

# Unit 9

## Role of the Electoral Process

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### Overview

This unit examines the role of the electoral process in the development and maintenance of the parliamentary democratic model. The crucial difference between democratic and non-democratic states is the kind of election they hold. In liberal democracies, elections go beyond simple voting—they reflect popular sovereignty, the notion that political power ultimately derives from the people, that public participation is essential in choosing governments and that elections provide a direct link between rulers and the ruled. This unit discusses the components of free and fair elections in a parliamentary democracy, followed by a discussion of electoral boundaries as they relate to fair elections and effective representation of constituents.

### Learning Objectives

After you have completed this unit you should be able to achieve the following objectives.

1. List what constitutes a 'democratic' election.
2. Outline the functions of elections.
3. Explain what is meant by 'representation by population.'

### Commentary

The electoral process lies at the heart of democratic government. It provides the institutional means of changing rulers without bloodshed. Elections, if they are competitive, provide the basis of democratic legitimacy. They provide opportunities for voters to participate in choosing leaders, and they confer an obligation on citizens to obey the laws approved by those they select. Citizens, it is believed, may be presumed to consent to laws to the extent that they have participated in choosing their leaders. Free and fair elections make representative government possible.

As we saw earlier, the Westminster model of parliamentary democracy did not always involve free and fair elections, as until 1832 less than 5 per cent of the adult male population was eligible to vote. Two former clerks of legislatures in Rhodesia and Nyasaland authored one of the most valuable reference books on Parliament, *An Encyclopaedia of Parliament*. Given the denial of full voting rights to the majority African population in those

former British colonies, one could not possibly describe them as democracies, but their legislatures could be described as parliaments.

## Free and Fair Elections

A number of features must be present to ensure free and fair elections and the existence of democracy. In democracies, elections must be competitive. Elections ensure that those who seek to direct public affairs defend their records and convince voters that the policies they propose are feasible, desirable and best carried out by them. Their opponents try to show that these same policies are ill conceived and their proponents are unable to manage government, while they themselves are competent. Having some meaningful choice between candidates and parties and policies legitimises the activities of government.

The following features mark democratic elections.

1. Universal adult suffrage.
2. Regular elections, limited tenure.
3. Freedom to form parties and contest elections.
4. All legislative seats can be contested.
5. Fair campaigns, no legal or violent impediments.
6. Secret and free balloting.
7. Votes counted and reported fairly.

In democratic elections, the government stands a chance of being replaced through the ballot box and the results are not predetermined. The results of the election will influence the composition of the next government and a clear choice exists between parties.

Elections decide who will govern and provide representation. In parliamentary systems this is more of an indirect effect as the election has no direct say in the composition of the executive, and no say at all in terms of the civil service. Elections determine only the members of the legislative assembly; they only fill legislative seats. At times the formation of the government results from bargaining among the parties with members elected to the legislature. The elections simply set the parameters within which the parties negotiate. Moreover, the formation of government need not be related to the election. In parliamentary systems it is possible for governments to change hands without an intervening election.

Elections give the political system legitimacy. They provide those elected with the expectation that their decisions will be obeyed. The electoral process also influences the structure of the party system. It determines which parties will have representation in the legislative assembly and how much representation each will have. Elections send messages to political parties indicating whether changes in policy, leadership or strategy are required. Governments returned with weaker numbers may be sufficiently chastened to change any of the

above, as may opposition parties. A strong showing by a third party may have an impact on other parties even if power is never achieved.

The electoral process helps keep governments accountable because elections can force a change in government. At the very least an election is a retrospective judgement on the incumbent government, a post mortem if you will. Governments know that they will eventually have to face the electorate to defend or justify their performance.

The holding of elections has an indirect policy impact as well. The knowledge that government must answer in the future and that they desire re-election supposedly leads them to rule responsively. Elections then can constrain policy choices. There is some notion that elections provide mandates. Really, the basic mandate provided by an election is simply the mandate to govern (legitimacy) rather than to implement proposals. Elections may have implications for public policy, but they are not referendums on policy issues and the only policy mandates they provide are murky at best.

There are a number of important factors relating to the democratic nature of parliaments and the electoral process that will be explored in more detail below. These are the duration of parliaments, the question of equal voting rights and the drawing of constituency boundaries.

The amount of time that can pass before another election is held is critical to an assessment of the electoral process. As we know, the existence of a parliamentary system prevents the establishment of a minimum period between elections. A minimum time period or fixed election dates are incompatible with parliamentary government, because the defeat of the government on an issue of confidence requires either a new government or a new election. In Britain the maximum parliamentary length has changed over time. Initially, there were no limits to the duration, between 1695 and 1716 the limit was three years, from 1716 to 1911 it was seven years, and since then it has been five years. Extending the amount of time between elections remains completely in the control of Parliament. In a number of regimes the maximum length is entrenched in a constitution and for most parliaments the length is three to five years. On average, elections are held every four years.

