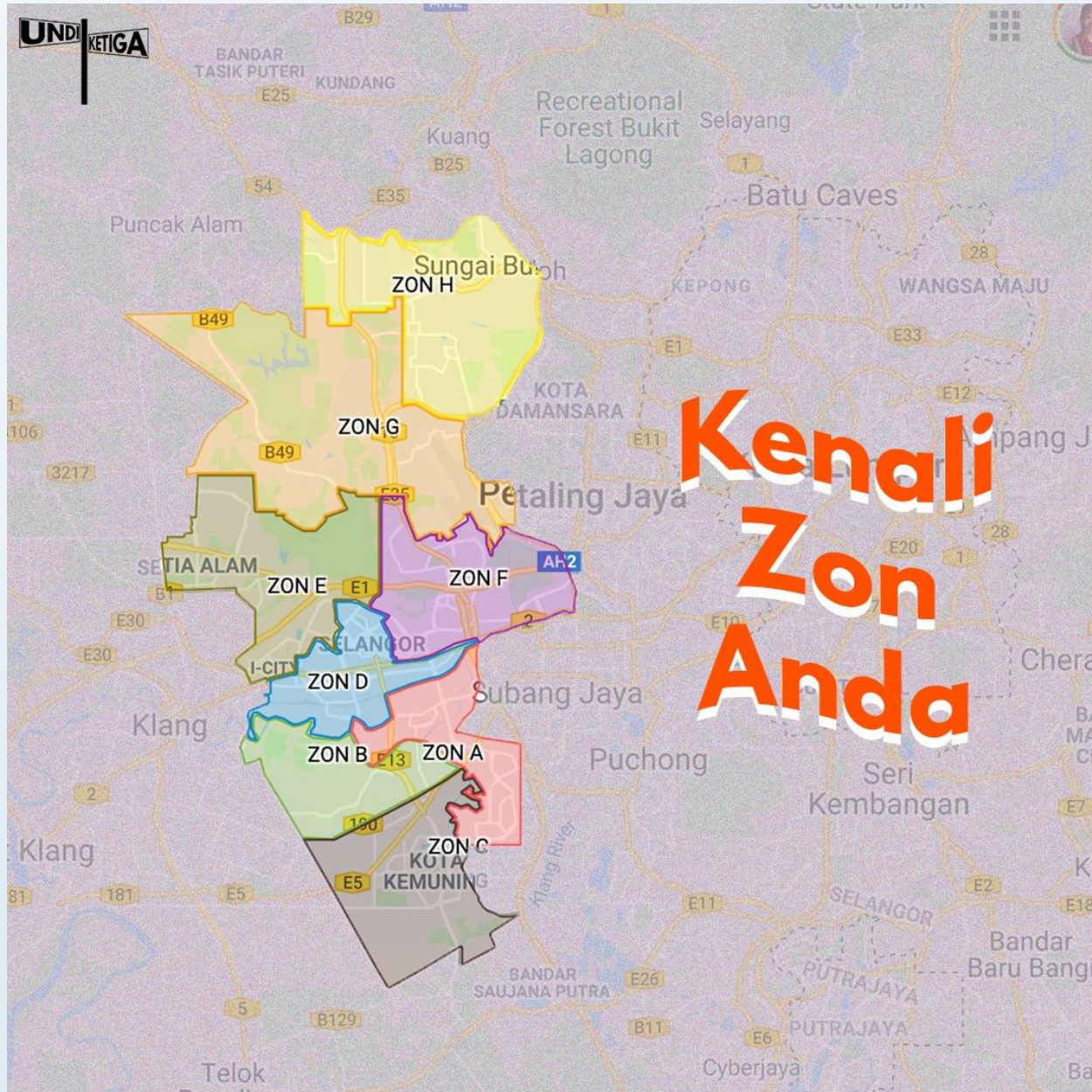




# TINDAK MALAYSIA 2021 TRAINING # 5

Electoral System – Part 1 (Basics and  
Malaysian FPTP)



Poster from [Undi Saksama](#)

How do you count the votes for simulated Local Council Elections of Shah Alam?

How do you design an electoral system for this simulation?

