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Electoral System Opinion and the Evolution of MMP: A Report to the Electoral Commission

New Zealand Election Study

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REPORT

To the Electoral Commission

Introduction

1. The New Zealand Election Study is funded by the Foundation for Research, Science, and Technology (FRST), and is based at the Universities of Waikato and Auckland. Its current objectives are:
 - to generate increased knowledge about New Zealanders' evaluations of the political system;
 - to establish the consequences of those evaluations for participation and social cohesion; and
 - to assist public and Parliamentary consideration of institutional redesign and policy evaluation.

More specifically, we are contracted to:

- determine the effects of electoral system change on political behaviour and public attitudes together with the effects of other political, social, and economic variables;
- determine the effects of electoral system change on Maori political behaviour and attitudes together with the effects of other political, social, and economic variables; and
- determine the effects of electoral system change on the political behaviour and attitudes of political candidates, together with the effects of other political, social, and economic variables.

The NZES has conducted surveys of political opinion and behaviour among randomly selected national samples of adult New Zealanders at each election since that of 1990. Since 1993, we have also surveyed candidates nominated for election by all significant political parties. Since 1993, we have included in our instruments questions designed to indicate opinion on electoral system issues.

Those involved in the NZES are Associate Professor Jack Vowles and Dr. Ann Sullivan (University of Waikato), Dr. Peter Aimer and Dr. Raymond Miller (University of Auckland) Dr Susan Banducci and Dr. Jeffrey Karp (University of Amsterdam). Contact details are appended to this submission. Associate Professor Vowles will be overseas from July 31 to October 8, but can be reached by email.

The NZES is affiliated to the Comparative Study of Electoral Systems (CSES) Research Programme, based at the University of Michigan, and the International Committee for Research into Elections and Representative Democracy (ICORE). The data it generates is deposited for public access at the Australian Social Science Data Archives, Australian National University, Canberra. More information is available via our web page at www.nzes.org.

2. The format of this Report discusses four issues in some depth. We will refer to data from our studies in the text. Tables will be provided in an appendix.

3. **Executive Summary**

i) Reviewing MMP

Research into electoral systems indicates that extreme claims about the consequences of particular electoral systems are rarely justified, and that incremental changes are better than radical changes. While the change to MMP was a radical one, it was based on sound and compelling argument and research. MMP is not an extreme form of proportional representation (PR) as it has a relatively high threshold for party representation. Our experience of MMP is still relatively brief. Radical changes such as a return to FPP, or otherwise involving a significant reduction in proportionality of the electoral system would therefore be premature. But there is a case for fine-tuning.

Our data on public opinion indicates that New Zealanders no longer support MMP as strongly as in 1993 and 1996. But those who explicitly wish to return to FPP remain in the minority, and strong opposition to MMP has fallen from 40 per cent in 1998 to 29 per cent immediately after the 1999 election. The most part of New Zealanders still prefer coalition to single-party government, and believe that coalition governments are more democratically accountable than single-party governments. When given a trade-off choice between PR and single-party government, the majority prefer PR, and did so even in 1998, when MMP was perhaps most unpopular. We conclude that support for MMP fell because people felt it was not achieving its objectives, and that among the largest part of public opinion there is a still a wish that those objectives be achieved.

We believe that the FPP system would be unlikely to be able to achieve those objectives. It was not designed for national elections, and the theoretical model used to claim that FPP can generate two-party politics that enhance democratic accountability does not hold up empirically except in circumstances unlikely in New Zealand in the foreseeable future. While preferences for the two larger parties appear to be presently increasing at the expense of smaller parties, experience of the last twenty years provides no grounds for confidence that New Zealand will revert in either the medium or long-term to consistent two-party politics. In situations of multiparty politics we should continue to anticipate, FPP would continue to manufacture single-party majorities and apparently stable government. However that stability would rest on very weak foundations in public opinion, and the ability of public opinion to hold governments to account would also be weakened. Above all, FPP cannot be guaranteed to deliver the largest number of seats in the House to the party with the largest number of votes. Such a base-line level of proportional representation must be, we believe, an essential minimum component of any electoral system for New Zealand.

Our data on public opinion indicate a less than ideal level of consensus on the electoral system. For that reason, we argue for consideration of changes to MMP to foster a better consensus. To be consistent with our readings of opinion, such changes should be designed to increase the odds of majority government, reduce the ability of small parties to play a pivotal role, and enhance the accountability of individual list MPs to voters.

While MMP can be improved in those respects, it has performed relatively well in others and can be expected to do so in future. Over the last half-century experiences of countries with PR electoral systems indicate that levels of democratic accountability may be as high under PR as they are under FPP. Political cultures, party systems, and other country-characteristics often override the effects of electoral systems. While government stability is likely to be lower under PR, there is no reason to conclude such instability is necessarily excessive. At times, it may be more apparent than real, given considerable continuity of personnel between successive Cabinets. At other times, Cabinet change between elections may be in response to government unpopularity, thus enhancing democratic accountability. Aspects of the New Zealand experience so far bear out these inferences.

While there is evidence that voters' knowledge of how MMP works is not ideal, it is no worse than voters' knowledge of FPP before the change in electoral system. Effective use of FPP in multiparty elections demands sophisticated strategic voters. There is evidence that New Zealand voters have carried over a certain amount of sophistication into their use of the electorate vote under MMP. Meanwhile introduction of the party vote in 1996 meant that more people cast votes consistent with their preferences than would have been the case under FPP. Misunderstanding of the purposes of the two votes is not high enough to significantly distort seat allocations by party, particularly in comparison to outcomes under the FPP system.

Since the first MMP election, there is evidence that New Zealanders have become marginally less alienated from members of Parliament. Yet levels of dissatisfaction with politicians remain high. List MPs are less popular than electorate MPs, although by indirect repute more than personal experience of individual contact, where evaluations of electorate and list MPs are similar. However, the breadth of contact between list MPs and voters is significantly lower than that of electorate MPs. As there is significant majority support for the principle of candidate choice by voters within party lists, we recommend consideration of changes to MMP to permit this. The combination of open lists and a mixed-member system presents possible problems, but has been practised for many years in the German Land of Bavaria. We therefore recommend close scrutiny of the Bavarian ballot structure and its experience of open lists.

While extreme predictions of the degree to which parties might seek to manipulate MMP have proven unfounded, there are concerns related to the use of limited alliances between large and small parties for the purpose of a small party gaining an electorate seat in order to cross the threshold. It is questionable whether such behaviour is in the interests of voters, and it may

have the effect of reducing the credibility and legitimacy of the electoral system. On the other hand, the existence of the electorate threshold, as originally intended, does make it significantly easier for small parties with significant support to cross the threshold.

None of the other alternative electoral systems put forward for New Zealand provide options that should be considered at present. In all cases, the odds that the party gaining the votes gets the most seats are significantly worse than those under MP. The SM system is semi-proportional, and leans away from proportionality to the extent that list MPs are outnumbered by electorate MPs. In 1996 it would have produced the same government outcome as MMP, largely due to New Zealand First's capture of the Maori electorates. In 1999 it would have generated a single-party majority Labour government, as would have been the case under FPP. It is doubtful whether either of these would have been more popular or effective than the outcomes under MMP. STV has a mixture of strengths and weaknesses, but would require a national 'top-up' to guarantee full proportionality between larger parties. Its adoption in New Zealand would require another radical change of electoral system, which we believe undesirable at this point. As experience of it is confined to Australia, the preferential voting or 'alternative vote' system would have unpredictable effects in New Zealand. It is unclear whether it would foster single-party majority or coalition governments. However, the system cannot guarantee proportionality between even large parties, and can manufacture single-party majorities on very small first preference voting bases, as recent experience in Fiji indicates. If preferences are those promulgated by political parties rather than those of voters themselves, questions arise about the extent to which the system can be strategically manipulated. Adoption of this system would have a high risk factor, and we do not recommend it. A second ballot on French lines would be preferable but, again, its effects would also be unpredictable.

Compared to other alternatives, MMP does well as an electoral system. It meets and exceeds the bare minimum requirement of proportionality between large parties, and of those considered it is the electoral system most likely to consistently do so. However, that ability could be damaged by a reduction of the proportion of list seats to below 40 per cent.

ii) The Referendum of the Size of the House

While the referendum vote was overwhelming, turnout was exaggerated by the timing of the referendum with the election. That timing excluded adequate public debate on the matter. In the absence of a campaign of public information on the issue, many votes were cast by people unaware of the consequences of a reduction in the size of the House. Our data indicates that while people see indicative referendums as useful to put political issues on the agenda, most do not believe that their results should necessarily be heeded by the government of the day.

iii) The Ratio Between List and Electorate Seats

If list seats are to be maintained at 40 per cent of the total, their number cannot fall below 48 in a House of 120. It is presently 53, and fell by two for the 1999

election. This limit could be reached in little more than ten years due to the requirement that 16 electorate seats be retained in the South Island, thus increasing the number of electorate seats in the North Island at the expense of list seats. Assuming that the size of the House remains at 120, there are three options which should be considered to address this issue:

1. The 16 seat requirement for the South Island be abolished, and the total number of electorate seats be stabilised at, say, 70, stabilising list seats at 50, and the total number of seats at 120 (except in situations of overhang). An increased tolerance of 10 per cent would be introduced for variation in total electorate populations to reduce the pressure on MPs with electorates spread over a large area. As the number of list seats should remain sufficient to generate overall proportionality, this small bias towards country electorates could be easily tolerated.
2. The South Island quota is retained, but the electorate/list seat ratio is set at 70:50 and numbers of electorate and list seats both expand, allowing the size of the House to gradually expand beyond 120; or
3. The South Island quota is retained, as is the 120 seat ceiling, and the number of list seats is allowed to decline, but a mechanism for overhang-compensation is introduced allowing for temporary increases in list seats to match those of electorate seats in situations of overhang. Such mechanisms are found in 11 German Lander (for an example see Appendix C).

Of these we favour 2, but acknowledge that 1 may be the most politically feasible. We suggest, however, that introduction of a mechanism for overhang-compensation should be seriously considered, as it might be desirable independently of the other matters raised in this discussion.

iv) Maori representation.

Most New Zealanders, including Maori, believe that all New Zealanders should decide the future of the Maori seats. The most part of New Zealanders favour their retention, on at least the current basis. Although a solid minority opposes them, it is outnumbered.

v) Turnout

A significant increase in turnout at the first MMP election was followed by a significant decline in 1999 to perhaps the lowest turnout ever experienced in a New Zealand election. This is inconsistent with expectations that MMP should encourage higher turnout than under FPP, and with comparative evidence from the study of electoral systems, which indicates significantly higher turnout under PR than FPP. We suggest various explanations –

- international and national trends toward declining turnout offset the advantages of MMP in 1999;
- the turnout decline is partly an artefact of an expanded age-eligible base that incorporates compensation for census under-count;

- long queues on election day may have discouraged voting at large booths;
- disillusion with the first MMP coalition and increased anti-politician rhetoric in Parliament may have discouraged voting in 1999;
- the allocation of campaign resources by political parties may have not yet changed sufficient to take advantage of the national focus of MMP;
- political party identification, party membership, campaign expenditure and direct campaign contacts declined in 1999 as compared to 1996, with commensurate effects on turnout.

We conclude that while MMP provides opportunities for enhanced turnout, the performance of government and of political parties more generally constitutes an intervening variable. While there has been marginal improvement under MMP, continuing levels of high dissatisfaction with politicians will tend to discourage turnout. We can expect to see sustained increases in turnout only if there are more substantial improvements in the public perception of politicians and the political process, and if parties put more effort into directly contacting voters during the campaign.

