

# **Could Changing the Electoral Rules Fix European Parliament Elections?**

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14 January 2008

\* The authors would like to thank Paul Mitchell and the two anonymous referees for comments on this paper. An earlier version was presented to the European Parliament's Constitutional Affairs Committee on March 26, 2008.

## **1. Introduction: The Missing Electoral Link in EU Politics**

When the heads of state and government of the then European Communities decided in the early 1970s to introduce ‘direct’ elections to the European Parliament, the consensus amongst political commentators, political scientist, and public officials was that these elections would transform the EU into a genuinely democratic polity. As Walter Hallstein (1972: 74), the former President of the European Commission claimed:

[Direct election of the European Parliament will] force those entitled to vote to look at and examine the questions and the various options on which the European Parliament would have to decide in the months and years ahead. It would give candidates who emerged victorious from such a campaign a truly European mandate from their electors; and it would encourage the emergence of truly European political parties.

The reality after six rounds of European Parliament elections is rather different. Far from creating a mandate for the majority in the European Parliament, or enabling citizens to hold their MEPs to account, European Parliament elections have failed in any meaningful sense to create an ‘electoral connection’ between European citizens and politics in the European Parliament, in particular, and in the European Union (EU), more generally.

Could changing the electoral system used in European Parliament elections fix this problem and create a better connection between citizens and MEPs? The conclusion from this paper is that ‘Yes’, a new electoral system could significantly improve on this problem.

Although changing the electoral system is of course not the sole and exhaustive solution to the challenges faced by the European Parliament at election time, providing an institutional set-up which can lead voters to experience that they have a real choice between candidates would be an important step towards addressing the lacking connection between EU

representatives and their voters; and this can indeed be achieved through relatively simple changes to the electoral system.

The results we present suggest that MEPs should be elected in relatively small districts with ‘open’ ballots, where citizens can choose between individual politicians (either from different parties or from the same party), rather than just choosing between pre-ranked lists of politicians in a closed party contest. Where this design is currently used in European Parliament elections, there is already a relatively good connection between citizens and MEPs as expressed by voter turn-out as well as by citizens’ knowledge about the elections at the time of the vote. This ‘best practice’ should become the general model in all member states.

## **2. Why European Parliament Elections Have Failed**

There are two main aspects to the failure of European Parliament elections to create an effective connection between EU citizens and EU policy-making: One relating to general incentives for national parties and national governments, and the other relating to incentives for individual MEPs and candidates standing in European Parliament elections. Let us consider each of these in turn.

Citizens do not use the European Parliament elections as contests to voice their preferences about European-level political alternatives, but rather to express their opinions on national parties, national politicians, and national policy issues. This phenomenon derives from the fact that the stakes for national parties, voters, and the national media are much higher in national parliamentary (or presidential) elections than in European Parliament elections. As a result, parties, the media and voters treat European Parliament elections as ‘second-order’ contests in the national electoral cycles rather than as an opportunity to debate

EU policy issues and their preferences over which political majority should be given the opportunity to govern at the European level. The consequences of this phenomenon – which are known to be lower turnout in European Parliament elections than in national elections, and vote gains for small and opposition parties at the expense of large and governing parties – have been well documented, and do not seem to have varied much across the member states or over time (e.g. Reif and Schmitt, 1980; Reif, 1984; van der Eijk and Franklin, 1996; Hix and Marsh, 2007).