# CONTENTS

- Key Features of Electoral System
- Malaysian FPTP: Contextualizing Electoral System in Our Present Situation

# What is an Electoral System?

- Method and rules of counting votes to determine the outcome of elections.
- What are the main jobs of electoral system?
  - Translate votes into seats for legislature or translate votes for electing a position – Mayor, President, Vice President etc. (Primary)
  - Form the direct or indirect channels of accountability
  - Provide different incentives for political parties who are competing for your votes
- Think about these three points relate to Malaysia and keep this in mind for later half of the session

# How do you choose an Electoral System?

- Criteria
  - Ensuring a representative legislature
  - Elections should be accessible and meaningful for voters
  - Perception of legitimacy of government (think about our GE13)
  - Formation of Stable Government (how's our federal situation before 2008 and after 2018)
  - Promoting Parliamentary Opposition (Is it working out in Malaysia?)
  - Does it provide incentive political parties to be conciliatory to hostile parties? (Think about our situation)
- Rarely, an electoral system is deliberately chosen.

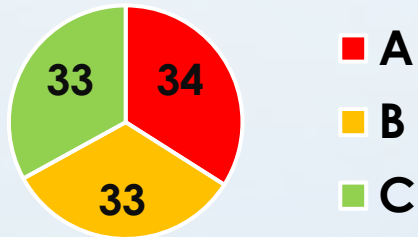
# Key Variables in Electoral System

- Electoral Formula
- Ballot Structure
- District Magnitude

# Electoral Formula

- Is the electoral system a plurality/majoritarian/proportional/mixed system?
- Plurality

## Vote Share (%)



Candidate A wins the seat as he/she has the most votes (not majority)

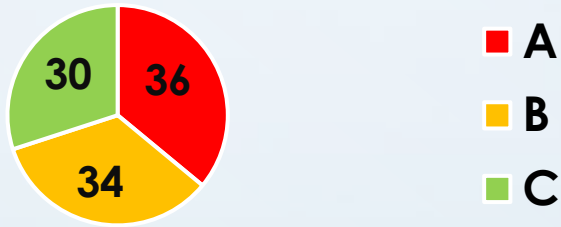
Example – First Past the Post System (FPTP). Malaysia practices FPTP.

*(Will cover more in the latter part)*

# Electoral Formula

- Majoritarian

**Vote Share (%) - Round 1**



**Vote Share (%) – Round 2**



In the first round of elections, A had the most votes but didn't win the elections. A and B contest in second round, A finally secure victory (One form of Two Round System)

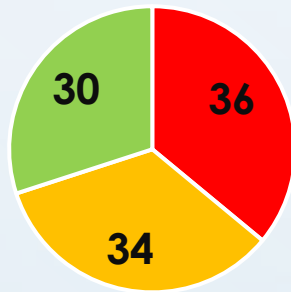
Examples – Two Round System (most common) and Alternative Vote (Australia). Chairman of Kuasa advocates Alternative Vote



# Electoral Formula

- Proportional

**Vote Share (%)**



■ A  
■ B  
■ C

Party A, Party B and Party C contest in an election. The whole country is a single electoral district where Parties A, B and C contest. If the country has 100 seats, Party A should get around 36 seats, Party B gets 34 seats and Party C gets 30

Examples – Closed List PR (Rwanda), Single Transferable Vote (Australian Senate)

- Mixed Systems – A combination of Plurality/Majoritarian System with Proportional. Examples: MMP (Germany and New Zealand)

# Ballot Structure

- Two ways to see this
  - Choose Candidates or Parties
  - Choose one option in the ballot or allowed to choose multiple options
- Example electoral systems that ask voters to choose candidates:  
First Past the Post System, Two Round System
- Example electoral systems that ask voters to choose parties:  
Closed List PR, Party Block Vote (Singapore)
- Example electoral systems that ask voters to do both above: MMP

