ANALYSIS OF EACH MEMBER STATE'S ELECTORAL SYSTEM IN ORDER TO SEE THE EXTENT TO WHICH THE "EUROPEAN" SYSTEM DIFFERS FROM THE "NATIONAL" ONES. FURTHERMORE, IT QUESTIONS AND ANALYSES THE EXTENT TO WHICH MEMBER STATES WOULD AGREE ON A COMMON ELECTORAL SYSTEM.

KEY WORDS: ELECTORAL SYSTEM, EUROPEAN UNION, PROPORTIONAL REPRESENTATION, DEMOCRACY

INTRODUCTION

The electoral system could be defined as the translation of the general election votes into the seats that the parties and the candidates obtain in elections. The key variables in this process are both the electoral formulas (for example, majority or proportional representation system, the mathematical formula that is used for the calculation of the seat assignment) and the constituency size (it doesn't refer to the number of voters that live therein, but to the number of MPs that are elected per constituency). It is important to underline the fact that even if the article doesn't tackle with the administrative aspects of elections (such as the distribution of the voting sections, candidate nomination, voters' registration, designing the persons in charge with the organization of the elections), they are important issues that could undermine the possible advantages of having decided for

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one election system over another if they are not dealt with properly. The elaboration of the electoral system affects other electoral legislation areas: the decision for an electoral system over another has a great influence on the way constituency limits are established, on the way the voters are registered, on the way ballots are designed, on ballot count and on many other aspects concerning the electoral process.

ELECTORAL SYSTEMS – A FRAMEWORK FOR ANALYSIS

Political institutions set the rules of the game for the practice of democracy and it is often said that the electoral system is the easiest political institution to be manipulated since, while making the translation of votes into legislature seats, the electoral system can definitely determine who is the elected one and which party will take over the power.² Even with exactly the same number of votes for the parties, an electoral system may lead to a coalition government, while other may lead to one- party majority government. Beside these primary effects, there are further consequences. On the one hand, it influences the party system type that establishes especially the number and the approximate representation of parties in Parliament. On the other hand, it affects the internal cohesion and discipline of parties: some electoral systems may encourage factions within the parties when two groups within the same party are in continuous fight, while other electoral systems may encourage the parties to solve their problems and act in unison. The electoral systems may also influence both the way campaigns are organized and political elites' behaviour, thus determining the parties' political climate; they may encourage or delay the set up of party alliances; they may also determine a large representation of the parties or, on the contrary, a slim representation based on the ethnic group or on the degrees of kin. Furthermore, if an electoral system is not considered to be "fair" and it doesn't cast on the opposition the feeling that it may win the next elections, then the electoral system may persuade the losing party to develop its activity outside the system by means of undemocratic and even violent tactics. Eventually, the choice for an electoral system over another will determine the simplicity or the complexity of the ballot itself. It is usually a very important issue that turns out to be essential in the case of the societies that are confronted with a large number of inexperienced or illiterate voters³.

² Giovanni Sartori, "Political Development and Political Engineering," *Public Policy* 17 (1968): 261–298.

³ Rein Taagepera and Matthew Shugart, *Seats and Votes. The Effects and Determinants of Electoral Systems*, (New Haven : Yale University Press, 1989): 243.

Nevertheless, it is important to emphasize the fact that a certain electoral system will count with a distinct development depending on the characteristics of the country where it is implemented. Even if there are common experiences in different regions of the world, the effects of a certain electoral system depend to a great extent on the socio-political context⁴. Factors such as religion, ethnic group, ideology, race, language or social class have a great influence on the consequences of the electoral system; another important factor is the form of government: established democracy, democratic transition or new democracy, the nature of the party system (established, embryonic or not formed), the number of “serious” parties, the geographical distribution of one party’s supporters (whether they are all in the same area or dispersed in various areas).

Under this context, the elaboration of a shared European electoral system is a real challenge for all the Member States of the European Union. The article aims at analysing the extent to which the Member States would agree upon counting with a common electoral system.

THE ELECTIONS FOR THE EUROPEAN PARLIAMENT

The Members of the European Parliament are elected every 5 years. The number of MEPs doesn’t reflect all the gained votes: smaller states are represented by an over-proportional number of MEPs meanwhile bigger states, especially Germany, count with an under-proportional number of MEPs. This rule has slightly changed after the 2004 EU enlargement on May 1st. After the rearrangement of mandate number, Germany no longer had to give up part of its mandates to the MEPs coming from the new Member States as compared to other countries.