In fact, European Parliament elections have become more second-order elections on national politics rather than less. This is due to a number of reasons, but an underlying issue is that voters and parties have come to the conclusion that the incentives for getting engaged in European elections are largely non-existing: As seats in the European Parliament are allocated on a proportional basis (which makes a lot of sense in a multi-national parliament with countries of various sizes, by the way), any new European Parliament election is likely to only move the location of the median member of the European Parliament either slightly to the right or slightly to the left of the median in the previous parliament. In national proportional systems this could have a significant effect and may even cause a change in government. But, in the EU, because the European Parliament does not form a government at the European level, because agenda-setting power inside the European Parliament (in terms of committee chairs and legislative reports) are allocated on a highly proportional basis, and because there are multiple checks-and-balances in the EU's legislative process, any moderate change in the location of the median member of the European Parliament is unlikely to significantly alter the direction of the EU policy agenda. In the end, the likely policy consequences of European Parliament elections are therefore very small and uncertain. So it is only rational for parties, the media and voters to try to use these elections primarily to influence the next national government elections.

Turning to the second problem – related to the individual MEPs’ and candidates’ incentives - citizens do not use European Parliament elections to reward or punish individual MEPs for their activities, involvement, policy positions or behaviour in the European Parliament. This micro-level aspect of the electoral connection in EU politics has received far less attention than the macro-level second-order problem (cf. Farrell and Scully, 2007). It is no less significant, however. Elections in democratic polities are not only about influencing the formation of government and the direction of the policy agenda. Elections are also about influencing the behaviour of individual politicians: ensuring that they reflect the preferences of their voters, holding them to account for their actions, rewarding ‘good’ politicians, who act effectively in the interests of their voters, and removing ‘bad’ politicians, who either perform poorly or stray from their policy promises to voters, or – in most severe cases – are corrupt (esp. Fearon, 1999).

We will not argue that both of these two problems can easily be fixed in the short-term by tinkering with the way European Parliament elections work. For example, the second-order nature of the elections also relates to the incentives for national parties and politicians in European Parliament elections relative to national elections and the national electoral cycle. Though, these incentives could be changed through two causes of action. First, national parties would treat European Parliament elections as far more significant events if the stakes in these contests were significantly higher than they are now, for example if the outcome of European Parliament elections had a more direct effect on the direction of the EU policy agenda, and the EU’s agenda in turn was of visible importance to the citizens’ daily-day lives. This could be greatly improved on if European Parliament elections were linked to the election of the Commission President, the EU budget negotiations and/or other major EU decisions with an apparent and direct impact on policy-making. Second, if the electorates saw that their votes mattered for the content of the EU policies, and newly elected EU politicians

experienced that they would have a direct impact on the political agenda, the focus of both voters and candidates would increasingly be re-directed to EU matters in the campaigns. This would, in the medium- and long term, serve to diminish the second-order status of European Parliament elections.

On the other hand, the problem with the lack of connection between voters and the individual MEPs could almost certainly be addressed by changing the electoral system used in European Parliament elections. A change in the electoral rules may have a significant immediate effect on the individual behaviour of MEPs and candidates and how they choose to campaign in European Parliament elections. Subsequently, changing the incentives of candidates may gradually lead to changes in the general perceptions and behaviour of voters, parties and the media in European Parliament elections. In other words, our argument is that changing the incentives for individual MEPs to create politically visible personal profiles could over time change the way parties campaign in European elections – on European issues rather than national issues – and hence how voters perceive their choices in these contests. To understand how, the next section will first introduce some general findings in political science about how the design of an electoral system, and in particular the size of electoral districts and whether ballots are ‘open’ or ‘closed’, shapes the relationship between citizens and elected politicians. We will then illustrate how these findings apply to the experience of European Parliament elections.

### **3. Ballot Structures, District Sizes and Candidate Incentives**

Recent research in comparative political science has identified that the size of a candidate’s electoral district and the structure of the ballot used have a significant effect on the incentives

for a candidate to raise his or her name profile amongst the citizens in an electoral campaign and to spend time and resources explaining why a citizen should vote for him or her as an individual politician as well as for his or her political party (e.g. Carey and Shugart, 1995; Samuels, 1999; Shugart et al., 2005; Chang and Golden, 2006). To explain further, there are three main types of ballot structure used in democratic elections throughout the world:

- 1) A *closed* structure, where citizens choose between parties, or slates of candidates of parties, but cannot choose between individual candidates from the same party, such as ‘closed-list’ proportional representation (PR) or single-member-plurality;
- 2) An *ordered* structure, where parties present pre-ordered lists of candidates and citizens can either choose to vote for a party or to vote for an individual candidate on a party list, but candidates need to receive a relatively high proportion of votes for the pre-ordered list of candidates to be changed; and
- 3) An *open* structure, where several candidates stand in each district for each party, citizens choose one (or more) candidates (rather than voting for a party), and the number of individual votes each candidate receives has a direct influence on which candidates are elected for each party, such as ‘open-list’ PR, or single-transferable vote (STV).

The incentives for candidates to raise their personal profile amongst the electorate are then determined by the combination of district size and ballot structure, as Figure 1 illustrates.

[FIGURE 1 ABOUT HERE]

With a ‘closed’ ballot structure, the *larger* the district size, the *smaller* the incentive for a candidate to cultivate a personal vote. This is because the larger the district, the possibility of differentiating between candidates within each party decreases as candidates

will often run on policy platforms which are formulated on the basis of broader principles and values; this leads to the election becoming a battle between political parties rather than individual politicians.

In contrast, with an 'open' ballot structure, the *larger* the district size, the *greater* the incentive for a candidate to cultivate a personal vote. This is because the larger the district, the greater the need to differentiate between candidates from the same party, which leads to the election becoming a battle between individual politicians rather than between political parties.

The question, then, is what is the best combination of district size and ballot structure? The answer, of course, depends on the circumstances. In general, most political scientists would argue that if a district size is very large, it is better to have a closed ballot than an open ballot structure. Otherwise, elections would be dominated by the personalities of a few high-profile candidates rather than the policy positions and performance of all the candidates and the parties they stand for. The result would be weak and ineffective parties and a parliament of media stars and millionaires!

However, if the district size is relatively small, then most political scientists would argue that it is better to have an 'open' ballot structure. The national level election would then still be a battle between parties rather than personalities, but at the district level candidates standing under the same party label would be forced to compete more vigorously on their performance and prospects, and voters would have a name (and a face) to cast their vote for rather than simply a party label.



#### 4. The Experience of European Parliament Elections

Interestingly, the electoral system used in a number of EU member states for European Parliament elections is already quite close to this ideal – of relatively small districts and a ballot structure which allows for some form of preferential voting. Figure 2 shows the average district size and the ballot structure currently used in European Parliament elections in each member state.<sup>1</sup> Eleven member states, who elect 286 MEPs (36 percent), already use relatively small districts. Eight member states, who elect 188 MEPs (24 percent), use medium-sized districts. And, eight member states, who elect MEPs (40 percent), use large districts. Meanwhile, 18 member states, who elect 318 MEPs (41 percent), use either fully-open or semi-open ballots, while the remaining 9 member states, who elect 467 MEPs (59 percent), use a closed-ballot structure. Put another way, 267 MEPs (34 percent) are already elected in relatively small districts and under some form of preferential voting, while 260 MEPs (33 percent) are elected in large districts under a closed-ballot structure.

[FIGURE 2 ABOUT HERE]

Furthermore, evidence from the Eurobarometer survey immediately following the June 2004 elections suggests that the ballot structure and the district size used in the elections had a significant effect on how MEPs campaigned in the elections (Farrell and Scully, 2007). To look at how far citizens were affected by MEPs' election campaigns, the Eurobarometer 2004 post-election survey asked two related questions, as follows:

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<sup>1</sup> Two different electoral systems were used in the UK: regional-based closed-list PR in Britain, and STV in Northern Ireland.

1) ‘Political parties and candidates campaigned for votes in the European Parliament elections we have just had. For each of the following, please tell me if you have been in this situation or not:

- a. ...
- b. You received leaflets concerning the European Elections in your mailbox’;
- c. ...

and

2) ‘For each of the following propositions, please tell me if it rather corresponds or rather does not correspond to your attitude or your opinion:

- a. ...
- b. You had all the necessary information in order to choose for whom you were going to vote in the recent European Elections’.
- c. ...

