

Alþingi
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Skrifstofa Alþingis
Austurstræti 8-10
150 Reykjavík

b.t. stjórnskipunar- og eftirlitsnefndar

Vegna væntanlegrar vinnu við frumvarp til stjórnskipunarlaga, byggðri á niðurstöðum ráðgefandi þjóðaratkvæðagreiðslu um tillögur stjórnlagaráðs þann 20. október sl., vil ég koma á framfæri eftirfarandi ábendingum sem vonandi nýtast í starfi stjórnskipunar- og eftirlitsnefndar. Þær snúa allar að þeim þætti tillagnanna sem voru til umfjöllunar í C-nefnd stjórnlagaráðs, þar sem ég gegndi formennsku.

1) Kosningakerfi

Tillögur ráðsins eins og þær birtast í 39. gr. frumvarpsins binda hendur löggjafans varðandi fyrirkomulag kosninga til Alþingis í veigamiklum atriðum, t.d. hvað varðar fyrirkomulag persónukjörs og útdellingu þingsæta. Af því leiðir að löggjafinn mun hafa takmarkað svigrúm til að bregðast við hugsanlegum alvarlegum ágöllum á kosningakerfinu komi þeir í ljós síðar meir.

Áréttu ber að kosningatillögur ráðsins hafa hlotið takmarkaða rýningu sérfræðinga í kosningamálum. Ráðið lét þó þýða tillögurnar eins og þær stóðu 27. júní og sendi þær í umsögn sérfræðinganetsins „ACE Practitioners' Network“¹. Svör bárust daginn eftir að störfum ráðsins lauk þann 28. júlí 2012 og gátu þau þar af leiðandi ekki nýst við vinnu ráðsins. Þess ber einnig að geta þess að þónokkrar breytingar voru gerðar á texta frumvarpsins á þeim mánuði sem svörin voru í vinnslu hjá sérfræðingum ACE, svo svörin áttu því í mörgum tilfellum ekki lengur við.

Af þeim mætu sérfræðingum sem Alþingi hefur falið að rýna tillögur ráðsins út frá lagalegu tilliti hefur enginn, að mér vitandi, bakgrunn í kosningastærðfræði, enda verkefnið þeirrar nefndar í raun annað og afmarkarða. Því er mikilvægt að leita umsagnar aðila sem sérfróðir eru um skipulag kosninga áður en til endanlegrar afgreiðslu tillagnanna á Alþingi kemur.

Sérfræðinganet ACE gat svarað spurningum ráðsins á rúmum mánuði þegar stjórnlagaráð óskaði þess. Tímaskortur er því *ekki* óyfírstíganleg hindrun í þessu samhengi, þótt tíminn sé vissulega naumur. Ég ítreka þá skoðun mína að slík rýning sérfræðinga er nauðsynleg til að ábyrgt geti talist af Alþingi að samþykkja tillögurnar óbreyttar inn í nýja stjórnarskrá.

¹ Sjá: <http://aceproject.org/>

2) Beint lýðræði

Flestar þær almennu athugasemdir hér að ofan sem varða nauðsyn rýningar á 39. gr. frumvarpsins eiga einnig við um þær greinar frumvarps stjórnlagaráðs sem snúa að lýðræðislegri þátttöku almennings.

Stjórnlagaráð studdist að miklu leyti við bókina „Direct Democracy: The International IDEA Handbook“ við samningu ákvæðanna um beint lýðræði. Auk þess var einn nefndarmaður í C-nefnd í sambandi við erlendan sérfræðing² á sviði beins lýðræðis. En heildar- og lokatillögur ráðsins hafa, að mér vitandi, aldrei verið bornar undir sérfræðinga um beint lýðræði, og þá sérfræðinga er, eftir minni vitneskju, ekki að finna hér á landi.

Þær breytingar sem stjórnlagaráð leggur hér til, fela í sér miklar breytingar á íslenski stjórnskipan. Eðli málsins samkvæmt verða þær ekki lagaðar eftir á. Því ítreka ég aftur nauðsyn þess að leitað verði til þeirra sem best til þekkja og þeir beðnir um að gefa álit á frumvarpinu. Höfundar þeirrar handbókar sem miðast var við og nefnd er hér að ofan koma til dæmis til greina, sem og IDEA³ stofnunin sjálf.