Specific Comments

4. Evaluating MMP

i) The Orientation of Electoral Systems Research

Toward the close of their influential book *Seats and Votes: the Effects and Determinants of Electoral Systems*, Rein Taagapera and Matthew Shugart (1989) state the following: 'We cannot recommend or disrecommend electoral reform for any given polity without making value judgements. But we can tell how outcomes would change or fail to change, if a certain rule were altered' (p. 236). In other words, research into electoral systems cannot be expected to provide entirely value-free advice. But it can produce empirical findings that advance debate by indicating causes and consequences of decisions that may be based on value preferences. Taagapera and Shugart reflect **an academic consensus that extreme claims about the consequences of electoral systems are rarely justified, and that all mainstream systems possess a balance of vices and virtues.**

Taagapera and Shugart reflect the **traditional conservatism of electoral systems experts** when they state that 'most of the long-standing electoral systems do their job. Keeping the ills we know of may be better than leaping into the unknown' (p.236). Yet in New Zealand we have already made a major change from the first-past-the post (FPP) system used in about a third of democratic countries in the mid-1990s to a mixed-member proportional (MMP) system. Proportional representation of various varieties is used in nearly half of current democracies (Blais and Massicote 1997). Because of its relatively high threshold, our version of PR is a moderate one that also retains a

significant number of single-member electoral districts. The high threshold prevents the kind of party system fragmentation characteristic of some countries such as Italy or Israel. There were good reasons to change to MMP that were outlined in considerable depth (Royal Commission on the Electoral System, 1986). We now have two elections' experience of MMP, but are only a little way into our second parliamentary term following an MMP election. As new institutions take time to bed in, there is a danger that present assessments of MMP from whatever source may produce premature judgements. Nonetheless, those assessments must be considered. We therefore move on to discuss New Zealanders evaluations of MMP as estimated by our survey research from 1993 onward.

ii) **Public Perceptions of MMP versus FPP and other Electoral System Issues.**

New Zealanders' evaluations of MMP reflect its short history and the continued controversy about its alleged virtues and vices. Our data shows that support for MMP has fallen from 54 per cent of voters at the 1993 referendum to 49 per cent of voters after the 1996 election, and 35 per cent of those expressing party preferences in July 1998. It rose during the 1999 election campaign to 46 per cent during the last week of the campaign, but fell back in the aftermath of the election to 39 per cent (see appendix table A1).

A significant number of New Zealanders continue to prefer a FPP system. While a consistent series of published UMR-Insight data indicates majority support for FPP since just after the 1996 election, it does so on the basis of a constrained choice between MMP and FPP. As a replay of the 1993 referendum, this was an appropriate instrument in those terms. However, as there are other options for electoral system change – such as a supplementary member (SM) system – such a forced choice presents only part of the picture and, perhaps, a distorted one. From July 1998 our question has included FPP as an option for change, but allowed for others to be mentioned under an 'other alternative' option. In our telephone survey in July 1998, respondents had to volunteer FPP as an option: in our post-election survey it was identified as a specific response category next to MMP. No other specific alternative options were given, but respondents could write their preference in. On that basis support for FPP has consistently remained below that for MMP. In our last post-election data, FPP had the support of a third of the voters, 3 per cent wrote in STV, and 10 per cent other unspecified alternatives. Virtually no 'write in' support was reported for a SM system although, had it been given as an option, it is possible that it might have attracted a small number of respondents. In our July 1998 survey, 2 per cent volunteered the SM system.

Partial explanations for these changes of opinion can be found in appendix table A2. Electoral system opinion is associated with voting choices. National and Act voters tend to favour FPP, and Labour,

Alliance, and Green voters favour MMP. Candidate data (see appendix table B1) shows the same picture, except for Act where its candidates are increasingly pro-MMP. Among candidates, there is a pattern of convergence, where pro-MMP party candidates have become somewhat less in favour of MMP, and those opposed a little less opposed. These preference distributions are almost certainly reflective of each party's respective judgements about strategic political advantage found even more strongly among party candidates and MPs (Lamare and Vowles 1995) Changes in support within each party voter camp are likely to reflect changes in strategic judgements due to political events. Support for MMP rose among National voters while National was in government, and fell among the supporters of the opposition parties. Support for MMP among all groups was relatively high prior to the 1999 election. We suggest that all were more likely to entertain hopes of beneficial consequences. That support fell back largely due to an outflow into 'don't know', but also most significantly among National and Act voters whose preferred parties had lost the election. Partisanship and partisan strategic evaluations colour overall support for and opposition to MMP. These shift and change according to political events, and may therefore not represent effectively what people might prefer in the longer term.

Other indications of public opinion may therefore be more helpful. We also asked respondents the following question: **'Some people say MMP has been a disaster and we should get rid of it as soon as possible. Others say MMP has been a success and we should keep it. Others say it is too soon to tell. Which is closer to your view?'** This poses a relatively extreme view which has gained significant public currency (Hunt 1998) against the alternative extreme, and a middle category. **Appendix table A3** shows that agreement with the view that MMP is a 'disaster' has fallen from 40 per cent in July 1998 to 36 per cent immediately before the 1999 election to 29 per cent after it. Those declaring MMP a success rose from only 6 per cent in July 1998 to 12 per cent at the end of 1999. The middle 'too soon to tell' category remains consistently at about half. Admittedly, the middle category is a safe refuge for respondents seeking an easy response and the question can legitimately be criticised on that basis. Nonetheless, the time trend indicates change independent of that possible biasing effect. The candidate data in appendix table B2 shows a major difference between National candidates, among whom a substantial majority is in the 'disaster' camp, as compared to those for all other parties.

More generally, it is desirable to move judgements away from short-term partisan preferences to issues of **longer-term assessment** and, even further, to the more **fundamental principles about political representation, government performance and government composition that New Zealanders may consciously or unconsciously hold**. The literature on electoral systems contains a robust and deepening debate on the principles and consequences of electoral systems that is useful in identifying the key issues. Building on the work of Duverger,

Sartori has distinguished between 'strong' electoral systems that constrain voting choices and shape their consequences and 'feeble' electoral systems that do so only weakly (Sartori 1986). FPP systems fall into the 'strong' category because they tend to encourage two-party systems, at least at the parliamentary level. PR systems are 'feeble' because voters are more likely to be able to elect members from smaller parties and thus are not discouraged from voting for them, and because PR systems more accurately translate votes cast into seats won. Put another way, FPP systems tend to manufacture parliamentary 'absolute majorities' for winning parties that may only have 'simple majorities' or 'pluralities' of votes cast for them. This 'distortion' of voters' preferences has a major advantage, at least as perceived by advocates of FPP systems. It makes it much more likely that a single political party will secure an absolute majority of seats, making possible a stable government that can be held clearly to account for its performance in office. By contrast, governments elected under PR are more likely to be coalitions or, sometimes, minority governments. In either case, it is argued that accountability is more difficult to establish and maintain. A key debate on electoral systems therefore focuses on a trade-off between a preference for relatively unconstrained voters and a less distorting electoral mechanism against a preference for the 'manufacture' of single-party majority government. Our survey instruments contained a series of questions designed to establish how New Zealanders respond to this debate.

Preference for FPP systems should be associated with one for single-party governments, and preference for MMP with one for coalition governments. **Appendix table A4** shows that while single-party government was preferred in July 1998 by 58 per cent, after the 1999 election 44 per cent preferred single-party government, with 47 per cent saying that they preferred coalition government. Appendix table B3 again singles out National candidates as the only group with a majority preference for single-party government. The assumptions behind such a preference among voters are revealed in **appendix table A5**, which contains a record of responses to the same question asked of respondents in 1993, 1996, and 1999. The question was **'Generally speaking, do you think that a government formed by one party, or one formed by more than one party, is better at doing the following things: providing stability, making tough decisions, keeping promises, and doing what the people want?'** While support for the 'one party best' response has increased in all cases in 1999, coalition governments are still preferred by the major part of respondents for both of the 'accountability' options: keeping promises, and doing what the people want. **The greater part of New Zealanders do not accept the accountability argument for FPP.**

Appendix table A6 indicates various further permutations of electoral system opinion. They indicate both a divided and an uncertain public, but one in which preferences consistent with PR continue to have an edge over those consistent with FPP. 60 per cent would like a

government voted in by at least half of the people, with parties having seat shares in proportion to their vote shares. 35 per cent agree that the electoral system should ensure that only one party is needed to form a government, a clear FPP-style preference for a manufactured majority. But slightly more disagree, and a large number are uncertain. MMP is perceived to be fairer than FPP by a considerable margin, and more agree that FPP gives too much power to large parties than agree that MMP gives too much power to small parties. A more specific formulation of the PR question concludes the table: **'Imagine that one party wins the most votes in an election with about 40 per cent of the votes. Regardless of whether you liked that party or not, do you think that party should get about 40 per cent of the seats in Parliament, more than half the seats, so it can easily govern on its own, or somewhere between 40 per cent and half the seats?'** 44 per cent opt for the PR option of 40 per cent, 19 per cent for 'more than half', and another 19 for 'somewhere between'. Appendix table B6 indicates again that National candidates stand out from the rest in their opposition to MMP and their preference for FPP.

Perhaps the most focussed question asked is as follows: **Which of the following is most important to you? That one party has more than half the seats in Parliament so it can (easily) govern on its own? OR that parties have about the same percentage of seats in Parliament as their percent of the party vote?** This poses the key trade-off question between PR and a system that manufactures single-party government. It is significant that, of the questions asked since July 1998, this provides the most consistent distribution of responses over time. About 50 per cent opt for the PR choice, and 40 per cent for that consistent with FPP. Candidates for all other parties than National substantially prefer the PR option: once more, National candidates stand out in their preference for single-party government.

We assume that public opinion will not necessarily be considered the only yardstick for the committee's evaluation of MMP, even in the context of the option of a referendum. Public opinion could be misinformed. The constantly expanding empirical literature on electoral systems should therefore be consulted. There are various questions that are relevant. Does a reading of the literature give good grounds for FPP or some variation of FPP to be reconsidered as an option to which New Zealand could return? Is there evidence to support the continued belief of the larger part of New Zealanders that coalitions under MMP may be more accountable than single-party governments?

iii) **FPP as an Option.**

FPP systems retain considerable support among political scientists and politicians engaged in electoral system debate. They are favoured for several practical reasons: they form the status quo in some major countries; they have in key cases been the practice for centuries; entrenched political elites have incentives to maintain them; and political

analysts in those countries therefore regard alternatives as politically unfeasible, and may be tempted to generalise that assessment to other situations with which they are not familiar. As outlined above, for more relevant theoretical or philosophical reasons, FPP systems are favoured principally because they can manufacture single-party majority governments, thus promoting political stability and clearer lines of political accountability than may be found in multiparty systems under coalition governments (Duverger 1986; Popper 1987; Pinto-Duschinsky 1999). These are significant virtues in an electoral system.

However, FPP systems have significant disadvantages, even in terms of their ability to achieve the goals their advocates identify. FPP systems were not originally devised to achieve such goals, and it is therefore not surprising that they often fail to do so.

The origins of FPP systems lie in the gradual development of parliamentary representation in England. FPP systems today are mainly concentrated in countries with a British colonial heritage (Blais and Massicote 1997). FPP was devised to select individuals to represent territorial communities within which voting rights were limited to a relatively small section of the adult population. Candidates were chosen entirely on their individual qualities, and in most cases would have been personally known to electors. In other words, elections were about parochial rather than national issues, and were focussed on selecting a person who would have been personally known to most electors. Many theories about representation today are still shaped by assumptions rooted in this practice.

However, parliamentary elections in contemporary mass democracies are fought by political parties on a national basis. Electorates are large and the vast majority of voters do not personally know the candidates. Many do not even know who they are, or the identity of their incumbent MP. The sorts of candidate evaluations upon which FPP was originally based are significant only at the margins of political choice.

Nonetheless, advocacy of FPP under conditions of party politics in mass democracy has continued within a framework first summarised cogently by Duverger (1954). Duverger identified the two main effects of FPP systems: first, that they increase the representation of large parties at the expense of small parties (the mechanical effect); and second, that voters aware of this effect will tend to ignore preferences they may have for smaller parties and cast their votes for the larger party closest to their preferences (the psychological effect). Following on from this, the incentives to organise small parties will be weak, and party politics will concentrate around two alternative large parties. The Duvergerian approach therefore constructs an 'ideal type' or model of how a FPP electoral system may work to achieve stable two-party politics. This logic of has continued to inform recent electoral system changes in Italy and, to a lesser extent, Japan.

