

# ELECTORAL LAWS AS POLITICAL CONSEQUENCES: Explaining the Origins and Change of Electoral Institutions

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■ **Abstract** In this review article, I identify the key questions raised by the treatment of electoral systems not as causal influences on party systems but as effects or byproducts of party systems. Framing these questions in the context of the classic consequences-oriented study of electoral institutions, I first review the classic approach, which treats electoral systems as causes, and explore the potential implications when electoral systems are viewed instead as outcomes of party systems. I then survey a variety of principal explanations of the origins and change of electoral laws, followed by a focus on several of the more explicitly defined models of this process. I conclude by discussing—and contesting—the notion that except for exceptional founding episodes of institutional choice, electoral systems eventually stabilize as equilibrium institutions.

## INTRODUCTION: OF CAMERAS AND PROJECTORS

Following Duverger's (1951) cornerstone work setting forth his well-known propositions concerning the relationship between electoral institutions and party systems, the study of the political consequences of electoral systems rapidly grew into one of the great areas of cross-national research on comparative political institutions. The central mission of this research has been to map out and precisely estimate the ways in which differences in electoral rules affect the number, character, and electoral success of political parties. Electoral systems fundamentally shape political party systems, not only determining mechanically how many and what kind of parties win seats, but also shaping parties through psychological incentives they exert on party elites and voters who anticipate their operation. This knowledge has become so widely accepted in political science as to form the basis for several explicitly formulated "laws" or rules governing this relationship.<sup>1</sup> Several decades

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<sup>1</sup>The most famous of these, Duverger's "Law," is discussed below in more detail. Another example is Cox's (1997) " $M + 1$  rule."

of successive research into the relationship between electoral system features and party systems have, according to one of the field's leading practitioners, largely settled its core questions and incorporated the findings into mainstream political science (Shugart 2005, pp. 50–51).

Far less settled or even systematically investigated has been the converse of the causal relationships made famous by Duverger: How are electoral systems themselves influenced by party systems? More to the point, what political processes tend to produce, maintain, and change electoral institutions? Though not quite as awkward as the classic child's question, "Where do babies come from?", the question of where electoral systems come from has elicited a similar mixture of discomfort, evasiveness, and disagreement as to how the answer should be approached.

This much is agreed by nearly everyone: The relationship between electoral and party systems is mutual: Electoral institutions shape party systems, but they themselves are formed in an environment of partisan electoral competition. Political actors adapt to strategic incentives presented by electoral laws, but one of their adaptations is to modify institutional settings that transform their strategies into outcomes. If the study of the former process can be called a mature field, however, then the latter is in its developmental stages. And although this disparity is widely acknowledged, there is still no substantial body of theoretically driven, comparative work to explain why one electoral system is chosen over another (Shugart 2005, p. 51). The overwhelming focus of scholarly attention is still on the adaptation of parties and candidates to electoral institutions rather than on the way electoral institutions themselves are adapted by political parties. Numerous case studies have examined electoral system choice in individual country settings, but macrocomparative approaches (e.g., Boix 1999 and Colomer 2004a, reviewed below) are rare. More frequently acknowledged than modeled or even studied, questions of how electoral systems originate and change form a field which, despite a burst of activity in the past decade or so, remains underdeveloped.

In what follows I identify the key questions in the context of the classic consequences-oriented study of electoral institutions. I describe the potential problems for electoral studies when electoral systems are viewed not primarily as causes but rather as effects of party systems. I then survey a variety of principal explanations of the origins and change of electoral laws, followed by a focus on several key issues involved in treating electoral laws as political consequences. This discussion parallels earlier arguments I have made (Benoit 2004, Benoit & Hayden 2004, Benoit & Schiemann 2001) concerning the seat-maximizing model, but it does not advance that or any other particular model as universally applicable. I conclude by discussing—and contesting—the notion that electoral systems eventually stabilize as equilibrium institutions, and what this implies for the potential of any single model of electoral system change to apply to all cases.

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## ELECTORAL SYSTEMS AS POLITICAL CONSEQUENCES

### Duverger's Laws

The focus on electoral laws in Duverger's famous 1951 study of party systems concerned the sources of "dualism," or the concentration of political party activity in two main parties. National factors may explain a great deal, concluded Duverger, but two-party systems are invariably associated with a particular type of institutional arrangement: the single-member district, plurality electoral system. Elevating this claim to nomological status, Duverger set out his "law" in a passage that has been cited countless times in subsequent decades: "*The simple-majority single-ballot system favors the two-party system. Of all the hypotheses that have been defined in this book, this approaches the most nearly perhaps to a true sociological law*" (Duverger 1951, p. 217, emphasis in original).

As a corollary, Duverger also postulated that proportional representation (PR) electoral systems were a driving force behind the multi-party systems in many such countries he examined. Sometimes referred to as Duverger's hypothesis, this proposition states that PR favors multi-partism, as does the majority system with a second-round runoff format (Duverger 1951, p. 239). Together with his first proposition, this hypothesis subsequently formed the locus for a high-growth subfield linking variations in electoral institutions to differences in the size and concentrations of party systems.

Although his work undoubtedly set the strong institutionalist precedent for examining electoral institutions as political causes, Duverger was certainly aware of the problem of endogenous electoral system origins. Electoral systems, he wrote, "are strange devices—simultaneously cameras and projectors. They register images which they have partly created themselves" (Duverger 1984, p. 34). He had hinted at this effect in his original work when he noted that PR systems tend to maintain an already existing high number of parties, maintaining "virtually without change the party system existing at the time of its adoption" (Duverger 1951, p. 346). Such relationships clearly imply that electoral systems not only influence, but also are influenced by, political party systems.

Taken at face value, the reversal of the causal relationship implied by the "political consequences of electoral laws"—the title of Rae's (1971) seminal comparative work improving on Duverger's original case-based survey—seems to spell trouble for many of its central conclusions. Certainly in any science involving causal relationships, if what was previously deemed an exogenous cause on a key variable of interest turns out to be determined by that same key variable, then any unidirectional statement of the causal relationship is in jeopardy. This "endogeneity problem" is indeed a serious one in the study of electoral systems, and it receives careful attention here. To assess the nature and depth of this problem, however, it will be helpful first to examine in more detail the unidirectional relationship for which the political endogeneity of electoral laws might spell trouble.

## Two Forces Working Together

The bedrock in which the political consequences of electoral laws are grounded consists of a twofold process, which Duverger delineated as “two forces working together: a mechanical and a psychological factor” (Duverger 1951, p. 224). The mechanical effect of electoral systems describes how the electoral rules constrain the manner in which votes are converted into seats, whereas the psychological factor deals with the shaping of voter (and party) responses in anticipation of the electoral law’s mechanical constraints. This explicit twofold division of the process of polarization—Duverger’s principal concern with regard to the multiplicative effect of PR—fundamentally shaped the approach of generations of scholarship on electoral system consequences that followed. Straightforward evaluations of how electoral systems constrain and limit the number and size of parties that win seats focus on estimating the mechanical effect, typically represented by the key variable of district magnitude (examples include Benoit 2001, Taagepera & Shugart 1993, Lijphart 1990). Research into the psychological effect, on the other hand, focuses on the role of electoral rules in shaping the number of parties contesting seats (e.g., Blais & Carty 1991), as well as the way votes for these parties are cast, often controlling for such factors as social cleavages (Ordeshook & Shvetsova 1994), issue dimensions, and the character and timing of presidential elections (Amorim Neto & Cox 1997). Typically these two effects are studied separately; research either addresses only one, or analyzes them separately within the same study.