3) Breytingar á stjórnarskrá

Það er mín skoðun að stjórnlagaráði hafi ekki tekist nægilega vel til þegar kemur ákvæðinu um breytingar á stjórnarskrá. Sú málsgrein sem heimilar að 5/6 hlutar þings geti breytt stjórnarskrá samdægurs býður hættunni heim. Um þá málsgrein hefur raunar talsvert verið fjallað og stjórnlagaráðið sjálft lagði til að hún yrði felld út á vörfundum sínum 2012.

Greinin er þó að mínu mati ófullnægjandi þótt þessari málsgrein sé sleppt. Stærsti galli hennar er að hún nýtir ekki *tímann* sem dempunartæki til að verja stjórnarskrána gegn hitamálum líðandi stundar. Það er ákveðin mótsögn að skv. frumvarpinu geta þjóðaratkvæðagreiðslur um venjuleg lög farið fram heilu ári eftir að þeirra er krafist (í samræmi við ábendingar IDEA) en atkvæðagreiðslur um stjórnarskrá þurfa að eiga sér stað einum til þremur mánuðum eftir að til þeirra er boðað. Svo skammur fyrirvari er varhugaverður.

Þessa grein þarf, að mínu mati, endurskoða í heild sinni og leita áhlits Feneyjarnefndar Evrópuráðsins um niðurstöðuna. Raunar ætti eftir fremsta megni leita eftir áhliti Feneyjarnefndarinnar á tillögum ráðsins í heild sinni. Sé þess ekki kostur ætti í það minnsta að leyta áhlits nefndarinnar á afmörkuðum þáttum tillagnanna.

² Kaufmann, sjá <http://www.iri-europe.org/about/members/bruno-kaufmann/>

³ IDEA: <http://www.idea.int/>

Samantekt

Margar af þeim tillögum sem stjórnlagaráð leggur til, og vörðuðu starfsvið nefndar C, eru bæði veigamiklar og illaflaturkræfar. Nauðsynlegt er að þær verði rýndar af sérfræðingum í málefnum kosninga og beins lýðræðis. Lágmarkstillaga mín í þessum efnum er:

- 1) Að leita til sérfræðinga ACE stofnunarinnar varðandi álit á lokatillögum stjórnlagaráðs um kosningar til Alþingis.
- 2) Að leita til höfundu skýrslunnar *Direct Democracy: The International IDEA Handbook*, eða *IDEA* stofnunarinnar sjálfrar varðandi greinarnar um beint lýðræði.
- 3) Að leita til *Feneyjarnefndar Evrópuráðsins* varðandi þær greinar sem snúa að breytingum á stjórnarskrá.

Ég hvet stjórnskipunar- og eftirlitsnefnd til að gera þegar nauðsynlegar ráðstafanir til að kalla eftir álitum þeirra erlendu sérfræðinga og stofnana sem nefndar eru hér að ofan. Þar með talið:

- i) Að hafa samband við viðkomandi sérfræðinga/stofnanir og biðja um að málið yrði sett í nauðsynlegan farveg til að unnt verði að gefa umsögn um frumvarpið þegar þess verður formlega óskað (t.d. að lokinni fyrstu umræðu).
- ii) Að láta þýða tillögur ráðsins, eins og til stendur að þær verði lagðar fram⁴ ásamt öðrum nauðsynlegum fylgiskjölum og ef til vill ítarefni.

Ég ítreka þá skoðun mína að án slíkrar eða sambærilegrar rýningar væri óábyrgt af Alþingi að samþykkja umræddar tillögur inn í nýja stjórnarskrá.

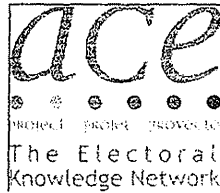
Ég óska nefndarmönnum í Stjórnskipunar- og eftirlitsnefnd velfarnaðar í vinnu þeirra að frumvarpi til stjórnskipunarlaga.

Virðingarfyllst

Pawel Bartoszek
fyrrum formaður C-nefndar stjórnlagaráðs



⁴ Sbr. tillögur stjórnlagaráðs frá vorkundi þess 2012.