However, the consequences of FPP electoral systems often diverge widely from those of the model implicit in the Duvergerian approach. Strictly speaking, the psychological effect applies at the constituency level only. And for the mechanical effect to generate effective two-party competition, to be translated into national representation party political preferences must be distributed spatially in a way that fosters this. If preferences were distributed evenly between constituencies, the largest party would win all the seats in Parliament. The FPP model works well only where preferences are spatially distributed between two larger parties in such a way that both will be able to effectively compete for office. But if preferences are spatially distributed between more than two parties, it will be more difficult for FPP to deliver the objectives identified in the Duvergerian model. At present, the FPP 'ideal-type' fully conforms to reality in the United States, but not in either Canada, Britain, or India. Among other reasons, this is because the 'psychological effect' is a weak one, which means that most voters with preferences for small parties do not abandon them to vote strategically (Blais 2000). In situations of multi-party politics FPP may continue to manufacture single-party majorities and apparently stable government, but that stability may rest on very weak foundations in public opinion, and the ability of public opinion to hold governments to account may also be severely weakened. Such circumstances paved the way for the adoption of MMP in New Zealand (Vowles 1995).

The FPP argument for clearer and more effective accountability is very seriously subverted by another in-built quality of the system. As FPP was not designed for national elections, it cannot guarantee that a party with the most votes will gain the most seats. Representation under FPP is powerfully shaped not just by how many votes are cast for political parties, but where they are cast. Parties may build up big majorities in some constituencies so that they gain the most votes nationally but fail to have enough votes in marginal constituencies to win an appropriate share of those seats. Thus the party coming second in votes may win a majority of seats, as happened in New Zealand in 1978 and 1981. This makes a mockery of claims that FPP governments are accountable to national public opinion. Since 1945, about 12 per cent of elections in Britain, Canada and New Zealand have elected the 'wrong party' into government (Vowles 1999). Currently there are two Canadian provinces, British Columbia and Quebec, where FPP elections have delivered parliamentary majorities to parties in second place in terms of votes cast.

Despite these problems, FPP continues to flourish as an electoral system. For long periods in some countries, FPP elections have produced patterns of representation and government alternation consistent with the ideal model. During those periods, argument for FPP seemed compelling, and deeply influenced many of the current senior generation of politicians and political scientists, particularly in English-speaking countries. If the underlying conditions that would make a FPP

system reliably deliver the consequences predicted by the ideal model persisted, a strong case could be made for continuation of an existing FPP system. But largely due to increasing multiparty politics there are fewer cases now of such consistency with the 'ideal type'. While the 1999 election in New Zealand indicated a small trend away from small parties to larger parties, there is no reason to believe that this would either continue or persist in future under any electoral system option. The odds that a return to FPP in New Zealand would restore the ideal-typical FPP politics which one can identify here in the 1940s and 1960s are almost certainly much less than 50:50.

Of course the goals of fostering single-party majority governments on grounds of stability and clear accountability remain reasonable ones, even more so if one assumes the related value preferences which privilege those preferences against others. But there are ways of designing electoral systems other than FPP that may foster the goals of its advocates more effectively. The belief that we should seek these goals at the expense of PR does not appear to be shared by a majority of New Zealanders. It does appear to be shared by a substantial minority. While 'consensus politics' in its most fully developed form is an unlikely prospect in New Zealand, **it would be desirable to construct a broader consensus on such an important institutional foundation as the electoral system. Therefore modifications of MMP to move in the direction of fostering greater stability in government should be considered.** But first it is necessary to consider the extent to which PR systems such as MMP may or may not be deficient in terms of stability and accountability.

iii) **Can MMP Deliver Accountable and Stable Government?**

Accountability

Judgements about the effects of PR systems on government accountability have been largely negative since the late nineteenth century, when current electoral system debates emerged in recognisable form. The American hegemony in the literature of political science and, to a lesser extent, that of Britain, contributed to teaching and scholarship which privileged FPP systems, turning out graduates who moved into teaching, business, or government to whom the superiority of FPP systems was virtually unquestionable.

From about 1980, however, the accumulation of decades of continuous democratic practice in many countries since 1945 has made possible an increasing volume of comparative research into the empirical effects of electoral systems. This work has produced a reassessment of the political consequences of electoral systems. This reassessment is particularly significant given that most concerned have an intellectual history of former preference for FPP that they believe have been refuted or at least weakened by the empirical evidence generated by their research. The former consensus in favour of FPP systems no longer

exists in the Anglo-American literature, although the conclusions of the new studies are still in dispute (Pinto-Duschinsky, 1999).

For example, Lijphart has shown that electoral systems far less strongly shape party systems than hitherto thought (1994), and has identified the elements of two models of democracy, majoritarian associated with FPP and consensus with PR, and outlined the virtues of the latter with substantial empirical grounding (1999). Katz has outlined the normative or value foundations of alternative electoral systems, and establishes how consistent their empirical outcomes are with their objectives (1997). Powell has made a case for PR in terms of higher levels of political participation (1982, 1986). He argues for a closer correspondence of government policies under PR with those of the median voter than under FPP, and has identified MMP in Germany as a variant of PR that has best balanced the virtues of that system with acceptable levels of government accountability (1989, Huber and Powell 1994).

Perhaps the strongest argument against PR is that it can give disproportionate influence to a pivotal political party that can determine which major political party can govern. New Zealand's experience in 1996 appears to bear out this scenario. To a point it does, but the power of small parties in such situations is less than it seems. First, systematic empirical evidence shows that such small pivotal parties are most vulnerable to loss of electoral support when their choice is unpopular (Stevenson 1998). The experience of New Zealand First after 1996 fits into this pattern closely. Disproportionate power in the short term used with disregard for public preferences is likely to be punished, and political parties with that experience may be more cautious in future. Second, pivotal political parties often appear to have a choice but, in practice, are much more likely to agree to allow the largest party or 'plurality winner' to govern than to choose to exclude it from office. In only 12 per cent of the post-election governments in 11 PR countries in Europe since 1945 was the plurality winner excluded from office. This is the same proportion of plurality winners excluded from government under FPP by the failure of the electoral system to give them the majority of seats. Systematic analysis shows that the responsiveness of post-election government formation to voter preferences is not greatly different between FPP and PR systems. Differences between party systems and political culture appear to drive different levels of apparent democratic accountability far more than differences in electoral systems, although more research is needed to generate more robust evidence for this claim (Vowles 1999b).

The New Zealand experience so far bears out these inferences. In 1996 New Zealand First went into coalition with the plurality winner, National, which would have been able to form a single-party government if the election had been held under FPP. Even so, it was still punished electorally. As a result of the 1999 election a complete transition of government took place, quite clearly in accord with

majority public opinion, and without any undue influence by small pivotal players. After a shaky start, the experience under MMP indicates levels of democratic accountability no worse than immediate past FPP experience or indeed, as compared to what might be projected in any hypothetical post-1996 FPP counterfactual scenario.

Stability

There was a consensus in the 1940s and 1950s that proportional representation in Europe made a significant contribution to the collapse of democracies in many countries during the 1920s and 1930s. Government instability can be an obvious factor in democratic collapse. However, many PR countries survived as democracies, at least until invasion by Germany, and some democracies without PR also failed to survive the 1920s and 1930s. There is an intensifying consensus that the role of electoral systems in the collapse or survival of democracy was at most quite marginal. A more recent argument that PR fosters democratic collapse in new contemporary democracies is unconvincing (Boherer 1997; Vowles 1999a).

It is often claimed that PR governments are less accountable because in many PR countries governments change partially as coalitions drop some parties and include others, without apparent regard for public opinion. Cabinets rise and fall with monotonous regularity, and governments appear highly unstable. However in such circumstances the party composition of governments may change but key personnel involved may remain in office for many years. Some may leave a government briefly but return not long after. Apparent instability in governments as one Cabinet succeeds another masks considerable continuity in the individuals in government and often in their specific responsibilities.

High levels of Cabinet change in various countries is as much if not more associated with political cultures and party systems as with electoral systems, although the reciprocal relationships are hard to tease out. The experience in New Zealand is too brief for anything but tentative judgement. While no doubt stressful for those involved at the time, the outcome of the collapse of the National-New Zealand First coalition was a new Ministry that contained most of the individuals in the previous Cabinet, and with only one major principal excluded. Some survivors were demoted out of Cabinet, but retained Ministerial positions, in some cases much the same as before. As such, this Cabinet change was probably less disruptive of the business of government in anything but the short term than at least one recent series of Cabinet changes within the same party government under FPP. It is undeniable that governments under MMP require more management skills in the Prime Minister and indeed demand more of those generally involved than under FPP. It also seems clear that the majority of those in the two MMP governments have risen to the challenge and deserve more credit for this than is generally conceded.

Under MMP, most members of the first government formed remained in office without the need for an early election, and there seems a very high probability that the present government will remain in office for a full term. Under FPP over the last fifty years New Zealand has had only two 'snap elections'. The odds of a government having to call an early election no doubt rise under MMP, but it is worth reflecting that early elections are also called under FPP not just in New Zealand but also in Britain and Canada. Theory and comparative empirical evidence gives us reasons to expect less government stability under MMP in New Zealand than was the case under FPP. What remains at issue is whether such instability will be severe enough to cause significant damage to the process of government and to perceptions of New Zealand elsewhere and, also, whether that greater likelihood is a price worth paying for enhanced democratic accountability between elections. For this is, in part, how one can also interpret the fall of what had become a very unpopular coalition between National and New Zealand First. It would be desirable not to repeat events such as those related to the rise and fall of the first coalition under MMP. It is unclear whether such developments are less likely as the result of political learning among politicians. We support proposals for changes to the process of government formation to reduce the influence of pivotal players (Boston 1998). Modifications of MMP might also be used to reduce the odds of small parties gaining significant numbers of seats.

iv) **Knowledge of MMP**

Claims that MMP was a complex system too difficult to understand find support in research into the German electoral system, which indicates that significant numbers of German voters do not understand the purposes of their two votes (Jesse 1988, Roberts 1988, Schoen 1999; for an opposing view see Bawn 1999). If this were the case, MMP would indeed be a dubious system for New Zealand. Those who split their votes between a party vote cast for one party and an electorate vote for a candidate of another formed 37 per cent of all who cast both votes in 1996 and an only slightly lower 35.19% in 1999 (New Zealand Electoral Commission 1997, 2000).

However, extensive study of New Zealand split voting in 1996 indicates that where splitters had a clear independent party preference, 77 per cent cast their party vote in a way consistent with that preference. That could include strategic voting for another party, where that was a rational strategy. In general, MMP allowed more voters to cast votes consistent with their party preference than would have been the case if the 1996 election had been fought under FPP. As for the electorate vote, most voters' decisions to defect from their party vote preference with their electorate vote were broadly rational. They were either strategic in Duvergerian terms, associated with higher expenditure for the candidate chosen, or reflected a preference for another party's candidate, and were more likely among knowledgeable voters (Karp, Vowles, Banducci and Donovan 2000; Johnston and Pattie 1999).

Detailed analysis of split voting patterns in 1999 is not yet available. However, a wide range of knowledge items are available in the 1999 data, and displayed in appendix table A8. The first question was also asked in 1996. Understanding of the primacy of the party vote in 1999 was almost exactly the same as in 1996, despite a much lower budget allocated by the government for electoral education. This level of understanding is at least comparable to that in Germany, and may be slightly better (Banducci, Karp and Vowles 1998, 105). Moreover, there is a problem interpreting the 'equally' response. Almost certainly it is volunteered by at least some sophisticated respondents who are aware that the electorate vote could determine the largest share of seats in a close contest by means of an 'overhang', where a party receives more electorate seats than its entitlement as calculated from the party vote. For most respondents, however, the 'equally' response is most likely to reflect uncertainty or lack of knowledge. When prompted later in the questionnaire, a significantly higher 77 per cent indicated the primacy of the party vote and similar numbers recognised the threshold. About 20 per cent of split voters clearly signalled their ignorance of the roles of the two votes.

Opinions on the effectiveness of splitting are clearly distinct from the other two dimensions of understanding about MMP. Here we see the biggest difference between 'splitters' and 'straights'. Consistent with expectations, people who think splitting is the best way to maximise vote effect are less likely to be strong partisans ($r_s = .14$), but, contrary to expectations, people who think splitting is effective are no more or less likely to have strong candidate preferences. Subject to further investigation, we can perhaps interpret the propensity to split votes reflected here as a simple disposition to use the electoral system as fully as possible.

