



Reform of the Binominal System: The Importance of the Majority Approach

A reform tending towards a proportional representation electoral system does not seem a pertinent measure. On the contrary, the majority approach proposals, such as the one suggested by the Executive with the support of different UDI and RN parliament members, seem a sensible intermediate formula when it comes to conciliate the virtues of a majority system with a prudent proportionality complement.

The political scenario has not been free from polemics following the announcement of the recent agreement signed by a group of senators of the *Concertación* and *Renovación Nacional* (RN). Among other issues, it proposes the modification of the binominal electoral system applied to the parliamentary election, with the purpose of establishing a proportional system for the Chamber of Deputies and incorporate the figure of “national” senators.

Regardless of the political vicissitudes generated by the episode, it seems relevant to analyze the technical aspects of an electoral reform tending towards the institution of the suggested proportional system. In fact, the literature documents a store of evidence which tells of a “difficult combination” of presidentialist systems, like the Chilean one, and proportional electoral systems for parliamentary representation, which incorporate district magnitudes equal to or higher than 8, and introducing systemic problems in the institutional framework and the action logics of our political system.

In this context, it is worthy of mention that the Executive, with the support of a group of parliament members from right-wing RN and UDI, is considering to shortly present at the Congress an alternative proposal based on maintaining the existing 120 deputies and replacing the binominal system by a so-called “mixed” system: the majority-oriented proportional. It is a reasonable intermediate formula, which seeks to conciliate the positions of those of us who, on the one hand, believe in the need to advance towards greater competition and efficiency of the political system through a majority formula, and those who, on the other hand, privilege proportional formulas to increase the representation of the most diverse political expressions,

even if they are minority ones. Moreover, both mentioned proposals consider limiting the parliamentary re-election.

The Controversial Proposal

The announcement of a bill that modifies the prevailing electoral binominal system for parliamentary elections was communicated on Tuesday, July 9th by senators Carlos Larraín (RN) and Francisco Chahuán (RN), together with senators Eugenio Tuma (PPD), Soledad Alvear (DC), Patricio Walker (DC) and Fulvio Rossi (PS). Among other things, this bill aims at increasing the seats of the Chamber of Deputies by 30, from 120 to 150; and reducing the districts in the country from 60 to 29, so as to choose between three and eight deputies per district, through a proportional formula that allocates the seats by list or pact through a D'Hont allocating number. The number of deputies will be adjusted every 10 years, based on citizen quantity criteria per district.

In turn, modifications for the Senate are announced, where senators increase from 38 to 48, while incorporating two new senators in the northern regions of Arica and Parinacota (currently, they belong to the district of Tarapacá, which is the only one including two regions) and adding eight national senators elected in a parallel form to the regional senators' election, for a four-year term.

Additionally, a public financing system for political parties and constraining the re-election of parliament members, by establishing a maximum of two re-elections for deputies and national senators (12 years) and only one re-election period for senators (16 years) is announced.

The proposal's pivotal problem is not the validity of the a priori submitted proportional representation systems, but rather, and firstly, its combination with a presidentialist program such as the Chilean one.

In this perspective, the literature is clear when indicating that the combination of presidentialism and multipartism makes it hard to maintain stable democracies.ⁱ In fact, authors like Bruce Ackerman have stated that "the most toxic way of separating powers is the combination of a popularly elected president with a congress elected by a proportional representation system (...). If a proportional representation electoral system is desirable, the American-style separation of powers is not, since the potential cost of proportional representation in terms of the regime's political stability is far higher in presidential than in parliamentary systems".ⁱⁱ

In the same line, and going back to the national debate, Aninat and Navia sustain that a strictly proportional system for Chile does not consider the tensions derived from having a strong presidential system together with a proportional representation regime in the Congress, since it is already known that fragmentation of the party system endangers the constitution of

efficient governments when it comes to execute public policies and programs.ⁱⁱⁱ

A second line of criticism concerns the systemic effects of a proportional proposal with large district magnitudes. Political scientists like Eduardo Alemán indicate these magnitudes could lower the individual responsibility of legislators in their districts, in terms of the effect on accountability caused by a small electoral identifiability, such as weakening the governability due to few incentives to form stable coalitions by increasing the power of “hinge” parties.^{iv}

Finally, although in the political sphere criticism has been mainly concentrated on the inconvenience of increasing the number of deputies due to the negative impact in terms of public opinion, it does seem worthy of consideration from a technical perspective, based on the fact that it means a significant increase in the number of representatives for the Metropolitan Region, with 16 new deputies. In a scenario where the discussion about strengthening the Chilean decentralization process has been installed, the parliamentary reduction in relative terms in regions like La Araucanía, Maule, O’Higgins or Los Lagos seems a negative signal. This will be an unavoidable dimension of the discussion concerning this reform.

On the other hand, when reading the projects from a number of senators of the Concertación and RN, the district merge criteria do not seem very clear. Thus, we find inconsistencies such as districts having a similar number of electors with different number of seats to be allocated.

Where should we head?

A suitable reform proposal for the binominal electoral system should combine two key factors. On the one side, and given the Chilean presidentialist system, evidence indicates that a desirable electoral system must be necessarily majority-oriented, that is, it should introduce mechanical effects for the configuration of two great cultures or political blocks. In this manner, a minimum governability basis is offered, thus preventing the fragmentation of the political party system. Furthermore, electoral systems must also be consistent with the proportionality criteria in relation to the representation they generate. The fact that the national political culture has a multi-party tradition does not prove to be indifferent.