Icelandic Constitutional Electoral Reform – Consolidated Replies

01/08/ 2011

On the 27th of June, 2011, the Icelandic Constitutional Council (ICC) contacted the ACE Electoral Knowledge Network to inform them of its plans to propose fundamental changes to Iceland's current electoral system. Aware of the ACE Practitioners' Network (PN), a venue in which the world's electoral experts come together to engage with one another, the ICC requested that ACE gather the thoughts and opinions of its members on the changes to be proposed. The full expert discussion can be located at: <http://aceproject.org/electoral-advice/ace-workspace/message-board/discussions/484004116>. Below is a summary of the main points addressed by each expert, followed by a list of relevant ACE resources that may further assist the ICC in successfully completing its task as well as a full copy of the responses highlighted here.

Summary of Responses

Jack Santucci, Academic (A doctoral student in comparative and American politics at Georgetown University, Washington, DC. His current research emphasizes party-organizational responses to electoral system designs)

- Points out that voters may face two pressures that could cause the proposed system to behave in practice like standard open list proportional representation systems.
- The first of these pressures comes from political party coordination and the second is derived from the "strategic dilemma between [voters'] desire to maximize a preferred party's seat share, on the one hand, and affect multiple parties' list orders, on the other hand."
- Explains the effect these pressures will have on the electoral system as a whole, which the expert believes will result in less ability for voters who vote for more than one candidate to affect final seat allocations.
- Believes that a move away from six multi-member districts "should deliver more system-wide proportionality of seats to votes," but notes that "[this] also depends on potential vote thresholds."
- Touches on the effects of the proposed changes on the representation of women, noting that they will altogether help women who are currently unsuccessful at garnering votes move up in voter lists. As for a mechanism for ensuring the election of women within an open list system, the expert believes "the clearest mechanism is to mandate a gender quota whereby every Nth winning candidate must be a female (i.e. a "staggered" or "zipper" list along the lines of that now used in Iraq)."

Domenico Tuccinardi (currently the Director of the NEEDS Project , the EU Training Program for EU observers, and represents International IDEA in Brussels).

- Believes “one nationwide constituency will certainly enhance the overall proportionality of the system and will increase the chances to elect a larger number of women.”
- Weighs the pros and cons of an open list system and provides a possible alternative in the form of a system with large districts with party lists and internal party quotas.
- Provides a reference that may be useful for considering the implications of open list systems: Larsrud, Stina and Rita Taphorn. *Designing for Equality: Best-fit, medium-fit and non-favourable combinations of electoral systems and gender quotas.* International IDEA, 2007.
(http://www.idea.int/publications/designing_for_equality/ar.cfm)

Sam van der Staak (currently Programme Officer for Political Parties team at International IDEA in Stockholm)

- Focuses on the effect of the proposed electoral changes on political parties.
- Notes that a possible effect of a fully open party list system is that it allows voters to override the party’s internal candidate selection process, ultimately diminishing the role of political parties and thus damaging the credibility of a party system.
- Expands upon the point above by demonstrating how such an open party list systems undermine political parties and cause them to be internally divided.
- Suggests a number of ways to give political parties more power in this kind of system.

Professor Amon Emmanuel Chaligha (member of the Tanzanian Electoral Commission)

- Believes the open system may lead to lower voter participation because of its increased level of complication. Also believes that it may be abused by party bosses.
- Notes that the proposed mixed party system may make political party members more accountable to the electorate.
- Suggests a threshold system for balancing the pros and cons of mixed proportional representation.
- To increase the inclusion of women into the political system, the expert suggests that “the PR seats can use a party list with names of women alternating with that of men.”

Taruvai Subayva Krishnamurthy (former Head of Elections, India)

- Notes that vote split systems “can be useful if the number of contesting candidates is not too large.”
- Believes a mixed system wherein “half of the seats are linked to Districts & balance seats are voted through a National List has the right balance.”
- Explains why having proper, comprehensive laws set for the internal functioning of political parties is very important.

Monte McMurchy (consultant)

- Believes mixed-member proportional representation is a flawed electoral policy base.
- Provides a brief philosophical analysis of the purpose of elections in constitutional democracies.
- Discusses the strengths and weaknesses of First Past the Post and Proportional Representation systems respectively.
- Believes Single Transferable Vote systems complicate elections and inevitably result in decreasing electoral participation.
- Believes gender quotas should be kept at 33%.
- Goes on to provide his opinion on how electoral reform should be carried out.

Related ACE Articles and Resources

The following is a list of articles and resources that have been collected from the ACE Encyclopedia, an online database of electoral knowledge.

