

The UK's antiquated electoral system: bringing it (belatedly) into the twentieth century.

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Two aspects of the 1996 US Presidential election may have generated some complacency among British politicians. First, only about half of those eligible to vote actually did so on 5 November 1996, a figure that may have seemed way below that recorded ever since universal adult franchise was introduced here early in the present century. Secondly, there was continuing debate over campaign funding, both how much was raised and spent and where some of it came from: there were implications of sleaze, a well-known word in the current British political lexicon. Any British complacency is very largely mis-placed, however: we have an antiquated electoral system which is desperately in need of reform and there is much concern about party funding here too, as recent press stories about contributions to Tory funds from overseas, secret donations to the Labour leader's personal fund, and Liberal Democrat lunches where contractors pay to meet Councillors illustrate.

Voter turnout and voter registration

A front-page story in *The Independent* for 8 November 1996 indicated why we should not be complacent about voter turnout at British general elections. Headlined 'Loophole used to keep students off the electoral roll', the article pointed out that as many as two million of the UK's eligible electors are not registered.

That may be an underestimate, but let us take it at face value. The total registered British electorate currently stands at about 43.5 million, of whom only 78 per cent voted at the 1992 general election. Add the 2 million unregistered to the 10 million registered non-voters, and 12 million did not exercise their franchise, about 26 per cent of those entitled to register and vote. A massive number of people do not participate in the country's electoral process - the key feature of democratic participation here.

What do we know about this non-participation? We are concerned with two groups within the adult population, each of which has several subgroups:

1. Those who are not on the electoral roll, which includes:

- Those who have chosen not to register for a variety of possible reasons including: rejection of the democratic and political processes; alienation from those processes; and a fear that registration will bring with it certain

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perceived negative consequences (such as liability for the community charge - 'poll tax' - and its successor the council tax); and

- Those who were missed by the registration process, who are likely to be concentrated among the more mobile segments of the population, including the homeless;

2. Those who are on the electoral roll, but who do not exercise their franchise, which incorporates:

- Those sufficiently alienated from the democratic and electoral process that they see no point in voting; and
- Those who were unable to vote, usually because of absence from home at the time of the election, or illness, or other personal conditions.

Unfortunately, we know very little about these two groups, let alone the subgroups: we can only guess their relative size and where they live.

We have recently made such guesstimates. On *missing voters*, for example (those not on the roll), we followed the Estimating with Confidence (EWC) research programme launched by the Economic and Social Research Council after the claim that the 1991 Census significantly under-enumerated certain groups within the population: it sought to locate the country's 'missing millions'. The conclusions are not directly translated into estimates of the missing voters, however, because certain groups within the population are prohibited from voting at general elections. (They include not only all those under 18 at the time of the election but also: members of the House of Lords; some inmates of psychiatric and prison institutions; and overseas-born residents - who can register, however, in order to vote at local government elections but who, if they were born outside either the British Commonwealth or the Republic of Ireland, cannot vote in general elections.) Estimating the size of these groups nationally, let alone by Parliamentary constituency, is extremely difficult, and we have focused on the final group only - which is undoubtedly the largest. For Great Britain we estimated that there were some 655,000 missing voters from the 1992 general election, comprising 2 per cent of the 'potential electorate'. They were concentrated into a relatively small number of seats, however, with as many as 16,000 missing from one constituency - equivalent to 22 per cent of its potential electorate. Twenty of those constituencies were deemed 'vulnerable', in that the missing voters were more than the gap between the first- and second-placed party in the 1992 general election. For the new constituencies, to be used for the first time in the next general election, we estimate that the Conservative majority is vulnerable in eleven - if all of the missing voters register and support the current second-placed party. (For full details on this research, see Dorling et al., 1996.)

