# REFLECTIONS ON THE TWO-MEMBER DISTRICT SYSTEM[*]

## Eugenio Guzmán

The author proposes a dual objective in this essay. On the one hand, explaining of what the central logic of the two-member district system consists; and on the other hand, making a critical commentary of the analyses and proposals for electoral systems contained in the works of José María Fuentes and Peter Siavelis, presented at the seminar entitled "Alternative Electoral Systems," organized by Centro de Estudios Públicos? in November 1992.

There are two hypotheses that are put forth in this commentary. First of all, that the two-member district system, unlike the proportional systems, encourages negotiation and heavily penalizes political parties that do not temper their ideological stances and their interests in a share of the power. Secondly, that the two-member district formula helps moderate political platforms as, since there are two seats up for election in each district, the blocs tend to adopt moderate positions that, in turn, concentrate the highest number of voters.

EUGENIO GUZMÁN A., Sociologist, University of Chile, Master of Science, London School of Economics. Member of the Institutional-Political Program of the Institute for Freedom and Development. A professor at the School of Economics of the University of Chile and School of Economics of Gabriela Mistral University.

### 1. General considerations regarding the "political market"

One of the essential characteristics of the "political market" is that most of the goods that are allocated in it through the collective decision-making processes are public in nature. These goods, by definition, involve characteristics (non-exclusivity, indivisibility and no rivalry in demand) that encourage free-riding. In this context, political parties play a fundamental role as they are the ones who generate agreements conducive to the supply of those goods. It can hardly be asserted on the "political market" that a rule of decision is optimal in relation to another so; in a representative democracy, it is highly likely that any collective decision will result in costs in making the decision and externalities for the individuals represented.[1]

In this latter regard, we could say that most of the time the results of the democratic game are *second-best,* or Paretian suboptimal for the set of individuals.

In addition to the foregoing, the political market presents other peculiar characteristics that relate to restrictions or limitations of risk. The following can be mentioned:

(a)     everyone has the right to participate (i.e. no one can be excluded);
(b)     obtaining information on the characteristics of the candidates and programs has a high cost.
(c)     there is no incentive to search for information as the issues of political programs do not affect everyone equally;
(d)     people do not participate in electoral processes in proportion to their intensity of preferences and understanding of issues; and
(e)     political indifference is not penalized.[2]

The political market, in particular the legislative game, can be defined as a super-game dilemma of the prisoner,[3] whose central characteristic is the lack of trust among participants. As a prisoner's dilemma, the problem of substance is the degree of uncertainty regarding the strategy or course of action that each of the players will take. Even though there is full

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[1] See J.M. Buchanan and G. Tullock, *The Calculus of Consent* (Ann Arbor: University of Michigan Press, 1962).

[2] G.J. Stigler, "The Theory of Economic Regulation," in *Political Economy*, edited by G.J. Stigler (Chicago University Press, 1988).

[3] Please see, inter alia: P. Ordeshook, *Game Theory and Political Theory* (Cambridge University Press, 1986); M. Taylor, *The Possibility of Cooperation* (Cambridge University Press, 1987); J. Elster, "Rationality, Morality and Collective Action," in *Ethics,* 96, 1985.

information, and even the possibility for negotiation, trust is the central aspect that explains why the tendency towards cooperation does not prevail among the players.

The foregoing considerations lead us to conclude, at least intuitively, that the electoral system plays a fundamental role in creating incentives for cooperation. Or said otherwise, in inducing competing players to cooperate amongst themselves and in penalizing those sectors incapable of reaching agreements that truly reflect the global preferences of the electorate. Of course, all this is in a highly complex context given the scarce information and instability of the supply of public goods.[4]

Consequently, this is the context in which we should center the analysis of the advantages and disadvantages of an electoral system.

This paper seeks to address some of the problems of greatest relevance in evaluating the advantages of a two-member district system in comparison to proportional systems and, in particular, the analysis and proposals contained in the work by Peter Siavelis and José M. Fuentes.[5]


## 2. The proportional principle and the majority principle:
## A question of values?


The discussion of electoral systems is usually approached in a way where value connotations generally prevail over technical considerations. For example, it is said that proportional systems are fair (or fairer) by definition than majority systems because the democratic principle of "one man-one vote" becomes a reality in proportional systems.

However, that is very far from being true:

First of all, because the principle of "one man-one vote" is always present, regardless of the system. Electoral systems make sense only if they are electors who have the same right to state their preferences.

Secondly, because electoral systems are mechanisms of agreement to determine how and who will shape the political forces.

Thirdly, the discussion on electoral systems is technical in nature, meaning regarding what the most appropriate ways are to attain optimal governmental efficiency and political stability.

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[4] J. M. Guttman, "Can Political Entrepreneurs Solve the Free-Rider Problem?," in *Journal of Economics, Behavior and Organization,* 3, 1982, pp. 357-366.

[5] Peter Siavelis, "Nuevos argumentos y viejos supuestos: Simulaciones de sistemas electorales alternativos para las elecciones parlamentarias chilenas"; José María Fuentes, "La alternativa proporcional en barreras de entrada: Un sistema adecuado para Chile"; both papers are in this edition.