Electoral Systems (<http://aceproject.org/ace-en/topics/es>)

Advice for Electoral System Designers (<http://aceproject.org/ace-en/topics/es/esg>)

Advice on Implementation (<http://aceproject.org/ace-en/topics/es/esb/esb04>)

A Break Down on Vote Counting (<http://aceproject.org/ace-en/topics/vc/vca>)

Full copy of Expert Responses

1. John Santucci

My points of reference are the current institutions as described on ElectionGuide.org as of 28 February 2011. Because my knowledge of Icelandic party politics, party organization, and gender relations is limited, I will focus on the potential effects of institutions alone, emphasizing answers to the four questions posed above.

Current Icelandic electoral system

As I understand them, the current institutions prescribe open-list elections in six multi-member constituencies. This means that each party may offer one list per constituency. Seats are allocated at the constituency level. The sole determinant of list order is the distribution of votes among candidates within each list. Further, there are nine compensatory seats apportioned among the six constituencies. These are allocated to parties from the same constituency-level lists in order to approach nationwide proportionality of seats to votes among all parties clearing a five percent threshold.

Might the system converge with regular open-list PR?

The proposal calls for two major changes to the above institutions. One is a move from strict open-list PR (OLPR) to a hybrid of OLPR and something like "equal-and-even" cumulative

voting. The essence of this change is to allow voters to support more than one party. A key question is whether the voter can vote for multiple candidates of the same party. (If not, the system more resembles "free" than "equal-and-even" cumulative voting.)

We can safely assume that party organizations are most concerned with maximizing party-level vote totals. This is in order to maximize seat shares in final allocations.

The presumed objective of the proposal is to allow voters to affect the list positions of candidates from multiple parties. Voters may face two pressures, however, that could cause the system to behave in practice like standard OLPR.

The first such pressure will come from party coordination efforts. Seat-maximizing parties want voters to support them exclusively. This is because any preference cast for a candidate of Party B effectively diverts voting strength away from Party A. Party A therefore has an incentive to cause voters to restrict their support to Party A candidates. Permitting voters to cast multiple preference votes within a single party list diminishes this incentive somewhat, but it will still be present.

The second such pressure operates at the level of voters who face a strategic dilemma between their desire to maximize a preferred party's seat share, on the one hand, and affect multiple parties' list orders, on the other hand. Any voter who splits his ticket under the proposal diminishes the support he puts behind a preferred party. If voters cannot cast multiple preferences within a single party, though, the incentive to converge with OLPR-style behavior is heightened. This is because any preference vote beyond the first would diminish support for the voter's preferred party in proportion to the number of parties for which he casts preference votes. Consider the following example. I want to maximize the seat share of Party A, but I want to affect the list order of Party B. A good strategy for me is to vote for two candidates in Party A, giving that party 2/3 of my voting strength in the final seat allocation, and one in Party B, giving it 1/3 of that strength in the setting of Party B list order. If I cannot do this, I face a zero-sum choice between supporting just one party or multiple parties equally. Permitting multiple preference votes within a single party would alleviate the zero-sum character of this choice.

In any event, the proposed system would diminish the power of voters over final seat allocations if they choose to vote for candidates from more than one party. This is because (1) within-party preference totals presumably determine overall party vote shares for the purpose of inter-party seat allocation and (2) voters who cross party lines will have contributed fractions to those parties of the voting strength delivered by a voter who does not cross party lines. Given this, one might expect campaigns to coordinate voting behavior such that, over successive elections, the proposed system converges with regular OLPR. The system would nonetheless remain open to well-resourced, cross-party campaign efforts. Emphasis here, however, is on "well-resourced."

Effects on intra-party program coherence, party system fragmentation

The second major change is to the district magnitudes of the constituency and compensatory tiers. A move away from six multi-member districts should deliver more system-wide proportionality of seats to votes, but that also depends on potential vote thresholds, which are not mentioned in the provided summary.

Another implication of this change is the possibility for candidates to tailor their individual appeals to more national constituencies as they seek preference votes outside their immediate geographic areas. However, depending on the demands of the respective policy constituency, it may still be possible to garner enough votes to alter list order within a narrow geographic area. Depending on the geographic distribution of policy preferences in Iceland, then, parties may come to comprise more diverse policy coalitions. A flexible-list arrangement (see final paragraph) might be used to limit this coalition diversity. Further, depending on the choice of threshold, it is possible but unlikely that the proposed change will fragment the Icelandic party system. What makes such fragmentation unlikely is the incentive to be a large party in negotiations over cabinet formation.

