



European Commission United Nations Development Programme International IDEA

In collaboration with

International Organization for Migration
Canadian International Development Agency
Organization of American States

Joint Training on Effective Electoral Assistance

Legal Framework and Electoral Systems
Stina Larsrud, International IDEA

Brussels, 1-5 December 2008



Legal Framework

All legislation and all regulations related to the election





Legal Framework

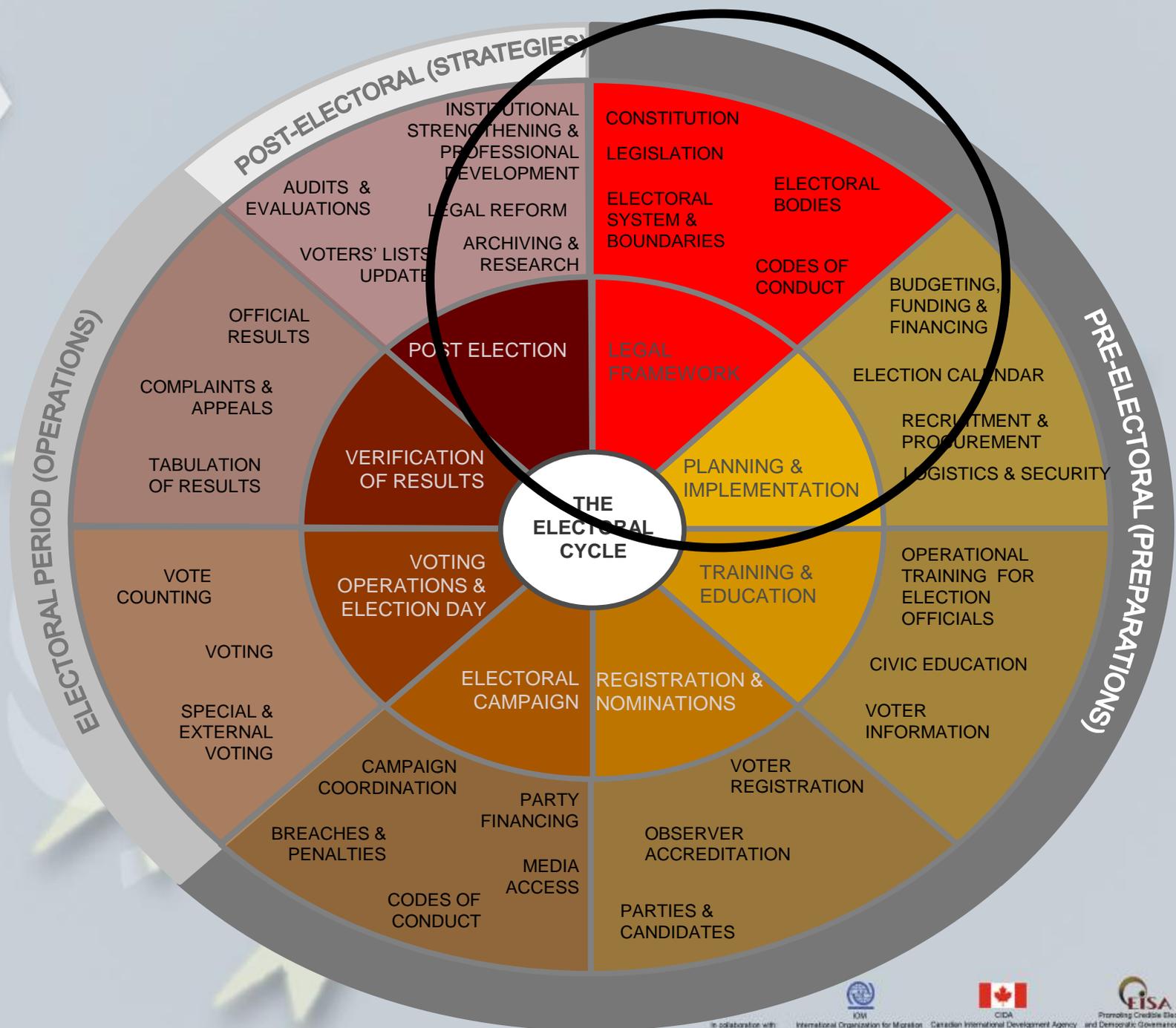
Main elements:

- System of representation/Electoral System
- Eligibility criteria
- The electoral management model
- Operational framework
- Electoral justice mechanisms
- Rules for stakeholders



Legal Framework

- Peace Agreements
- Constitutions
- Electoral Law and subsequent legislation
 - Law on Elected Assemblies
 - Political party law
 - Campaign finance law
 - Media laws
- Regulations
- Procedures





What is an electoral system?