A typical manner of examining the two forces, found in much current research, is to focus on the (effective) number of parties winning seats as a dependent variable to estimate the mechanical effect, and on the (effective) number of parties winning votes as a dependent variable to estimate the psychological effect.<sup>2</sup> As independent variables, a continuum is used to represent differences of degree between “strong” electoral systems represented by plurality or majoritarian rules on one extreme, and “weaker” electoral systems that fail to encourage these reductive activities and hence give rise to numerous parties (Cox 1997, p. 11). This continuum is represented primarily by the variable of district magnitude, considered by many to be “the decisive factor” (Taagepera & Shugart 1989, p. 112. See also Cox 1997; Gallagher 1991, p. 50; Lipjhart 1994; Rae 1971). The type of electoral formula also figures in the equation (Benoit 2001), although “if one had to give a single major factor [that] determines the number of parties. . . it would have to be the district magnitude,” according to Taagepera & Shugart (1993, p. 455). Higher district magnitudes result in greater numbers of parties, and vice versa, with the extreme of single-member districts resulting in a two-party system. A contemporary proposition explaining the causal influence of electoral laws on party systems has taken the form of Cox’s (1997) “ $M + 1$  rule,” which states that

<sup>2</sup>The “effective” number of parties, weighting parties by size (represented by seat or vote share), is almost universally used instead of the raw number of parties as a more appropriate measure of party system concentration (see Laakso & Taagepera 1979 for details).

the maximum number of viable candidates is determined by district magnitude ( $M$ ) plus one. Cox applied this generalized rule to both mechanical and psychological effects under PR, formalizing and testing empirically propositions made earlier by Leys (1959) and Sartori (1968).

Generalizations such as the  $M + 1$  rule tend to work for both the mechanical and psychological effects because these two forces do indeed work together. In particular, the psychological effect is driven by political actors' understanding of the operation of the mechanical effect, shaping their reactions to the expected consequences of the operation of electoral rules. The psychological effect is driven by the anticipations, by both elites and voters, of the workings of the mechanical factor, and those anticipations shape both groups' consequent behavior (Blais & Carty 1991, p. 92). Under electoral rule arrangements that give small or even third-place parties little chance of winning seats, voters will refrain from supporting these parties for fear of wasting their votes on sure losers. Political elites and party leaders will also recognize the futility of competing under certain arrangements and will thus be deterred from entry, or motivated to form coalitions with more viable prospects. Following adaptation to Duvergerian psychological effects, electoral systems tend to act as systems of exchange that produce equilibrium numbers of parties (Cox 1997, pp. 6–8). There is thus an endogeneity between the mechanical and psychological factors, namely that the outputs generated from electoral mechanics depend on inputs conditioned by the operation, proper or not, of the psychological factor. If electoral systems are to result in an equilibrium number of parties, as much of the political consequences literature posits, then this endogenous cycle is exactly what is implied.

In summary, although Duverger's propositions concern the political consequences of electoral laws, the twofold operation of electoral systems on political parties implies not only that the laws constrain the conversion of votes to seats but also that parties are aware of this process. The consequences of this awareness, or psychological factor, are that parties will have preferences for and against alternative electoral systems and will thus attempt to change them or to influence which are chosen.

## THE PROBLEM WHEN ELECTORAL SYSTEMS ARE ENDOGENOUS

Through a variety of mechanisms, then, electoral systems influence the number and size of political parties that attract votes and seats and ultimately choose to form. As noted in the previous section, furthermore, the mainstay of electoral studies has been estimating the effects of variations in electoral institutions on variations in party systems across space and time. If electoral systems are shaped by the party systems they supposedly determine, however, then this casts serious doubt on conclusions about the independent causal effect that electoral systems exert on party systems. The cycle of electoral institutions and political party systems influencing

one another makes it difficult to isolate the causal effect and therefore problematic to draw firm conclusions about the magnitude of the isolated effect of one on the other. In this section I explore the implications of this endogeneity problem.

## Viewpoint 1: Endogenous Electoral Systems Undermine Duverger's Propositions

Almost as soon as Duverger expressed his strong causal assertions, dissenters began to examine whether the converse might be the case: that party politics or political traditions had shaped the form of electoral institutions and not vice versa. From his own comparative survey of party and electoral systems, Grumm (1958, p. 375) wrote that "the generally held conclusions regarding the causal relationships between electoral systems and party systems might well be revised. . . it may be more accurate to conclude that P.R. is a result rather than a cause of the party system." Lipson (1964) came to similar conclusions in his empirical examination of electoral system change. More recent evidence also challenges the conventional Duverger model (Shamir 1985, Shugart 1992). Finally, nearly all examinations of the adoption of Eastern European electoral systems during their transitions to democracy indicate that electoral system design was at least partially motivated by partisan interests (Birch et al. 2002, Elster et al. 1998, Geddes 1996, Lijphart 1992).

Rokkan (1970), in his examination of the introduction of PR in continental Europe, explained electoral systems as outcomes attributed to the extension of the franchise and the desire by established groups to protect their position while simultaneously granting a measure of representation to previously excluded groups. Extending the spirit of this "Rokkan hypothesis" (see Lijphart 1992), Boix (1999) argued that electoral system change in the twentieth century occurred when ruling parties needed to respond to electoral threats caused by changes in preferences of the electorate and the entrance of new parties. More recent echoes of this theme are found in the work of Colomer (2005, Ch. 1), whose comprehensive survey of political experience since the nineteenth century concludes that changes in the number of political parties usually preceded, rather than followed, changes in electoral rules.

What are the consequences of this reversal of Duvergerian causality? According to one point of view, it has direct implications for our ability to make statements about the political consequences of electoral laws through comparative observation, since the observed characteristics of party systems that might be seen as consequences of electoral systems are in fact responsible for the electoral systems. To make a classroom analogy, consider the well-known relationship between where students sit in a classroom and their grades in that course. Better students tend to sit toward the front, but this association does not imply that moving a given student from the back to the front row will guarantee he or she receives a better grade. Hence when observing, in 37 changes from majoritarian to more proportional systems, that the number of parties tended to expand before the changes rather than after, Colomer (2005, p. 12) concludes that this finding "reduces the relevance of Duverger's second law or hypothesis" that PR produces multi-partism. The

influence of electoral systems on party systems cannot be established independently, in other words, because the causal influence is bidirectional, or at worst, reversed entirely.

## Viewpoint 2: The Endogeneity “Problem” is Not Really a Problem

Although no one would dispute that electoral systems are chosen at least partly in anticipation of their political consequences, this “reversal of causality” does not necessarily undermine propositions concerning the nature of the association between electoral laws and political consequences. In most cases, information about anticipated consequences will be incomplete and uncertain, meaning that ex post institutional effects will not be endogenous to institutional selection. Because electoral system designers lack complete information at the design stage, they generally make institutional choices whose outcomes cannot be fully anticipated. Independent institutional effects may be observed, because the extent of designers’ ability to directly manipulate final outcomes is limited by incomplete information about the social and political operation of institutions, and this uncertainty is almost always in sufficient supply to “thwart the endogeneity of institutional effects” (Shvetsova 2003, p. 208; see also Taagepera 2002).