# Ballot Structure

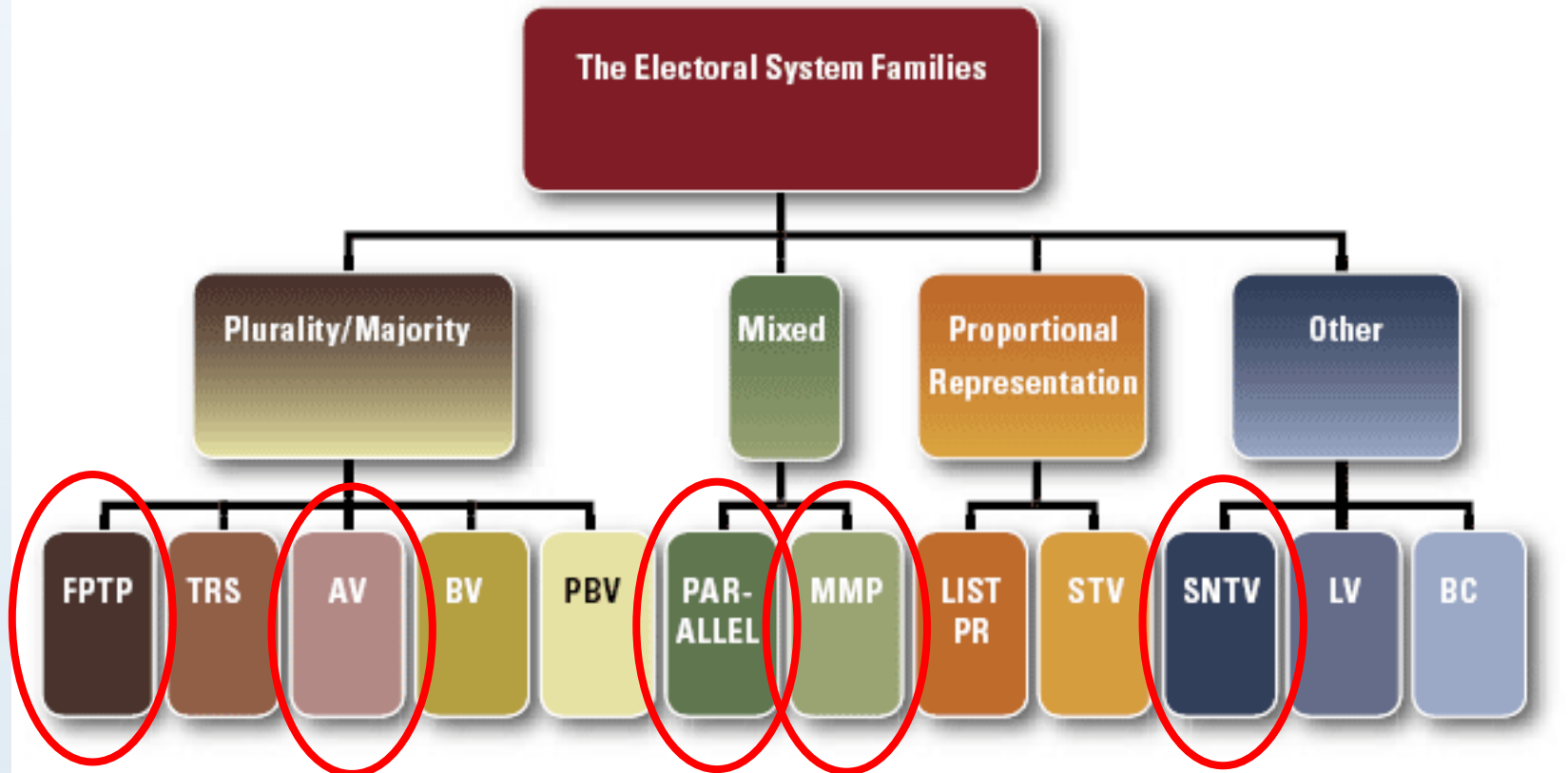
- Number of Choices in Ballot
  - Categorical (Choose one party or candidate in the ballot)
  - Ordinal (Can choose more options for candidates or parties in the ballot)
  - Combination of both
- Example of electoral systems that use Categorical Ballot: FPTP, Closed List PR
- Example of electoral systems that use Ordinal Ballot: Alternative Vote, Two Round System (France)
- Example of electoral systems that use both types of ballot choices: Single Transferable Vote (Australian Senate)