The missing voters are both numerous and of considerable potential importance because of where they are. Thus it is not surprising that many local authorities currently governed by one or more of the opposition parties (and which are responsible for electoral registration) have conducted substantial recruitment drives in the procedure leading up to the final date for registration (1 October 1996: 15 September in Northern Ireland) for the electoral roll that will come into force on 16 February 1997, and on which the next general election will be based. Getting potential non-Conservative voters on the electoral roll is a first step in the process of

mobilising a maximum anti-government vote when the election is held. (There is also the issue of purging the roll, removing those who may not be entitled to be on it because they have not been re-registered. Guidelines are issued on how this should be done, but there are undoubtedly differences between local authorities in their implementation, with clear implications for the size of the electorate and the potential for abstentions: see Smith, 1993; Todd and Dodd, 1982).

As well as mobilising the missing voters the parties also mobilise *turnout* among those who register (or who are registered by others on their behalf, such as students living in University-owned and/or -managed residences and who are entered on the roll by the University authorities: most will be on the roll at their parental home as well). Those who abstain can be divided into two groups - the voluntary and the involuntary abstainers. Our analyses of a sample of these in 1992 suggests that most of the first are alienated from the country's political life, take little interest in it, and are unconcerned who wins; those in the second group are much more like those who voted (Johnston and Pattie, 1996).

Different mobilisation strategies are needed for these two groups. The parties need to persuade the voluntary abstainers (including many of those who do not register) that it is worth their while to vote, which undoubtedly means either the incumbents convincing them that the government should be re-elected, because it is the best able to deliver (continued?) prosperity, or the opposition promoting their case that the government has failed and should be replaced by them. This is a major exercise in political education and persuasion. The concern regarding the involuntary abstainers is to ensure that they do vote, if at all possible, in most cases by convincing them either to apply for a postal vote or to appoint a proxy to vote on their behalf. This may not be possible, since it has to be arranged before election day, but it may be feasible in a large number of cases if the potential involuntary abstainers can be identified in time and assisted in making the necessary arrangements.

Of course, no political party wants to boost turnout irrespective of who responds to its cajoling - it wants to confine it to its likely supporters, hence a major purpose of the resources invested in local campaigns is to identify potential supporters before polling day, arranging postal or proxy votes for them if necessary, and then checking that they do turn out - if necessary helping them to do so by sending a car to take them to the polling booth. This can produce sophisticated strategies, perhaps involving negative campaigning at the national level (to discourage those who might otherwise vote for another party) with positive efforts aimed at one's own supporters locally (on which, in the US, see Ansolabeher and Iyengar, 1995); these are, of course, at least partially anti-democratic, which is the situation into which parties are forced given the current campaigning rules (on which, see below).

Another group of missing voters lies entirely outside the categories discussed so far - the *overseas voters*. Over the last decade the government has legislated to allow an increased number of British citizens living overseas to vote in the country's general elections, using the proxy vote system. This is now estimated to cover as many as

three million people, since all those British citizens who lived in the UK at any time during the last 20 years are entitled to register and to vote, in the constituency where they were last registered (see Pattie et al, 1996). The parties have been increasingly active in campaigning among these individuals, especially where they live in major concentrations, such as the pensioners on the Costa Brava and the EU bureaucrats in Brussels. The Conservatives led in the drive to identify such voters and provide them with proxies, but Labour became increasingly active in 1995 with the realisation that substantial numbers of potential supporters who can be registered in marginal seats could be identified in this way. But those encouraged to exercise their franchise are small and, undoubtedly, not representative of all voters: the parties concentrate on those people (in those places) likely to vote for them.

Campaign resources

Turning out the vote, identifying and registering postal and overseas voters, and fighting an effective election campaign require resources, both human and financial.

An election campaign has several components, however, which vary over both time and space. There is not one national campaign, for example, but several, including the "official" campaign, which takes place between the announcement of an election and polling day, and the "long campaign" which often begins a year or more before the actual election - the Conservatives' "demon eyes" poster campaign in summer 1996 was a classic "long campaign" tactic, as was the Budget introduced by Kenneth Clarke on 26 November of that year. The extent of these national campaigns is governed by the amount of money a party has, and for most of the modern period the Conservatives have easily outspent their rivals, often by huge margins.