Even when electoral system designers do have complete information, furthermore, the endogeneity of institutional choice may confirm rather than mitigate the observation of independent electoral system consequences. Birch (2003, p. 18) expresses the logic of this viewpoint:

In one sense the [endogeneity] problem is an illusion, as electoral outcomes cannot in and of themselves “cause” electoral reform in isolation from perceptions of the likely effects of that reform. Politicians will only seek to redesign electoral systems to achieve certain ends if they believe in the causal efficacy of electoral systems themselves. If they are correct in anticipating the outcomes of reform (which is often not the case), then the causal efficacy of electoral systems is validated. If they are incorrect, and electoral reforms have consequences they have not anticipated, then the problem disappears.

Political parties, in other words, choose among alternative electoral systems precisely because of the anticipated effects of these alternatives on the party system. As social scientists, we might prefer a quasi-experimental framework wherein electoral systems are determined exogenously—the statistical equivalent of random assignment of treatment and control groups—but this emphasis is unnecessary in a field such as electoral systems, where institutional consequences are so well understood.

The full consequences of electoral systems being shaped in many or most cases by the political forces they subsequently influence is a theme to which I return in some concluding remarks about equilibrium conditions for electoral system change. What should emerge from the previous discussion is that a complete theory of electoral and party systems cannot expect to isolate one form of causality while

ignoring the other. If elections are to be treated fully as “systems of exchange subject to equilibrating mechanisms” (Cox 1997, p. 6), then this will only be achieved by more comprehensively looking at the dynamic interplay between the forces exerted by political institutions on political parties and the forces exerted by parties to reshape institutions. Setting this theme aside until later in this essay, I now turn to a more detailed survey of different explanations of electoral system origins and change.

## DIMENSIONS OF ELECTORAL SYSTEM CHANGE

Until just recently, there was a dearth of studies investigating the process of electoral system change and the high degree of cross-national variation in electoral institutions. Traditional studies of this process tended to be grounded in informal examinations of multiple cases (Elster et al. 1998, Geddes 1996, Lijphart 1992) or propositions inductively generated from single case studies (e.g., Benoit & Hayden 2004, Benoit & Schiemann 2001, Ishiyama 1997, Remington & Smith 1996, Bawn 1993, Brady & Mo 1992). More recent works have surveyed multiple cases of change to draw general conclusions (e.g., Colomer 2005, Birch et al. 2002) or even systematically analyzed broad samples of countries over time to test more process-driven theories (e.g., Boix 1999). Despite such developments, however, systematic theory building about how electoral systems originate and change is still in a relatively intermediate stage. In an effort to sort out some of the many (and frequently conflicting) approaches taken, I outline and explore the main factors involved in explaining electoral system change below, and I summarize them in Table 1. These factors can be reduced to three dimensions: the agency involved in effecting electoral system change, the motivations behind change in electoral systems, and the rule environment in which electoral system change takes place.

### Who or What Effects Change?

A key question regarding institutional change concerns the actors involved. Various characterizations of agency, in the sense of representing institutional change as the purposeful action of an identifiable actor or group of actors, provide important distinctions between several broad categories of explanations of institutional change. Different explanations highlight different actors—and their roles, motivations, and strategic interaction—in producing changes in electoral systems. Indeed, some explanations do not focus on any systematic aspect of agency at all, attributing change instead to more macrolevel forces at work in society or history. This section outlines and contrasts these different approaches toward the question of who or what brings about changes in electoral institutions.

**POLITICAL PARTIES** For explanations wherein agency plays a central role, political parties are the most commonly identified actor involved in the process of

**TABLE 1** Dimensions of electoral system change and key references

<b>Agents of Change</b>		
Parties	General party-oriented explanations	Colomer (2005), Benoit (2004), Boix (1999)
Non-party actors	Example: presidents in Poland, Russia	Benoit & Hayden (2004), Remington & Smith (1996)
External actors	Colonial influences	Blais & Massicote (1997), Golder & Wantchekon (2004)
Non-political experts	Example: parts of Hungarian electoral law Single transferable vote in Ireland	Benoit & Schiemann 2001 Gallagher 2005
History	Previously chosen options as focal points Bulgaria as example Historical patterns influencing future institutions	Elster et al. (1998) Ashley (1990) Kitschelt et al. (1999), Jowitt (1992)
Society	Hypothesis that PR occurred first in most heterogeneous societies Size Social structure	Rokkan (1970) Dahl & Tufte (1973) Golder & Wantchekon (2004), Mozaffar (1998)
Economy	Dependency on external trade Nature and dispersion of economic interests	Rogowski (1987) Cusack et al. (2004)
Chance	Historical idiosyncrasy: STV in Ireland Electoral reform in New Zealand Unexplainable forces	Carstairs (1980) Nagel (2004) Sait (1938)
<b>Goals and Preferences</b>		
General	Direct versus derived preferences	Tsebelis (1990)
Office-seeking	General explanations  Examples: Hungary, Poland, Russia, Taiwan	Colomer (2004), Benoit (2004), Boix (1999) Benoit & Schiemann (2001), Benoit & Hayden (2004), Remington & Smith (1996), Brady & Mo (1992)
Policy-seeking	General Examples: Germany, France	Katz (2005) Bawn (1993), Elgie (2005)
Representation and governability	General	Dunleavy & Margetts (1995)
Social and political engineering	To effect ethnic moderation	Horowitz (1985)

*(Continued)*

TABLE 1 (Continued)

Legitimacy and fairness	In Eastern European choices	Birch et al. (2002)
Other general motivations	Making elections accessible and meaningful	Reynolds & Reilly (1997)
<b>Special Considerations</b>		
Founding institutional choices	Role of uncertainty	Andrews & Jackman (2006), Birch (2003), Shvetsova (2003)
	Importance of social considerations and informal agreements	Benoit & Shiemann (2001)
	Exigencies of democratic transition	Mozaffar (2004)
	Rules secondary to transition itself	Birch et al. (2002)
	Stability and equilibrium	Stability versus change as the norm
	Constitutional entrenchment	Birch (2003), Klima (2000)
	Structurally induced equilibrium	Shepsle (1979), Shepsle (1986)
	Entrenchment of interests	Benoit (2004), Colomer (2005), Mitchell (2005)
	Role of transaction costs	Shepsle (1989)

designing, implementing, and modifying electoral systems. Indeed, it is most commonly taken for granted that institutional change outcomes result from the goal-seeking behavior of political parties. (For some examples of party-oriented agent-based explanations, see Colomer 2005, Benoit 2004, Boix 1999.) Parties may have a variety of different motivations (surveyed below), but it is through their conscious and purposive actions and interactions that electoral system change occurs. Typically, although not always, this involves parties pursuing conflicting objectives. This is because electoral institutions constitute a very specific type of political institution: what Tsebelis (1990, p. 104) has termed “redistributive” institutions. For political parties, redistributive institutions have a zero-sum character in the sense that seat share awarded to one party can only come at the expense of another party. As the primary units of legislative representation in modern democracies, political parties are the groups chiefly affected by the distributive nature of electoral institutions. Parties and their representatives—whether in a regular institutional setting such as a legislature or committee, or in an extraconstitutional setting such as a roundtable or special commission—also form the typical constituents of bodies charged with making choices of electoral systems. It comes as no surprise, therefore, that political parties are the most common political agent identified in explanations and models of electoral system change.