Figures 3 and 4 show the percentage of citizens in each member state who responded positively to these questions: with Figure 3 showing the percentage of citizens who received leaflets, and Figure 4 showing the percentage of citizens who said that they felt well informed. In each figure, the ‘open’ ballot systems are indicated with circles, the ‘ordered’ ballot systems are indicated with squares, and the ‘closed’ ballot systems are indicated with triangles. The lines in the figures are simple linear regression lines between the responses and district magnitude. There are two such lines in each figure, as one line is the relationship including Spain and Germany while the steeper line is the relationship with these two outliers dropped.

[FIGURES 3 AND 4 ABOUT HERE]

These figures suggest a relatively strong relationship between average district size, the ballot type used, and how much citizens were contacted by candidates or whether citizens felt well informed about the European Parliament elections in 2004. In general, the smaller the average district and the more open the ballot structure, the *more* likely citizens were to be contacted by candidates or parties, or feel that they were well informed about the elections.

Nevertheless, the apparently strong relationship between district size and engagement in the European Parliament elections suggested by the slopes of the regression lines may be misleading. Because almost all the systems with open ballots have small electoral districts and most of the systems with closed ballots have large districts we cannot identify from the simple bivariate relationships whether it is the district size or the ballot structure that is the primary cause of higher citizen engagement. Also, there are several other factors that are likely to influence the level of engagement of citizens which need to be controlled for, such as the general level of support for the EU in a member state. For example, citizens in more pro-European member states may be presented with information about EU affairs differently to citizens in more EU-sceptic countries. Equally, the total number of MEPs elected in a member state relative to its constituency size might influence whether citizens perceive that they either have a direct contact to their MEPs or feel that the MEPs are too remote from the citizens' local concerns.

As a result, to identify whether the main effect is the district size or the ballot structure, Table 1 presents the results of multivariate test of the relationships suggested in Figures 3 and 4 and the effect of electoral system design on voter turnout, with control variables for the total number of MEPs elected in a member state and the general level of support for EU membership in a member state.

[TABLE 1 ABOUT HERE]

The multivariate results show that, irrespective of district size, the general level of support for the EU in a member state, or the total number of MEPs elected in a member state, citizens in member states who used open ballot systems were almost 5 percent more likely to be contacted by candidates or parties than citizens in member states who used ordered ballot systems. They were also more than 20 percent more likely to be contacted by candidates or parties than citizens in member states who used closed ballot systems. Similarly, citizens in member states with open ballot systems were about 10 percent more likely to feel well informed about the elections than citizens in member states with ordered ballot systems, and were about 15 percent more likely to feel well informed about the elections than citizens in member states with closed ballot systems. Furthermore, the effect on voter turnout is also quite clear: voters were almost 10 percent more likely to cast their votes on election day in systems with an open ballot compared to systems with either an ordered ballot or a closed ballot system (when Germany and Spain are excluded, these effects are slightly lower, but still significant).

On the other hand, the direct effect of the size of the district seems far less systematic than the simple bivariate relationships in Figures 3 and 4 suggest. When the two large member states with single national electoral districts (Germany and Spain) are excluded, the results suggest that candidates in larger districts are less likely to campaign directly to voters than candidates in smaller districts. However, there does not appear to be a significant relationship between district size and how well informed the citizens felt about the elections, regardless of whether the two larger ‘outlier’ states are included or excluded, or the level of voter turnout in a member state.

This does not mean that district size is irrelevant, however. We know from our discussion in Section 3, above, that it is important to consider the combination of district size and ballot structure. Specifically, open ballots work better in smaller districts than larger districts, as smaller districts allow for a balance between party profiles and the personalities of individual MEPs in election campaigns. Hence, the combination of open ballots and small districts would probably be the best model for the European Parliament in terms of voter turnout and citizens' knowledge about the elections.