The final three questions reflect more specific uses of the two votes for strategic purposes. Not seeing the point of two votes under MMP is relatively strongly associated with opposition to MMP ($r_s = .42$). Given this, it is likely to substantially underestimate levels of understanding of the purposes of the two votes. A denial that the value of a party vote for National and Labour is low is partly associated with strength of partisanship for National and Labour, which may have the effect of slightly exaggerating this estimate of understanding ($r_s = .17$). The final question was inserted as an attempt to gauge the extent of understanding of the compensatory nature of MMP. If taken at face value, that understanding is low. However, because compared to other questions the level of understanding indicated is much lower than expected, these responses may be a 'yea-saying' response that simply reflects superficial attention towards the end of a long questionnaire to a question that was more complex than it looked. Its value may rather be that it identifies the quarter who did disagree as both the most sophisticated and the most attentive respondents.

Voter understanding under MMP in New Zealand is less than perfect, although it is a matter of speculation whether it could be said to be higher or lower than that found under other electoral systems. For

example, less than half of those interviewed in 1993 knew that under FPP 'the winning party may win a greater share of seats in Parliament than its share of votes' (Phoenix Research, 1993). Questions exploring the extent of voter knowledge of the characteristics of both FPP and MMP asked in our study of July 1998 indicate that there are many people with poor knowledge of both systems (Vowles, Banducci and Karp 1998). Voter misunderstanding would be a matter of concern if it could be shown to seriously distort the result of an election. There was no significant evidence for this in 1996. By simply counting as party votes the electorate votes of those not understanding fully the role of the party vote, we can estimate the maximum distorting effects of votes cast by those who apparently misunderstood the prime role of the party vote. This estimate is calculated by using the reported party vote of those who indicated that it is the most important and the electorate vote of all others. This provides a maximal estimate of the effects of voter misunderstanding: the real impact is almost certainly lower. The most significant effect might have been a 1.5 per cent vote deficit for the Labour party. There could have been a similarly marginal slight benefit to the centre-right in general (Vowles, Aimer, Banducci and Karp, 1998, 200).

On the same basis, in 1999 Labour might have gained a party vote higher by 1.3 per cent (from 38.7 to 40 per cent), and National a party vote higher by 1.1 per cent (from 30.5 to 31.6 per cent). All smaller parties would have done slightly worse. The overall centre-left/centre-right margin would have been different by only by 0.1 per cent to the left. This is hardly a picture of major distortion due to voter ignorance, although it is significant that misunderstanding, if that is what it is, appears to have the consistent effect of slightly boosting small parties at the expense of the two larger. This is what one would expect if some intending major party voters were 'throwing away' the party vote to a smaller party. This could, however, also represent strategic voting designed to assist smaller party allies over the threshold, for which there is clear evidence in 1996 (Johnston and Vowles, 1997). Had the 1996 election in New Zealand been held under FPP the 'mechanical effects' of the FPP system would have disadvantaged Labour and the centre-left even more in 1996 than the small evidence of misunderstanding under MMP (Vowles, 1998, 29). In 1999, the effects would have been extremely marginal, both between the two main parties and the two blocs.

These estimated maximum effects of bias due to lack of knowledge are small. Under a FPP electoral system, less informed voters often cast votes which are 'wasted' because they do not understand the strategic logic of the system. Even if they do understand that logic, many lack information about the odds of their preferred party's candidate winning the race. Because FPP electoral systems more strongly shape and channel political preferences than PR systems, they afford the most scope for strategic voting, thus requiring greater political sophistication and political knowledge if voters are to make their preferences most effective (Sartori 1994, 75; Cox 1997, 31). Yet levels of strategic voting

in multi-party FPP systems are much lower than they should be if all voters were to cast effective votes. Given this, the need for political knowledge and sophistication is at least as great under FPP as under PR systems. Voter misunderstanding and misinformation remain problems in New Zealand, but they are not unique to any electoral system. In all contemporary democracies, some voters will be poorly informed, and thus cast votes with consequences they do not anticipate. Rather than dwelling on electoral system design, those concerned about such matters would be better advised to advocate that more resources be assigned to promote general education about political institutions and processes, including the electoral system.

v) **Modifying MMP?**

Electorate MPs, List MPs and Open Lists

It is no secret that New Zealanders have been very unhappy about the performance of their politicians over the last few years. MPs are perceived to be unresponsive and unconcerned about the people they represent. Appendix table A9 indicates some trends in opinion since 1993. Two features stand out. First, more than half of the respondents continue to agree with two statements indicating considerable alienation from politicians. Second, the situation has been improving slowly since the introduction of MMP. Admittedly, one of the key questions asked in July 1998 produced the highest levels of dissatisfaction hitherto recorded. However, by the aftermath of the 1999 election the trend towards improvement continued once more. This trend may or may not be related to the experience of MMP. Theory and empirical evidence from other systems suggests that it could be, but we have no way of knowing what the situation might have been had New Zealand persisted with a FPP system from 1996 onward.

On one aspect of MMP, the evaluation of list MPs, the data appears less positive. Evidence from Germany has long indicated that many people there find it difficult to distinguish between constituency and list MPs. In New Zealand, by contrast, the distinction seems clear. This is probably because list MPs became one of the early targets of those opposed to MMP. List MPs are also less well-funded to carry out constituency activities than electorate MPs and are explicitly identified as such in the media, particularly television. Appendix table A10 shows that levels of dissatisfaction are higher for list MPs than for electorate MPs. This is far from unexpected, as list MPs rapidly became the focus of public concern after the first MMP election, particularly with the departure of Alamein Kopu from the Alliance to become a government-aligned Independent, and the experience of other 'party hoppers'. While party-hoppers included electorate as well as list MPs, the reputation of list MPs suffered most from that process. The table also shows that just over 80 per cent of respondents would approve of legislation to discourage party-hopping. The reservations about such legislation held

by politicians and some political scientists are not shared by most of our respondents.

Only 19 per cent of respondents could give the name of any person when asked if they knew anything about a list MP: Within this group, 15 per cent named an existing list MP and the other 4 per cent an electorate MP, usually in their area. Party hoppers had a higher profile among list MPs than their numbers deserved: they made up 25 per cent of those mentioned, and nearly 4 out of 5 of these respondents named one party hopper, Alamein Kopu. 56 per cent of respondents could give a name when asked for their electorate MP since 1996, suggesting that electorate MPs do indeed have a higher profile: most of these (49 out of the 56 per cent) correctly named their own MP. Only 2 per cent in this group named a list MP. When asked whether they approved or disapproved of how the job had been handled by a list MP about which they knew anything, 25 per cent who correctly identified someone as a list MP disapproved, compared to 14 per cent who disapproved of the electorate MP they correctly identified. Reallocating those who named list MPs as electorate MPs or who named electorate MPs as list MPs into the appropriate categories, 50 per cent named their electorate MP and 17 per cent named a list MP.

It could be that the reputation of list MPs has been tarnished not by personal knowledge or experience, but instead by the negative coverage of the activities of a small proportion of list MPs in the media. So far it remains unclear how much of this evaluation is second hand, perhaps distorted by the tendency of mass media coverage to highlight the negative rather than the positive aspects of the behaviour of politicians. Restricting the analysis to those who reported contact with their verified electorate MP or a verified list MP should go some way to avoiding this problem. First, contact with electorate MPs was substantially higher, reported by 13 per cent of respondents. Contact with a list MP was reported by only 4 per cent. However, appendix table A10 indicates that when contact was made, there was only a small difference in approval of how electorate and list MPs handled their jobs. Electorate MPs appear to have a slight edge, but the difference is not statistically significant.

This suggests that the difference is not necessarily one of performance, but one of exposure and access. A relevant question also is whether we should have the same expectations of contact with constituents for the two categories of MPs. It could be that list MPs tend to have a higher number of multiple contacts with smaller numbers of people who represent others as, for example, officeholders or officials in national organisations. Differential funding for support for list and electorate MPs may also limit the ability of list MPs to have as many contacts. As much of list MPs activity is not visible to ordinary people, they do not perceive list MPs as sufficiently visible and active. This makes it possible for public perceptions of list MPs to be shaped by stereotypical images transmitted through the media rather than by the actual performance of the majority as compared to the more highly

publicised performance of a minority. It is a matter of judgement whether or not the continuation of this situation is desirable.

Table A9 indicates that there is significant majority support for the principle of open lists, whereby voters can influence the order of election of candidates on the list for the party which they cast their party vote. For candidate choice among party lists to be meaningful, a system of regional lists might be desirable, although some system allowing elements of national allocation would be needed to preserve proportionality on a national basis. There are several examples of such systems from which lessons could be drawn.

The idea that the present closed party lists under MMP deprive voters of choice obviously has wide currency. Adoption of a voting method which enabled electors to choose a candidate from within a party list would accordingly be a popular move. Finland provides the simplest method, in which all voters are obliged to vote for a list candidate. Party lists are published and displayed in the polling booths, with candidates numbered, 1-n. The voter selects the candidate of the party he/she wishes to vote for and writes the number which is beside that candidate in a circle on the ballot paper. The number conveys both party preference and candidate preference. The aggregate votes for each party's candidates constitute a rank ordering of the candidates on the list, which indicates the order in which candidates may enter Parliament from that list.

The method has the double appeal of simplicity and of engaging the judgement of voters. It would, however, also harbour problems used in conjunction with an electorate vote under MMP. First, in giving the party vote a greater candidate focus, the distinction between the two votes under MMP may be blurred, to the extent that some voters may inadvertently fail to vote effectively for their preferred party. Secondly, the opportunity that closed lists provide for parties to achieve more diverse representation through high listing of minority group candidates may be subverted by voter choices which negate that intention. Thirdly, the presence of electorate candidates on the list may bring complications to an otherwise simple system. As an extreme example, the most popular candidates on a party's list may also all win electorates, leaving any top-up candidates from the list all the more conspicuous for having attracted very few votes. (The Finnish system is one of party lists only.) Fourthly, if electorate candidates are also on a party's regional list, it is highly likely that voters will choose their electorate candidate again when casting their second vote.

These problems would be less apparent with a ballot paper with a party vote section that made clear the party focus of the choice and allowed, but which did not enforce, a choice of a candidate within that party's regional list. This would require a more complex ballot paper. The problem of possible confusion between the electorate vote and list candidate preferences would remain. Most open list systems are

designed for pure not mixed PR systems, where such confusion would not be an issue. However, there are open lists in the German Land of Bavaria, which would provide a model that is presumably workable. If open lists are considered, we recommend close attention to the Bavarian ballot structure. Appendix D contains copies of a mock ballot paper obtained from the Bavarian Landtag. It seems reasonably clear that all second (list or party) votes must be cast by ticking in a candidate box under the preferred party, and that parties rank candidates in their preferred order. Given this, a person with no list candidate preference would be most likely to tick the person at the top of their favoured party's list. Further inquiries will be needed to establish answers to some crucial questions: notably, what about multiple candidacies? If a person can both run for the electorate and list, what is the status of a list vote for a person returned in an electorate? The structure of this ballot suggests that the 'blurring' between candidate and party preferences could remain a problem.

Open lists have implications for the working of MMP that warrant considerable caution. Furthermore, evidence from countries with open lists indicates that if given the choice most voters do not take up the option and prefer simply indicating a party preference. Given this, choices made by those who do indicate candidate preferences have little influence on the orderings of those elected, except in a few cases. **We would support the development of a system of open regional lists only if a national 'top-up' element is retained sufficient to maintain at least the present proportionality of MMP.**

Strategic Voting and Party Manipulation

There were fears expressed at the time of introduction of MMP that parties might manipulate the system, seeking to distort proportionality to their advantage, with the additional effect of increasing the size of Parliament due to large overhangs. Parties would either split or form electoral alliances. The proposal that parties split to form electorate-only and list-only parties was far-fetched, and was discouraged further by changes to electoral law. However, there has been some strategic voting fostered by local alliances between small parties and large ones.