We must distinguish here between two principles that are conjugated at the time an electoral system is evaluated. They are the "principle of decision" and the "principle of representation."[6] The first of these principles refers to the mechanism by which it is decided who will hold a position. Hence, in a presidential election, the mechanism to decide who will hold the seat of president is the opinion of the majority. Likewise, the composition of a collegiate executive branch may be determined according to the votes earned by each candidate, which signifies deciding according to a standard of proportionality.

On the other hand, the principle of representation makes reference to the way in which the different political forces will be represented. Said otherwise, in which relative proportion the forces will participate as compared to the votes received among the groups fighting for power. In this case, we find extreme situations of a pure majority (single-member district systems) and pure proportionality.

It must, therefore, be clear that how proportional or majority a system is, it is something that goes beyond the discussion of how democratic a system is or is not.

Democracy must be sought in the guarantees and rights provided by the political system, and not in the decision and representation procedure. The adjective of "democratic" is attributed to a system when dimensions are present such as:

(a)    *Universality of the vote:* All citizen are electors and eligible, regardless of sex, race, language or income;

(b)    *Equal vote.* The importance of the vote cannot be differentiated in terms of standards such as property, income, payment of taxes, etc. Each elector has the same number of votes.

(c)    *Secret vote:* This safeguards the freedom of conscience and neutralizes the effect of illicit pressure.

(d)    *Freedom to Vote:* People can exercise their right to vote voluntarily and not compulsorily.[7]


### 3. Incentives and effects on the political system

Having clarified the previous points, we can now fully begin an analysis of the principal features and incentives generated by the two-

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[6] D. Nohlen, *Sistemas electorales del mundo* (Madrid: Centro de Estudios Constitucionales, 1981), pp. 94-106.

[7] Ibidem, pp. 56-78.

member district system and the principal critiques made of it in comparison to proportional systems.

## 3.1 Convergence towards moderate positions

One of the features characteristic of the two-member district system is that it makes two disputing blocs move towards median positions of the electorate. In other words, each bloc moves towards its ideological opponent so that the disputing blocs tend to converge. That convergence is possible because each bloc knows that extreme positions within its own spectrum will remain loyal to it no matter what as their ideas are closer to it than to those of the opposing bloc.[8]

The more radical or orthodox voters are forced to vote for the party or bloc closest to their position, regardless of how far the policies proposed by it are from its ideal government. By definition, it is rational to prefer "less, rather than more, of an evil." In this context, abstaining is the same as increasing the probabilities that the "eviler" event will occur. This is appreciated better in Graph No. 1 that we show below.

The model supposes that the distribution of preferences of the electorate describes the shape of a normal curve and, therefore, the majority percentage of the electorate tends to be concentrated around the median of the distribution. However, on occasions, abstention by more radical sectors can constitute a strategy to make the more preferred party moved towards more extreme stances.[9] This takes place only when the information on the political map is scarce and, therefore, the costs of making a decision like this one cannot be evaluated.

The most appropriate strategy of parties in winning more support is by moving towards stances of the other extreme and obtaining more voters outside of their starting position (A or B in Graph No. 1). In other words, between it and its opponent. If both parties use that strategy in an effort to attract moderate voters-those whose positions are found between both parties—, their political stances become more and more moderate and less radical.

The advantage of moving towards more moderate positions (represented by the mean point of the "median" distribution of ideological

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[8] Our line of argument follows the one argued by A. Downs in *An Economic Theory of Democracy* (Harper and Row, 1957).

[9] We could say that the protest or "voice," in the nomenclature of A. O. Hirschmann, is another alternative for those sectors when the costs of "mobilizing" from one position to another in inter-party negotiations increase considerably. See A. O. Hirschman, *Exist, Voice and Loyalty* (Harvard University Press, 1970).

GRAPH NO. 1:       DOWNSIAN MODEL

Relative frequency



Left side                    Median                              Right
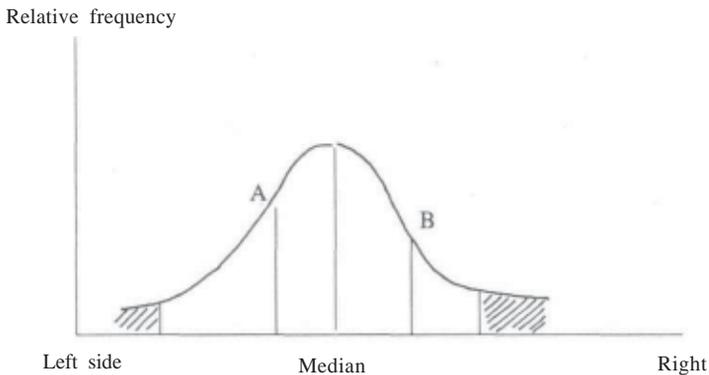
positions) lies in that given the form of the distribution, each time a party moves towards the center (median, in this case) within the left-right axis, it is able to attract a higher proportion of voters.


3.2. Negotiation versus confrontation

The two-member district system makes parties tend to group in large blocs, regardless of whether or not there is a multipartisan system. Since there are two seats available (per district), the parties that insist on extreme positions tend to be left out. And the Chilean experience demonstrates this in relation to more radical parties like the Avanzada Nacional (National Progress), PC (Communist Party) and political wing of the MIR (Revolutionary Left Movement) that are unable to capture relevant percentages of the national electorate. As a two-member district system prefers great majorities, parties tend to unite quickly and merge into alliances to attain higher voting thresholds than those they would capture individually. This motivates to parties to undertake negotiations that include a moderation of positions. In this regard, mergers "pushed" by the system create aggregate results that are more than the individual contribution by each party. This is because mergers alter the distributive figures and, therefore, the possibilities that a bloc win a seat.