Ballot structure

Boundary delimitation

Counting the votes

Dispute resolution mechanisms

Voter registration

Registration of political parties

Formula

The Electoral Management Body

Voter education

Civic education

Campaigning

Electoral observation

District size

Funding of political parties



What is an electoral system?

Ballot structure

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Formula

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The Electoral Management

Voter education Body

The way in which **votes** are translated into **seats**

Campaigning

Electoral observation

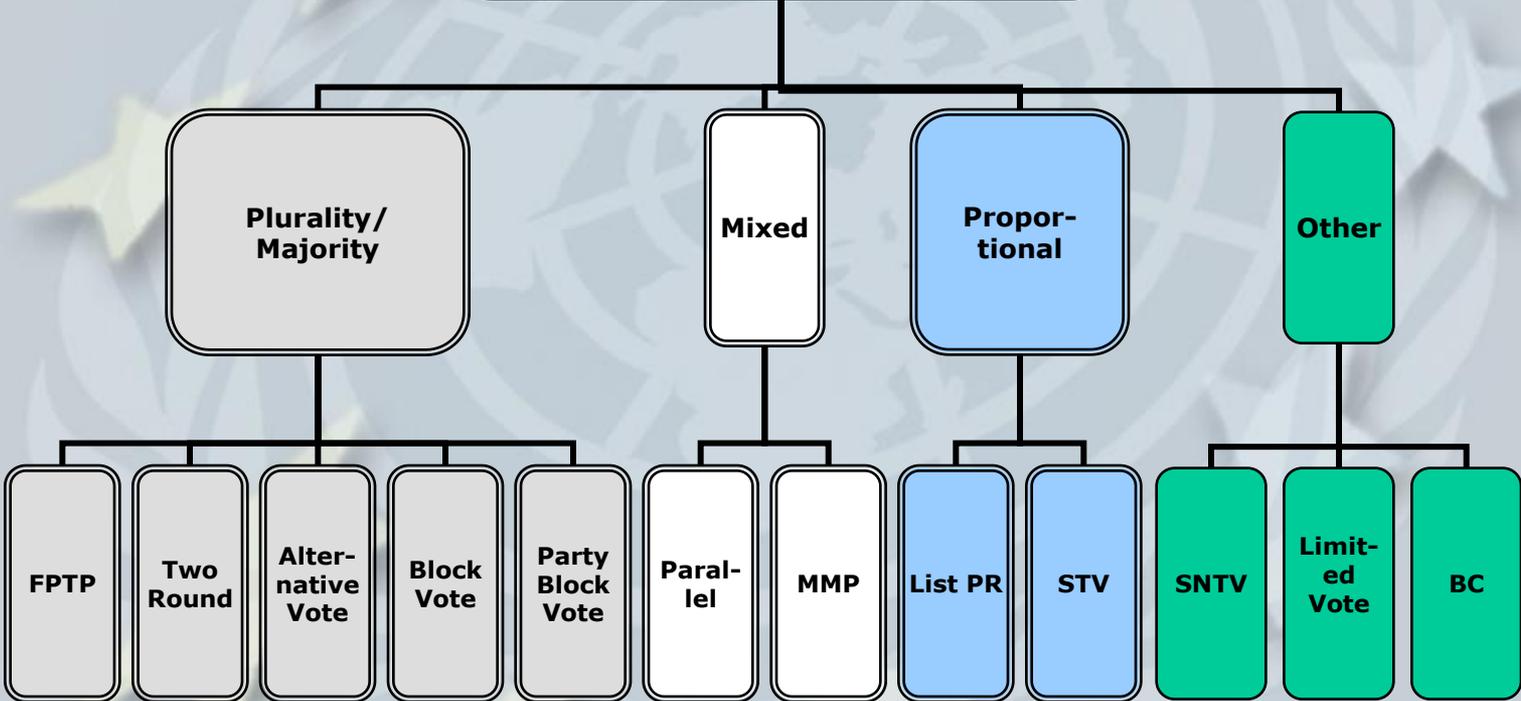
District size

Funding of political parties



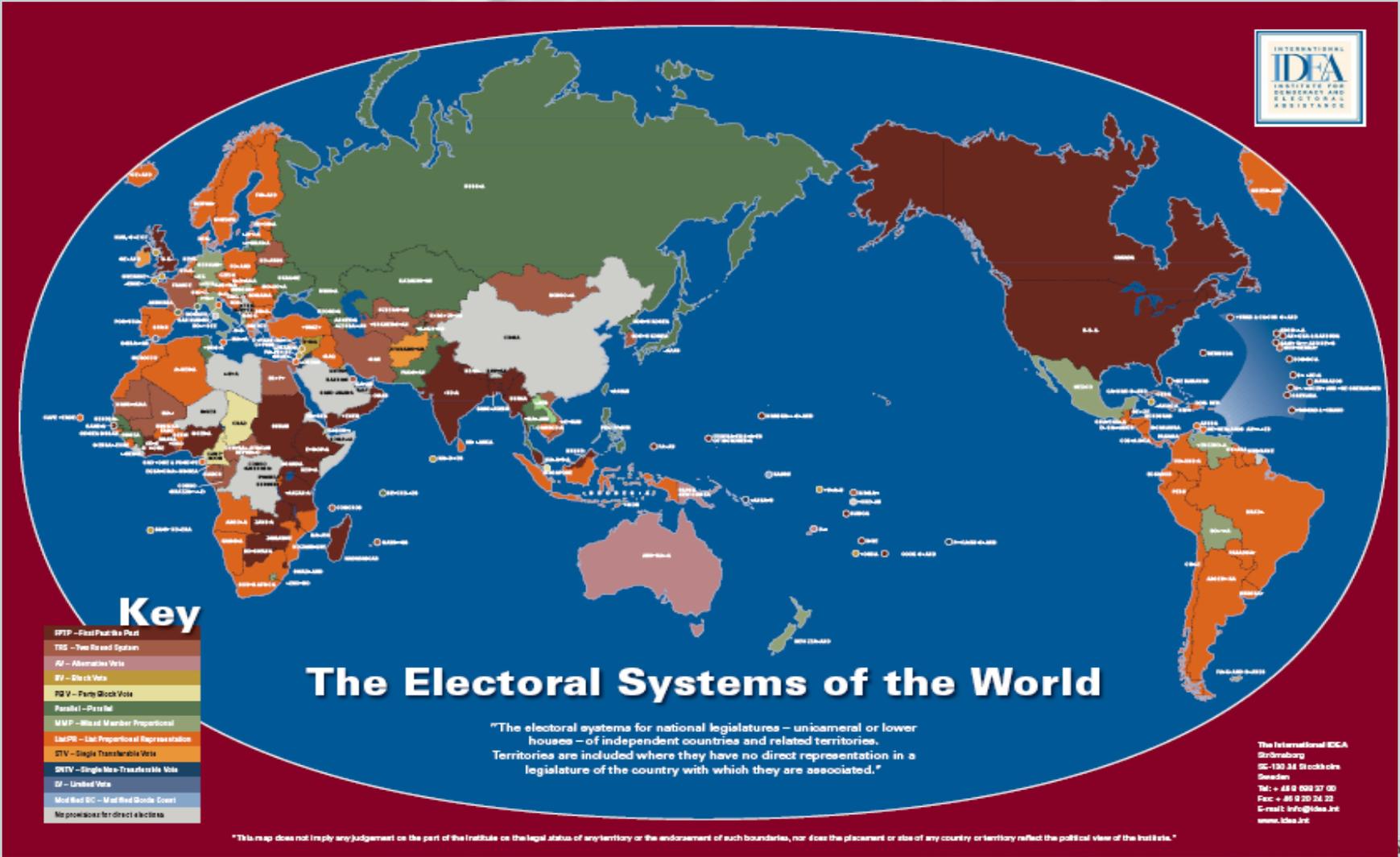


Electoral System Families





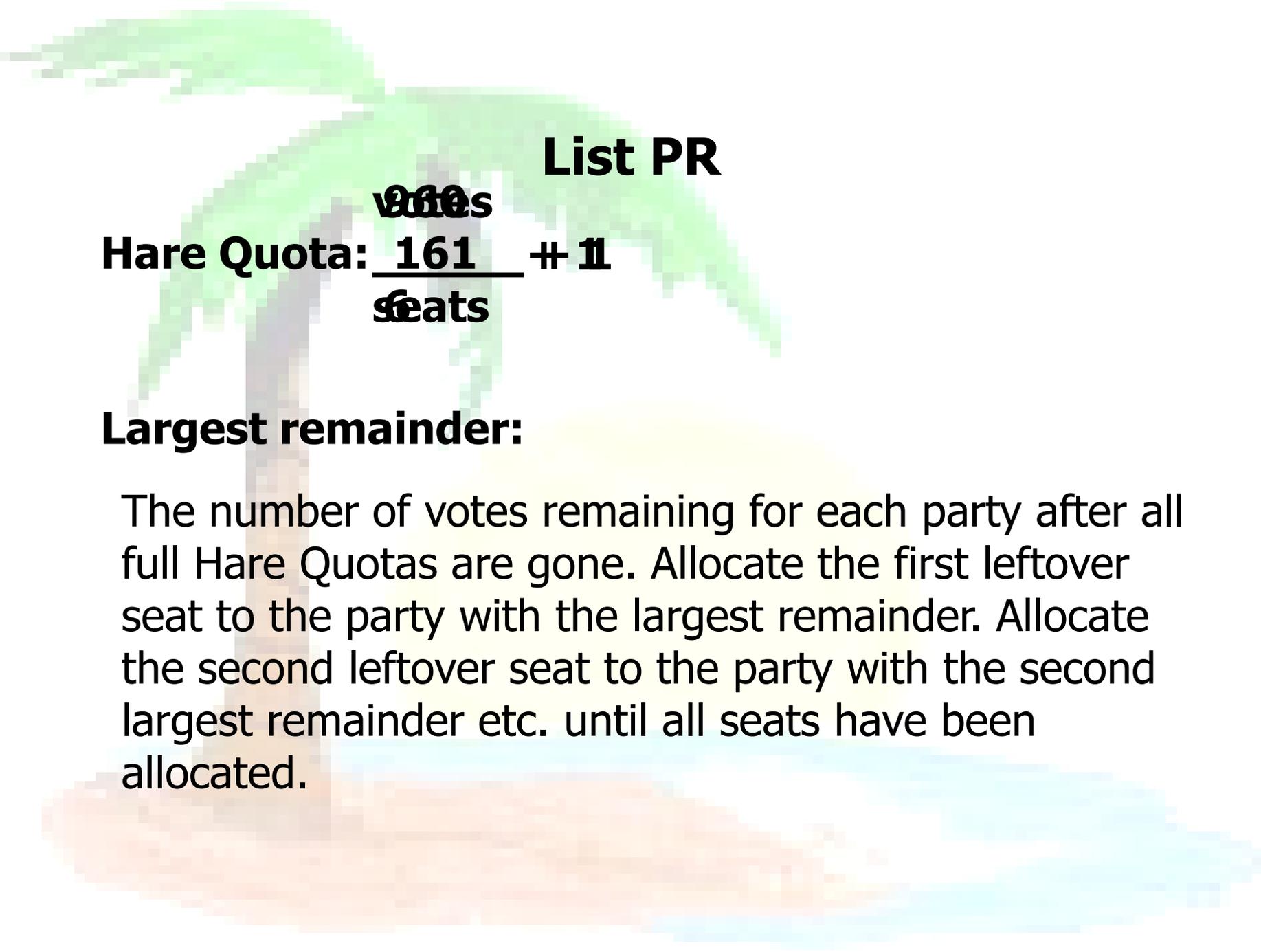
Electoral systems around the world





List PR

Seats: 6	
	Total (%)
Parties	
Happiness	288 (30%)
Love	198 (20,6%)
Joy	184 (19,2%)
Friendship	139 (14,5%)
Health	151 (15,7%)
Total votes	960 (100%)



List PR

~~votes~~
Hare Quota: $\frac{161}{\text{seats}}$ # 11

Largest remainder:

The number of votes remaining for each party after all full Hare Quotas are gone. Allocate the first leftover seat to the party with the largest remainder. Allocate the second leftover seat to the party with the second largest remainder etc. until all seats have been allocated.