These results consequently suggest that the design of the electoral system used in European Parliament elections is one of the main reasons why citizens in Ireland, Malta, Luxembourg, Italy and Finland feel considerably more engaged in the process of electing their MEPs than citizens in Germany, Portugal, Greece, Poland and The Netherlands.<sup>2</sup> If the member states with closed ballot structures introduced open ballot structures and the district sizes were re-considered, their citizens would feel far more connected to their MEPs.

## **5. Conclusion**

In sum, changing the electoral system in European Parliament elections is in the short term unlikely to challenge the strong second-order nature of these contests, whereby national parties and the national media treat European Parliament elections as mid-term referendums on the performance of national governments and national parties. Nevertheless, research in comparative political science, as well as empirical results from the 2004 European Parliament elections, suggest that reforming the electoral system used in European Parliament elections *could* have a significant and immediate effect on the relationship between individual MEPs

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<sup>2</sup> Note that some of the countries that have some form of compulsory voting (namely, Italy and Greece) appear in both the 'more engaged' and the 'less engaged' groups. here

and citizens, by forcing MEPs to campaign directly to voters, and enabling citizens to use European Parliament elections to reward good performance in the European Parliament. Then, with more competition between candidates over who is best placed to represent citizens, parties, the media, and voters may begin to treat European Parliament elections as more than simply ‘second-order national contests’.

To promote this new electoral-connection in EU politics, the best electoral system for the European Parliament would be relatively small multi-member districts and an open ballot structure in all EU member states (with either open-list PR or STV). The open ballot structure would increase incentives for MEPs and candidates to raise their profile directly with the citizens, which in turn would raise public awareness and participation in European Parliament elections, and so increase the legitimacy of the European Parliament and the EU. And, if open ballots were used throughout the EU, relative small multi-member electoral districts should also be used, rather than single large national electoral districts (particularly in the larger member states), as small multi-member districts would personalise sub-national electoral campaigns but would allow for party-based campaigns to take place across several districts. If large single national districts were kept and fully-open list voting were introduced, there is a danger that the elections would be fought as ‘national beauty contests’ between high profile political personalities rather than party-political campaigns. Hence open-lists with sub-national multi-member districts is the ideal system.

Districts should not be too small, however, as very small districts would lead to high thresholds for parties to gain seats, which would reduce the proportionality of the outcomes of the elections. On the basis of the current structures for European Parliament elections, and with a view to maintaining a broadly proportional outcome in the elections, the ideal district size is probably somewhere between 4 and 10 MEPs elected in each district. An average district size of more than 10 MEPs might work in the very large member states, were there are

multiple sub-national constituencies, as the national level campaign would then be fought across several districts, and this would allow for smaller parties to gain seats and for the overall outcome to be fairly proportional. However, if a member state has between 10 and 20 MEPs elected in a single national constituency, and an open ballot structure is introduced, it would be better to break the constituency up into several smaller sub-national districts, of between 4 and 8 MEPs.

As a final remark, our proposals are consistent with a proposal which is being discussed by the Constitutional Affairs Committee in the European Parliament as our paper goes to press. The report to the committee, by Andrew Duff MEP, proposes, among other changes, that all member states use a form of 'preferential voting' (European Parliament 2008). The report also proposes that member states may introduce sub-national electoral districts and that all member states with a population of at least 20 million (Poland, Spain, Italy, the United Kingdom, France, and Germany) shall use regional constituencies. We believe that these two sets of proposals within the list of issues included in the report are a step in the right direction and should be adopted by the European Parliament as soon as possible.