In contrast, when the parties in one same sector participate individually in a proportional system, the results are clearly unfavorable to the sector. In this latter respect, there are two examples in our country. First,

in 1965, when the sum of the three principal rightist parties (Partido Conservador (Conservative Party), Partido Acción Nacional (National Action Party) and Partido Liberal (Liberal Party)) would have obtained one more representative in 7 of the 28 electoral districts if they would have joined forces. The same could be said for the leftist sectors.[10]

A second example consists of simulating, with the results of the 1989 congressional elections and 1992 municipal elections, what would have happened with the center-right parties if they would have united or gone their separate ways under both systems (two-member district and proportional), assuming that the Concertación (Coalition) participated in a bloc and modifying the variable district composition for each system.[11]

As seen in Table No. 1, the fact that the parties present themselves separately translates into considerable losses of seats for each sector, particularly in the case of the two-member district system, which penalizes individual participation.

In general, when faced with the risk of losing congressional representation in a two-member district system, the parties in each pact must systematically negotiate.

TABLE NO. 1: ELECTORAL RESULTS ACCORDING TO GOVERNMENT BILL AND TWO-MEMBER DISTRICT SYSTEM FOR THE CENTER-RIGHT (RN[12] – UDI[13] ) (% SEATS)

|  | Proportional Formula* | | Two-Member District Formula | |
|  | 1992 | 1989 | 1992 | 1989 |
| --- | --- | --- | --- | --- |
| Separately | 25.00 | 33.5 | 22.5 | 28.34 |
| In bloc | 31.10 | 34.7 | 32.5 | 39.17 |

*Government bill submitted to the House of Representatives

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[10] Instituto Libertad y Desarrollo (Institute for Freedom and Development), series *Opinion sector político – institucional: Sistemas electorales comparados y realidad*, October 1991, Santiago, Chile.

[11] As you will see below, the composition of districts is a very important variable when evaluating the government project. The effects of drawing districts are not random nor neutral for competitive slates.

[12] Translator's Note: RN stands for Renovación Nacional, which means National Renovation Party.

[13] Translator's Note: UDI stands for Unión Demócrata Independiente, which means Independent Democratic Union.

As a consequence of this on-going merger and negotiation, the voters' tastes and preferences become relatively homogeneous in the long term. The opposite effect happens in a proportional representation system.

In a proportional representation system, the party winning a small percentage can make room for itself in the government since Coalitions are a frequent form of operation.

In a proportional representation system (see Graph No. 2), there is no incentive for a party to move towards another. Party B does not win more votes by becoming closer to C or A.[14]

This is consistent with the idea of convergence developed above. In other words, in a proportional representation system, it is more likely that the voters be guided by ideological or doctrinal considerations than in a two-member district system.

On average, the voters in this system will weigh considerations that are technical or that involve the capacity of the parties to solve their

GRAPH NO. 2:      PROPORTIONAL MODEL

Relative frequency



LEFT SIDE        Mode 1                Mode 2            Mode 3        RIGHT

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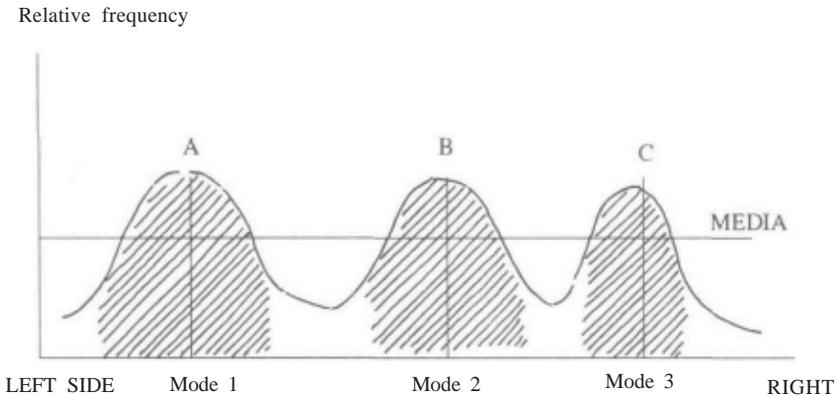
[14] In a spatial model, the allocation of two more seats is not sufficient incentive to move towards the mean point in the distribution (the point that divides the set of preferences into two halves); the most appropriate strategy is then to move towards the modes presented by the distribution that could coincide with the mean points (medians) of the subdistributions.

However, in a multipartisan system when there are just two seats available (two-member district), moving towards the median continues to be the most appropriate strategy. This is because of the margins of safety: 33.33% in a two-member district system and 25% in a three-member district system. In fact, the margins drop as the number of seats per district rises.

problems. This is the result of the convergence of parties encouraged by the system.

Proportional systems provide a wider range of ideological choices. The strategy used in these systems is to widen and maintain the differences. However, paradoxically, the resulting governments are less cohesive and less stable, unlike systems where the majority rules.