Regarding the two approaches mentioned above, inherent to the Chilean institutional reality, the reform proposals for the binominal electoral system, which consider proportional systems that reach even a district magnitude of 8 (such as the analyzed one), do not seem adequate. On the contrary, majority-oriented formulas should be sought. This can imply formulas which go from corrected majority systems – with uninominal basis- to a proportional system of magnitudes of 2, 4 and 6.

As different communication media have informed, the Executive will bring up a proposal that keeps the number of deputies, but with a new district distribution which considers 30 districts instead of 60, with a variable district magnitude that will fluctuate between 2, 4 and 6, depending on the number of inhabitants per electoral unit. In relation to the Senate, the idea is to merge districts in the regions having two of them. Thus, Santiago, Valparaíso, Maule, Biobío and La Araucanía would elect four senators. Clearly, the differences with regard to the proposal of RN and the *Concertación* lie in the fact of not increasing the number of deputies, not considering the proposal of national senators and contain the district magnitude increase by establishing a maximum threshold of 6. All this seems reasonable.

Because, according to Carey, the debate cannot forget that most part of the strong disproportionality reduction is produced at relatively low levels of magnitude: “for sceptics of the binominal system, the most important conclusion in this case would be that it is possible to mitigate the excluding properties by increasing the magnitude in a relatively moderate way”.^v

The above statement indicates that the marginal return in terms of the disproportionality generated by the system is not linear inasmuch as we increase the district magnitude. Therefore, given a district magnitude threshold of 8 or higher, the effect is practically zero, as shown in Chart 1. That is why it is important to agree on a district magnitude threshold not higher than 6.

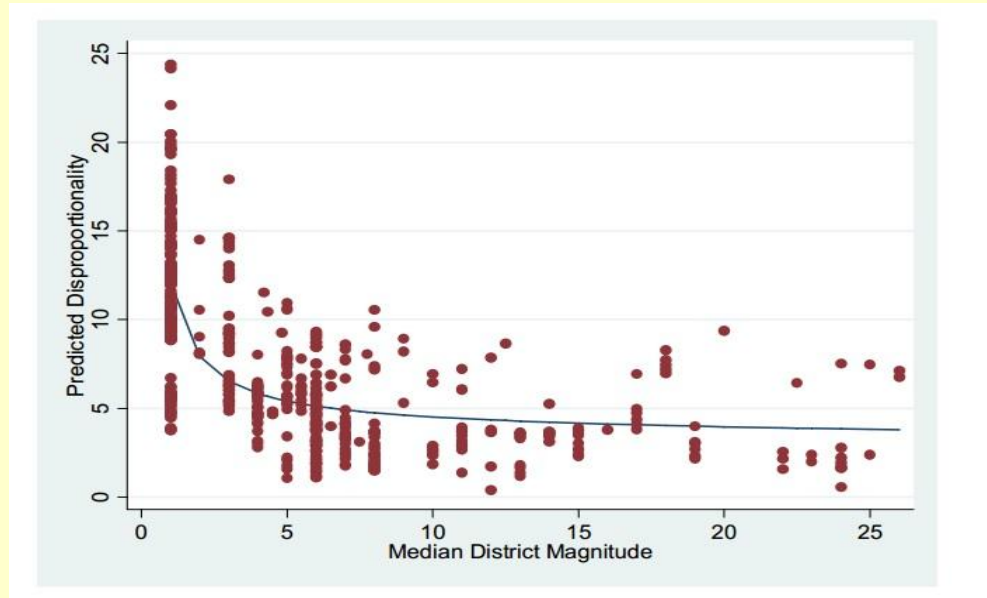
Conclusions

Based on both theoretical and practical considerations, a reform tending towards the establishment of a strictly proportional electoral system, which includes a district magnitude equal to or higher than 8 for parliamentary elections, such as the one proposed by a group of senators of the *Concertación* and RN, does not seem a pertinent measure.

On the contrary, majority-oriented proposals, such as the one being put on the table by the Executive with the support of different UDI and RN parliament members, seem a reasonable intermediate formula when it comes to conciliate the virtues of a majority system, with a prudent proportionality complement that, respecting our multi-party feature, does not generate a fragmentation in our party system.

Chart 1

INCREASE EFFECT ON THE DISTRICT MAGNITUDE IN THE ELECTORAL DISPROPORTIONALITY



Source: Carey % Hix, 2009.

In brief...

- The literature documents a store of evidence which tells of a “difficult combination” of presidentialist systems, like the Chilean one, and proportional electoral systems for parliamentary representation, which incorporate district magnitudes equal to or higher than 8.
- It is worthy of mention that the Executive, with the support of a group of parliament members of right-wing RN and UDI, is considering an alternative proposal based on maintaining the existing 120 deputies and replacing the binominal system by a proportional, although majority-oriented system.
- It is a reasonable intermediate formula, which seeks to conciliate the positions of those who, on the one hand, believe in the need to advance towards greater competition and efficiency of the political system, and those who, on the other hand, privilege proportional formulas to increase the representation of the most diverse political expressions, even if they are minority ones.

ⁱ Mainwaring, Scott. 1993.

ⁱⁱ Ackerman, Bruce. 2007.

ⁱⁱⁱ Aninat & Navia. 2005.

^{iv} Alemán, Eduardo. Presentation at the Public Issues Institute, Universidad de Chile, 2012.

^v Carey, 2009, p. 235-236.

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