**NONPARTY POLITICAL ACTORS** Political actors other than political parties may play a role in the choice of electoral institutions, especially executives (or executive-type elites during a political transition). Many executives express preferences for specific institutions, for whatever reasons, and may exercise or threaten vetoes to influence electoral system alternatives. In the debate over the 1991 electoral law in Poland, for instance, President Lech Wałęsa twice vetoed the proportional law, favoring instead a first-past-the-post system in order to concentrate the party system. When both his vetoes of the PR law were overturned, Wałęsa then proposed a mixed-member system, but the legislature rejected this option (Benoit & Hayden 2004, p. 410). In 1993, President Boris Yeltsin of Russia was in a somewhat stronger position to impose his own preferences for a mixed system. Because Yeltsin had recently dismissed his legislature after literally attacking it militarily, he was able to decree the new electoral law without any formal parliamentary or party-based process (Remington & Smith 1996, p. 1258).

Sometimes the motivation of nonparty agents may be personal. Benoit (2004) terms this a “personal gain” motivation for electoral system change: Preferences among electoral alternatives are based on their association with expected personal benefits for key individuals. Party leaders may favor a particular electoral alternative in order to maximize their personal power, or to make good on bargains they have struck, such as promises of office or personal financial reward. In the 1989 roundtable deliberations in Poland, for instance, the communist Polish United Workers’ Party appears to have conceded the free election of the senate in exchange for an arrangement that it expected to guarantee the presidency of General Jaruzelski (Olson 1993).

**EXTERNAL ACTORS** Some accounts of changes in electoral institutions, especially institutions adopted for the first time following a transition from authoritarian rule or national independence, point to external agents as playing key roles. Recent examples would include the electoral laws of Iraq and Afghanistan, essentially imposed by victorious foreign powers following the military defeat of indigenous regimes. Other examples include the “inheritance” of electoral institutions from colonial rulers (see Blais & Massicotte 1997).<sup>3</sup> For instance, nearly every African nation that uses a first-past-the-post system is a former British colony, whereas the former French colonies of Comoros, the Central African Republic, and Mali all use the majority-runoff formula of the French Fifth Republic. The former colonies of Portugal (Cape Verde, São Tomé and Príncipe) and of Italy (Somalia) use PR systems (Golder & Wantchekon 2004, p. 408).

In a more advisory capacity, international political and financial organizations may also play a role in shaping electoral institutions. For example, some accounts of the Lithuanian electoral law choice in 1992 describe its content as having been drafted primarily by international organizations rather than by internal political

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<sup>3</sup>The role of (external) colonial actors in this process is sometimes indirect, however—see the sociological explanations below.

parties (N. Gelazis, unpublished paper). In the weakest sense of agency, furthermore, external models may influence electoral system design by providing examples. According to Birch et al. (2002, p. 13), however, although many countries tend to look to foreign experience when feasible, in postcommunist electoral system design at least, foreign experts were called in most often *after* decisions had been made, as a means to validate those choices. On balance, foreign models probably serve mainly as inspirations and illuminations of the menu of possible choices rather than as constraints.

**NONPOLITICAL EXPERTS** Sometimes the design of electoral institutions is chosen by a “neutral” expert or group of experts on primarily technical or administrative grounds. Examples of entirely technocratic motivations are rare, but they may explain the adoption of certain elements of electoral systems, particularly such complicated features as PR formulas or district sizes and boundaries. For many political actors, the costs of understanding and fully assessing the consequences of these factors may simply outweigh the perceived potential benefits. The choice of PR formula in the Hungarian electoral law of 1989, for instance, was delegated by the roundtable negotiators to a small group of experts who purported to understand its implications and who cited technical criteria in justifying their choice (Benoit & Schiemann 2001). The single transferable vote (STV) system in Ireland was also chosen apparently without a systematic consideration of the alternatives, largely because of a visit to Dublin in 1911 by Lord Courtney of Penwith, president of the British Proportional Representation Society. He convinced Arthur Griffith, founder of the Sinn Fein Party and later of the PR Society of Ireland, of the merits of STV. STV was subsequently adopted in the free Irish state over other PR alternatives without significant debate (Gallagher 2005, pp. 512–14).

**HISTORY** In many explanations of institutional choice, the main focus is not on agency at all but rather on broader social, political, historical, or external forces that drove institutional changes. The role of historical factors, especially the precedent established by the prior use of a particular form of electoral institution, offers a primary example of the influence wielded by this type of “agent.”

Institutional designers may be attracted to electoral laws used during earlier episodes of democracy, finding these solutions “focal” in the midst of intense pressure and institutional crisis (Elster et al., p. 62). Historical options are frequently attractive during transitions, especially in countries experiencing a return to democracy after a period of authoritarian rule. There is some evidence, for example, that the Civic Forum’s embrace of PR in 1990 was linked to the use of PR during the Czech interwar period. The electoral system of the French Fifth Republic likewise restored the two-round majority system used under most of the Third Republic, which was in turn used under the Second Empire from 1851 to its last election in 1869 (Mackie & Rose 1991, pp. 131–32). A return to historically prior electoral institutions may also provide an attractive symbol of rejecting the existing regime. For example, some parties in Bulgaria’s transitional Grand

National Assembly urged that the constitution to be adopted in 1991 resemble the 1879 "Turnovo" constitution, Bulgaria's first postindependence liberal constitution. Indeed, the Grand National Assembly itself, the first postcommunist legislative body in Bulgaria, was agreed to by the Bulgarian Communist Party at the insistence of the opposition, who wanted to evoke the first postindependence parliament responsible for the 1879 constitution (Ashley 1990).

On a smaller scale, historical precedent may influence specific elements of electoral systems; for example, new district boundaries may be fitted to historically focal administrative demarcations. In both the Bulgarian and Hungarian electoral systems, the PR districts were formed around previously existing local governmental boundaries.

On a more general scale, historical influences also include what Frye (1997) terms "cultural approaches," encompassing not only legacy institutions but also path dependence, general culture, and the institutional "culture" imposed by the character of previous regimes. Jowitt's (1992) account of postcommunist regimes in Eastern Europe, for example, attributes variation in institutional development to the degree of the Leninist legacy of state socialism. In a similar vein, Kitschelt et al. (1999) argue that postcommunist electoral laws are largely the product of the political contexts shaped by the type of communist regime in each country, and that these legacies shaped the electoral system as well as other political and institutional outcomes.

**SOCIETY** Although the notion of society as an agent is perhaps antithetical to the commonly accepted idea of agency as the purposive behavior of identifiable actors, sociological forces play the main role in many prominent explanations of electoral system change. Rokkan (1970, p. 157), for example, qualified his original hypothesis in the context of ethnic and religious minorities, pointing out that the earliest moves toward PR occurred in the most ethnically heterogeneous societies of Western Europe. Horowitz (1985) has also suggested that ethnic concerns may be central in the design of electoral systems, although his account suggests a conscious choice over alternatives linked to expected consequences. Purely sociological explanations tend to omit or at least downplay the conscious consideration of alternatives, simply linking the emergence of certain electoral arrangements to the convergence of plural forces. For instance, Dahl & Tufte (1973) suggest that size itself may determine the shape of electoral regimes.