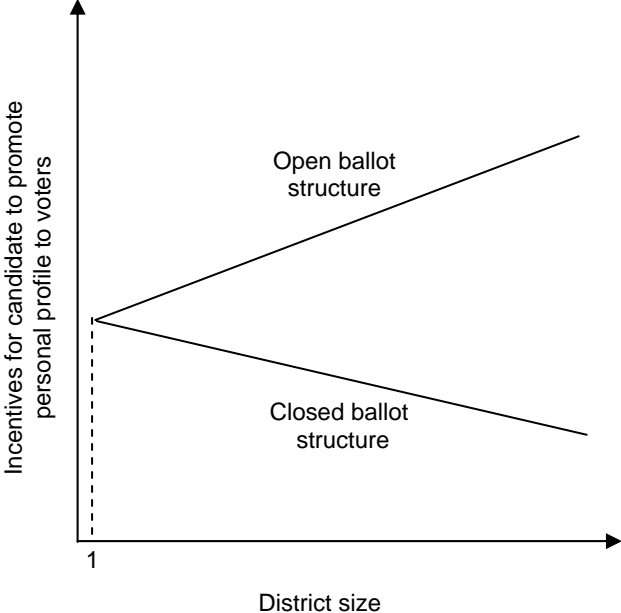
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**Figure 1. District Size, Ballot Structure and Candidate Incentives**



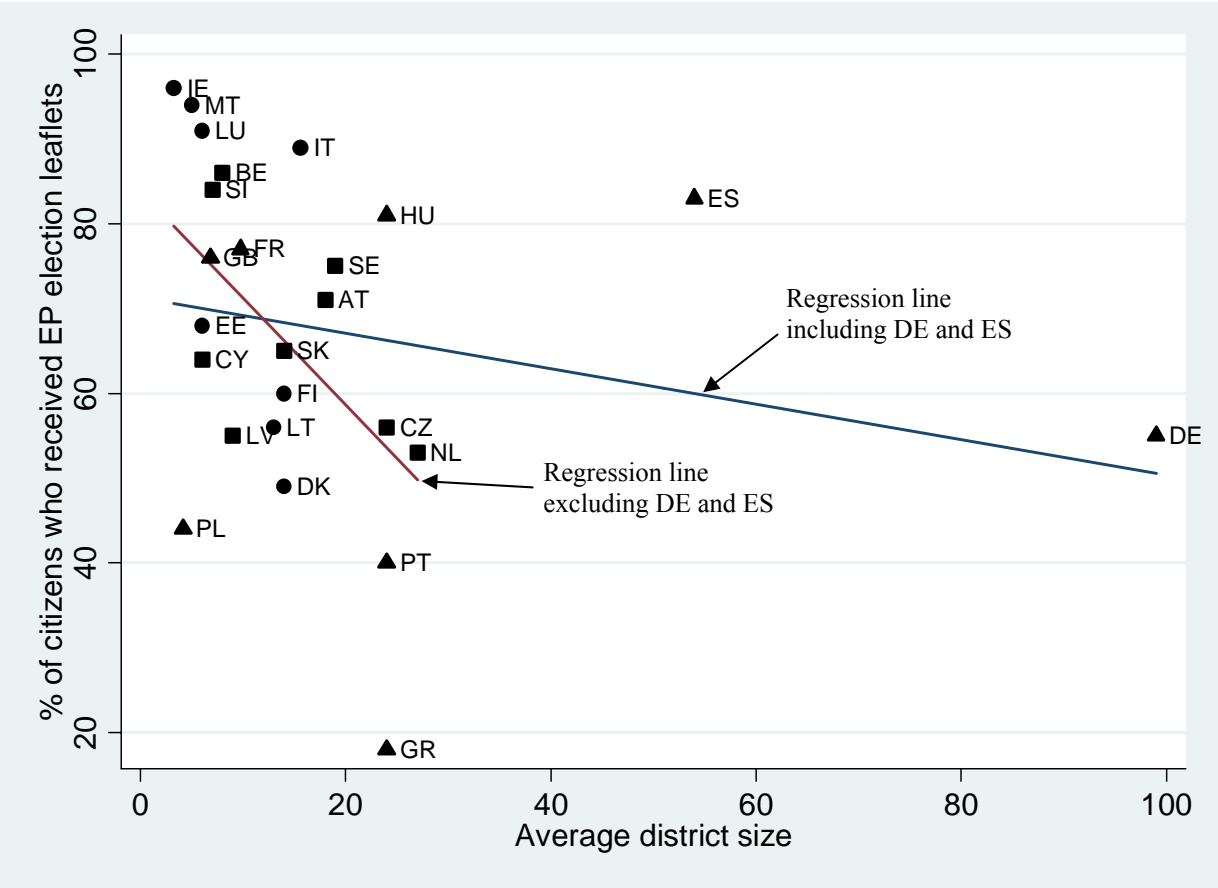
Source: Adapted from Carey and Shugart (1995) and Shugart (2005).