Different systems – different results

Parties	Seats under the different electoral systems		
	FPTP	List PR	Parallel
Happiness	4		
Love	1		
Joy	1		
Friendship	0		
Health	0		
Total seats	6	6	6



First Past the Post (FPTP)

- Simple
- Clear-cut choice between two parties
- Leads to single-party governments
- Coherent opposition
- Can advantage broadly-based political parties
- Excludes extremist parties
- Strong geographic representation
- Individual accountability
- Allows for choice between candidates as well as parties
- Good for independent candidates





First Past the Post (FPTP)

- Excludes small parties
- Creates disproportional results
- Excludes minorities
- Excludes women
- Exaggerates regional “fiefdoms”
- Leads to wasted votes
- Can lead to vote splitting
- May be unresponsive to changes in public opinion
- Boundary delimitation – costly and political

Different systems – different results

Parties	Seats under the different electoral systems		
	FPTP	List PR	Parallel
Happiness	4	2	
Love	1	1	
Joy	1	1	
Friendship	0	1	
Health	0	1	
Total seats	6	6	6



List Proportional Representation (List PR)

- Proportional
- Few wasted votes
- Includes minority parties
- Includes minority candidates
- Includes women
- Encourages campaign outside the party's own group of voters
- Restricts the growth of regional "fiefdoms"
- May lead to greater policy continuity
- Makes power-sharing visible





List Proportional Representation (List PR)

- Leads to coalition governments
- Possible fragmentation of the party system
- Includes extremist parties
- Small parties getting disproportionately large amounts of power
- Accountability issues: Difficult to throw a party out of power
- Difficult for voters to understand or for the electoral administration to implement
- Low levels of geographic representation
- Accountability issues: Difficult to vote an individual out of office
- Entrenchment of power within party headquarters

Different systems – different results

Parties	Seats under the different electoral systems		
	FPTP	List PR	Parallel
Happiness	4	2	2
Love	1	1	2
Joy	1	1	2
Friendship	0	1	0
Health	0	1	0
Total seats	6	6	6



Parallel Systems

- Best of both worlds?
- Easier to agree on
- Less disproportionality than FPTP
- Less fragmentation than List PR
- More geographic representation than List PR
- More inclusion of women and minorities than FPTP





Parallel Systems

- Worst of both worlds?
- Difficult to understand
- Creates two classes of representatives
- Zombie representatives



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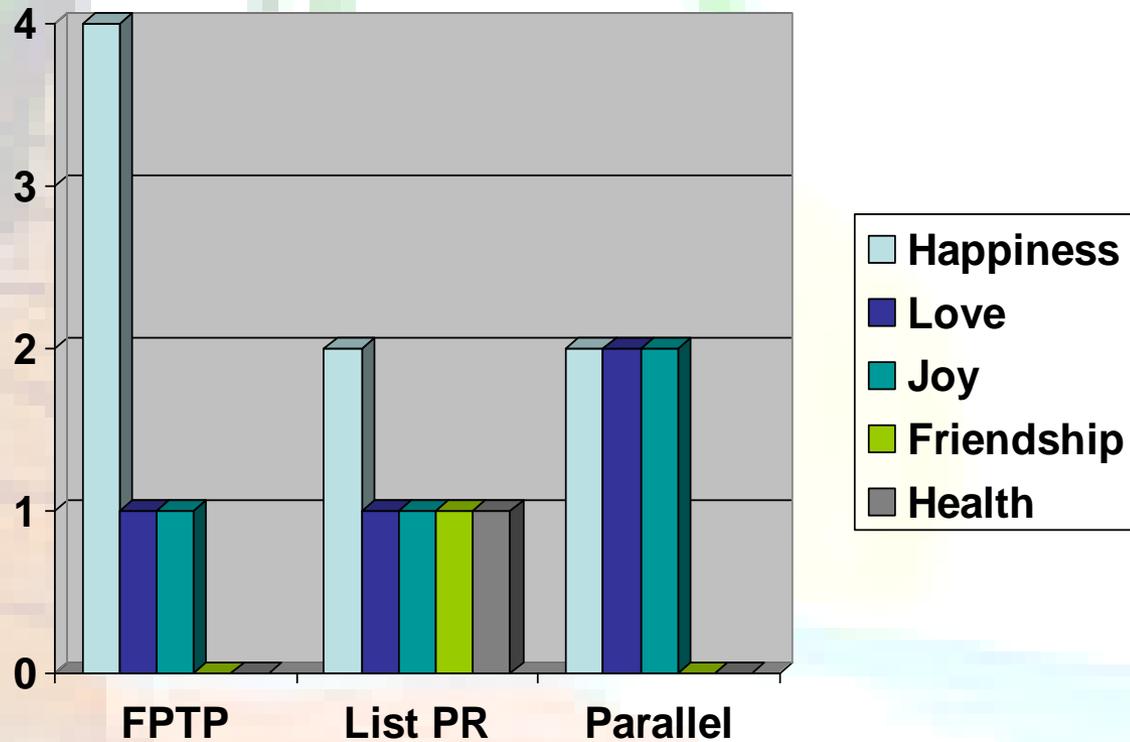
CIDA