3.3 Splitting Parties

Proportional systems facilitate splitting since they contain incentives for parties to maintain their stances, and even widen them, as the system itself is what provides guarantees of representation according to lower thresholds or margins of safety.

The experiences in our country and in Latin America are eloquent in this regard.

The system exercises a sort of centrifugal force, meaning a tendency to widen differences to gain electoral space. The penalty for dissent or for not negotiating is quite low.

On the contrary, majority-rule systems, including the two-member district system, obligate political players to negotiate and, therefore, to merge. One clear example of this has been, in opposition to party splitting in the past (see Table No. 2), the socialist mergers in the last year in Chile, and also the attempts of partisan rapprochement of the UCC to the different majority blocs in dispute.

Splitting parties also translates into instability. Even though there is insufficient evidence on this, it can be said that on average, coalitions of governing parties in Europe have been in power 1.8 years, the party structure varying from 6 to 41.


3.4 Dispersion of votes

Although it cannot be categorically said that one system loses more votes than another, the losses tend to be higher in the proportional system because it encourages fragmentation.

Unlike the two-member district system, proportional systems encourage a division within sectors that share basic projects and programs since it is perfectly possible for a party to achieve the distributive figure alone in some or several districts.

TABLE NO. 2:        PARTY SPLITTING


**Before 1973**

PDC[15]          ─────────────>  IC (1971)
                 ─────────────>  MAPU 1969 ──────────────> Urban and Rural Workers (1973)

PR[16]           ─────────────>  DR (1969) (3.88%)*
                 ─────────────>  PIR (1971) (1.82%)
PS[17]           ─────────────>  USOPO (1967) (0.27%)
PADENA[18] (3.2%) ────────────>  PSD[19] (1966)


**After 1989**

Arrate PS        ─────────────>
Núñez PS         ─────────────>
Historic PS      ─────────────>  Socialist Party
MAPU[20]         ─────────────>
IC[21]           ─────────────>

USOPO            ─────────────>  PR
PR               ─────────────>

Disperse Errazurism ──────────>
South P          ─────────────>  UCC
Liberal Alliance ─────────────>

PPD[22]          ─────────────>
PADENA           ─────────────>  PPD
PL[23]           ─────────────>

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   * Percentage of votes


   As we said above, this occurred in our country both in the center-
right (Conservative Party, Liberal Party and National Action Party) in the
1965 elections and in the leftist sectors (PS-USOPO) in 1969.[24]

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   [15] Translator's Note: PDC stands for Partido Democrata Cristiano, which means
Christian Democrat Party.
   [16] Translator's Note: PR stands for Partido Radical, which means Radical Party.
   [17] Translator's Note: PS stands for Partido Socialista, which means Socialist Party.
   [18] Translator's Note: PADENA stands for Partido Democratico Nacional, which
means National Democratic Party.
   [19] Translator's Note: PSD stands for Partido Social Democrata, which means Social
Democratic Party.
   [20] Translator's Note: MAPU stands for Movimiento de Acción Popular Unitaria,
which means Unitary Popular Action Movement.
   [21] Translator's Note: IC stands for Izquierda Cristiana, or Christian Left.
   [22] Translator's Note: PPD stands for Partido por la Democracia, which means
Party for Democracy.
   [23] Translator's Note: PL stands for Partido Liberal, or Liberal Party.
   [24] Instituto Libertad y Desarrollo, series *Opinion sector político – institucional:
Sistemas electorales comparados y realidad*, October 1991, Santiago, Chile.

The tendency to lose votes can also be seen in the possibility that the highest majorities elected do not win any seat. Although this is uncommon, it is more likely to occur in a proportional system because the system gives preference to slate votes (1965 and 1969 elections). This situation is less probable in a two-member district system as there is coincidence between the slate receiving most votes and the candidate winning the highest majority. Finally, another type of distortion relates to the "trickle-down" effect that a candidate or party has (the DC [Christan Democrats] in the municipal elections) on a slate, which allows candidates receiving few votes to be elected.

The DC contributed more than 55% of the votes to the pact in the 1992 municipal elections, which often results in candidates from the slate of other parties earning few votes winning municipal seats. For example, in the district of Pica, the Concertacion slate won 48.21%, of which the DC contributed 30.2% (or 61% of the slate) and one two council seats; the PR won one council seat with 11% and the RN also won one with 17.2%. For example, in the district of Quinta Normal, the DC contributed 62% of the votes to the slate and 13 council seats. However, the PR, with 1.5% of the votes, won one council seat having contributed 2.3% of the votes to the slate. This compares to the fact that all candidates on the opposition list won more votes than the radical councilman. Many are the examples.

The point of substance is that the PR was capable of winning one council seat given the effect that the sum of parties on the slate has. This is a systematic recurrence throughout the country.


3.5. Executive–Legislative Matching. Administration vs. Government

As we said above, the discussion on electoral systems does not relate to how democratic one system or another is, but rather to reasons of efficiency of administration of the government and the stability of the country.

In this context, a system that favors splitting and has a tendency to maintain extreme stances has obvious adverse effects on institutions. Indeed, that system makes it more likely that "minority governments" take office, meaning governments that do not have a sound congressional backing and, consequently, adopt a passive attitude of simply administrating the government, which leads to paralysis or, what is equivalent, to ongoing confrontations between the legislative majority and the executive branch, something a bit risky to the country's course of dealings.