The Tory party's ability to raise funds from business, as well as from wealthy individuals, has normally stood it in good stead. The 1992 General Election was an exception: for the first time since 1945, Labour spending during the "official" campaign almost matched that of the Conservatives (although this is partly due to heavy Conservative spending on advertising during the "long campaign"). Since 1992, the Conservatives' formidable fund-raising organisation has experienced difficulties. Many large corporate donors have reduced or ceased their support for the party, and allegations of sleaze have tainted sizeable donations from individuals - as in the Azil Nadir case. Our research into fund-raising by Conservative constituency associations suggests that the malaise has reached the party's grassroots. Signs of atrophy and weakness in the constituencies are reflected in declining donations from local associations to the national party. Their donations fell throughout the country between 1992 and 1994, but fastest in constituencies which they held, suggesting malaise in the Tory heartlands (Pattie and Johnston, 1996a). It is too early to write off the Conservative fund-raising machine, however, and there are signs of recovery as the party approaches the 1997 election.

Since 1992, on the other hand, Labour's fund-raising efforts have gone well. In addition to its traditional source of funding, the trades unions, it has made inroads into the world of private and (to a lesser extent) company donations. The party's new-found electability and its move to the political centre under Tony Blair have had

two effects: by increasing the chance that Labour will win, it has made businesses less willing to bankroll the Conservatives, for fear of falling foul of a Blair government; and it has encouraged donations from individuals and organisations who earlier might have thought twice about supporting a party with left-wing credentials.

The national campaign is only part of the picture, however, albeit the part which tends to receive most attention. The general election campaigns fought in each constituency also have to be resourced. Money must be found to pay for leaflets, posters, headquarters, and so on, and people (normally volunteers drawn from the local party membership) must be found to staff party headquarters, to arrange mailings of election literature, and to canvass voters.

Until recently, the consensus among election analysts has been that only the national campaign is of any importance in a television-dominated age; attendance at local campaign meetings has dwindled rapidly and television and the national press have become the public's main sources of political news. From this perspective, constituency election campaigns are of no real value, beyond the psychological boost they give local activists, allowing them to feel part of the national effort. However, a growing body of recent research has shown that it is very premature to write off the local campaign: it is still important to the actual outcome (see, for example, Denver and Hands, 1996; Pattie, Johnston and Fieldhouse, 1995; Pattie and Johnston, 1996b; Pattie, Whiteley, Johnston and Seyd, 1994; Seyd, Whiteley and Richardson, 1994).

There are legal differences between local and national campaigns. There are no real controls on how much a party can spend on its national election campaign, but constituency campaign spending is severely restricted, depending on two factors: how many electors there are in a constituency - the bigger the electorate, the higher the maximum level of spending allowed; and whether the seat is urban or rural - spending limits are slightly higher in rural areas. In 1992, each party in an average constituency could spend up to £7,247. Our work shows that parties spent wisely within these limits, concentrating their funds not only on their safe seats but also in marginals, where some extra effort could make the difference between winning and losing. And spending (along with other aspects of the intensity of the local campaign) does have an impact: the more a party spends the more votes it gains, and the fewer it loses to its rivals (Pattie, Fieldhouse and Johnston, 1995; Pattie and Johnston, 1996b).

The local campaign also has an impact on electoral turnout. In 1992, the more the major parties spent there, the higher the turnout in a constituency. Furthermore, electors who received and read at least one campaign leaflet (all distributed as part of the local campaign) were 1.6 times more likely to turn out than were electors who read none. As differential turnout can affect the outcome of the constituency contest, and so the results of the national election, parties therefore ignore the local campaign at their peril.

As with national campaign spending, however, the Tories have the financial edge. In 1992, the average Conservative candidate declared expenses of £5,787, compared to £5,055 for Labour, £3,218 for the Liberal Democrats, and £2,517 for the Nationalist parties. Nor should the Tories' recent problems over local donations to the national party be taken to suggest that the local spending gap will narrow in Labour's favour in the next election. There was little correlation in 1992 between how much a Conservative local association sent to the national party, and how much it spent on its constituency campaign. Since then, failure by a local association to send substantial sums of money (relative to its means) to the national party is just as likely to represent dissatisfaction with the Conservative government's record in office, as it is to suggest a weakening of the party's grassroots. Many Associations which may, in the parliamentary midterm, feel unhappy about donating to the national party, will be more likely to do so again as the election comes closer. Equally, they will also be unlikely to fail in their efforts to campaign for Conservative candidates.