The Members of the European Parliament do not sit in national delegations but are grouped in transnational political groups according to their political affinities. Each takes care of its own internal organisation by appointing a chair (or two co-chairs in the case of some groups), a bureau and a secretariat. The places assigned to Members in the Chamber are decided by political affiliation, from left to right, by agreement with the group chairmen. 20 Members are needed to form a **political group**, and at least one-fifth of the Member States must be represented within the group. Members may not belong to more than one **political group**. Some Members do not belong to any **political group** and are

⁴ Arend Lijphart and Bernard Grofman, *Choosing an Electoral System: Issues and Alternatives*, (New York: Praeger, 1984): 132.

known as non-attached Members. Before every vote in plenary the **political groups** scrutinise the reports drawn up by the parliamentary committees and table amendments to them.

Each Member State decides upon the way elections are organized implementing the same democratic rules: the right to vote at 18 years, equal opportunities between women and men and secret ballot.

THE EUROPEAN ELECTIONS HAVE TO COMPLY WITH A SERIES OF COMMON RULES:

1. A proportional representation electoral system based on the party- list proportional representation or on the single transferable vote (STV)⁵.
2. The state territory can be subdivided into constituencies only if this doesn't affect the proportional feature of the elections. It's advisable for states that count with more than 20 million inhabitants to do the subdivision.
3. The electoral threshold should not be more than 5%.

The table⁶ hereafter makes a classification of the electoral systems used by EU Member States in European elections aiming at pointing out the degree of acceptance for a shared electoral system:

MEMBER STATE	E.E.S.⁷	D.E.S	<i>Difference percentage</i>	D.A.S.E.S
Austria	Closed list and optional preferential voting (OPV)	Closed list and OPV.	10%	Medium

⁵ Eric Moon, "Single Non-Transferable Vote Methods in Taiwan in 1996. Effects of an Electoral System," *Asian Survey*, 37 (1997): 652-668.

⁶ Adrian Sorescu, *25+2 Modele electorale.Sisteme electorale*, (București: Asociația Pro Democrația, 2006).

⁷ Sources: "The European Elections: EU Legislation, National Provisions and Civic Participation," European Parliament, accessed May 16, 2010. http://www.europarl.europa.eu/eplive/expert/multimedia/20090303MLT50670/media_20090303MLT50670.pdf.

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Belgium	Closed list and OPV.	Closed list and OPV.	10%	Medium
Czech Republic	Closed list and OPV.	Closed list and OPV.	10%	Medium
Cyprus	Closed list and OPV.	Closed list and OPV.	10%	Medium
Denmark	Closed list and OPV.	Closed list and OPV.	10%	Medium
Estonia	Blocked list	Open list and compulsory preferential voting.	70%	High
Finland	Closed list and OPV.	Open list and compulsory preferential voting.	50%	High
France	Blocked list	Majority	100%	High
Germany	Blocked list	Mixed	90%	High
Greece	Closed list and OPV.	Open list and compulsory preferential voting.	50%	High
Ireland	S.T.V.	S.T.V.	0	Low
Italy	Blocked list	Blocked list	10%	High
Latvia	Closed list and OPV.	Closed list and OPV	10%	Medium
Lithuania	Closed list and OPV.	Mixed	70%	Medium
Luxembourg	Multiple voting	Multiple voting	0	Medium
Malta	S.T.V.	S.T.V.	0	Low
Netherlands	Closed list and OPV.	Closed list and OPV.	10%	Medium

Poland	Blocked list	Open list and compulsory preferential voting.	70%	High
Portugal	Blocked list	Blocked list	10%	High
UK	Blocked list	Majority	100%	High
Slovakia	Blocked list	Closed list and OPV.	70%	High
Slovenia	Closed list and OPV.	Open list and compulsory preferential voting.	50%	Medium
Spain	Blocked list	Blocked list	10%	High
Sweden	Closed list and OPV.	Closed list and OPV.	10%	Medium
Hungary	Blocked list	Mixed	90%	High
Bulgaria	Closed list and OPV.	Blocked list	70%	Medium
Romania	Blocked list	Mixed	90%	High

Legend:

E.E.S. - European Electoral System

D.E.S. - Domestic Electoral System

D.A.S.E.S. - Degree of Acceptance for a Shared Electoral System

This table synthesizes the results of this research and projects a future approach to the shared European electoral system. This classification is based on the following premises:

1. EU Member States' tendency is to use more simplified electoral systems for the European elections than the ones they use for the national elections.
2. The future shared electoral system is based on the most used systems nowadays.

3. The difference between the national election systems and the European ones is calculated based on the nature, essence and special features of the electoral systems.
4. The degree of acceptance for a shared European electoral system is established based on the first three columns in the table.