## Electoral Boundaries

A fair electoral process requires that the size of constituencies be reasonably equal. Democracies are based on the notion of universal adult suffrage. This should not merely imply voting rights but include an acceptance of representation by population or an equality of voting power. This can be difficult to achieve. In Britain the apportionment of parliamentary seats has been devolved to four boundary commissions. The average size of constituencies is around 65,000 voters. An act of parliament requires that the boundaries be re-examined every ten to fifteen years but there is no requirement that constituencies be of equal size. In 1944 a maximum deviation from the average of 25 per cent was permitted, but this was soon withdrawn as impractical.

The boundary commissions are charged with keeping discrepancies in size relatively small while respecting issues of administrative convenience, local

government boundaries, and regional factors. Despite the historical problem of rotten boroughs, concerns in Britain about the inequality of constituency sizes and the inequality in voting power that accompanies it have not been vociferous. In part this stems from the British notion that MPs represent the nation as much as they represent a particular constituency. Such concerns may also be reduced by the inability of courts to pass judgements on deviations. Where courts have that power the application of maximum allowable deviations have taken root. In Canada, for instance, the Supreme Court has made clear that constituency sizes must not vary beyond a certain point since citizens have a Charter right to “effective representation” and should not have the force of their vote “unduly diluted.”

Equal apportionment is only one of the factors caught up in the maintenance of a free and fair electoral process. It is also important that boundaries not be drawn in a way that favours one party or interest over another. The drawing of boundaries in such a fashion has been called ‘gerrymandering’. Gerrymandering refers to the drawing of boundaries in ways that create a partisan advantage. The term is derived from the activities of a former Massachusetts governor named Gerry who, in order to enhance the possibility of a favourable electoral outcome, approved a set of boundaries that resembled a salamander. A fair electoral process then must go beyond representation by population and focus on boundary drawing.

The drawing of constituency boundaries and the apportionment of seats vary widely by country. In some cases there are commissions that make recommendations to parliament, in others parliament has devolved the authority to make decisions on these matters to a commission and defers to their judgement. In other cases parliament looks after these matters itself, but given the nature of the partisan interests involved, the full devolution of these matters to independent commissions is desirable. Ideally, the selection of commissioners should not be in the hands of the government, but divided among the most relevant political actors, or given to non-political actors.

The actual number of parliamentary seats is of more than mathematical significance. Constituents must have reasonable access to their representative and representatives must not have caseloads that are unmanageable. Moreover, the size of the legislature has an effect on the way it functions. Party discipline may be somewhat harder to enforce in larger legislatures (other factors also play a role) and it is impossible to have either an effective opposition or committee system when there are only a handful of eligible participants. The April 2000 election in the Canadian province of Prince Edward Island resulted in the election of 27 members, only one of whom did not represent the governing party. An effective committee process is not likely to work in a legislative assembly of this size. Another result of such small assembly may be the election of a government whose cabinet ministers outnumber ‘government’ backbenchers in caucus. This also reduces the effectiveness of the committee system to say nothing of the inability of caucus to serve as a check on the executive.

The way in which votes are translated into seats is a key component of the electoral process that will be addressed in the next unit.

## Recommended Reading

Carty, R.K. "The Electoral Boundary Revolution" *American Review of Canadian Studies. Reforming Electoral Democracy* (Volume 1). Report of the Royal Commission on Electoral Reform and Party Financing. Ottawa: Minister of Supply and Services, 1991, 1-36.

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## Study Questions

Based on your readings, see if you can answer the following questions. If not, read the commentary over again to find the answers.

1. What constitutes a 'democratic' election?
2. What are the functions of elections?
3. What is meant by 'representation by population'?

# Internet Resources

## Role of Electoral Process

Australia: Australian Electoral Commission

<http://www.aec.gov.au/>

Canada. Elections Canada

<http://www.elections.ca/content.asp?section=gen&document=index&dir=bkg&lang=e&textonly=false>

Democracy Design Forum. A Review of Consensual Electoral Systems

<http://www.democdesignforum.demon.co.uk/ConsensualESS.html>

Democracy Design Forum. Two Electoral Systems for Westminster

<http://www.democdesignforum.demon.co.uk/TwoESSWestm.html>

Electoral Systems/Sistemas Electorales (Political Database of the Americas)

<http://www.georgetown.edu/LatAmerPolitical/Elecdata/elecdata.html>

Elections Around the World

<http://www.agora.stm.it/elections/home.htm>

IDEA: International Institute for Democracy and Electoral Assistance

<http://www.idea.int/>  
<http://www.aceproject.org/main/english/pc/pcb/default.htm>

Elections Commission of India. Elections India

<http://www.eci.gov.in>

Latin America and the Caribbean “Calendar of Elections/Calendario de Elecciones”

<http://www.georgetown.edu/LatAmerPolitical/Elecdata/elecalen.html>

New Zealand. Elections New Zealand

<http://www.elections.govt.nz/elections/index.html>

South Africa. Elections

<http://www.gov.za/elections/>

United Kingdom. British Politics Page-Elections

<http://www.club.demon.co.uk/Politics/elect.html>

World Policy Institute. “Democracy: Electoral Systems”

<http://worldpolicy.org/americas/democracy/democracy.html>

“Ballots not bullets: Testing the Consociational theories of ethnic conflict, electoral systems and democratization”

<http://ksghome.harvard.edu/~pnorris.shorenstein.ksg/acrobat/bullets.pdf>