Bringing it all up-to-date

Electoral registration, voter turnout and party funding are all crucial to election outcomes in Great Britain, therefore. Mobilising voters to register and to vote is made difficult by the UK's incredibly outdated electoral system, however. With regard to *electoral registration*, for example, the procedure is that:

1. In the summer of each year, Electoral Registration Officers (EROs) send a form to every address listing those currently on the electoral roll, and asking for the list to be updated - the form has to be returned by 10 October;
2. The EROs then have to decide whether to remove from the roll those for whom no return has been made (i.e. nothing from that address) - their guideline is that they should do so after one year, but there is no evidence of consistency in this, and the procedure is open to politically-inspired abuse: EROs may be directed to leave individuals on the roll for longer periods, if it is seen to be in either the local authority's interests (payment of government grants, for example) of the ruling political party's interests;
3. Meanwhile, they try to keep the roll up-to-date by conducting recruitment drives encouraging people to register (again, this may be politically-directed), and by incorporating any notified changes of address;
4. The roll is published and comes into force on 16 February and remains in force for one year, so is the register on which electoral statistics are based for more than 15 months after it has been compiled (save any changes made);
5. The roll is organised by local government electoral ward (the basic electoral unit within the country) and, where deemed necessary by the relevant local authority, each ward may comprise one or more polling districts - such districts are defined locally, and the procedure is not subject to external checks;
6. When an election is called, all voters on the roll are sent a polling card which indicates which polling district they are in and at which polling station they **must** cast their vote - they cannot vote in person anywhere else;
7. If electors wish, they can apply for either a postal vote or a proxy vote - this can be done either when the roll is compiled (which assumes foreknowledge of inability to

vote in person, as for the chronically ill) or by a given date before the election is held.

With regard to *constituency definitions*, the four Boundary Commissions (one each for England, Scotland, Wales, and Northern Ireland) are required to review all constituencies at least once per decade, to ensure that they are not too disparate in their number of electors. When they conduct a full review they apply ambiguous rules regarding the application of criteria relating to size (number of electors), conformity to the map of local governments, avoiding unnecessary change which disrupts community ties and causes organisational difficulties for EROs and for the political parties, and 'special geographical circumstances' (basically low population densities in the Scottish Highlands and Welsh mountains!); they also use obsolete data - the constituencies recommended in 1983 was based on the 1976 electoral register, for example, and those recommended in 1995 used the 1991 register. [The Boundary Commissions use local authority electoral wards as their building blocks and although the Local Government Commissions seek to keep these equal in size (number of electors) there is no co-ordination of the two Commissions' exercises.]

The Boundary Commissions' recommendations are open to public scrutiny, and the political parties work hard to get them changed (often for extremely spurious reasons relating to the explicit criteria) in order to advance their own electoral interests: in the 1991-1995 review, the Labour Party performed much better than the Conservatives and Liberal Democrats (who hardly performed at all in many parts of the country - for instance, they were 18 months late making representations on the recommendations for the Isle of Wight). (On the entire process, see Johnston, Rossiter and Pattie, 1996; Rossiter, Johnston and Pattie, 1996.)

With regard to *campaign spending*, the country continues to operate in the late twentieth century with a set of rules designed at the end of the nineteenth, when the franchise was very restricted and campaigning was entirely local. There are no limits on spending nationally, only by constituency, and the parties use a variety of strategies to circumvent the letter of the law (Johnston and Pattie, 1993). [Recently, for example, parties have begun to canvass by telephone rather than on the doorstep, with party workers, many of whom may not live in the constituency being canvassed, perhaps paying for the calls themselves. The costs of those calls cannot readily be traced, and thus are not declared in the returns of election expenses although, to make sure, some telephone canvassers claim to be conducting polls rather than working on behalf of a party.] Some parties have traditionally been disadvantaged (relative to the Tories) in their ability to raise the resources necessary for a successful campaign, thereby making the result of the democratic process at least in part a consequence of available funds: those with more can spend more on mobilising those who will vote for them, and on attacking their opponents.