The United party is in a position where it could have provided a small overhang to assist the centre-right at both 1996 and 1999 elections. National has stood aside twice in the Ohariu-Belmont electorate to allow United party leader Peter Dunne to take the seat. However, both in 1996 and 1999 United attracted a sufficient party vote to merit a single seat on a party vote basis. The benefits to anyone but Peter Dunne and the constituents who value his services as a local MP were extremely marginal. In 1996, the National party effectively abandoned its Wellington Central candidate and encouraged a vote for Act's Richard Prebble. Prior to that decision, it was by no means clear that Act would cross the threshold for representation, but the consequent greatly increased odds of Act achieving that goal allowed the party to increase

its party vote to further confirm its success. Both National and the Alliance stood down their candidate in Wellington Central in 1999 to allow a straight fight between Act and Labour. Like National in Wellington Central in 1996, Labour encouraged an electorate vote for the Greens in Coromandel in 1999. Polls indicating a likely Green win in Coromandel almost certainly had the effect of pushing the Green party vote up over 5 per cent.

The role played by the winning of one electorate seat under MMP increases the stakes for such strategic behaviour by political parties. It is questionable whether such behaviour is in the interests of voters and it may have the effect of reducing the credibility and legitimacy of the electoral system. The intentions behind the decision to make winning an electorate a means for a party to cross the threshold were to recognise parties with significant local support and increase the odds somewhat for small parties to gain a significant number of seats. Arguably, these goals have been perverted by the strategic use of the electorate threshold by local alliances – either open or tacit – between a large party and a small one. On the other hand, the existence of the electorate threshold, as originally intended, does make it significantly easier for small parties with significant support to cross the threshold. Both Act and the Greens may owe their parliamentary presence to its existence.

Raising the Threshold

If it is desired to increase public support for the electoral system, the most obvious way would be through raising the threshold. Appendix table A6 indicates that while 40 per cent of respondents believe a party with 40 per cent of the votes should only get 40 per cent of the seats, and about 20 per cent believe it should get more than half, another twenty per cent say 'somewhere between'. There also appears to be continued support for a system that encourages coalition rather than single-party governments. To a limited degree, MMP generates a 'somewhere between' situation. In 1999, Labour's share of seats was slightly more than two per cent higher than its share of votes. Had New Zealand First and/or the Greens failed to cross the threshold, it would have been higher again. It is likely that those indicating 'somewhere between' had a somewhat larger rather than a small seat enhancement in mind.

Responses to a question on minority government also suggest that New Zealanders would be more comfortable with a system that is more likely to generate majority coalitions. Had New Zealand First and/or the Greens not crossed the threshold, the present government could have been constructed as a majority coalition. We asked: **'Sometimes one or more parties can govern with less than half the seats in Parliament as a minority government. In general, do you think that it is good that a government has more than half the seats in Parliament, or it does not matter whether a government has more or less than half the seats in Parliament, or is it good that a government has less than half the seats in Parliament'**. 56 per cent indicated a preference for

majority government, 22 indicated it did not matter to them, and only 4 per cent preferred minority government. Appendix table B8 indicates that candidates are more likely to take an agnostic view about minority government than voters, but very few embrace it.

We must acknowledge some doubts about the reliability of this question. It is one of the more complex we ask, and it could be argued that meaningful responses to it might require more knowledge about how government works than the average citizen possesses. It is also worth recalling that support for MMP remained relatively strong until the 1996 election, and in the parliamentary term leading up to MMP there was a significant period of minority government. There is no evidence that New Zealanders responded negatively to the experience of minority government: indeed, if anything there is some evidence to suggest that they tend to be more positive about MMP when minority governments are in office. Informed analysis indeed indicates that many of the goals and expectations of MMP – less 'dictatorial government' and more inclusive decision-making – are more likely to emerge under minority government. It is also relevant that the clearest cases of strong accountability of government composition through the electoral process under PR electoral systems can be found in Scandinavian countries with frequent experiences of minority government. For these reasons, some political scientists would argue that PR is likely to work best in New Zealand under minority government.

Given these uncertainties and inconsistencies, we do not think it appropriate to recommend that the threshold be altered to reduce the odds of smaller parties gaining significant seats through the electorate route. Indeed, those responsible for this submission are divided on this issue. We are, however, unanimous in recommending it as the most appropriate matter for referendum. Allowing a party with less than 5 per cent of the party vote to retain an electorate seat or seats is not of course at issue: at issue is whether or not it should receive further list seats. The absence of the electorate-threshold option would have had significant effects both in 1996 and in 1999, making secure majority governments much easier to achieve. We appreciate that small parties for whom winning an electorate might be a foundation of their parliamentary existence are unlikely to favour this proposal. A modification could perhaps be considered whereby the party vote threshold falls to 4 per cent as originally recommended by the Royal Commission, while the winning of an electorate no longer provides a route to further list seats for parties gaining less than four per cent.

Other Alternatives: Neither FPP or MMP?

We do not recommend consideration of other alternatives to MMP at present. This is because in the present circumstances we advise incremental change to the status quo. A further radical change in the electoral system would not be in the interests of political stability or of political education. New Zealanders need further time to absorb the

implications of the shift to MMP. Removal of the electorate threshold and the development of open lists seem to us the maximum desirable change at present. We address the main other options below, in order to establish why they are undesirable.

a) The Supplementary Member System (SM)

In a supplementary member system, depending on the size of the House, proportional allocation of seats would apply either to only about a third of the seats, or otherwise to somewhat less than a half. We argue that in either form SM would share the main vice of FPP, while minimising its virtues, and of course would not address one of the main problems identified with MMP, namely, the status of list MPs.

SM is attractive to its advocates because it could be introduced with relatively minor legislative amendment and, superficially, would appear to retain the main features of MMP. It is therefore often presented as a compromise 'semi-proportional' system and more recently, as a 'modification' of MMP rather than a different system. The degree of its proportionality would, of course, be determined by the ratio between electorate seats and list seats. A 50:50 ratio would be a semi-proportional compromise. If list seats were less than 50 per cent, the 'compromise' would turn in FPP's direction. Currently the ratio under MMP is 53 list to 67 electorate seats: a 44:56 ratio towards the electorates.

The Royal Commission on the Electoral System estimated what the effects of SM might have been at several elections from 1969 to 1984, on the assumption that the aggregate shares of electorate and SM votes would have been the same. With the addition of 30 proportional seats, the percentage of seats won by the winning party declined on average by about 3-4 per cent. SM would have given single party majority government to the parties that won under FPP for all elections except for 1981, when Social Credit would have held the balance of power. In 1978 and 1981 SM would still have given more seats to National than Labour, despite Labour having won more votes. Extrapolating this scenario to a list/electorate ratio of 53:67, that of the present under MMP, 1969 would have seen Social Credit narrowly holding the balance of power. Social Credit would have also done so in 1978 and 1981 – but National would have still held the most seats despite winning fewer votes than Labour. This is one of the most serious inadequacies of the SM system. MMP is a 'compensatory' system, because list seats are allocated in a way that compensates for the tendency of FPP systems to sometimes give more seats to the party coming second in votes. SM would only have addressed the problem of the 'wrong' party 'winning' in 1978 and 1981 by throwing the balance of power to Social Credit.

What if the 1996 and 1999 elections had been held under SM? 120 seat and 99 seat Parliaments can be compared under this scenario, and somewhat more reliably than the Royal Commission using pre-MMP elections. With 120 or 99 seats, a National-New Zealand First coalition would have been as logical an outcome under SM as it was under MMP. In both cases Labour, New Zealand First, and Alliance could have been a three party alternative coalition. In 1999, again under both 120 and 99 seat scenarios, a Labour single-party majority government would have been the outcome.

In the context of these estimates, one has to ask: what is the object behind the SM system? It would make single-party majority governments more likely, but they are not necessarily what the most part of New Zealanders want. More specifically, SM would not have prevented the National-New Zealand First coalition, the experience of which is claimed to have demonstrated MMP's worst failings. If so, those failings would have been those of an SM system as well. SM would, however, have allowed Labour to become a single-party majority government in 1999. Yet the evidence from our data is that, a coalition was the sort of government most New Zealanders wanted, at least in the weeks after the 1999 election, although they would have preferred it to have a majority in the House rather than its minority status. This was a situation MMP almost delivered, had it not been for 32 voters in Tauranga, via the electorate threshold. SM would have 'overcorrected' the situation in 1999, and would have failed to correct the problem – if it is seen as one – in 1996. Further, SM's failure to compensate for the problem of one party getting more seats but fewer votes adds another sting in its tail which would almost certainly emerge at some future election.

SM would also have other possible problems. It is possible that it might encourage higher levels of vote splitting, and higher list votes for small parties than is presently the case for the party vote under MMP. Voters for larger parties would be even more tempted to cast a list vote for a smaller party they identified as a coalition partner and large parties could no longer argue against this temptation that the party vote is most important. Thus overall SM outcomes might be closer to MMP than our estimates allow. SM would allow the survival of small parties with representation somewhat less than half of what it would be under MMP. When such parties did become pivotal, as would almost certainly happen from time to time, they would be less responsible and less well-resourced, making them less reliable partners. On the surface, SM looks attractive, but only at that level.

b) The Single-Transferable Vote (STV)

STV is one of the most attractive electoral systems to experts, but its use is relatively infrequent. Its requirement of preferential voting in multimember electorates makes voting under STV quite different from that under either FPP or MMP. While STV has many desirable features, and should be considered as an option for longer-term consideration, we believe that this is not the time to propose it for national elections in New Zealand. If its use proves popular for local government elections in future, then the matter could be reconsidered.

STV's key advantage would be to provide for proportional representation while maintaining a direct link between constituents and MPs. However, this direct link would be within the framework of multi-member districts or electorates (MMD) rather than single-member districts/electorates (SMD). Because the proportionality of STV is directly linked to the number of candidates returned by each electorate (the 'district magnitude'), five member electorates would be desirable for reasonable proportionality. These could create problems in sparsely populated areas, which might be partly resolved by a three-member option for rural areas. But this would raise the threshold for small rural-based parties.

Neither does pure STV fully guarantee that the party with the most votes gets the most seats, as experience in Malta in 1981 indicated. A small top-up element may be added to solve that problem, as has since been the case in Malta. Such a mechanism could also be used to set a national threshold for small parties, and remove rural-urban bias due to different district magnitudes, thus effectively introducing a small party list element. Such a list element could remain very small because its compensatory role under STV would be needed only at the margins.

There are other disadvantages. Such a strongly candidate-centred system may encourage excessive parochialism and competition within political parties that might detract from the legislative responsibilities of MPs. There are means by which parties can seek to strategically manipulate its results, particularly in the choice of the number of candidates they run. We would oppose a ballot paper which allowed voters to tick a single option which selected a set of preferences set out by the political party of their choice, as this would expand even further the dangers of strategic manipulation. The ordering of names on the ballot also has an influence, although there are ways of addressing that problem. Aspects of the Irish experience provide evidence for many of these fears. Neither does STV appear to encourage womens' representation, although this may be more because of the conservatism of the societies in which it is practised than a necessary feature of the system itself.

c) Preferential Voting

Like SM and STV, preferential voting was considered by the Royal Commission on the Electoral System and incorporated as an option for reform at the 1992 referendum. PV is a majoritarian system which tends to enhance representation for large parties, while allowing the secondary preferences of voters for small parties to be counted. However its use is almost entirely confined to Australia, which has a relatively unique party system, making inferences about the consequences of its adoption under different circumstances highly speculative.

Like SM and pure STV, PV does not fully guarantee that the party with the most votes gets the most seats, even on a 'two-party preferred' basis. It is probably even more effective at manufacturing single-party majorities than FPP. The effects of this may not necessarily contribute to political stability. PV was adopted in Fiji in its 1997 Constitution. At the 1999 Fijian election, about 32 per cent of first preferences for the Fijian Labour party delivered a parliamentary majority for that party, a factor which almost certainly contributed to the collapse of constitutional government the following year (Fraenkel 2000).