# District Magnitude

- Specifies number of elected representative per electoral district
- Electoral District can be a country, province and/or divisions smaller than a province
- District Magnitude of One – One elected representative per district. Example electoral systems: FPTP, AV, TRS
- District Magnitude of More than One – More than one elected representative per district. Example Electoral System: All forms of proportional systems, SNTV, Party Block Vote

# Electoral System Families

Figure 1: The Electoral System Families



Source: ACE Project

# Malaysian FPTP: What is it about?

- How do you know that Malaysia practices FPTP?
  - Does our constitution explicitly mention the word First Past the Post?
  - Does Article 46 hints any form of electoral system?
  - Article 113 (2) – the first hint of presence of geographical form of constituencies
  - Article 116 (2) – “the total number of constituencies shall be equal to the number of members, so that **one member shall be elected for each constituency**, and of that total in the States of Malaya a number determined in accordance with the provisions contained in Article 46 and the Thirteenth Schedule shall be allocated to each State.”
  - Article 117 – “For the election of members to the Legislative Assembly of a State the State shall be divided into as many constituencies as there are elected members, so that **one member shall be elected for each constituency**; and the division shall be made in accordance with the provisions contained in the Thirteenth Schedule.”
  - Hence, single member districts (Single Member Territorial Representation)

# Malaysian FPTP: What is it about?

- So far does this mean FPTP? No
- Single Member Districts are used by FPTP, TRS and AV
- Let's read Elections Act 1958 (13) (1)
  - “Subject to the Election Offences Act 1954 [Act 5], **the candidate for a constituency who polls the greatest number of valid votes** cast by the electors of the constituency **shall be deemed to be the elected member** for that constituency...”
- Reading Article 116 (2), 117 and Elections Act 1958 (13) (1) – you laid the foundations of FPTP

# Malaysian FPTP: Why choose this?

- Before independence, Malaya was considering either plurality or proportional
- Why plurality system (i.e., FPTP) was chosen?
  - It is simple
  - It promotes stable government
- Single Member or Multiple Member Constituencies (pre 1955 elections)
  - There was debate to have multi member electoral constituencies for some urban areas
  - An argument for Multi Member constituency for urban area: Dividing an urban areas to host single member constituencies will create arbitrary divisions of communities



# Malaysian FPTP: Why choose this?

- Single Member Constituency concept prevailed because a single representative can serve his or her constituents more effectively.
- Does the option of multi member district exists? – Check Local Government Elections Act 1960 (19) (1)
- Have we experienced elections using multi member districts? – Refer to our past local council elections
- What are other arguments we have seen in support of FPTP?