I say all this with the caveat that it is unclear what it means for a member to be "bound" to a district.

Effects on representation of females in parliament

The first question asks how the proposed system might affect the share of women in parliament. Without information about the political appeal of female candidates to voters, any answer is highly speculative. The nationalization of party lists, however, may increase females' election prospects to the extent that they fare poorly in any current constituencies. Currently unelectable women in these constituencies could reach beyond them under a national list system.

The second question asks about mechanisms for ensuring the election of women within an open-list framework. The clearest mechanism is to mandate a gender quota whereby every Nth winning candidate must be a female (i.e. a "staggered" or "zipper" list along the lines of that now used in Iraq). Note that an elective gender quota by definition does not mandate this outcome.

General comments on other variables

One general comment concerns pre-election ballot access procedures. To the extent that these are restrictive, the often desirable property of open-list systems (increased voter control of candidates' election prospects) is moot.

A related, final comment concerns whether the proposed system would be open- or flexible-list PR. Under the latter, candidates must achieve some quota of preference votes before list order changes. This mechanism affords parties greater control over list order and, therefore, candidates' election prospects. Note, though, that flexible-list rules might diminish any built-in advantage to female candidates under national, open-list PR.

Please let me know if you have further questions.

Jack Santucci
Washington, DC

2. Domenico Tuccinardi

- a) One nationwide constituency will certainly enhance the overall proportionality of the system and will increase the chances to elect a larger number of women. In a country of limited size like Iceland, this is achievable from a logistical/administrative perspective.
- b) The move to open lists will not, on the other hand, necessarily result in a better gender balance. This will depend a lot on the concrete resources each female candidate will have to make an effective campaign. A better result would be achieved by combining a large district with party lists, with internal party quotas (zipper system or gender neutral, e.g one every 2 or 3 candidate should belong to another gender). If party lists are not an option, then open lists with similar quotas described above would be in any case having a rather positive effect on gender balance. Open lists without quota do not guarantee a better gender balance.
- c) The biggest problem with open lists as proposed is of a logistical nature (bigger ballots, higher printing costs, bigger storage needs) but this is offset by the decrease in electoral constituencies from 6 to 1. The campaign could be much more vibrant as candidates will have the chance to change the order in the lists.
- d) in combination with the other proposed changes, I am not sure about the advantages of having a sort of Switzerland-like provision, especially in case of open lists. In case of OL, allowing voters to split the vote does help, or you can just give each voter more than one vote, let's say four. In case you want to add the two provision in the same system, it will be interesting to see how the two provisions might play each other off. The seat allocation system would also become fairly more cumbersome, but nothing that cannot be programmed through a good software!

The IDEA publication *Designing for Equality* available at this link (http://www.idea.int/publications/designing_for_equality/ar.cfm) will offer more detailed explanation on the various combination that might be helpful in the decision-making process.

3. Sam van der Staak

I would like to respond to the third question: *c) What are the possible effects of open party lists, as proposed?* I address this question from the assumption that Iceland is seeking an electoral system in which political parties and party memberships play a central role. Even though in recent years the traditional strength of political parties has waned worldwide due to more direct citizen access to politics, strong political parties are still considered crucial to allow for serious policy making, holding the government to account and stimulating broad based inclusivity of citizens in political processes.

One of the drawbacks of a fully open list system is that you allow voters to override the party's internal candidate selection process. In a truly open list system the preferred order of candidates on the submitted list can easily be overruled by the electorate at large. A disadvantage of such an arrangement is that it diminishes the role of political parties, that it can lead to serious leadership struggles and thus damage the credibility of a party system.

One of the traditional roles of political parties is to select candidates for elected office from among their membership, often through an internal vetting and decision making procedure. Many parties organise internal elections to allow their members a say in the order of

candidates on their lists. The rationale behind this is that internal elections normally lead to more representative and better qualified candidates, as they have to campaign internally to get the member vote.

The danger of introducing fully open party lists is that political parties i) risk losing relevance, and ii) can become internally divided. There are recent cases where the general electorate gave a party's leader less votes than its number two candidate, or gave the last candidate on a list enough votes to make it into parliament, thus creating severe leadership issues within the party. In these cases, winning the party leadership in primaries can be reversed at general elections by the electorate at large, as both groups do not necessarily think alike. A leadership struggle can thus continue permanently, paralyse the political party and keep it from its traditional policy making work (to name but one task).