A sociological flavor features strongly in some explanations of the choice of electoral institutions in Africa. For example, Mozaffar (1998, cited in Golder & Wantchekon 2004) argues that Anglophone countries employed plurality rules because the institutional patterns and incentive structures developed under colonial rule had continued to exist during authoritarian single-party rule. The relative tolerance of the British toward autonomous associations, combined with the introduction of plurality rules at independence, encouraged elites to maintain strong links to constituencies based on patronage and delivery of other forms of services and goods. Plurality rules were thus used in the 1990s when democratic elections

were (re)introduced because authoritarian incumbents and democratic challengers alike wished to retain their respective local power bases (Golder & Wantchekon 2004, p. 409). By contrast, argues Mozaffar (1998), French colonial rules had organized associational life into state-sponsored peak associations, which provided fewer incentives for elites to cultivate strong constituency ties. The inclusion of these associations in discussions of which electoral systems to choose led to a “strategic convergence on PR” in the 1990s.

**ECONOMY** Some approaches to electoral system origins look to economic factors to explain political institutions. Rogowski (1987) has argued that the more an economically advanced state is dependent on external trade, the more it will be drawn to the use of PR and large district magnitudes. This move to PR comes from the convergence of pressures from free trade groups seeking to maximize the state’s insulation, strong parties seeking to boost state autonomy, and a need for the stability that Rogowski attributes to PR. His analysis of OECD countries in 1960 and 1975 suggests an association between trade and the number of electoral districts.

Economic logic also prevails in Cusack et al.’s (2004) explanation of the variation in electoral rules by the nature and geographical dispersion of economic interests. Right-wing parties prefer majoritarian institutions when class is the only economic division, they argue, but ally with the left to support PR when their investments are activity-specific and geographically dispersed. In contrast to Boix’s (1999) argument, Cusack et al.’s conditions indicate why some right-wing parties chose to maintain majoritarian institutions in the face of a rising left, irrespective of the initial number of right parties or the size of the electoral challenge from the left.

**CHANCE** Perhaps the antithesis to the notion of a purposive agent is the role of chance. Unplanned events, whims, accidents, and historically idiosyncratic factors in general comprise an indispensable component of many explanations of how electoral system changes came about.

For example, as mentioned above, the Irish STV system was largely shaped by the visit of Lord Penwith to Dublin in 1911. The first free constitution mandated PR as a principle for the electoral system, later changed specifically to STV in the constitution of 1937 by de Valera, head of the Fianna Fail party in office since 1932 (Gallagher 2005, p. 514). Successful passage of the constitution elevated the amendment rule for the electoral system to a constitutional-level procedure, protecting the STV system from change despite numerous challenges and two referendums.

In a now famous incident of electoral reform through accident, ruling parties in New Zealand found themselves bound to implement a sweeping electoral reform that traced back in essence to a chance remark, later described as a gaffe, by Prime Minister David Lange during a televised debate. In New Zealand, the use of a first-past-the-post system had virtually guaranteed a two-party duopoly of the Labor Party and the National Party, producing continuous single-party majority

governments since 1914—often cited as the textbook example of the “majoritarian” or Westminster type of democracy (Nagel 2004). Grassroots dissatisfaction with the electoral system began in the 1970s among Maori and minor-party supporters who consistently found it difficult to obtain any representation, and increased with the 1978 and 1981 elections, in which Labor received a plurality of the vote yet National won a majority of the seats. This led Labor to pledge in the 1980s to establish a Royal Commission to reappraise the electoral law. The commission compared many options and finally recommended the “mixed-member plurality” (MMP) system combining single-member districts with lists, although the majority of Labor’s Members of Parliament opposed this system. Because the commission was politically independent and had very broad terms of reference, its considerations were disconnected from the strategic considerations of any particular party. After the commission’s report, “horrified politicians of both major parties attempted to put the genie of reform back in the bottle” (Nagel 2004, p. 534). This succeeded for six years, until the televised leaders’ debate in which Labor Prime Minister David Lange inadvertently promised to hold a binding referendum on electoral reform in response to a question from the leader of the Electoral Reform Coalition. Labor initially refused to honor this pledge when elected in 1987, but after the National Party politically exploited the incident as a broken promise, both parties promised a referendum in their 1990 manifestos. The National Party elected in 1990 finally held a referendum on electoral system reform in 1992, in which voters rejected the existing first-past-the-post system by 84.7% in favor of an MMP alternative (70.5%) (Roberts 1997). New Zealand’s long-standing first-past-the-post system owes its changeover to the mixed-member system not so much to “a revolution from below [as to] an accident from above” (Rudd & Taichi 1994, p. 11, quoted in Nagel 2004).

In the ultimate nonagency explanation, some treat institutions simply as phenomena that emerge in an almost self-organizing fashion, rather than as the products of any conscious design by agents. This view has been expressed by Sait (1938, p. 16): “When we examine political institutions. . . they seem to have been erected, almost like coral reefs, without conscious design. . . . We ask for the name of the architect. There was no architect; nobody planned it.” This notion is echoed by Rogowski (1987, p. 220), who suggests,

Societies often adapt their institutions semiconsciously, responding to surface manifestations of root causes that their members only dimly comprehend: feudal dues were not commuted, nor absolutist government instituted, nor slavery abolished, nor even “Keynesian” fiscal policies first employed by groups fully cognizant of what most would now acknowledge to have caused those changes.

From this last extreme logical stretch of the notion of agency, I now move on to the next broad dimension in explanations of institutional change: the motivations, whether real or stated, of electoral system reform.

## What Explains Preferences Among Institutional Alternatives?

I have noted that electoral systems serve a fundamentally distributive function, rewarding one party only at the expense of the other in terms of the distribution of seats awarded. When selecting among alternative electoral rules, actors are typically aware of the vastly different distributive consequences of those rules. It should come as no surprise, therefore, that different actors will have different preferences for alternative rules based on their anticipations of these distributive consequences. Different electoral systems, moreover, have additional properties and associated costs and benefits that motivate preferences among alternative choices. In this section, I identify and explain these motivations.

Two broad categories of preferences among electoral system alternatives may be identified. The first category links actors to institutions through their *direct* preferences for one alternative versus another. Actors' direct preferences for institutional alternatives arise from the basic institutional characteristics or the intrinsic qualities that they associate with the institutional alternatives. For instance, institutional designers may hold a direct preference for first-past-the-post because of its innate simplicity, association with constituency service, and accordance with British colonial tradition.

Political actors may also form *derived* preferences for institutional alternatives, based on the anticipated distributive consequences associated with those alternatives. Selecting among alternative electoral systems is the first stage of a two-stage, or nested, game. Parties hold or derive preferences for alternative institutions based on expectations about the payoffs these institutions will have for them at a second stage (Tsebelis 1990). Seat-maximizing and policy-optimizing motivations (discussed below) are examples of the pursuit of derived preferences.

In what follows, I delineate different bases for preference formation over electoral systems found in the literature on electoral systems, starting with the most common.

**OFFICE-SEEKING** Office-seeking theories of institutional choice are the most common and perhaps the most simple. In short, parties prefer electoral rules that maximize their seat share relative to those of other parties. Typically, larger parties prefer more restrictive, and smaller parties more open, electoral systems. Colomer (2004a, p. 3) calls this the "micromega rule: . . . the large prefer the small and the small prefer the large."