A problem lies in the sources of later preferences. If these are not authentically chosen by the voters, but instead are those indicated by the party that is given the first preference vote, then the way the system works reflects more the strategic calculations of parties than the authentic wishes of voters. In Australia, parties provide 'how to vote' advice which is widely followed. In Fiji, voters could indicate on the ballot paper that their subsequent preferences were those defined by their first-preference party. Compulsory voting in both systems almost certainly contributes to the influence of these features. As with STV, we would oppose options which would allow voters to follow party generated preferences on the ballot paper. However, it would be impossible to prevent parties from distributing 'how to vote' cards, although this could at least be prevented on election day.

A better majoritarian model may be the 'second ballot' system used in France and briefly, in New Zealand before World War I. In this, candidates with absolute majorities are elected but in other electorates there is a run-off a week after the election between the two highest polling candidates. However, the consequences of this system may not necessarily be majoritarian. In France its use is associated with a multi-party system requiring coalition governments. In pre-World War One New Zealand the system was adopted by parties wishing to prevent the rise of Labour representation: if anything, the system assisted Labour candidates.

d) MMP Reviewed

Despite a chorus of extreme argument against MMP over the last few years, it compares well against the alternatives. Indeed, there is now some support for its introduction in Ireland and, more recently, in Italy. MMP is a moderate form of PR with a relatively high threshold that discourages an excessive proliferation of small parties. Because it incorporates a list system, it generates women's and minority representation more effectively than non-list based alternatives. Because the list is compensatory the odds of the party with the most votes gaining the most seats are much higher than in the alternative systems on offer for New Zealand. Only in a situation of extreme overhang could the 'wrong' result occur, and the probability of such an overhang should be zero if the ratio of list to electorate seats is maintained at no worse than 40:60. In fact, biasing effects of overhang could be completely avoided by allowing the number of list seats to also rise to correct for any bias generated by electorate seat overhang, as is provided for in 11 out of 16 German Land electoral systems. If the size of the House were to be reduced (see below), or if the proportion of list seats otherwise falls below 40 per cent, we would strongly recommend the adoption of such an overhang-compensation mechanism in New Zealand in order to maintain the proportionality of MMP. Appendix C lists the Lander with this system and gives an example of its legislative application.

We have identified two perceived problems in MMP. First, the threshold may be too low, because of the electorate pathway to gaining list seats below the 5 per cent party vote. Second, list MPs may not be sufficiently visible to, accountable to, or in contact with ordinary voters. Both problems can be addressed by modifications to MMP that would correct these weaknesses without destroying its strengths. A third problem, the declining proportion of list seats, need not necessarily be addressed until after the next redistribution, unless the size of the house is reduced, at which point it would become urgent.

5. On The Results of the Referendum of the Size of the House.

i) The Results of the Referendum.

At the referendum held at the time of the election 81.5 per cent voted for a reduction in size of the House, and 18.5 per cent against it. Turnout on an age-eligible base was 74.8 per cent of the adult population. On the face of it, this was a substantial expression of public opinion. However, the results require critical review.

Under the 1993 Citizens' Initiated Referenda Act the results of such referendums are non-binding. Parliament reserves the right not to act in accord with the results of the referendum. One reason for Parliament not to

act has been identified has a low turnout. While turnout in the referendum was high, this was guaranteed by the conjunction of the referendum with the parliamentary election. Had the referendum been on a stand-alone basis, turnout would have been substantially lower. Turnout for the non-binding 1992 electoral referendum was only 55 per cent of the roll (compared to 82 per cent of the roll for the 1999 referendum on the size of the House).

Turnout for the non-binding electoral referendum of 1992 was almost certainly greatly enhanced by the substantial programme of public education prior to the referendum, and by active campaigning on behalf of the two main points of view. By contrast, there was almost no campaigning associated with the referendum on the size of the House, and no programme of public education. Had the referendum been held on a stand-alone basis under those conditions, turnout would have almost certainly been at a maximum somewhere near half what it was.

Had there been a public education campaign, the size of the margin would have probably been much reduced. There were a small number of public meetings at which the issue was discussed and debated. Most who spoke to such meetings to present the view that 120 MPs should be retained found it quite easy to shift opinions among a substantial number of those present. It was clear that many people had simply never encountered the arguments against reduction of the size of the House and intended to vote to reduce the size of the House simply because they thought it would be a means to 'punish' politicians. Generally there was little or no public debate about the size of the House. During the election campaign, the issue was almost completely crowded out, save for one very brief item on television news on each channel. Prior to the election campaign, there was a certain amount of newspaper and magazine coverage of the issue, but this would have reached no more than a small fraction of eligible voters.

Given this, it is reasonable to suggest that most who cast votes for a reduction in the size of the House were not aware of the arguments against such a reduction. During the campaign wave of the NZES, 35 per cent of those sampled said they had not even heard of the referendum. Those who had not heard about the referendum were about 6% more likely to say they would vote for reduction in the size of the House. In the post-election sample, there was a relationship between vote in the referendum and education, with support for retaining 120 MPs rising to 36 per cent among the university-educated. Across a three-item scale of political knowledge, there was a similar relationship, with 27 per cent of the most knowledgeable respondents (28 per cent of the sample) favouring retaining 120 MPs. Even among the most educated and politically knowledgeable voters there was almost certainly a considerable deficit in knowledge about parliamentary processes. We simply cannot say how a more adequately informed electorate might have voted in a referendum between elections.

ii) Should the Referendum Result be Heeded?

We have no data on how strongly people felt when they voted in the referendum. Those who feel strongly will no doubt expect Parliament to heed the result. Those who do not feel strongly may be less concerned. The NZES asked respondents a series of questions about referendums in general. Appendix table A15 indicates that only about a third of the electorate believe that the results of referendums should be automatically implemented by Parliament. There is considerable agreement that Citizens' Initiated Referendums are an important signalling device, and that voters are competent to use them. However, large numbers of respondents were uncertain about whether or not Parliament should legislate according to their results, and the most part were prepared to recognise parliamentary sovereignty. If Parliament maintains the number of MPs at 120, there will almost certainly be strong objection. But it is likely to come from a minority only.

It is our view that the absence of debate and information make the result of the referendum badly flawed, and its timing with the election made the turnout useless as an indication of the degree of public concern. Despite continued high levels of dissatisfaction with MPs, our data since 1993 indicates that levels of dissatisfaction have somewhat declined since the adoption of MMP.

6: The Ratio Between List and Electorate Seats

6.1 Section 35 of the 1993 Electoral Act defines the basis on which the country is divided into General electoral districts. The key feature of this is the pegging of the number of South Island districts at 16. This number, when divided into the South Island electoral population then determines the size of the population quota for all districts. Because the population of the North Island is growing more rapidly than that of the South Island, the effect of section 35 is to increase the number of electorate seats overall, and to locate these additional districts in the North Island. As a result of section 35, the total number of General electoral districts increased from 87 to 99 between 1975 and 1993.

This incremental growth effect will continue under MMP. If the MMP Parliament is pegged at 120 seats, and the additional electoral districts are deducted from the list seats, the effect of section 35 will have obvious implications for the working of MMP, by eroding the balance between list and electoral seats. Since it is the function of the list seats to compensate parties underrepresented on the FPP contests in the electoral seats, some loss of proportionality is bound to result in time. If the size of Parliament were to be reduced to 99, at the expense of the present number of list seats, this effect would occur all the sooner, along with other effects on representation of minority groups and women, as discussed in sections 7.6(v), and 9 of this submission. If, as was the case for the FPP Parliaments, the total number of Parliamentary seats is allowed to rise slowly above 120, with the

addition of electoral districts, the effect on MMP will be slower. The effect of section 35 would only become benign if the number of list seats were to be increased by the same number as electoral districts after each census, thus maintaining the ratio of list to electoral seats. However, this rate of increase in the size of Parliament is likely to be unacceptable to most electors, at least in the present climate of opinion.

In summary, section 35 had no effect on the functioning of FPP as an electoral system; it will have effects on the way MMP works, gradually undermining the intentions of the MMP system. Even for opponents of MMP, it would be hard to defend a mechanism like section 35 that subverts an electoral system. Thus we conclude that section 35 requires amendment.

The most obvious way is to remove the South Island-based formula for calculating the electoral quota (at present 1/16 of the SI electoral population), and adopt a nation-wide basis - 1/60 of the General electoral population (assuming 60 electoral districts in the future). An alternative approach would be to peg the number of list seats at a minimum of 48 out of 120 (40 per cent, which is estimated to be the minimum necessary to avoid overhang), thus allowing a maximum electorate seat total of 72. The effect of this approach would be (a) to hold the size of Parliament to its present numbers; (b) to gradually increase the number of electors in each district; (c) to gradually reduce the number of districts in the South Island by removing the 'floor' of 16. The latter two effects are slow processes, and could be further mollified by amending section 36 (see below).

- 6.2. Section 36 allows for a 5 per cent population tolerance in the drawing of electoral district boundaries. Under PR systems, like MMP, small tolerance levels are less crucial to a fair election outcome, as fair party representation is results from the operation of the compensatory list seats, more than a fairly strict equality of electors in each district.

To alleviate the effect of abandoning the SI basis of the electoral quota, especially on the larger districts, which are also mostly in the South Island, we believe that the 5 per cent tolerance be increased to 10 per cent. While lessening the precision of the 1-vote/1-value principle among the electoral districts, this has no effect on the fairness of the contests in each separate district, nor does it detract from the proportionality of the overall election outcome, which is determined by overall party votes, not the sum of votes cast for party candidates in each district. The likely effect of raising the tolerance to 10 per cent would be to re-introduce a slight 'country quota' into the electoral districts. Parties concerned with this could compensate with a similar slight counter-weighting in favour of city-based list candidates.

- 6.3 If the number of list seats is allowed to fall below 40 per cent, then the proportionality of MMP is at risk. As proportionality is one of MMP's main objectives, this should be avoided. A mechanism to maintain

proportionality exists in most German Lander, where the size of the legislature can increase above normal not only by the addition of overhang seats but also of extra list seats to compensate for electorate seat overhangs (for more details, see Appendix C). The additional seats are temporary, and only required when electorate seat overhangs exist. The number of extra seats required would be relatively small, and relatively infrequent, but if the percentage of list seats were allowed to continue to fall the chances of significant temporary increases would increase. In the German Land of Northrhine-Westphalia, in a House in which list seats constitute only a quarter, the size of the House frequently increases by about 10 per cent. While in their present mood New Zealanders are unlikely to approve of any mechanism that would increase the size of the House, they might be more likely to accept a mechanism that would only increase the number of MPs to a limited degree and on a temporary basis, and that only rarely, at least for several elections into the future.

- 6.4 Assuming that 120 seats is the maximum size of Parliament for the medium term at least, our preference, however, would be for a pegging of the number of electorate seats at 72 and list seats at 48. The South Island target of 16 electorate seats would be abandoned, but an increased tolerance to 10 per cent could allow some compensation for the size of rural electorates. If the House were reduced in size at the cost of reducing list MPs to below 40 per cent, there would be a compelling case for the introduction of an overhang compensation mechanism. In the long run, any experience of overhang should trigger consideration of a compensation mechanism. In our view adoption of such a mechanism would be highly desirable because it would guarantee the proportionality of results, particularly between large parties. We view this as one of the key requirements of a democratic electoral system.

7. Maori Representation

- 7.1 Despite its long history, separate Maori representation remains a controversial issue in New Zealand. The NZES asked two relevant questions to its sample of all New Zealanders. First we asked: **'do you think the future of the Maori seats in Parliament should be decided by Maori, or by all New Zealanders?'** 75 per cent responded 'all New Zealanders', only 20 per cent 'Maori alone'. Second, we asked: **'What do you think should be the future of the Maori seats? Do you think we should get rid of the Maori seats, keep the six we have now, or have more Maori seats?'** 41 per cent responded that we should keep the present six seats, 40 per cent that we should get rid of them, and 7 per cent that we should have more Maori seats. This indicates reasonable support for the continuation of the status quo, but not for an acknowledgement of a fundamental Maori right to independent representation regardless of the preferences of all New Zealanders.