If one would be looking for ways to allow party members a greater say in an open list system, one could consider putting in place a threshold or quota that candidates should obtain before automatically gaining a seat (and thus overrule the party list sequence). Another way is to determine that the first so many candidates on the list are fixed and cannot be overruled by lower placed candidates whenever they gain more votes.

Sam van der Staak
Political Parties Team
International IDEA

4. Amon Emmanuel Chaligha

Amon Chaligha Tuesday, 13 July 2011

I am not certain how the proposed system will make members of parliament accountable to the voters. The open system may be too complicated for most voters and may easily be abused by party bosses. And certainly it will not help more women to be elected to parliament.

It is not clear why the proposed mixed system has more party lists than the directly elected members. Perhaps it would be more fair to the electorate if more members are directly elected to represent constituencies. Such a system will make the members elected to be accountable to the electorate. The proportional seats may be used to compensate those parties which have a lot of votes but has few directly elected members of parliament. A threshold has to be established and it should not be too high. A threshold of between three and five percent may do.

To enable more women to be elected, the PR seats can use a party list with names of women alternating with that of men. The election laws must be clear on this and it should not be discretionary.

Amon Chaligha

5. Taruvai Subayya Krishnamurthy

Votesplit such as in Switzerland can be useful if the number of contesting candidates is not too large.

I feel the mixed system of Palestine where 50% seats are linked to Districts & balance seats are voted through a National List has the right balance.

What is important is to have a Proper comprehensive law for functioning of Political Parties including rotation of Party Posts through an open election among party Members with independant Observers including Media, nomination of Party nominees through party primaries, Recall of elected Representatives for poor performance/lack of integrity based on clear stipulated guidelines would be very useful.

Best wishes

TSK

6. Monte McMurchy

Icelandic Constitutional Electoral Reform

Mixed Member Proportional Representation as recommended by The Icelandic Constitutional Electoral Reform Commission is flawed as a prescriptive electoral endeavour. The following comments are a civic-electoral distillation from twenty years+ as an Electoral Expert serving under the aegis CIDA, The United Nations, The OSCE, The Council of Europe, The Commonwealth Electoral Group.

I will attempt to illuminate why this electoral method—Mixed Member Proportional Representation in the long run will prove to be fundamentally descriptively deficient in resolving what I consider to be the salient concern—the absolute lack of civic-electoral engagement which is reflected in [lower-apatetic] voter participatory turnout.

I can identify four criteria for evaluating electoral systems—the degree to which they promote:

- Political, governmental, and regime stability
- Accountability of elected officials
- High voter turnout
- [Thorough] deliberation of public policy

Elections perform two primary tasks in constitutional democracies.

The first, long hallowed in liberal democratic theory, is to provide a means of popular control of government. John Locke, a political philosopher of individual rights and limited government (an approach known as “philosophical liberalism”), defined the legitimate powers of government in terms of popular consent:

“The constitution of the legislative [authority] is the first and fundamental act of society, whereby provision is made for the continuation of their union under the direction of

persons and bonds of laws...by consent and appointment of the people, without which no one man, or number of men, amongst them can have authority of making laws that shall be binding on the rest.” John Locke 1690

Locke’s formulation is now accepted throughout much of the world—governmental legitimacy depends on popular consent.

The second function of the electoral system is far less obvious.

- Elections provide a means not only for the citizens to direct and control their government, but also for the government to direct and control the mass citizenry. By producing public acquiescence to the act of governing, elections empower governments to act. Elections also produce political order out of potential chaos.

Elections can be very worthwhile institutions. Elections stabilize and regularize popular participation in government, and can provide decisive results about which leaders will direct the government. Elections remain indispensable links between the public and government.

An electoral system’s central objectives must be political order, high voting participation, liberty and accountability.

Electoral systems have great consequences for the democratic qualities of any constitutional government.

First past the post offers the virtue of structural simplicity. In this system, elected officials individually win office in single-member districts by receiving more votes than do any rival candidates. It is a system with origins in Great Britain and is preferred in the English speaking world and among former British colonies. Single-member plurality systems produces simplicity and also contributes to accountability by making it clear to the public who is in charge and who can be blamed. Parliamentary systems with single-member plurality are more stable than those employing other electoral systems.

Does single-member plurality systems facilitate governmental deliberation? On balance, probably not—

- Single-member plurality makes candidate individualism possible, encourages a strong constituency orientation, and that, in combination with brief terms, encourages lawmakers to prefer a short-term responsiveness to local swing voters at the expense of long-term deliberation about the public good.