The comparison between that situation and the one we have in Chile today is obvious, thanks to the results of the 1989 Congressional elections. We say this because in a two-member district system, it is unlikely that a congressional slate that should be strengthened by the Presidential candidate will win non-majority voting in one of the houses of the legislature.

## 4. New Information for the Debate:
## José María Fuentes and Peter Siavelis

Taking into consideration the above viewpoints, we will now compare them to the recent arguments of José María Fuentes and Peter Siavelis in this matter.

### 4.1 A Proportional System of One National District: José María Fuentes

In order to analyze the arguments of J.M. Fuentes, we must return to the Central Points of his exposition, which can be summarized into 5:

(a)    his critique of the two-member district system as an electoral formula alien to the Chilean reality given its adverse effects on multipartisanship.
(b)    the proposal that the validating element of an electoral system lies in optimizing the district size-populational representation;
(c)    the critique of the two-member district system because of the barriers to entry that it imposes;
(d)    the proposal for an electoral system that prevents pacts; and
(e)    the proposal of one national district electoral system.

### 4.1.1  *Multipartisanship*

The multipartisan nature of the Chilean political system does not make the two-member district system invalid. In fact, the question of substance is whether the system of political representation is a good mechanism to avoid phenomena such as party splitting, the dispersion of votes and, principally, whether it does or does not encourage cooperation among political players.

The two-member district system makes the different parties (or thirds, in the vernacular) tend to group so that the positions become moderated inside the bloc.
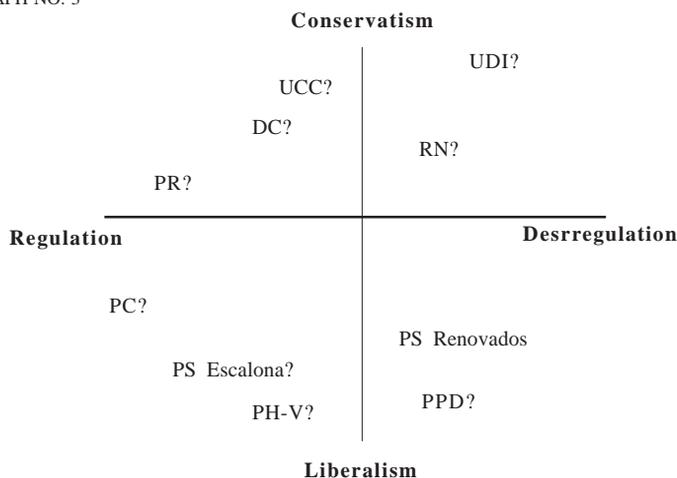
The argument that it is possible for one of the thirds of Chilean politics to be systematically excluded ignores the real fact that the thirds in play are no longer comprised of the same groups of electors of old; strictly speaking, they are mobile thirds. This is due, in part, to the variations in the ideological scenarios (yesterday, today and tomorrow) as well as the party volatility and loyalty of electors. The political issues of today are quite different from those of 1973. There is no need to say that what might best describe Chilean politics nowadays is the presence of the two grand blocs, subdivided, in turn, into subsectors that ultimately constitute subsectors with cleavages or considerable internal ruptures.

This becomes more complex when trying to draw a political map that contains more than one dimension. The complexity that is entailed by attempting to locate different political sectors on an axis of coordinates can be seen in Graph No. 3. That is to say, if, on the one hand, we represented moral issues on that map (conservatism-liberalism) and, on the other, the presence of the Government in the economy (regulation-deregulation), the problem of substance will be determining the relative distances compared to those dimensions and thus identifying the issues of convergence.

Speaking of three thirds becomes increasingly useless if by that we want to reflect the set of preferences and the electoral culture of the country.

In general, the multipartisan nature of the Chilean political culture is not denied by the two-member district system. Experience demonstrates this. What happens is that the system creates mechanisms for cooperation that make the political game become inclusive in nature, where parties belonging to a different ethos converge in some dimensions relevant to the national electorate.

GRAPH NO. 3



**Conservatism**

UDI?

UCC?

DC?

RN?

PR?

**Regulation**                                    **Desrregulation**

PC?

PS Renovados

PS Escalona?

PH-V?                  PPD?

**Liberalism**

### 4.1.2  District Composition

The critique that the actual composition of districts violates the principle of "one man-one vote" lacks validity because the composition or grouping of districts is one way of optimizing populational and political representation. If we look exclusively at populational criteria, the Metropolitan Region would, for example, hold 40% of the congressional seats in the country.

In general, there is a trade-off between political proportionality (seats vs. votes) and proportionality per inhabitant (seats vs. inhabitants). Hence, in order to simulate a hypothetical scenario in which five blocs compete—Concertacion, opposition, MIDA,[25] UCC and independents—, using data from the 1989 congressional elections, from one to six seats per district would have to be allocated in order to attain a level of congressional representation relatively equivalent to the size of the population. The House should be comprised of 198 representatives and even so, the Concertacion bloc would be over-represented by 10.06% and that of the opposition by 1.9%, while the UCC and MIDA blocs would be underrepresented by –6.26% (no representation) and –2.55% (3.03% of congressional representatives) respectively.

