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Single Transferable Vote and the Need for Electoral Reform in the UK: Is the System too Complex?

Christopher Banks¹

Introduction

Like the UK's future relationship with the EU, electoral reform threatens to be an issue in British politics that will not go away. In the 2011 Alternative Vote (AV) Referendum, the UK voted by 68% against replacing the first-past-the-post (FPTP) system with AV. Yet, the prediction of Matthew Elliott, the victorious director of the 'No'(pro-FPTP) campaign, that the decisive result would "settle the debate over changing our electoral system for the next generation"², appears to have been slightly premature. Just a few months

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² Matthew Elliott, 7/5/2011

ago it was back on the agenda in Parliament, through an Early Day Motion proposed by Chuka Umunna that called on the government to “introduce a system of proportional representation”.³ While Early Day Motions are historically ineffective ways of actually forcing legislation through Parliament, the wide-ranging support that it received from across parties indicates that, at the very least, Elliott was wrong in assuming the issue would simply disappear. Yet despite the continuing calls for a change to the UK’s electoral system, political discussion rarely progresses to the stage of considering viable alternatives. In this piece, I will examine the Single Transferable Vote (STV), one of the alternatives to the FPTP system. In doing so, I will, first give an assessment of the need to alter the current system, in order to establish the aims that should be

³ Early Day Motion 591, 25/10/2016

considered when deciding on the most effective electoral system for the UK. Applying these aims to the STV, I argue it would be the most suitable electoral system to guarantee both an increased degree of proportionality and maintain direct accountability of all Members of Parliament to the electorate.

First-Past-the-Post and the Need for Reform

It often seems as though desire for electoral reform in the UK is driven more by dislike of the current system than any specific passion for a new system. The most obvious problem with FPTP is its “disproportionate...translation of votes into parliamentary seats” leading to “a number of highly significant ramifications with regards to the composition and operation of Britain’s

Parliament”.⁴ Duverger’s Law states that plurality-rule electoral systems with a single ballot, like FPTP, are likely to favour a two-party system, as “parties with similar tendencies regroup their forces at the risk of being overwhelmingly defeated”.⁵ Even where a third party does begin to challenge this duopoly, “voters tend to abandon the third party in order to concentrate their votes on the two strongest parties”⁶ due to the risk of a “division of votes” that might favour a “common adversary”.⁷ Traditionally in the UK, the Labour and Conservative Parties have benefited from this phenomenon.

Majoritarian systems can throw up imbalances outside of the two party. Duverger’s Law does not stand where there are strong regional

⁴ Blackburn, 1995:362

⁵ Duverger, 1972: 23-32

⁶ *Ibid.*

⁷ *Ibid.*

minority parties,⁸ like the Scottish National Party (SNP), which can also disproportionately benefit from the system. This can be seen in the 2015 general election where the SNP saw their 4.7% of the vote translated into 56 parliamentary seats, whilst the United Kingdom Independence Party (UKIP) won 12.6% of the vote but only one parliamentary seat. The difference between the two parties being that the SNP's support was localised in Scotland, whereas UKIP ran a more nationally spread campaign.

Given that electoral systems can be conceived as a method of turning political votes into Parliamentary seats, such obvious discrepancies can indicate FPTP no longer serves the UK's voting behaviour suitably. Indeed, Wade argued "if it is accepted that a democratic

⁸ Rae (1971)

Parliament ought to represent so far as possible the preferences of the voters, this system is probably the worst that could be devised”.⁹ FPTP is a system tailored to a two-party system of government that has traditionally reflected the political cleavages in the UK. The increasing tendency of the UK electorate to vote for smaller parties however culminated in the 2015 election, where one in three UK voters chose not to side with the traditional ‘Big Two’ of UK politics.

This trend away from bipartisan UK politics has major consequences for FPTP. First, an increasing number of votes are ‘wasted’. That is to say, votes that do not count towards a winning candidate in constituency contests and thus, arguably in effect, do not count directly towards the result of the election. UKIP, for example, in

⁹ Wade, 1980:10

2015 came first in one constituency, Clacton, but second in 120 other constituencies¹⁰. Therefore, in practice, it was only Clacton that counted towards their one seat in Parliament and all their other votes were, in effect, wasted. The Electoral Reform Society posit that 52.8% of all votes cast in the 2010 general election were wasted.¹¹ These wasted votes are cast in ‘safe seats’, a staple feature of UK democracy. These are seats with voter preference so far in favour of one party that the result of the constituency election is almost certain. As a result, it is likely that voting for any other party will be a wasted vote. Before the 2010 election the Electoral Reform Society successfully predicted the results of 380 safe seats.¹²

¹⁰ Steven Ayres (2015) available at <http://blogs.lse.ac.uk/politicsandpolicy/ukip-came-second-in-120-constituencies-in-2015-will-this-be-a-springboard-for-the-party-in-2020/>

¹¹ The Electoral Reform Society (2015)

¹² The Electoral Reform Society, (2015)