Canadian International Development Agency



Promoting Credible Elections
and Democratic Governance in Africa

Different systems – different results



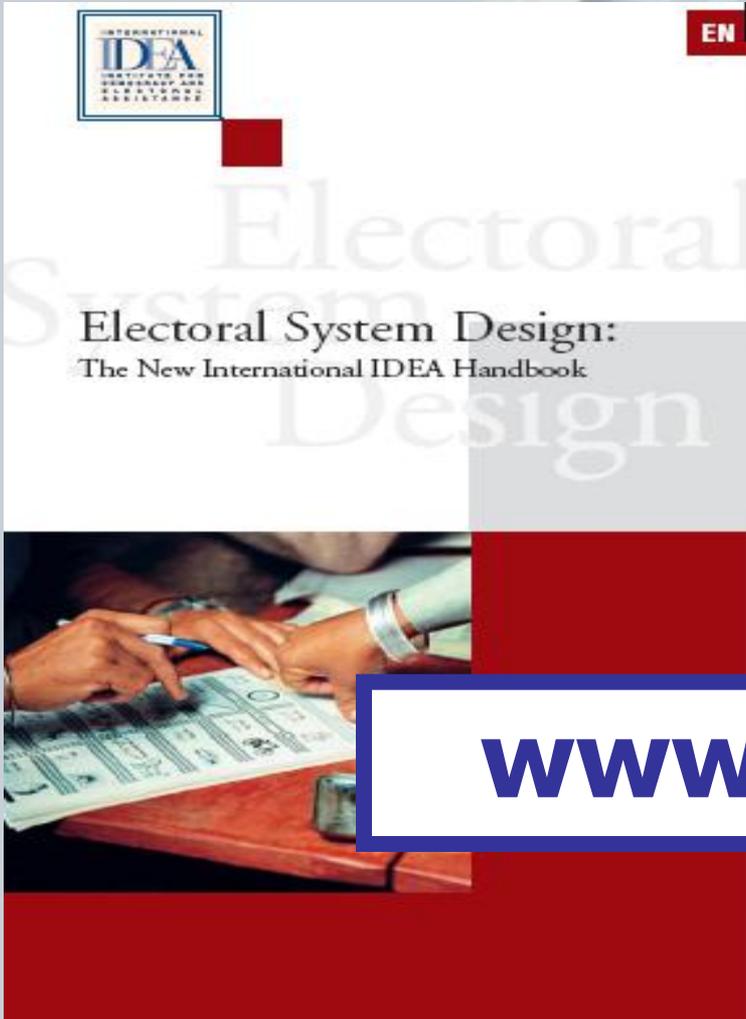


Designing an electoral system

- ✓ Different electoral systems, different results
- ✓ Start with the criteria
- ✓ Electoral systems tend to be stable
- ✓ Don't treat the electoral system in isolation
- ✓ Collaborate with stakeholders
- ✓ Don't feel bound by wholesale solutions
- ✓ Change the system early in the electoral cycle
- ✓ Make it sustainable



IDEA's Publications on ESD



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Parallel

	Seats			
	1	2	3	Total (%)
Parties	Votes per seat			
Happiness	140	75	73	288 (30%)
Love	30	138	30	198 (20,6%)
Joy	22	55	107	184 (19,2%)
Friendship	43	48	48	139 (14,5%)
Health	85	4	62	151 (15,7%)
Total votes	320	320	320	960 (100%)