Electoral systems based on the principle of proportional representation (PR) produce governmental systems in which deliberation and bargaining are paramount. PR emphasizes inclusiveness and deliberation by representing minor parties in the legislature and often in the major decisions of government.

Advocates of PR systems emphasize the fairness of the proportional results and the responsiveness of the broader range of representation in government. PR encourages multipartyism by setting relatively low vote thresholds for parties (such as 5%) to win representation in legislatures. Parties that would have no governmental role in plurality and majoritarian systems can hold great power in PR systems. This does generate more diverse

viewpoints in government and more deliberation among a wider range of views, but at the cost of governmental stability and accountability. Governmental coalitions in PR systems can be complex and brittle—defection of a single party can cause a government to dissolve. Holding elaborate coalitions accountable poses challenges for voters. In legislatures with three or more parties—often as many as eight or ten—it is frequently not clear on election night which parties will coalesce to form a parliamentary majority that will govern the province.

A PR electoral system in Iceland probably would produce multipartyism and more bargaining and deliberation among the multiple parties in the legislature. It would accentuate national diversity, producing longer governmental deliberations and perhaps less clear responsibility for policy outcomes. More diverse representation in the legislature might reduce political stability in Iceland by increasing conflict along racial, ethnic, and regional lines.

PR might stimulate higher voter participation because each vote is more likely to matter in electing parliamentary representatives under a scheme of proportional allocation. In addition, lower thresholds for representation may require candidates and parties to broaden their electoral targeting to win office by attracting new voters. The rewards for mobilizing new voters are greater when each additional vote counts more in winning representation.

What sort of democracy is implicit in the reforms being advocated? My approach begins with a sober realization of the limited knowledge and interest most citizens have in the political process and procedure. Responsiveness cannot be a useful goal for our electoral system because the public has limited issue knowledge that can serve as a basis for enforcing responsiveness. Given an uninterested and uninformed public frequently possessing inconsistent policy preferences, elections cannot really function as exercises in public issue deliberation. The shortcomings of the initiative reveal the folly of demanding too much time and attention from the electorate for such matters. Social choice theory exposes the futility of defining elections as “meaningful” expressions of the public’s policy preferences. Elections do not make policy; elections elect leaders to deliberate over policy on our behalf. An electoral system must provide voters an effective method for holding these leaders accountable.

Our electoral system will function well if we become realistic about what it can accomplish.

I have been bemused by the current rhetoric expended over the problems and issues concerning the lack of voter participation in elections in my country Canada as well as other countries and how best to solve this problem of electoral apathy.

Proportional Representation (PR) and the Single Transferable Vote (STV) models offer only descriptive methods in which to further alienate and further complicate active civic voter participation—what is required is a prescriptive model so as to enhance and encourage active citizen involvement in the political democratic process which at the best of times is extremely complex, inefficient and laboriously bifurcated in attempting to quickly resolve the intricate legislative/governmental process.

The issue is not MMP, PR, STV or any other hybrid model of electoral governance. These descriptive models would only in my measured opinion needlessly complicate and frustrate even further an already disengaged electorate. All existent electoral models are imperfect and

have their respective flaws, but there exists a prescriptive device to encourage and even enhance civic voter participation.

Consider this electoral example. For six months in 2004 I attended Kosovo as an Electoral/Parliamentary Expert appointed to The Council Of Europe Election Observation Mission (CEEOM IV) by the Minister of Foreign Affairs.

Allow me to briefly digress; in Kosovo contesting the October 23/04 Assembly Election under a mathematically complex PR formula were 32 Political Entities thereby almost guaranteeing a brokered Assembly. **Voter turnout in the past three elections in Kosovo since 2000 has been steadily decreasing with the voter turnout in the October 23/04 election being the absolute lowest since 2000.** To be sure, many extenuating circumstances have assisted in this lack of active civic voter participation.

In August/04, I with my small entourage conducted an electoral road trip high in the mountains on the Macedonian frontier visiting the small village of Debalde. The village elders I spoke with lamented the lack of political connection to the politicians in Pristine who have no understanding or sympathy to their unique concerns. "Why vote—these politicians have never visited this community —why should they bother when they are on a party list and depending on the percentage of party support (will) be selected for the assembly".