Explaining electoral choice in terms of office-seeking motivations is clearly based in the notion of derived preferences, since parties evaluate alternative institutions according to the utilities they will derive from their share of distributive goods associated with each institution.<sup>4</sup>

<sup>4</sup>Office-seeking explanations may be quite general, since they posit both direct and indirect utility from holding office. Direct utility might be partisan power or representation of one's own constituency; indirect utility might be gains from additional shares of allocative resources determined by the balance of legislative seats, including (but not limited to) policy.

In the most detailed general presentation of the seat-maximizing model, Benoit (2004) predicts that parties will change electoral rules when a coalition that would gain seat share exists that also has the institutional fiat power to implement such changes. In applied settings, seat-maximizing motivations have tended to structure political decisions most clearly in transitional settings, where second-stage goods such as policy outcomes are poorly defined or uncertain, and the most immediate concern for parties is maximizing legislative representation. For example, Benoit & Schiemann (2001) have explained the choice of the Hungarian electoral system with an office-seeking model. Similar models have been applied to electoral system choice and change in Poland (Benoit & Hayden 2004), postcommunist Russia (Remington & Smith 1996) and postauthoritarian Taiwan (Brady & Mo 1992). Seat-maximizing concerns also drive Boix's (1999) model, which explains the introduction of PR as a damage-limitation strategy by right-wing parties in the face of a rising electoral threat from the left.

**POLICY-SEEKING** Policy-optimizing motivations form another category of derived preferences for choosing among alternative electoral systems. In policy-seeking theories, electoral rules are the outcome of a struggle among parties whose preferences for rules are based on the expected policy outcomes associated with the alternatives. Electoral system choice is directly linked to distributive shares in legislative power (the first stage), and this legislative power will then determine who is empowered to enact policy (the second stage). Each party involved in institutional choice at stage one will rank each electoral system alternative according to its utility for the exogenously preferred policy outcomes it associates with the institutional alternatives. This is the model applied by Bawn (1993) to the choice of electoral system in postwar Germany, for example, explaining both the adoption of PR in 1949 and the change to a mixed system in 1953.

Sometimes parties in a position to effect electoral rule changes that would improve their seat shares (or to block reforms that would lessen their seat shares) may be willing to concede their electoral advantage to realize specific policy outcomes. An example, according to Katz (2005, p. 68), is the willingness of the Maltese Labor Party to support the adoption of STV, advocated by its rival, the Nationalist Party. In exchange for supporting the Nationalist-favored reform, Labor secured Nationalist support for modifying the constitution to entrench Maltese neutrality and ban the stationing of foreign troops on the island. Similar policy objectives also explain why the Japanese Socialist Party retreated from its support for first-past-the-post during the 1956 discussions, because it feared the rules might give the Liberal Democratic Party sufficient seats to remove the constitutional

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The office-seeking model differs from the policy-seeking model in that it specifies that each party will prefer rules that maximize its own share of legislative seats—rather than those of any other party—regardless of the compatibility of the policy goals or ideology of other parties with its own.

renunciation of Japanese militarism (Reed & Thies 2001, p. 158, cited by Katz 2005, p. 68).

Instances where policy objectives clearly took second place to office-seeking goals may also be identified, especially when these two goals are incompatible. Had policy been the primary motivation for electoral system change in France during the 1980s, for example, the Socialist Party would presumably not have pushed the replacement of its two-round majoritarian rules by PR. From a policy standpoint, the rule change ran counter to Socialist interests: It directly resulted in the election of 35 deputies from the far-right National Front party whose policies were an anathema to the Socialists. The reform did greatly reduce the Socialist seat loss in the 1986 elections (Elgie 2005, p. 120), however, despite the sacrifices that party subsequently made in the policy arena.

**BALANCING REPRESENTATION WITH GOVERNABILITY** Parties may also rank alternative institutions according to their preferences for institutional outcomes that affect the general, rather than partisan, interest. Just as the framers of the U.S. Constitution passionately debated the merits of a federal versus a confederal design, parties may struggle to implement competing institutions on the basis of their different preferences for collective political outcomes. This may be a social concern such as fairness or representation, a concern with producing good government, safeguards against hyperconcentration of power, and so on.

A frequently expressed desideratum of electoral systems is representation, on the basis of simple fairness. Genuine representation entails legislative seats for one's own group, according to this argument, and this requires electoral institutions making it possible for such groups to gain seats. These groups may be sectors representing labor or agricultural interests, or ethnic, religious, or national minorities in heterogeneous societies. A preference for maximizing representation generally means maximizing proportionality, an option that affects all existing and potential parties rather than only one's own party.

Governability is another outcome of electoral institutions that affects general rather than partisan interests. Because more governable systems are typically those with fewer parties, however, the goal of governability typically must be balanced with the competing goal of representation. In the debate over the British electoral system, for instance, governability and representation form the two dimensions of utility that divide actors in their preferences among alternative systems (Dunleavy & Margetts 1995).

As with many "general interest" motivations associated with electoral systems, however, we must be circumspect in distinguishing between genuine and strategic expressions of preference. In many cases, parties whose real concern is maximization of seat share may defend their preferred institutions with arguments about the general interest, especially with regard to the tradeoff between representation and governability. The former is often invoked by opposition parties who come to power and then suddenly see the advantages of governability in a new light.

**SOCIAL AND POLITICAL ENGINEERING** A preference for a particular electoral system may be based on its ability to encourage conciliation and conflict management between rival, possibly violent, groups in society. For instance, Horowitz (1985, pp. 639–41) ascribes the Sri Lankan adoption of the alternative vote in 1978 to the desire to promote intraethnic conciliation within a multiparty system. The rules for electing the Nigerian president prescribed by the 1978 constitution also were chosen to produce ethnically mixed coalitions (Horowitz 1985). In cases where conflict management is paramount, this motivation may override other criteria in electoral system choice.

**MAXIMIZING LEGITIMACY AND FAIRNESS** According to Birch et al. (2002), designers of founding electoral systems in Eastern Europe were motivated by self-interest but also took a long-term view toward the collective good, such as promoting party system development, maintaining proportionality, and ensuring fair outcomes. Because of the uncertainty rampant during transition, it was often impossible for political parties to link specific electoral arrangements to self-interest, and therefore they chose rules—such as PR or mixed systems—that tended to minimize risk. Systems that benefited the collective interest, therefore, were what Birch (2003, p. 19) calls a “default choice” arising from a common interest among opposition parties in ending single-party rule.<sup>5</sup>

When the need for legitimacy and fairness is paramount, these concerns may cause political parties to eschew systems that might maximize partisan objectives, even when parties are in a position to impose the potentially unfair alternatives. The decision to adopt PR by the opposition in the Czech roundtable of 1990, for instance, was at least partially motivated by a desire to implement a fair system embodying pluralism, not to see weaker parties completely excluded from representation. Similar motivations held in the Bulgarian decision in 1990 to choose a partly PR system even though the dominant Bulgarian Socialist Party—which later won 47% of the vote and an absolute majority—could have imposed a purely majoritarian system.