If we want the system to be even more representative, in terms of the seat/inhabitant ratio, we could reach the extreme of allocating as many as 12 representatives per district, depending on the population. Using the information available on the 1992 elections with the same blocs in competition (Concertacion, opposition, MIDA, UCC and independents), we would discover that the number of representatives would have to be increased to 353, with discouraging results. The Concertacion would be over-represented by 10.75%, the opposition by 1.68%, while the UCC would have a representation of 4.91% and the PC one of 5.60%, respectively (meaning under-representation of –1.5% and –2.5%).

These figures indicate that the problem of proportionality is directly related to the distribution of electoral preferences throughout the country and the number of blocs in competition.

Considerations such as one vote of the opposition in Aysen being worth more than 55 times one of the Concertacion in Santiago under the two-member district system (according to J.M. Fuentes) find their counterparts in the same districts or others for the same competing slates. Moreover, when analyzing the composition of the districts in the

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[25] Translator's Note: MIDA stands for Movimiento de Izquierda Democratica Allendista, which means Allende Democratic Left Movement.

Government bill, we find even greater inconsistencies. For example, Viña del Mar elects three representatives and Concepción 4 (not altered in the Government bill) even though they have a similar population (316,682 in Viña and 314,953 in Concepción). The reason? To allow the Concertacion to win 75% of the seats in both districts.

These problems of proportionality are not attributable to the two-member district system itself, but rather to variables such as district composition that may be modified without altering the system.

### 4.1.3 Barriers to entry

José María Fuentes said that the two-member district system is creating great distortions from the moment it provides "the same number of seats to those who obtain 33% and 65% of the votes and to those who obtain 3% and 25% of the votes." This is not a characteristic exclusive to the two-member district system as it depends on the distribution of the voting and the probability of winning a seat. For example, with a proportional system of six representatives per district, if a party receives 43.4% of the votes and the remaining five parties 56.6% (21.8 + 10.3 + 4.1 + 7.1 + 13.3%), the largest party will win 66.7% of the seats (or 4) and the second largest party 33.3% of the seats (or 2) and the remaining four parties none.

The question of barriers to entry relates (understood empirically) to other variables that affect electoral results.

Although it is true that the barriers to entry are high, they allow for serious and systematic work in each district, in addition to providing room for negotiation given the risk of being left out. That is key to understanding the two-member district system.

### 4.1.4 Pacts

As said by J.M. Fuentes, the problem of forming pacts is not inherent to the two-member district system. In fact, in the past, it was impossible to prevent the formation of pacts in a proportional system that forbid electoral pacts (the CODE and the UP[26]).

Alliances based on strategy constitute, objectively speaking, an "inevitable cost." The most obvious example of the inevitability of pacts is the protocol signed by the members of the Concertacion in the 1992

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[26] Translator's Note: UP stands for Unidad Popular, or Popular Unity.

TABLE NO. 3

| Party | Mayors per party | Percentage of mayors per party | Percentage of votes per party | Contribution to the pact per party | Percentage of mayors in the pact | Percentage of of council seats |
|---|---|---|---|---|---|---|
| PDC | 137 | 46.28 | 20.39 | 55.10 | :58.55 | 33.25 |
| PR | 28 | 9.46 | 4.91 | 9.21 | 11.97 | 9.26 |
| PPD | 34 | 11.49 | 9.22 | 17.36 | 14.53 | 8.69 |
| PS | 32 | 10.81 | 8.52 | 16.00 | 13.68 | 9.00 |
| PSD | 2 | 0.68 | 0.42 | 0.80 | 0.85 | 1.03 |
| PH | 1 | 0.34 | 0.42 | 1.53 | 0.43 | 0.78 |
| MIDA | 1 | 0.34 | 6.61 | 100.00 | 100.00 | 1.86 |
| UCC | 4 | 1.35 | 8.10 | 100.00 | 100.00 | 4.14 |
| RN | 38 | 12.84 | 17.80 | 60.20 | 69.09 | 20.94 |
| UDI | 17 | 5.7 | 11.77 | 39.80 | 30.91 | 9.62 |
| IND | 2 | 0.68 | 2.14 | 100.00 | 100.00 | 1.14 |
| PL | - | 0.00 | 0.24 | 100.00 | 0.00 | 0.21 |
| PN | - | 0.00 | 0.06 | 100.00 | 0.00 | 0.10 |
| TOTAL | 296 | 100.00 | .100.00 | - | 234.00 | 100.00 |

       * At the time the data were processed, there was no information for 38 districts in which there were problems with the election of the mayor. It was later confirmed that the results followed the trend seen in the table, which represents 88.7% of the districts in the country.

municipal elections in which a proportional electoral system was applied. As seen in Table No. 3, that protocol resulted in major differences between the percentage of votes received by each party, the percentage of seats won, and the contribution by each party to the pact.

       The incentives to create pacts relate to the motivations inherent to the specific political scenario, and not necessarily to a certain electoral system.

*4.1.5 The new proposal*

       The proposal by J.M. Fuentes (a hybrid between the German system and Israeli system) presents problems similar to those discussed above.