The idea of wasted votes is controversial. Dummett described it as a “useless concept”, countering that “if a voter knew for *certain* what the outcome of the election would be, whether he voted or not, he would not trouble to go to the polling station”.¹³ However, such a characterisation seems to ignore the fact that millions of Britons do precisely that. To say that every Green Party or UKIP voter went to the polls in 2015 thinking that their party had a chance of winning is a fantasy. The point of a wasted vote is every vote cast for a non-winner is wasted, even if there is just a one-vote margin between the winner and the loser. A corollary of wasted votes is tactical voting whereby a person’s vote does not express their preference but is cast to prevent their least favourite candidate from winning. For there are indeed many people that may vote for a winning candidate and thus

¹³ Dummett, 1997:138

their vote ‘counts’, but it is a tactical vote. Curtice and Steed estimated that at the 1997 General Election tactical voting against the Conservative Party by Labour and Liberal Democrat voters cost the Conservative Party as many as 25 seats.¹⁴

There can be no denying that the effect of the ‘safe seat’ on election campaigns is profound. Whole swathes of the country can be ignored by parties that are either sure of retaining their seats, or parties that know that they have no chance of making gains. In this way, it can also be argued that not all votes are equal as a person’s vote in a marginal constituency will count for more than a vote cast in a safe seat. This means that increasingly parties, while nominally fighting national campaigns, are focusing their efforts disproportionately around ‘swing seats’ like. These

¹⁴ Curtice and Steed (1997)

factors alone indicate there is a need to move away from FPTP.

The Aims of Reform

Before turning to the question of what form of reform is required, clear aims must be established as to why and how the system should be improved. First, the disproportionate distribution of seats must be addressed. A new system should significantly shift the percentage of seats allocated closer to the percentage of votes actually received by each party. This appeared to be one of the frustrations of the problems the electorate had with AV in the 2011 referendum: AV would have done little to address voting imbalances. Under the models used by the Electoral Reform Society for the 2015 election¹⁵, AV may in fact have given the

¹⁵ The Electoral Reform Society (2011)

Conservative Party a more disproportionate majority than under FPTP. Second, a new system should address the issue of wasted votes, by eliminating or at least reducing the amount of ‘safe seats’, if the constituency-based structure is retained.

Considerations for reform should, however, not only be based around eliminating FPTP’s weaknesses, but also around retaining its strengths. One of FPTP’s major democratic assets is its direct link between the MP and its constituency. Constituents can attend their MP’s surgeries with specific queries relating to public services which the MP can take to Parliament. Furthermore, there is an element of direct accountability between the MPs and their constituents. If a constituency is displeased with their MP, for example, due to unsatisfactory work or a scandal, that electorate

can, in theory, directly remove the MP at the next election. This was demonstrated in 2010, when sharp media focus on MPs embroiled in the expenses scandal contributed to MPs, such as former Home Secretary Jacqui Smith, losing their seats.¹⁶ Indeed, if one thinks of MPs as employees of the public, it makes sense that the public should be able to single out individuals to remove from office if they are dissatisfied with their service. However, the accountability mechanism is limited where the seat is safe and the MP benefits from the support of the party machinery. This can be illustrated by the experience of Theresa May, whose 2011 border control scandal did not see her lose her seat. Nevertheless, to avoid a system that leaves MPs detached from the people they represent, a new system should retain at least some

¹⁶ The Telegraph, 8/5/2010

aspects of direct individual accountability to the electorate.

The Case for STV

STV uses multi-member constituencies, usually consisting of three or four members. As such, a certain consequence of using STV would be constituencies at least three or four times larger than what they are currently. Multi-member constituencies allow parties to put forward multiple candidates. Voters rank the candidates on the ballot paper in order of preference, marking 1, 2, 3 e.t.c. next to their choices. The voter can usually stop allocating preferences at any point, although to maximise utility of votes, jurisdictions sometimes choose to demand a minimum number of preferences. To be elected, a candidate must reach

the quota, calculated according to the formula below:

Total number of valid ballot papers

Number of seats available + 1

Vote distribution starts with distribution of the first preferences. Any candidate above the quota wins a seat and their surplus votes are distributed according to the second preferences of the surplus voters. If no candidate is above the winning quota, the candidate with the least number of votes is eliminated and their second preference votes are distributed to other candidates. This process continues until as many candidates are over the quota as there are seats available.¹⁷

¹⁷ The Electoral Reform Society (2016)

STV addresses the two issues of proportionality and wasted votes. First, “there is little doubt that STV tends to produce a high degree of proportionality between national votes and party representation”.¹⁸ The Electoral Reform Society predict that had STV been used in the 2015 general election, assuming the electorate would not have changed the way they voted if faced with a different electoral system, UKIP would have won 54 seats (up from one), the Liberal Democrats 26 seats (rather than eight), and Greens three (from one).¹⁹ Perhaps, more significantly, the SNP would no longer hold such an artificial dominance of Scottish seats, moving down from 56 to 34. While not completely proportionate, these new figures show that STV is a significant step away from the injustice of the current system.