The country needs a modern system of conducting elections, using modern information technology, aimed at making both registration and voting easy without compromising the individual's freedom to decide whether to register or to abstain at a particular election. If the electoral rolls, which are already computerised, were

accessible on-line from polling stations, for example, citizens could be entitled to vote at any polling station (as has been the case for decades in New Zealand), including some outside the country (at embassies and consulates, for example); attempts at double-voting could be checked immediately if the electoral rolls were available on-line (but if not, they could be checked later, as in New Zealand).

Of course, if the country adopted Identity Cards (especially if they were 'smart cards') these could be used to expedite the process of registration and voting: electoral rolls could be kept up-to-date and votes (which could even be cast at a home terminal) could be counted automatically and immediately. These would raise many alarms about the invasion of privacy and other civil rights, of course, as well as concerns about the security of such 'smart cards', and safeguards would be needed: the state would not be allowed to 'sell' information about addresses (which of course it already does with the electoral roll - widely used by a range of organisations as a source of names and addresses) and to ensure that the information is not passed by those entitled to it (e.g. EROs and the political parties) to any third parties. This system would allow a rolling system of reviews of Parliamentary constituency boundaries. Both the major disparities in constituency electorates which occur within only a few years of a redistricting and the massive task of redistricting the whole country once every decade or so would be avoided.

Finally, with regard to electoral spending we suggest that the system be restructured so that parties are able to compete on an equal basis. This would involve state funding for political parties, along the following possible lines (entirely arbitrary in their values at this stage):

1. All parties which:

- fielded a candidate in at least 75 per cent of the UK constituencies at the last general election (which involves paying a deposit of £1000 per candidate - returnable if they win at least 5 per cent of the votes cast); OR
- EITHER won at least 10 per cent of the votes cast nationally OR, in the case of parties which define themselves as regional, won at least 10 per cent of the votes in their defined region (a region must include at least 15 contiguous constituencies) at the last general election; OR
- win at least ten per cent of the aggregate number of votes cast at all by-elections since the last general election would be entitled to state funding for the next general election campaign.

2. That funding (in 1996 values) would be £20,000 per constituency contested at the last general election, plus a lump sum of £5 million: the money to be made available one year before the next election is held (which will be possible because fixed-term Parliaments will also be introduced to ensure that incumbent governments do not manipulate the date of elections to their own advantage; no Parliament will be dissolved before the end of the fixed-term). Regional parties will get £20,000 per constituency plus a lump sum of £1 million.

3. Each party will be required to submit detailed accounts indicating how that money has been spent, and where.

4. Each party will, as a condition of receiving a state grant, be precluded from raising and spending more than an equivalent amount (i.e. £5 million plus

£20,000 per constituency) during the year of the campaign - their detailed accounts will have to show the sources of all such money, where it was spent and on what.

These measures need not all be introduced simultaneously. But if they were seriously addressed by a Royal Commission set up by the next government as part of a process of modernising constitutional reform it would be a major step away from the legacy of the nineteenth century which so circumscribes so much of our current electoral system. We could make registration and voting easier, end the major reviews of constituencies and instead have a continual, rolling review, and remove the inequities in candidates' electoral chances depending on the amount of money available to them.

But it wouldn't be very radical! 1997 is the 50th anniversary of the Representation of the People Act introduced following a Speaker's Conference which recommended changing the system to proportional representation. All we are doing is suggesting ways in which the current system can be brought up-to-date with modern technology, to facilitate rather than hinder people voting, and remove the inequities in campaigning that are currently present because some parties have greater access to large sums of money (from potential beneficiaries of their policies) than do others. Moves in these directions would benefit from research on the British electoral system (much of which is funded by the government).

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