**OTHER GENERAL MOTIVATIONS** Another goal is “making elections accessible and meaningful” (Reynolds & Reilly 1997), which refers to the general desire to choose electoral institutions that enhance political participation and efficacy. This means designing systems that are easy to use, that minimize “wasted votes,” and that provide a meaningful identification between constituents and representatives. Other general concerns might include administrative capacity or cost. In practice, such concerns tend to figure more in the rhetoric of electoral reform than in actual decision making. When they do determine a choice among institutional alternatives,

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<sup>5</sup>The other practical consideration which motivated more inclusive electoral institutions, according to Birch (2003), was the desire to spread blame among many parties, possibly coalitions, for the hard choices surely required following transition.

their role is most often in refining the shape of institutions already chosen in broad form for other reasons.

## What Rules Govern Change?

The notion that electoral systems are political consequences points to another institutional issue: that like all political institutions, changes in electoral rules are themselves governed by institutional rules. Though frequently ignored, the rules governing institutional change are critical when considering how and when changes in electoral institutions may occur. Despite the fundamental importance of this issue, however, the rules governing the modification of electoral rules is seldom considered in theories and models of electoral system change.

Just as electoral systems vary substantially across countries, so do the rules governing the modification of electoral rules. In many countries, electoral laws may be amended by a majority or supermajority vote of the legislature. Where supermajorities are required (typically two-thirds or three-fourths), this provision is typically specified in a constitution or constitutional-level document. In some countries, electoral systems are constitutionally entrenched, at least in their broad forms. Constitutional provision was a distinctive feature of many postcommunist electoral systems, for instance, with the Czech, Georgian, Polish, Slovenian, Estonian, and Latvian systems being specified at least partly in the national constitutions (Birch 2003, p. 32).

When electoral systems are constitutionally entrenched, then the requirements for changing them become equivalent to those for constitutional amendment—giving electoral institutions a high degree of rigidity in such countries. Cases abound where even though political forces or publics desired to change electoral systems, the meta-institutional stickiness of these systems meant that change was unsuccessful. In Ireland, where the STV electoral system is explicitly required by the constitution of 1937, legislation has twice been passed in both houses to replace STV with a first-past-the-post system. Yet neither measure succeeded because constitutional amendment requires popular approval, and both referendums (held in 1959 and 1969) failed to approve the changes. In a converse process, Slovenia held a national referendum in 1996 approving the adoption of a majoritarian system, but the change was struck down by the Constitutional Court (Birch 2003, p. 32). In the Czech Republic following the 1998 elections, the Civic Democratic Forum (ODS) formed an agreement with its rival, the Social Democratic Party (CSSD), to reduce the proportionality of the electoral law, having calculated that by severely reducing district magnitude they could exclude their smaller party rivals (Klíma 2000). Although the measure passed both houses of the legislature in June 2000 with a two-thirds majority, the measure was ultimately rejected by the court because it violated the spirit of constitutional provisions requiring a proportional electoral law.

Such examples demonstrate why we must consider the meta-institutional rules governing change when developing any model of electoral system change. Stability in electoral systems, as with any political institutions, can derive not only from

political equilibrium—in the absence of exogenous changes—but also from what Shepsle (1979, 1986) refers to as a structurally induced equilibrium. It is not sufficient, in other words, to explain electoral system stability as the situation where given their opportunities, no actors would find it “worthwhile” to change the rules of the game (e.g. Colomer 2004a, p. 7). In the sense that the decision rules governing electoral law amendment structure and constrain the opportunities for change, full consideration of these rules is critical to any explanation—especially related to stability or equilibrium—of electoral system change.

Of course, the question of where institutions come from can also be applied to the meta-level rules constraining electoral law amendments, since these are also, at some point, determined by political actors. It should also be noted that many episodes of institutional change, including electoral system change, take place outside of normal channels where meta-level rules governing change would apply. This is especially true in transitional settings where electoral systems are being adopted for the first time, a subject to which I turn in the next section.

## EXCEPTIONS AND SPECIAL CIRCUMSTANCES

### Founding Electoral Systems versus Electoral Law Amendments

Although the distinction is not always made, it is usually worthwhile to differentiate between episodes of “founding” institutional choice and modifications to electoral institutions made during periods of more normal politics. In the typical example of founding institutional choice, a country might be choosing the rules to govern its first free elections following a period of authoritarian rule or the granting of national independence. For several reasons, the setting, the actors, and their motivations are likely to differ from electoral law modifications that take place under more established circumstances.

First, uncertainty, lack of reliable information, and imperfect understanding of electoral rules and their consequences often feature prominently in many transitional contexts. This uncertainty means that in founding elections there may be a large gap between perceived and actual self-interest among political actors, complicating choice based on derived preferences that may motivate institutional change in more stable political settings. Although many electoral system choices are strategic, the uncertainty and miscalculation rampant in electoral system choice frequently makes success or failure almost impossible to predict (Andrews & Jackman 2005). This uncertainty often results in middle-level choices that do not emphasize any single motivation. For instance, the mixed systems that proved popular with electoral system designers in Eastern Europe were chosen not only as a compromise among bargaining sides but also as a hedge against uncertainty (Birch 2003, p. 32).

Second, political conditions from the transition may constrain decision makers in their choice of electoral systems. Institutional choice in such settings is often governed not by normal political and constitutional considerations but rather by

bargaining power, social considerations, and informal agreements (Benoit 2004, p. 384). Many electoral system choices in Africa following a return to competitive elections in the 1990s, for instance, were constrained by the political legacies of authoritarian regimes and the exigencies of democratic transition (Mozaffar 2004). These special conditions consisted of “power asymmetries and associated differences in the electoral expectations, institutional preferences and bargaining strengths” of groups on both incumbent and prodemocratic sides (Mozaffar 2004, p. 421)—specifically, whether incumbent, formerly authoritarian parties dominated negotiations over the electoral laws or whether opposition forces more evenly balanced incumbents.

Third, the process by which founding electoral systems are chosen in transitional democracies is often ill-defined, since the meta-institutional rules that govern institutional amendment may not be in place or may be circumvented. Change may take place in extraconstitutional settings, such as a roundtable or a special commission. Many founding electoral systems are chosen in a political and institutional vacuum where there is effectively no status quo institution against which to weigh alternatives. Even where status quo electoral institutions do exist, they may be regarded as unacceptable alternatives because of their association with the previous regime. Founding electoral system choices are thus very different from more regular episodes of change in which alternatives are weighed against an already used system.

A fourth consideration is that the political groups involved in electoral system choice in transitional settings may be ill-defined or temporary coalitions of actors with heterogeneous interests. This complicates the rational pursuit of objectives, especially those related to self-interest, because perceived interests may be too diverse to pursue in a straightforward manner.

A final, but most important, consideration in transitional contexts is the perceived legitimacy of the institutions chosen. In founding elections, the objective of establishing institutions that will be perceived as just, appropriate, or at least acceptable may take priority over the pursuit of individual, partisan goals. No party’s interest is served, for instance, when election outcomes are rejected by excluded parties or disenchanted publics that perceive the process as being unfair. Because electoral rules structure the competition among political interests and define access to the institutions of governance, the design of appropriate and fair electoral systems prior to first elections is a matter of fundamental political significance for new democracies. In addition, because in many single-party systems—especially in Eastern Europe—political monopoly was maintained by the application of restrictive electoral laws, the revision of these laws was also the principal means to dismantle the political forces that had imposed and maintained the communist social and economic systems (Birch 2003, p. 8). For these reasons, Birch et al. (2002) conclude in their study of postcommunist electoral systems, not all founding choices followed the pattern that the strong favored majoritarian institutions and the weak advocated proportionality. As politics became more normalized, however, and parties and electoral laws began to stabilize while the legitimacy of

the democratic rules became better established, the emphasis on collective fairness shifted toward the pursuit of individual partisan advantage.