       First of all, the issue of populational proportionality is not resolved. Unless we understand that there would be districts that would not elect representatives but rather they would be imposed according to the general voting of the country. If this were so, drawing up districts would make no sense. Moreover, it is a mechanism that gives parties a greater control in manipulating candidates and slates.

In this regard, two optimization processes are confused. The first has to do with the size of the population and the second with the representation of political forces.

The proposal of allocating seats according to a national district creates another type of distortion, such as the slates corresponding to minority parties obtaining congressional representation with candidates whose district representation would be low. Given the quota system, according to which when a party has reached its national quota, it must assign the district representation to the next one on the ballot, significant distortions occur in the negotiation process.

On the other hand, if the mode of allocation occurs through a percentage vote for the candidate, we would generally expect district candidates with a greater number of votes to concentrate most of the votes on a ballot when they are located in Region V, the Metropolitan Region and Region VIII. It might be that whole regions would represent exclusively one single political sector.

The proposal does not resolve issues relative to the fragmentation of parties and if it does, it is through the mechanism of pacts that is being criticized.

Could the Concertacion survive if the regional or district candidates in one party could be displaced, a priori, by a party in the electoral pact? Obviously not. In that type of system, the need for pacts is, by default, of crucial importance.

Moreover, it is unclear whether putting up an obstacle of a minimum of 5% of the national votes is an efficient mechanism in avoiding the division of parties. It is likely that it will inhibit the inclusion of new sectors. In fact, the actual system, without putting up that obstacle, allows a sector to win a seat in a district provided the party demonstrates that it best reflects the preferences of the electorate.

The inclusion of national standards introduces distortions in the representation process. The German system has allowed the Liberal Party, in its role of hinge party, to govern in the last 35 years with the sitting majority party (Social Democracy and Christian Democracy).

From an empirical and realistic viewpoint, it is in no way clear that the bill allows the different parties actually represented to maintain their districts through their congressional work. The modifications that are made create more uncertainty. An exercise similar to the one of J.M. Fuentes consists of simulating, with six slates, the number of representatives that would be allocated to each bloc. As seen in Table No. 4, the situation would in no way be indifferent to the disputing blocs. This is because the

TABLE NO. 4      COMPARISON OF SCENARIOS WITH THE SINGLE NATIONAL DISTRICT
                 SYSTEM. PERCENTAGE OF SEATS PER SLATE
                 (Hypothetical postulates)

| Simulation | Concertacion | PC | PL | RN-UDI | UCC | IND. |
|------------|--------------|-----|-----|--------|------|------|
| J.M. Fuentes | 56.7 | 7.5 | - | 26.6 | 9.2 | - |
| 1989 | 53.3 | 5.8 | 0 | 34.1 | 5.8 | 0.8 |
| 1992 | 54.1 | 6.6 | 0 | 30.0 | 7.5 | 1.6 |

government proposal, unlike that of J.M. Fuentes, increases the number of congressmen in order to overcome the problems of district positioning of the actual representatives.

## 4.2 Effectiveness of the "old assumptions": Peter Siavelis

The proposal that the two-member district system not favor stability is something that is quite far from being true. The Concertacion was an example of that.

The fact that the two-member district system is sensitive to small variations is true only within certain margins. The grounds for that proposal are found in the fact that the simulations thus far, particularly by Valenzuela and Siavelis,[27] consist of homogeneous and linear reductions throughout the country. However, a real experiment is to compare the congressional elections in 1989 and the municipal elections in 1992. That comparison shows a drop of more than 4%, but distributed randomly throughout the country, the result is not as dramatic for the center-right as the authors suggest.

First of all, the two-member district system, depending on the scenario faced by each bloc, has a greater dispersion, which signifies that no one has control, a priori in the long term, of the political market forever, which encourages transparency and the search for followers.

Secondly, although it is true that the drops due to sensitivities are higher in the two-member district system given the distribution of voting

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[27] A. Valenzuela and P. Siavelis, "Ley electoral y estabilidad democrática," *Estudios Públicos*, 43 (Winter 1991).

(1989 or 1992), in terms of the analysis of slopes or how many percentage points it falls per each point of votes, it is also true that the starting point is, at the same time, higher.

Thirdly, in the same way that there is an element of unpredictability in the two-member district system since small or large variations have asymmetrical effects on the margin, it is also true that similar variations could be expected under the Government's bill due to the cycle.

The Government's bill creates another type of distortion, such as the district composition and the allocation of three and four representatives per district which, given the distribution of the Concertacion votes, has asymmetrical effects on the opposition, meaning the representation of the Concertacion and of the MIDA rises at the cost of adjusting the representation of the opposition.

Moreover, Siavelis' analysis does not include the district composition variable which, depending on the voting thresholds for each bloc, the form of participation in them (separately or jointly), the number of competing slates and the electoral system, may constitute a crucial element in the allocation of a seat. These examples are eloquent. Table No. 5 shows what we have said. There we have left the electoral system, number of slates, method of participation and voting distribution effects constant, modifying solely the size of the districts or their composition.

As is appreciated, the differences in seats are not insignificant when we are referring to mechanisms that strengthen the system that is being used, more so if we are in the presence of rules of quorum in the approval of constitutional laws.

Another aspect not considered in Siavelis' paper has to do with an essential characteristic of the two-member district system, which is the penalty it places on slates or blocs of parties that compete separately. Table No. 6 has been prepared to illustrate this.