¹⁸ Blackburn, 1995:373

¹⁹ The Electoral Reform Society (2015)

Second, as a system designed to avoid wasted votes, it unsurprisingly performs well on this criterion. A voter can vote for a smaller party, such as the Greens, in the knowledge that if that party does particularly badly in their constituency, their vote will most likely be redistributed when the candidate is eliminated, rather than ceasing to be relevant if their candidate loses. There are also considerably fewer safe seats under STV. The increase in constituency size means that the parties which, under FPTP, could have relied on smaller portions of the vote in many smaller constituencies to achieve a plurality, will need greater support to retain all the seats in a multi-member constituency. Tactical voting is also no longer necessary as under STV it seems “to make little sense to do anything other than register a sincere preference for the party they would most like to see win”.²⁰

²⁰ Bowler and Grofman, 2000:268

STV also retains the constituent-MP link. Each MP must attract personal votes from constituents. A specific MP affected by a scandal will still stand for re-election making him/her vulnerable to constituent backlash. Further, arguably, this link gives STV the edge over other forms of proportional representation. Both complete 'party list' and mixed member systems would remove the accountability between the MP and constituent, removing the ability of people to hold to account national politicians on the basis of local issues.

Is STV Worth its Drawbacks?

Despite these positive aspects of STV, the system remains unpopular. The Jenkins Commission rejected it on the grounds of "its large

constituencies, its complex counting system and a tendency towards parochial politics”.²¹ However, these issues can all be addressed. First, while constituencies would encompass considerably larger areas and constituents would have multiple MPs, this could lead to a more ‘competitive’ dynamic of local constituency work. This is because MPs may seek to maintain a high profile in the constituency to ensure they are viewed favourably in relation to their fellow MPs in that area, and so will be re-elected. On the other hand, the latter makes it difficult for MPs to combine national issues with local issues, a problem which also relates to the third parochial complaint, as they would be disproportionately encouraged to focus on local issues to remain locally favourable. However, this criticism appears to be overstated though. Under FPTP, MPs in marginal seats also have this

²¹ The House of Commons Library, 10/12/1998:77

problem as the challenging candidate at the next election can focus entirely on local issues throughout the parliamentary term whilst the incumbent is busy with national issues. Hence, safe seats allow for MPs to focus on national, and party, issues. However, if the price for an MP to spend more time on national issues is to allow complacency on their part with regard to local issues and a large amount of wasted votes, then the democratic price is too heavy.

A similar argument can be made against those who see the strength of FPTP in its tendency to produce stable majority governments: the democratic price of disproportionality and wasted votes is too high. Further, the link between FPTP and stable governments can be questioned. According to Lijphart in his comparison of consensus and majoritarian democratic systems,

“the superior performance of PR with regard to political representation is not counterbalanced by an inferior record on governmental effectiveness”.²² Lijphart’s conclusions are certainly controversial and anecdotal evidence from countries such as Italy can show that coalitions springing out of proportional electoral systems can lead to inconsistent and fluctuating governments. However, the generalisation that majority governments are always more stable than coalitions is not necessarily robust: for example, the UK, a country supposedly alien to coalition government, saw a coalition last a full parliamentary term, 2010-2015, contrary to many expectations.

Second, the complex counting system has led to the accusation that STV is too complex and distinct a policy for the electorate to engage with.

²² Lijphart, 1994:8

The Plant Commission on electoral reform criticized the process on the basis that its principles “rest on procedures which few might understand”.²³ This concern must be taken seriously, given that understanding of the voting system is key to voter participation. Yet, to prioritise a condition such as simplicity “can be (and is often) at the cost of fairness”.²⁴ However even when disregarding the cost to proportionality brought about by prioritising simplicity, evidence to suggest that the adoption of STV would lead to widespread confusion is scarce. STV benefits from a simple voting process. The action of ranking candidates is not in itself complex. Most complexities arise at the later counting stage. Simply, any transition to STV would need to be accompanied by a comprehensive information campaign by the government. Indeed, Farrell notes

²³ The House of Commons Library, 10/12/1998:76

²⁴ Farrell, 2011:23

that it is hard “to find any evidence of higher levels of voter confusion in other countries”²⁵ that use more complex systems than FPTP. Bogdanor also observes that when Northern Ireland switched to STV for its assembly elections “the system (did not) prove complicated for voters”²⁶ and that there was no significant increase in invalid ballots that might have been expected. It appears therefore that the Plant Commission was perhaps not giving the UK electorate enough credit when concluding that the mechanisms would be too complex for ordinary people to understand.

Conclusion

STV is the only current system that can guarantee increased proportionality in voting and maintain the direct accountability of *all* MPs to

²⁵ *Ibid.*

²⁶ Bogdanor, 1981:147

their electorate; hence, it addresses the two most common complaints against FPTP. The main barrier however to any form of voting reform remains the benefit that FPTP confers on the dominant parties in Parliament. This however is changing. After their collapse in Scotland, the Labour Party can no longer rely on FPTP to act in its favour. The SNP, despite benefiting from the system, still back reform. In addition, the Liberal Democrats, UKIP and the Green Party have supported electoral change for a while. While the Conservatives are yet to be convinced, a shift in public opinion brought about by a grossly disproportionate election result could change that. The fact that electoral reform is back on the agenda so soon after the 2011 Referendum indicates that it may well be a matter of when, not if, reform will come about.

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