Changing the Electoral System: Briefing Notes (29/5/2019)

[TindakMalaysia.com](https://www.facebook.com/TindakActionMalaysia/) Mapping Advisor, Danesh Prakash Chacko, was invited by our parent coalition, Bersih 2.0, to attend a fruitful and deep discussion on the need, transition process and challenges in adopting a new electoral system. The discussion was led by Dr Chin Huat, prominent electoral expert in Malaysia and special guest, Professor Benjamin Reilly (University of Western Australia) - an international electoral expert and advocate of political moderation via electoral system design. Below here are briefing notes of the meeting on 29th May 2019

## First Past the Post (FPTP), current Malaysian political scene

* Current FPTP post is noted to punish the losers quite heavily and generates significant amount of wasted votes.
* The original strength of FPTP that is advocating politics to go to the middle is failing in Malaysia.
* Political parties who lost repeatedly in elections in a winner takes all system has engendered resentment and pushes them to adopt more extreme positions. For example, PAS had one of the worst performances in 1986 elections (winning one federal seat), but they were able to push politics of UMNO to adopt policies that is advocated by PAS. This defeats the argument that FPTP advocates moderation.
* Strategic miscalculation by BN (by splitting the opposition) resulted BN to lose in an electoral system that was always guaranteeing them a win. FPTP favours candidates who wins the most votes and vote swings can influence different outcomes in multi-corner fights
* Race based redelineation deepens the flaws of FPTP but was temporarily neutralised of its effect due to nationwide anti BN vote swing in GE14. However, the ghosts of race based redelineation reappeared in racially gerrymandered seat of Semenyih (Selangor) in the recent by elections.
* On top of the existing problems of FPTP, Malaysian political parties are organised by pre-election coalition arrangements. Seats are allocated to each party of the coalition based on each party’s strength and only gets changed should there be failures in securing those seats. Hence, political parties tend to compete with external parties (outside of their home coalition). This erodes ability of political parties to grow beyond their home base strengths or home issues.
* Moreover, the lack of local council elections means the compounding effect of FPTP has much greater effect in Malaysia. Should a political party or a coalition fails to hold on their existing state government, they completely lose the political power of all local authorities of the state.
* Much of Asia has shifted away from FPTP while Malaysia is still keeping the system

## Shift to Majoritarian System: How and Challenges

* Malaysian constitution stipulates single member territorial representation (SMTR). One constituency elects one representative. Should there be no political will to amend the constitution, we may have to work within these constraints by adopting a majoritarian system (FPTP is a plurality system).
* One of the majoritarian systems that could be adopted in Malaysia is preferential voting of Australian style. In the case of Lower House of Australia, voters are required to rank their candidates by order of preference. The counting process is complex. If there is candidate won more than half of the votes (by using only 1st preference), candidates win the seat. If there is no candidate who wins more than half, then the candidate with the fewest votes is excluded from the count.
* The votes for the eliminated candidate (i.e., from the ballots that placed the eliminated candidate first) are re-allocated to the remaining candidates according to the number "2" or "second preference" votes.
* If no candidate has yet secured an absolute majority of the vote, then the next candidate with the fewest votes is eliminated. This preference allocation is repeated until there is a candidate with an absolute majority. Where a second (or subsequent) preference is expressed for a candidate who has already been eliminated, the voter's third or subsequent preferences are used.
* There are two-fold challenges in adopting this preferential system. One is the counting process is complicated and could be a long process. Secondly, voters need to be educated thoroughly that they will be marking all candidates with a number, not ‘x’ mark.

## Shift to Mixed Member Proportional System: How and Challenges

* Combines first past the post system and proportional system. Voters are required to choose a candidate of their local geography and choose a political party.
* Requires a change in the constitution as Malaysian constitution currently emphasize SMTR.
* Allows a fairer representation of political voices in the country.
* Allows representation of minorities and special groups through an imposition of quota on party list (voting based on the party).
* The system does not penalise heavily on the losers as it retains the spirit of proportionality.
* New Zealand presents a great example of transitioning from FPTP to Mixed Member Proportional (MMP) System. Historically, FPTP favoured two big parties in New Zealand, and it was clear in late 70s and early 80s, winning party was able to secure power even though it had less popular votes compared to the competitor. When there was political change in 1980s, there was hope that electoral system would be changed. Unfortunately, new winning political party decided not to go deep in changing electoral system.
* IT was the sustained pressure by civil society finally got New Zealand’s ruling government in 1990s to change the electoral system (through referendums)
* The challenge in adopting MMP comes in two-fold: Political will of the current government who gamed the rigged FPTP and voter education. Voters are required to learn to indicate their candidate and party preference simultaneously.

All in all, the bigger goal of electoral system change is to ensure fair representation of political voices and ultimately uphold principles of political moderation. Civil society has to work harder to push this massive change while the short reform window is still open