TABLE NO. 5     SIMULATION OF A TWO-MEMBER DISTRICT SYSTEM WITH PARTIES IN A BLOC

|  | 1989 | | 1992 | |
|---|---|---|---|---|
|  | Concertacion | Opposition | Concertacion | Opposition |
| Actual | 57.5 | 40.0 | 66.7 | 32.5 |
| Government Bill | 56.7 | 41.1 | 71.1 | 28.9 |
| Difference | -1.2 | +1.1 | +4.4 | -3.6 |

TABLE NO. 6        POSSIBLE SCENARIOS AND SYSTEM EFFECT
                   (% seats)
                   (Base: 1992 municipal elections)

|  | Two-member district | Government Bill |
|---|---|---|
| Scenario 1 | | |
| Opposition (bloc) | 40.9 | 34.8 |
| Separate Concertacion | 583 | 63.4 |
| Scenario 2 | | |
| Separate opposition | 13.3 | 27.4 |
| Concertacion (bloc) | 82.5 | 67.7 |
| Scenario 3 | | |
| Opposition-UCC (bloc) | 50.0 | 43.9 |
| Separate Concertacion | 49.2 | 55.5 |
| Scenario 4 | | |
| Opposition-UCC (bloc) | 45.8 | 37.2 |
| Concertacion (bloc) | 53.3 | 62.2 |
| Scenario 5 | | |
| Opposition (bloc) | 24.2 | 29.9 |
| Separate Concertacion-PC | 75.8 | 70.1 |
| Scenario 6 | | |
| Opposition (bloc) | 35.8 | 31.7 |
| Concertacion-PC (bloc) | 64.2 | 68.3 |
| Scenario 7 | | |
| Opposition (bloc) | 21.7 | 29.3 |
| Concertacion-UCC (bloc) | 77.5 | 70.1 |
| Scenario 8 | | |
| Opposition (bloc) | 38.3 | 32,3 |
| Separate Concertacion-UCC | 60.8 | 66.5 |

As clearly seen in Table No. 6, the two-member district system heavily penalizes a lack of consensus which, in turn, reflects the lack of incentives for negotiation. In general, the proportional systems, unlike the two-member district system, introduce clear incentives for no cooperation to the political game. A system that expands the ranges of possibilities for a bloc or party to win a seat creates incentives for parties not to cooperate.

This latter aspect is of crucial importance in evaluating the advantages of the electoral system from an institutional stand-point. It therefore follows that the criticism of instability created by the two-member district system does not seem to have sufficient empirical validity. Quite on

the contrary, by definition, the two-member district system should create coalitions that give greater stability to the political system.

In the analysis of scenarios in the work by Peter Siavelis, the intent is to demonstrate that the Government's bill creates less volatility and more stability than the two-member district system as it allows for a better representation of significant electoral minorities. The reality is that the Government's bill does not provide that "representation" for sectors such as the UCC (8.10%) and the MIDA (6.6%). It thus follows that the Government's bill does not necessarily generate either higher representativity nor even more proportionality. What it does allow is for intra-party negotiations to be more efficient as if there is a greater number of seats to be distributed and lower vote thresholds in winning a seat, it is easier for the PS-PPD sub-pact to achieve greater representation, including in a scenario of separate slates.

One point extensively analyzed in the work by Siavelis is the problem of "a higher dose of unpredictability" in the two-member district system. In this respect, the author himself recognizes that this is valid within certain margins. However, the "supposed predictability" that the Government's bill will offer is clearly asymmetric. By adding voting percentages of other parties to the Concertacion bloc, the systematic result is that the opposition attains a level of congressional representation virtually identical to its votes and the Concertacion attains levels of over-representation of more than 8%, and even close to 16%. Scenarios 4, 5, 6 and 7 are examples of this (the results in the municipal elections were: 53.2% for the Concertacion; 29.5% for the opposition; 8.10% for the UCC; and 6.6% for the PC).

In general, although the objective of Siavelis' work is not to analyze the Government's bill as a whole, we miss a careful analysis of aspects such as the allocation of the size of the districts (mentioned earlier) or the convenience of a party or bloc presenting more candidates than the seats available (as proposed by the Government's bill) or, lastly, the need to increase the space in the House of Representatives by 36.7%. These three aspects are not neutral to the political system even though they are essential elements of the system that is being proposed.

In our opinion, Pieter Siavelis does not make the "demystifying" argument that his paper is an attempt to review the validity of the age-old assumptions in the discussion of electoral systems, precisely because of the elements analyzed above.

It is obvious, when comparing the work of J.M. Fuentes and that of Peter Siavelis, that there is a need to again bring those "age-old

assumptions" back into the debate. In other words, electoral systems, particularly those studied, have institutional effects on the political system that must be considered when evaluating the choice for one or the other.

The incentives for negotiation and convergence created by an electoral system are dimensions that clearly affect the stability of the political system. The multipartisan nature is not a feature that the two-member district system dilutes or even destroys. Quite on the contrary, what the two-member district system does is establish sanctions for those who do not cooperate, thus avoiding a damaging proliferation induced by an electoral mechanism that strengthens the multiplication of parties as a true centrifugal force and, consequently, makes the negotiation process, and, for the same reason, governability, more costly. □