In a brokered Parliament there is no one single group or political entity to take responsibility; and the blame when events decay is usually on the other political entities in that they did not support or assist in these initiatives articulated by the party senior in the coalition.

For me, civic voter apathy is a result of a lack of political connection with and to the process. A fundamental lack of 'social cohesion'. Democracy is an organic process requiring constant nurture 'vis a vis' intellectual and pro-active articulation/participation. Civic electoral participation cannot and ought not to be legislated; rather, civic electoral participation is fostered through connection to the principals and norms of encouraging an active and informed citizenry.

Parents and families bear the greatest and most fundamental burden of fostering/developing civic electoral engagement.

The issue of Quota's is for me repugnant from an intellectual prescriptive perspective notwithstanding that Gender Equality is most crucial in ensuring that the legislature is truly representative. My suggestion would be one of a statutory regulatory inclusion instrument ensuring female representation of not less than 33% of the total representation within the Icelandic Parliament/Legislature. Gender neutrality is critical in ensuring that all citizens are fairly reflected and represented in being able to exercise an expressive voice.

Educational resources/tools fostering civic appreciation should commence in Kindergarten and be considered an active component of the educational curriculum to the end of secondary school along that of social studies and history.

From Kosovo, on election night [October 2004] I spoke with my [then nine year old] son Elliott—his first question to me was—"dada, which party won and how many seats".

I tried to explain the complexity of this particular electoral model to him and before I could finish, his words to me —“ that is so silly not to have a winner”. My [then] nine year old could name the Prime Minister of Canada, the Leader of the Opposition, the Premier of Ontario, the Mayor of Toronto, his city councilor as well as his MP and MPP.

His mother and I have instilled through action and deed, civic electoral responsibility—this young man has been in countless voting booths and in his own personal unique way beginning to comprehend the sanctity and majesty of placing an X beside a name and observing how the electoral process unfolds.

Elections are a sideshow, not a dispersal of power but a diversion from and a mystification of its actual coherence. Ordinary citizens passively accept their subordination, or they resist only at the margins, or they join mass movements that somehow fail. An educated citizenry is critical for a healthy and vibrant democracy. An educated citizen will be prone to be more active in the political process and would impose/create greater demands on the elected politicians who in turn must be able to articulate a response to an active citizenry.

To help create/foster this active citizen involvement the politicians must be given the tools to enhance their role. For the office of the Legislator, I would suggest the following—treble, quadruple their staff, enhance their office budget so as to allow these members to conduct independent findings and research on issues of personal-public-active citizen importance.

With this mandate of offering established political party independent ‘advise and consent’ goes greater fiduciary responsibility.

I would further suggest that only five percent of this enhanced parliamentary staff be political—the majority of staff ought to be public servants not subject to the whims of political defeat who with their continuance be better able to serve the public and their political masters. Individual Legislator’s would be better able to serve the public and be held accountable in an election.

Party leaders would be in a real sense ‘primus inter pares’ forced to take seriously the concerns and views held by these parliamentarians who would be more than able to articulate with comprehensive background documented material their concerns and perspectives.

Being a Minister with a Portfolio could then be viewed as being ‘in trade’ dealing with administrative matters and being subject to Cabinet Convention of solidarity. This could also have the effect of freeing up the Leader of Government to select a Cabinet based solely on ability and intellectual horsepower without being subjected to geographical and other assorted nuances under the current method of Cabinet building.

A strong independent Member of Parliament/Legislature would not be as bound to the party line. An enhanced budget along with staff would allow the member to advance issues directly affecting the voters who elected the member—more valid and real dialogue between the member and voter would occur.

Greater member resource would assist in actively soliciting citizen participation. Party leaders would be more responsive in appreciating their respective members, as their budgets would ensure their relative independence from the party line. Perhaps this would encourage more people to seek public office.

Democratic values and principals cannot be templated/grafted directly and be expected to function—each society or moment is unique. The best that can be done is to promote a general ethos, prescriptively ascribing specific fundamental values and norms.

First Past the Post is not perfect—no system is. What is important is the promotion of civic electoral engagement. This cannot be done through an abstraction involving formulae and other minutia.

Education and the constant promotion of a civic ethos is essential for a positive and flourishing democracy. Children atavistically look to their parents for advice and how to conduct/deport themselves in life activities. Political elites have a responsibility to foster this advancement in civic education. A critical citizen who actively participates in the political process can only be of benefit in ensuring the stability and continuance of democratic ethos/values.

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