- 7.2 Surprisingly, Maori differ little from other New Zealanders on these matters. Appendix table A17 shows that Maori on the general roll follow the same pattern as other New Zealanders on the issue of who should decide, while Maori roll respondents are only a little more likely to say 'Maori alone'. On the existence of the Maori electorates, Maori on the general roll are more supportive than others on the general rolls, while Maori on the Maori roll are of course most strongly in favour, 50 per cent believing there should be more Maori electorates.
- 7.3 The data indicate that there is considerable support for the continued existence of the Maori electorates. A proposal to abolish them would not have majority support. Among Maori, particularly those on the Maori roll, they are highly valued.
- 7.4 What may remain at issue is the number of Maori electorates, and how that is determined. In our view the present provisions are the correct ones, as they determine the number of Maori electorates on the same basis as the general electorates. The previous limitation of the Maori electorates to four had no principled justification. A case has been made recently that the numbers voting in Maori electorates are small, and therefore that the number of those electorates should be reduced. However, to determine the number of Maori electorates by the numbers voting at a previous election would be to again set up different criteria for determining Maori and general electorates. Turnout varies among general electorates, and a consistent approach would bring that into the definition of general electorates. This would be difficult to implement, and would be hard to justify. We also know that turnout varies according to age, with younger voters less likely to vote. This is one reason why turnout is lower in Maori electorates, as their voting populations are younger than average. Should we then take account of the age structure of electorates when we assign their populations, reducing the numbers per electorate where there are higher numbers of younger people? There are few if any who would wish to defend such a proposal, the logic of which is the same as that suggesting a reduction in the number of Maori electorates due to low turnout among those enrolled in them. Our electoral arrangements are predicated on equality in the right to vote, not absolute equality of every single vote cast. Even more significant, electoral boundaries are determined on total electoral populations, which include persons not of voting age. As those persons cannot vote, any argument that high levels of nonvoting would justify reduction in the number of Maori electorates becomes even more flawed and inconsistent.

8. Turnout

One argument for the shift to MMP was that it would enhance turnout. This was an attractive argument for MMP, as turnout has been in decline in New Zealand since the 1950s, save for a recovery between 1975 and 1984, and at the first MMP election in 1996. However, turnout fell back in 1999 to perhaps the lowest level experienced in New Zealand, at least

on an age-eligible base. There is evidence of turnout decline in most democracies, particularly during the 1990s (Wattenberg 1998). Nonetheless, in the context of a transition to a PR system the 1999 decline in New Zealand is unexpected, and needs to be examined.

Research published in the international literature has shown that, net of other relevant factors, proportional representation fosters increased turnout (Powell, 1982, 1986; Jackman 1987, Jackman and Miller 1995; Blais and Carty 1990; Franklin 1996). Explanations vary, and there is no consensus in the published literature about the mixture of precise reasons for the difference. Estimates of the effects also vary, but studies have consistently shown that net of other factors turnout in PR countries is higher, at a minimum of 3 percent (Blais and Dobrynska 1998) and at a maximum of 12 per cent (Franklin 1996).

Under FPP in New Zealand, turnout among the eligible population averaged 82 per cent in the 1980s and 77 percent in the 1990s. Averaged over the last two decades, New Zealand's turnout is around the mean when compared to other Western democracies. New Zealand's turnout no longer remains high in international terms (Vowles 1998b). Turnout decline has been attributed primarily to partisan dealignment and a decline in party mobilisation of voters (Vowles 1994).

In 1996 at the first MMP election turnout increased for the first time since 1984, providing apparently strong evidence for the positive effects of MMP. As a percentage of the age eligible population, turnout measured by valid votes increased from 76.7 to 78.4 percent. As a percentage of the enrolled electorate, official turnout increased from 85 percent to 88 percent, although there were one percent fewer electors enrolled in 1996 (Electoral Commission 1997, 2000). Although not large, the increase in turnout was a reversal of the downward trend, and an encouraging start for MMP. From a comparative perspective it was unusual, given the fact that turnout has been declining in most OECD countries in the 1990s (Wattenberg 1998). The effects were particularly strong among Maori.

In 1999, however, age-eligible based valid vote turnout decreased by 3.5 points to 74.9 per cent. About one percentage point of this decline may be an artefact of an expanded age-eligible population base due to adjustment for a 1996 census undercount. The remaining real decline can be estimated at about 2.5 per cent. Anecdotal reports of problems in election day organisation suggest that long queues may have discouraged voting in some areas of the country, although there appear to be no precise estimates of what effects this may have had on turnout. Dissatisfaction with coalition politics may have contributed to what remains of the decline in turnout. While research indicates that PR may increase turnout, multiparty systems and the frequently consequent coalition governments may contribute to a reduction in turnout where the link between an individual's vote to the formation of a government is less clear (Jackman 1987; Jackman and Miller 1995). Higher turnout in

PR countries without controlling for other factors nevertheless indicates that in most cases the effects of PR offset those of coalition government (International IDEA 1997). The depth of disillusion with coalition politics in 1997 and 1998 may have carried through into lower turnout in 1999, even though more positive hopes in coalition government may have been reviving.

Another factor in lower turnout is negative campaigning (Ansolabehere and Iyengar, 1995). While there is no evidence that this increased significantly in 1999, it is worth reflecting that since the 1996 election there has been more visible public criticism of politicians and their personal conduct, increasingly within Parliament itself. Associated with the campaign to reduce the size of the House, this rhetoric may have had negative effects on turnout.

Very recent comparative research using new individual-level data from 18 countries suggests a further explanation for higher turnout in PR countries that may resolve a large element of the uncertainty in the literature and contribute to our understanding of the New Zealand case. PR tends to foster stronger party identifications, because the wider choice of viable parties means that a larger number of voters can feel more closely attuned to a political party (Karp and Banducci, 2000). A close association between party identification and turnout is well-established in the literature, and time series analysis indicates that declining party identification was significantly associated with declining turnout in New Zealand up to the 1990s (Vowles 1994). Between 1996 and 1999, NZES data indicates that party identification in New Zealand declined by seven percentage points and strong party identification by four percentage points. Another possible explanation for higher turnout under PR is that parties make a better effort to mobilise all voters nationally, not just those in marginal seats (Gosnell 1930; Tingsten 1937). It may be that parties in New Zealand have not yet fully adjusted to the organisational implications of MMP. Membership of registered political parties fell from 1996 to 1999, suggesting that political parties had fewer resources for campaigning. Campaign expenditure by political parties was significantly lower in 1999 than in 1996. Even more significantly, estimates of campaign contact of voters by political parties indicate a significant decline in 1999. NZES data shows that total contacts with voters by National, Labour, New Zealand First, Act and the Alliance were 20 per cent lower in 1999 than in 1996 (appendix table A15). Even the winning party in 1999, Labour, made contacts with voters that were 13 per cent lower than its contacts in 1996 (appendix table A16). There is strong evidence that direct contact between political parties and voters is one of the most effective means of enhancing turnout. These elements of party performance and public confidence in political parties together suggest that PR systems may provide opportunities to enhance turnout in the longer term but that the performance of political parties both in and out of government is a key intervening variable. If parties make less effort to directly mobilise

voters, commitments to them will be weaker, and turnout will suffer, particularly during a period when politicians are unpopular.

Greater apparent satisfaction with coalition politics after the 1999 election could contribute to a recovery in turnout at the next election, if that satisfaction persists. This, in turn, will depend on the conduct and quality of government in New Zealand over the next few years. But better performance from political parties in general and consequent stronger public support for them may be necessary to lift turnout to a higher level made possible by the shift to MMP. Perhaps even more important, political parties now allocate a large proportion of their resources to campaigning through the mass media, and pay less attention to making direct contacts with voters. Media campaigning, particularly if it has a strong negative component, may actually depress turnout. If parties increasingly lack resources to campaign at grass roots as effectively as in the past, there may be a case for increased state funding to allow political parties to campaign effectively, not just through the media, but also by making contact with voters directly.

Appendix Tables A
New Zealand Election Study Mass Samples, 1993-1999

Table A1: Would You Vote to Retain or Replace MMP?

	MMP	FPP	Other	STV	All Alternative	DK	N
1993 referendum	54	46	-	-	-	-	2321664
1996 election	49	37	-	-	-	14	4136
July 1998*	35	33	20	4	57	7	491
Pre-election Nov 1999*	46	28	17	3	47	7	673
Post-election	39	33	10	3	46	16	5505

* Telephone polls. The November 1999 data is from the last 7 days before the election.

All five rows of data exclude respondents who did not vote at the election or did not express an intention to vote for party in the intervening period samples. This slight restriction of the sample reduces the 'don't know' category to the advantage of the others, but provides a better time series from the 1993 baseline.

Table A2: Retaining MMP by Party Vote or Party Vote Intention

	Labour	National	Alliance	ACT	Green
1993 referendum	68	24	82	*	*
1996 election	59	24	76	nm	*
July 1998	33	31	51	22	nm
Nov 1999	47	38	51	42	69
Post-election	44	23	56	27	62

* parties not existing or contesting in 1993

Table A3: Some people say MMP has been a disaster and we should get rid of it as soon as possible. Others say MMP has been a success and we should keep it. Others say it is too soon to tell. Which is closer to your view?

	Rid	Keep	Too Soon	DK	N
July 1998	40	6	49	5	478
Nov 1999	36	12	49	4	672
Post-election	29	12	51	8	5495

All three rows of data exclude respondents who did not vote at the election or did not express an intention to vote for party during the intervening period.

Table 4: After the coming election, what sort of government would you prefer (Generally speaking, do you prefer) - a government made up of a single party or a coalition government made up of more than one party?

	Single party	Coalition	DK	N
July 1998	58	40	3	491
Oct-Nov 1999	46	52	2	635
Post-election	44	47	10	5478

All three rows of data exclude respondents who did not vote at the election or did not express an intention to vote for party during the intervening period.

Table A5: Generally speaking, do you think that a government formed by one party, or one formed by more than one party, is better at doing the following things?

	One party best	More than one best	Both the same	Don't know	N
Providing Stability					
1993	45	34	8	13	1978
1996	46	35	10	10	3999
1999	57	25	11	8	4885
Making tough decisions					
1993	36	46	8	11	1959
1996	35	47	9	9	3961
1999	42	40	11	7	4851
Keeping Promises					
1993	17	59	13	11	1969
1996	20	59	12	10	3996
1999	30	43	17	9	4861
Doing what the people want					
1993	13	64	12	12	1973
1996	10	63	15	12	3992
1999	19	51	19	11	4850

Table A6: Attitudes to Proportionality

	Agree	Disagree	Neutral/ DK	N
An election should –				
Provide a government at least half the people voted for	62	11	27	4600
Give each party a percentage of the seats in Parliament equal to its per cent of the party vote	60	14	27	4663
Ensure that only one party is needed to form the government	35	37	27	4639
Do you agree or disagree with the following:				
MMP is much fairer than the old first past the post system	42	27	31	4922
MMP gives too much power to small parties	36	32	26	4888
First past the post gave too much power to large parties	51	22	27	4870
Imagine that one party wins the most votes in an election with about 40 per cent of the votes. Regardless of whether you liked that party or not, do you think that party should get about 40 per cent of the seats in Parliament, more than half the seats, so it can easily govern on its own, or somewhere between 40 per cent and half the seats? (N=5602)	About 40	More than half	Between	Don't know
	44	19	19	18

Table A7: Which of the following is most important to you? That one party has more than half the seats in Parliament so it can (easily) govern on its own? OR that parties have about the same percentage of seats in Parliament as their percent of the party vote?