According to these hypotheses and based on the extent to which the national election system differs from the European one, the research identifies the following categories:

a. States that maintain the same national system without making any changes. The states that match this category are the following: Ireland, Luxembourg and Malta as they use atypical electoral systems both in the case of the national and the European elections. Luxembourg uses the multiple voting and both Ireland and Malta use the single transferable vote.

b. States that use a slightly changed electoral system in the case of the European elections (10%) as compared to the national electoral system. The differences consist in the constituency size. It is the case of states such as Austria, Belgium, Cyprus, Denmark, Italy, Latvia, Netherlands, Portugal, Spain and Sweden.

c. States that use a 50% changed electoral system in the case of the European elections as compared to the national elections. The main difference between the two systems consists in the use of the compulsory preferential voting in the case of the national elections as compared to the use of the optional preferential voting in the case of the European elections (Finland, Greece and Slovenia).

d. States that use a 70% changed electoral system in the case of the European elections as compared to the national elections. These states change the optional or the compulsory preferential voting in the national elections for the blocked list for the European elections. There is one exception to this case (Bulgaria) where the phenomenon occurs the other way around. The countries matching this profile are: Estonia, Lithuania, Poland, Slovakia and Bulgaria as the exception.

e. States that use a 90% changed electoral system in the case of the European elections as compared to the national elections. These states change the mixed system they

use in the national elections for the blocked list in the European elections: Germany, Hungary and Romania.

f. States that use a 100% changed electoral system in the case of the European elections as compared to the national elections. These states pass from a majority electoral system to a proportional representation electoral system: France and UK.

As far as the **degree of acceptance for a shared European electoral system** is concerned, the research identifies three categories of states:

a. States with a low degree of acceptance for a shared European electoral system. The states matching this category are the ones that apply the traditional features of the national electoral systems to the European elections. These states would not accept easily a shared electoral system as presently they use electoral systems characterised by traditional features which are different from the systems used by the majority of the EU Member States.

A shared European electoral system refers to a system which is agreed upon by the majority of the Member States and which is presently characterised whether by closed list and optional preferential voting or by blocked list. The states in this category traditionally use the system with single transferable vote.

b. States with a medium degree of acceptance for a shared European electoral system. The states in this category give up some features of their national electoral systems in the case of the European elections. However, the used electoral system is not always in compliance with the one which is presently accepted by the majority of the states.

c. States with a high degree of acceptance for a shared European electoral system. This is the case of the states that make most concessions in the decision for an electoral system over another in the European elections. Generally, the states matching this category are the ones that make radical changes at the level of their national electoral system passing from a majority system to proportional representation system. It can be also the case of the states which decide to use the electoral system used by the majority of the states even if at national level they have a different electoral system.

In order to point out better the variable related to the “*degree of acceptance for a shared European electoral system*”, it is important to consider the following two possibilities:

1. The future electoral system will be a proportional representation one with a blocked list ballot.

In this case, the states using a proportional representation system with closed list ballot will come to a difficult point as the blocked list does not allow the possibility for the voter to express his/her preference or preferences.

The states characterised by a low degree of acceptance for a shared European electoral system will be confronted with the same difficulties as the next type of electoral system.

2. The future electoral system will be a proportional representation one with closed list ballot and optional preferential voting.

Presently, this seems to be the most appropriate electoral system to be adopted at the level of the whole European Union. It is used by 13 states and other 11 states use the blocked list ballot which the system practically integrates. The voters may vote the whole list without expressing their preferences.

Furthermore, this system will trigger the least discomfort to the states using other electoral systems as it slightly resembles each one of them by allowing the expression of some preferences.

CONCLUSIONS

The electoral systems are the key to democracy and the ballot is their essential component. Under the given European political context, it is more than important to count with a research on the European electoral systems. The debates over the shared European electoral system are of major interest nowadays.

Arend Lijphart considers that “the gap between the majority electoral systems and the proportional representation ones is huge also due to the fact that the changes within each type of system are common, but few democracies pass from the PR method to plurality or majority methods or the other way around”⁸. As many of the EU Member States use the majority election systems in national elections, the goal related to the introduction of a shared electoral system based on proportional representation seems to be far too difficult to achieve.

⁸ Arend Lijphart, *Modele ale democrației. Forme de guvernare și funcționare în treizeci și șase de țări*. (Iași : Polirom, 2000), 141.

Consequently, there are conservative states as far as the electoral systems are concerned such as Ireland, Malta or Luxembourg. These states might give rise to problems when the shared European electoral system is introduced. However, the most important step in the adoption of a shared electoral system is being made by the big EU Member States (France, Germany and UK) that have changed the national electoral system radically as they have wished to make the European electoral system uniform.

The conclusion this research draws refers to the fact that proportional representation electoral system with closed list and optional preferential voting could turn into the electoral system to be adopted by the European Union. It is used by 13 states and other 11 states use the blocked list ballot which the system practically integrates. Consequently, this could be the appropriate system for 24 out of 27 states. This statement is based on the idea that by means of the optional preferential voting system, the voter has the possibility to vote only for the whole list without indicating his/her preferences. Therefore, this system may work the same way a blocked list system works. Nevertheless, the other way around is not possible.

The introduction of a shared electoral system is a first step towards genuine “political union”, a first step towards the decrease of the democratic deficit within the European Union and towards the stability of the European party system.

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