## Electoral System Stability and Institutional Equilibrium

A full accounting of this process of electoral system change means not only explaining why electoral institutions are changed but also predicting when they are likely to change. Under what conditions—if any—are electoral systems likely to become “very stable and resist change” (Lijphart 1994, p. 52), in the words of one famous student of electoral systems? The most commonly held view in electoral studies is that once party systems have adapted to electoral systems, and once parties that are in a position to modify the rules no longer have incentives to do so, then electoral institutions will converge to an equilibrium. Absent external shocks to this equilibrium, electoral systems will cease to change. Boix (1999, pp. 609–10) describes the process:

As soon as the electoral arena became stable and the party system froze along certain cleavages, policymakers lost interest in modifying the electoral regime. Abrupt changes in electoral laws have been rare in the last eight decades, with the exception of those nations in which party systems have remained unsettled.

In practice, however, electoral systems frequently do change even in systems with well-established democratic traditions and party systems. Especially in the 1990s, many countries chose to change their electoral laws, with Japan, New Zealand, and Italy being prominent examples among well-established democracies to implement major reforms. If we consider also more minor reforms—such as changes in allocation formulas, the introduction of minimum thresholds, changes involving multi-tiered seat distributions, changes to district boundaries or the process by which such changes are made, or modifications to systems of intraparty preference voting—then reforms are far more common. Moreover, such apparently minor reforms may still have effects as profound as “major” reforms (Katz 2005).

Perhaps the greatest recent demonstration of the malleability of electoral institutions, however, has come from more recently established democratic systems. The postcommunist countries of Eastern Europe have clearly demonstrated that electoral system change can happen frequently even if initial electoral system choices were very recent. Indeed, the unprecedentedly rapid and frequent changes in electoral institutions and party systems observed among the Eastern European democracies have seriously challenged existing understandings of electoral system equilibrium (Elster et al. 1998, p. 130). In extreme cases such as Poland, every election has been preceded by a campaign to modify the electoral law, usually succeeding (Benoit & Hayden 2004, p. 397). And the December 2005 scrapping of the mixed-member system in Italy indicates that this phenomenon is not confined to newly democratic states. What then are the conditions under which electoral systems can be expected to stabilize?

One way to answer this question is to look at the interests of the actors who are empowered to modify electoral institutions, and to look at what would cause their interests to become and remain satisfied by existing electoral rules. It is clear from the literature on parties that some party systems are simply more volatile than others. Transitions from authoritarian rule, furthermore, may result in instability in both party systems and institutional rules, observed for many cycles (O'Donnell & Schmitter 1986, p. 62); examples are the French Fourth Republic, Argentina in the 1950s and 1960s, and many of the postcommunist states already pointed to. Another lesson from recent electoral rule "manipulations" is that even in long-standing democracies, incumbent parties may use their majorities to change rules for short-term electoral advantage. Examples include France in 1985, when the incumbent Socialist Party used its parliamentary majority to change to a proportional system to stem its anticipated losses in elections scheduled a year later, and Italy in 2005, when Berlusconi's government changed to proportional rules for very similar reasons.

Colomer (2005, p. 9) theorizes that institutional equilibrium is most likely in the long run to be found in more inclusive sets of rules, such as PR, because they are more likely to develop strong support among the broadest possible coalitions of actors. Yet electoral realignments and partisan shake-ups can and do occur in many systems, occasionally leading to calls to restrict systems that have become too open. Coalitions of parties with the power and interest to implement restrictive rules may indeed come to power and seek such rule changes, as in the Czech case referred to above. Indeed, proportional systems characterized by many parties—such as Italy and Poland—may also offer the greatest possibilities for occasionally throwing into power parties or coalitions with the necessary majorities to modify electoral laws, possibly in a more restrictive direction. Institutional equilibrium in systems like these is more likely to be induced by rules requiring supermajorities to change the laws than by waiting for party systems to somehow become settled.

In majoritarian systems, furthermore, institutional stability is frequently achieved simply because they tend to manufacture majority governments, and these governments then lack the incentive to make the rules more proportional. According to Mitchell (2005, p. 174), the reason for the failure of all attempts to replace the United Kingdom's first-past-the-post electoral system is that this system institutionalizes "an inverse relationship between having the *will* and the *power*" to implement reforms. This dynamic also explains the staying power of this system in New Zealand, where, before the "accidental" change to mixed-member rules in the 1990s, a stable first-past-the-post system had existed since 1914. Britain and the United States are two further examples where electoral systems could be changed by simple legislative majorities, yet both have long-standing first-past-the-post systems.

In short, we can observe three general tendencies concerning electoral system stability and the possibility of equilibrium institutions, at least once we have moved beyond the special circumstances of the founding electoral systems noted above.

The first is consonant with most recent models of electoral system change (e.g., Colomer 2005, Benoit 2004, Boix 1999).

First, electoral systems will remain unchanged when no party or coalition of parties with the power to adopt an alternative electoral system can better meet its own political objectives—whether office- or policy-seeking—by changing the rules. From our understanding of the political consequences of electoral laws, we know that the parties that reach power are those conditioned by the mechanical effects of electoral rules—whose anticipation will have also psychologically conditioned party elites' decisions on whether to run as well as voters' decisions on whether to support them. Thus, we are returned full circle to Duverger's mechanical and psychological forces and the reasons why politically endogenous electoral systems are not necessarily a problem for Duverger's propositions.

The second observation takes into account that changes in electoral institutions are governed by institutional rules, and that institutional stability may be induced by meta-institutions even when party systems are unstable. The general tendency is that electoral systems will remain unchanged when restrictive rules governing their modification make it difficult, too costly, or practically impossible for interested parties to change the rules. This second tendency not only refers to the meta-institutional or "decision rules" identified by Benoit (2004) but also includes the associated nonelectoral costs of changing electoral systems. Any institutional change, argues Shepsle (1989), involves transaction costs that may deter changes. The result may be that institutions exhibit stability, "not because they are optimally suited to the tastes of participants and the present environment, but rather because transactions' costs price alternative arrangements too high" (Shepsle 1989, p. 144). These transaction costs may take the form of risk from promoting a change that proves controversial or unpopular—or unsuccessful, and thereby a waste of valuable legislative time (Dunleavy & Margetts 1995). It is also possible that over time a party that is seen to change the electoral law too frequently will be discredited as manipulating the rules for its own political gain (Benoit 2004, p. 386).

There is also an "all-bets-are-off" category that suggests we are unlikely ever to discover any unified field theory of institutional change that can perfectly fit every applied setting. The third and final tendency we observe is that, in exceptional cases, electoral system change may result from unexpected political events such as regime changes, popular movements, electoral realignments, or externally driven events.

For better or worse, these types of causes simply cannot be ignored when we discuss the frequently momentous nature of institutional change. When we seek to explain why electoral systems change, the problem lies not so much with the activity of theorizing but with the subject matter itself. Most of the time, in the politics of electoral systems, changes to the rules of the game are motivated by the play of the game itself, but in some cases it might be the referee, the spectators, or even an external body changing the rule book.

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