**Figure 2. Electoral Systems Used in the 2004 European Parliament Elections**

		<i>Ballot structure</i>		
		Closed	Ordered	Open
<i>District size</i>	Average district size <10	France (9.8) UK-Britain (6.8) Poland (4.2)  Total MEPs = 207	Latvia (9) Belgium (8) Slovenia (7) Cyprus (6)  Total MEPs = 46	Estonia (6) Luxembourg (6) Malta (5) Ireland (3.3) UK-N.Ireland (3)  Total MEPs = 33
	Average district size >10 & <20		Sweden (19) Austria (18) Bulgaria (18) Slovakia (14)  Total MEPs = 69	Italy (15.6) Denmark (14) Finland (14) Lithuania (13)  Total MEPs = 119
	Average district size >20	Germany (99) Spain (54) Romania (35) Greece (24) Hungary (24) Portugal (24)  Total MEPs = 260	Netherlands (27) Czech Republic (24)  Total MEPs = 51	

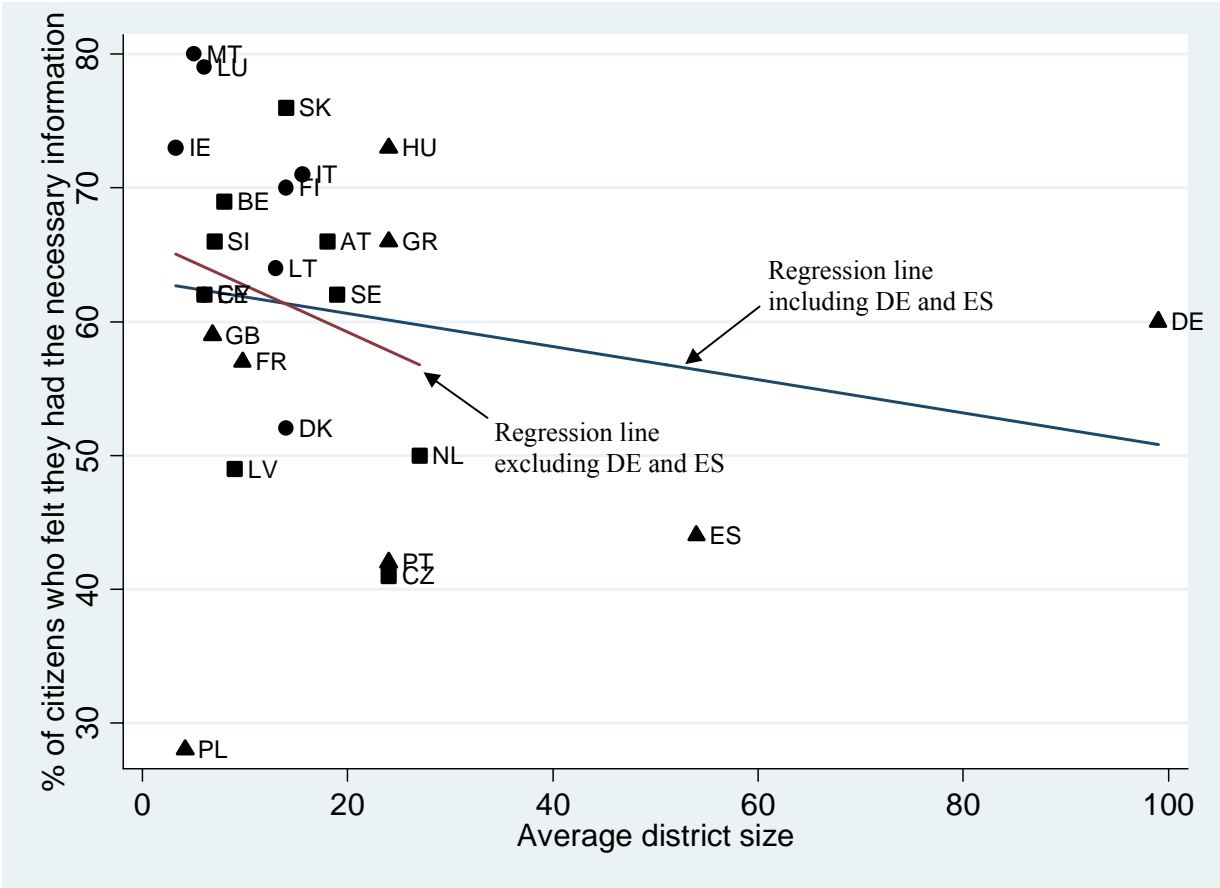
Note: The average number of MEPs elected in each district in each member state is in parentheses. For Italy, although MEPs are presented in regional districts, seats are allocated on the basis of national vote shares.