	More than	Same	DK	N
July 1998	43	52	5	467
Oct-Nov 1999	38	55	7	632
Post-election	39	49	11	5471

Table A8: 1999 MMP Knowledge: Voters, Splitters and Non-splitters

	Straight voters	Split voters	All voters
A: Votes and Threshold			
With MMP New Zealanders now have two votes one for a party, and one for a candidate in their electorate. Which do you think is the most important in deciding which party will get the largest number of seats in Parliament? (IMPORTANT)			
Party vote	59	64	61
Equally important	28	26	27
Electorate vote	9	8	9
Don't know	4	3	4
N	3395	1941	5335
Is this statement true or false? 'The party votes usually decide the total number of seats each party gets in Parliament' (PDECIDE)			
True	77	78	78
False	11	12	12
Don't know	12	9	11
N	3348	1924	5271
Is this statement true or false? 'A party that wins less than 5% of the party vote and wins no electorates at all cannot win any seats'. (THRESHOLD)			
True	79	83	81
False	8	8	8
Don't know	13	9	11
N	3359	1936	5295
B: Splitting Effectiveness			
Do you agree or disagree? 'Splitting your votes is always more effective than casting them both for the same party'. (SPLITEFF)			
Agree	14	34	21
Neutral	22	31	25
Disagree	55	24	44
Don't know	10	11	10
N	3005	1686	4691
C: Strategic Knowledge			
Do you agree or disagree? 'I do not see the point of having two votes under MMP.' (TWOVOTE)			
Agree	23	13	19
Neutral	18	16	17
Disagree	50	63	55
Don't know	9	8	9
N	2989	1695	4684
Do you agree or disagree? 'Because National and Labour win so many electorate seats, there is no point in giving either my party vote.' (ELWIN)			
Agree	7	11	8
Neutral	10	13	11
Disagree	78	73	76
Don't know	6	4	5
N	2994	1699	4693
Is this statement true or false? 'Voting under MMP is like two separate elections, one for the electorate seats and one for the party list seats.' (SEPARATE)			
True	67	65	66
False	23	27	24
Don't know	10	9	10
N	3001	1696	4696

Table A9: Perceptions of MPs

	Time	Agree	Neutral	Disagree	Don't know	N
Most members of Parliament are out of touch with the rest of the country	1993	61	14	19	6	2191
	1996	53	21	21	5	4941
	1998	76	5	19	1	535
	1999	52	18	26	5	5601
I don't think politicians and public servants care much about what people like me think	1993	66	12	17	5	2193
	1996	57	18	21	3	4092
	1999	55	17	24	3	4923
MPs who resign from their party should be required to resign from Parliament	1999	82	6	6	5	4929
Voters, not parties, should decide which of the candidates on the party list get the seats the party has won	1999	57	18	15	11	4887

Table A10: Overall, did you approve or disapprove of the way in which (electorate MPs/list MPs) (your MP/that list MP) in general were handling their jobs over the last three years?

	Approve	Neutral	Disapprove	Don't know	N
Electorate MPs generally	18	44	22	17	4870
List MPs generally	7	36	31	27	4717
Respondent's own Electorate MP	45	32	18	5	2438
List MP correctly identified by respondent	43	21	32	7	706
Electorate MP contacted by respondent	67	18	13	2	644
List MP contacted by respondent	63	21	14	2	221

Table A11: Scenarios for Election Results Under SM for the 1996 and 1999 Elections

	1996	1999	1996	1999
National				
Electorate	30	22	30	22
List	20	17	12	10
Total	50	39	42	32
Labour				
Electorate	26	41	26	41
List	17	22	10	13
Total	43	63	36	54
NZ First				
Electorate	6	1	6	1
List	8	2	5	1
Total	14	3	11	2
Alliance				
Electorate	1	1	1	1
List	6	4	4	3
Total	7	5	5	4
Act				
Electorate	1	0	1	0
List	4	4	2	2
Total	5	4	3	2
Green				
Electorate		1		1
List		3		2
Total		4		3
United				
Electorate	1	1	1	1
List	0	0	0	0
Total	1	1	1	1
	120	120	99	99

Table A12: Should Results of Citizens' Initiated Referendums Be Legislated by Parliament?

	Agree	Neutral	Disagree	Don't know	N
Referendums are too complicated for the average voter	19	13	60	8	4878
Citizens Initiated Referendums enable citizens to get politicians' attention	77	7	6	10	4890
Results of citizens' initiated referendums should automatically become law	30	19	38	13	4877
Parliament, not voters, should make final decisions about law and policy	47	12	32	9	4872

Table A13: Maori Survey: Opinion on Maori Electorates, by Maori and General Rolls

	Maori Roll	General Roll	All Maori
Who Decides?			
Maori	33	21	27
All New Zealanders	65	77	71
Don't Know	2	3	3
Future of Seats			
Get Rid	5	16	10
Same As Now	41	53	46
More	50	23	38
Don't know	4	8	6
N	514	405	1000

Table A14: Turnout and Party Membership, 1990-1999

	Age-eligible turnout	Party membership
1990	76.0	-
1993	76.7	-
1996	78.4	153,000
1999	74.9	132,890

Age-eligible turnout is measured as valid votes on a base of the population 18 and over, thus avoiding bias in the official figures due to differences in the electoral enrolment rate over time (Nagel, 1988). Party membership is made up of the total figures for registered political parties released by the Electoral Commission for each election year since 1996.

Table A15: 1996 and 1999: Did Anyone From the Following Political Parties Contact you During the Campaign? (Options: telephoned at home, personally visited, sent letter, gave or sent pamphlet/ Parties: National, Labour, New Zealand First, Alliance, and Act)

Number contacts	1996	1999
0	9	16
1	7	11
2	12	13
3	12	16
4	15	12
5	26	21
6	9	6
7	5	3
8	3	2
9	1	1
10	1	1
% all possible contacts	20	16

Note: potential maximum 20 contacts

Table A16: Campaign Contacts by the National and Labour Parties, 1996 and 1999

	National		Labour	
	1996	1999	1996	1999
0	27	36	21	28
1	59	56	60	59
2	13	7	17	12
3	2	1	2	1
4	0	0	0	0
% all possible	23	18	25	22

Appendix Tables B

New Zealand Election Study Candidate Data, 1993-1996

Table B1: Retain MMP by Party: Candidate Studies 1999, 1996

	Labour	National	Alliance	NZ First	Act	Green
1999	56	22	82	69	64	90
N	52	41	54	26	47	51
1996	57	18	96	88	54	
N	60	44	48	34	54	
1993	72	15	100	95		
N	54	39	79	43		

**Table B2: Which of the following statements about MMP is closest to your view?
1999 Candidate Study**

	Labour	National	Alliance	NZ First	Act	Green
MMP has been a disaster and we should get rid of it	4	55		8	6	
MMP has been a success and we should keep it	22	11	60	46	38	76
It is too soon to tell about MMP	73	34	38	46	56	24
Don't know	2		2			
N	55	44	55	26	48	50

**Table B3: Do you prefer single party government or coalition government? 1999
Candidate Study**

	Labour	National	Alliance	NZ First	Act	Green
A government made up of a single party	42	70	5	27	15	2
A coalition government made up of more than one party	55	23	91	73	75	94
Don't know	4	7	4		10	4
N	53	43	55	26	48	51

Table B4: Generally Speaking, do you think that a government formed by one party, or one formed by more than one party, is better at doing the following things: 1993-1999 Candidate Studies

% Saying			Labour	National	Alliance	NZ First	Act	Green
One Party Best at:								
Providing Stability	1999		64.2	90.5	5.5	34.6	58.3	11.5
	1996		38.3	80.0	8.5	19.4	55.6	
	1993		35.8	79.5	2.5	14.3		
Making Tough Decisions	1999		43.4	82.9	9.1	38.5	50.0	7.7
	1996		57.6	93.2	25.0	26.7	75.9	
	1993		66.0	94.9	12.7	23.8		
Keeping Promises	1999		45.3	68.3	5.5	19.2	45.8	9.6
	1996		32.8	58.1	16.7	6.5	38.9	
	1993		28.3	51.3	5.1	7.3		
Doing what people want	1999		11.3	34.1	3.6	15.4	6.3	0.0
	1996		6.8	28.6	4.2	2.9	7.4	
	1993		5.7	23.7				
N	1999		53	41	55	26	48	51
	1996		59	42	48	34	54	
	1993		53	39	79	42		

Table B6: Attitudes Toward Proportionality: Candidate Survey 1999

% Agreeing	Labour	National	Alliance	NZ First	Act	Green
MMP is much fairer than FPP	80	35	100	80	79	100
MMP gives too much power to small parties	43	84		23	33	2
FPP gave too much power to large parties	81	47	100	92	88	100

Imagine that a party wins the most votes with 40 percent of the votes. Regardless of whether you liked that party or not, do you think that the party should get:

	Labour	National	Alliance	NZ First	Act	Green
About 40 percent of the seats in Parliament	70	44	89	80	83	94
More than half of the seats, so it can govern on its own	2	29		12	6	
Somewhere between 40 percent and half the seats	22	20	7	8	8	6
Don't know	6	7	4		2	
N	54	41	55	25	48	52

Table B7: Which of the following is more important to you? One party has more than half the seats so it can govern alone or parties have about the same percentage of seats as their percent of the party vote *

	Labour	National	Alliance	NZ First	Act	Green
One party has more than half the seats in Parliament	9	55	2	19	10	
Parties have about the same percentage of seats as their percentage of votes	89	38	98	77	88	100
Don't know	2	7		4	2	
N	53	42	55	26	48	52

Table B8: Sometimes one or more parties can govern with less than half the seats as a minority government. In general do you think that it is-

	Labour	National	Alliance	NZ First	Act	Green
Good that a government has more than half the seats	47	70	33	28	35	12
It does not matter whether a government has more or less than half the seats	45	26	49	36	48	58
Good that a government has less than half the seats	6		16	28	13	27
Don't know	2	5	2	8	4	4
N	53	43	55	25	48	52

Appendix C: Compensation For Overhang Provisions in German Lander

Those German Lander that compensate for overhang seats use more or less the same procedure. One of the most long established can be found in the Northrhine-Westphalian Electoral Act 1993, clause 33. The mechanism used there is as follows:

1. There are 151 constituency seats and 50 list seats,
2. The corrected total number of votes is the total number of votes less votes for parties that got less than 5 per cent of the total vote.
3. Parties get seats according to the following formula: party votes x 201 divided by the corrected total number of votes.
4. In case a party has won more seats than it has got by step 2 (overhang seats) a new total number of seats is used for the formula. This is the number of seats for that party that won the overhang seats x the corrected total number of votes divided by the number of votes for that party. If the new total number of seats e.g. is 219.2 it is 219, if it is 219.9 it is 220. An additional seat is added if needed in order to get an odd-numbered legislature.
5. Parties get seats according to step 2: party votes x (e.g.) 221 divided by the corrected total number of votes.

Numbers for some recent Northrhine-Westphalian elections indicate how much the size of the legislature increases as a result of the procedure. The base is 201 seats. In 1985: there were 227 seats, in 1990 239 seats, and in 1995 221 seats.

Note that if the ratio of list seats to constituency seats was higher than the 25:75 ratio in Northrhine-Westphalia, temporary increases in the number of seats would be much smaller.

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Electoral Systems in the German Lander (in 1997)

state	term of legislature	ballot structure	additional seats to compensate for overhang seats	proportion of constituency and list seats
Baden-Württemberg	5 years	single vote system no party lists; MPs in addition to those who won their constituencies, on the basis of a best losers system in four regions		70 constituency seats, 50 list seats
Bavaria		open list system	compensation seats	
Berlin	5 years	two regions, regional 5 per cent thresholds	compensation seats	
Brandenburg	5 years		compensation seats	
Bremen		single vote system two regions, regional 5 per cent thresholds		no constituency seats
Hamburg		single vote system d'Hondt system		no constituency seats
Hesse			compensation seats	
Lower Saxony	5 years	d'Hondt system	compensation seats	100 constituency seats, 55 list seats
Mecklenburg-Vorpommern			compensation seats	
Northrhine-Westphalia	5 years	single vote system	compensation seats	151 constituency seats, 50 list seats
Rhineland-Palatinate	5 years			
the Saar	5 years	d'Hondt system	compensation seats	
Saxony	5 years		compensation seats	
Saxony-Anhalt			compensation seats	
Schleswig-Holstein		single vote system d'Hondt system		44 constituency seats, 28 list seats
Thuringia	5 years		compensation seats	

Note: Entries indicate deviations from the situation at the federal level.

Source: Jürgen Hartmann (ed.): Handbuch der deutschen Bundesländer, third edition, Bonn 1997.
Wolfgang Rudzio: Das Politische System der Bundesrepublik Deutschland, fourth edition, Opladen 1996. Compiled and amended by André Kaiser.

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