Figure 3. Electoral System Design and Campaign Leaflets in the 2004 EP Elections



Note: Member states with 'open' ballot systems are indicated with circles, member states with 'ordered' ballot systems are indicated with squares, and member states with 'closed' ballot systems are indicated with triangles.

**Figure 4. Electoral System Design and Information in the 2004 EP Elections**



Note: Member states with 'open' ballot systems are indicated with circles, member states with 'ordered' ballot systems are indicated with squares, and member states with 'closed' ballot systems are indicated with triangles.

**Table 1. Predictors of Candidate-Citizen Connections in EP Elections**

	Percent of citizens who received election leaflets		Percent of citizens who felt they had the necessary information		Voter turnout	
	All member states	Excluding Germany and Spain	All member states	Excluding Germany and Spain	All member states	Excluding Germany and Spain
Open ballot used in a member state	63.6*** (19.2)	79.5*** (19.1)	74.2*** (12.8)	73.9*** (14.2)	40.8** (16.5)	51.1** (18.2)
Ordered ballot used in a member state	59.2*** (16.1)	77.8*** (17.4)	64.3*** (10.8)	65.1*** (13.0)	32.0** (14.1)	45.0** (16.8)
Closed ballot used in a member state	42.7** (19.7)	59.0*** (20.4)	59.2*** (13.2)	61.6*** (15.2)	29.8* (17.2)	43.5** (19.6)
Average district size in a member state	-.24 (.24)	-1.04* (.53)	.04 (.16)	-.11 (.39)	.03 (.20)	-.57 (.47)
Total MEPs in a member state	.30 (.20)	.26 (.20)	-.04 (.17)	-.08 (.15)	-.05 (.17)	-.12 (.18)
EU support in a member state	.16 (.33)	.02 (.31)	-.09 (.22)	-.05 (.23)	.19 (.30)	.11 (.31)
Compulsory voting or a national election at the same time in 2004					33.0*** (9.7)	36.1*** (10.0)
Observations	25	23	25	23	25	23
Adjusted R-squared	.927	.937	.958	.957	.909	.912

Note: The models are estimated with linear OLS regression, with no constant. Standard errors are reported in parentheses. \*  $p \leq .10$ , \*\*  $p \leq .05$ , \*\*\*  $p \leq .01$ .