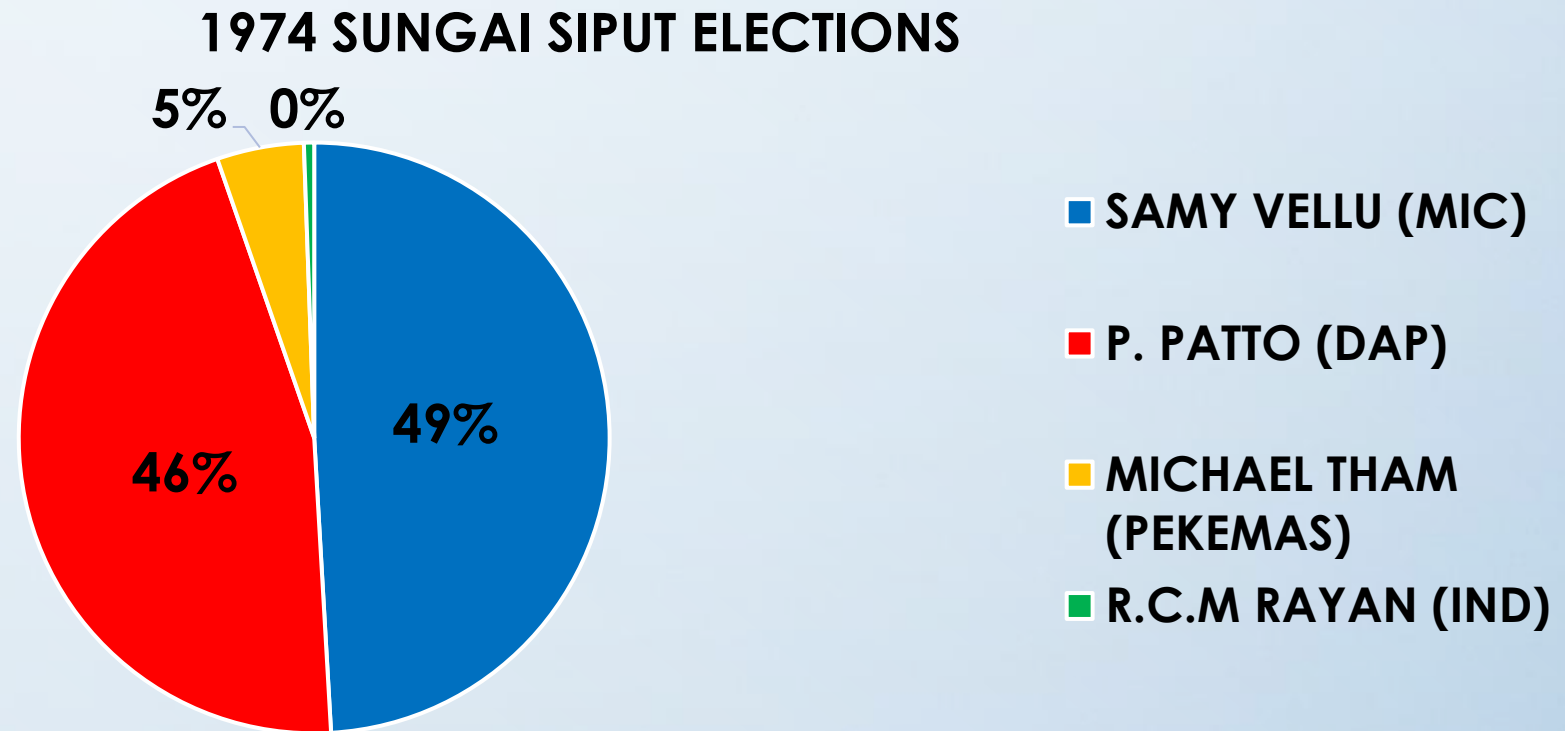
# Malaysian FPTP: Why choose this?

- Arguments in favour for FPTP:
  - When first implemented in Malaya, it was much easier system to understand when illiteracy was around 65%
  - The need of stable government. FPTP up to a point was responsible in giving governments a two third majority
  - Simple and practical (even today)
  - Gives you the choice to choose your preferred candidate
  - Gives you the choice to choose your locally elected representative
  - Can avoid the formation of coalition government (not true for Malaysia then and now)
  - Speedy results which translates faster formation of government (minimize post election conflicts)

*(Source: The conduct of election in Malaysia / Datuk Hj. A. Rashid A. Rahman (1994))*

# Malaysian FPTP: Problems

- The elected representative is elected despite not receiving the majority of the votes



Source: Election Commission (1975)

# Malaysian FPTP: Problems

- Reinforce Permanent Pre-Electoral Coalitions (up to 2018)

## Umno, BN seat allocation almost done

By Bernama - December 14, 2020 @ 8:59pm



BN secretary-general Tan Sri Annuar Musa. -- NSTP File Pix

KUALA LUMPUR: The seat allocation among Umno and Barisan Nasional (BN) component parties for the 15th General Election is almost 90 per cent finalised, said BN secretary-general Tan Sri Annuar Musa.

Source: *New Straits Times* (14/12/2020)

## PRU15: UMNO Seremban usul tanding kerusi Parlimen Seremban

NORAFIDAH ASSAN | 02 Mei 2021



Zool Amali (berdiri) beramah mesra dengan ahli Pemuda UMNO Bahagian Seremban pada majlis berkenaan.

SEREMBAN - UMNO Bahagian Seremban membawa usul agar kerusi Parlimen Seremban ditandingi oleh calon mereka pada pada Pilihan Raya Umum ke-15 (PRU15).

Source: *Sinar Harian* (2/5/2021)

# Malaysian FPTP: Problems

- Gets easily rigged by Malapportionment and Gerrymandering

## Sabah : Malapportionment of Proposed & Existing Seats (2016)

Recently, Sabah witnessed the creation of 13 new state seats (from total of 60 to 73)

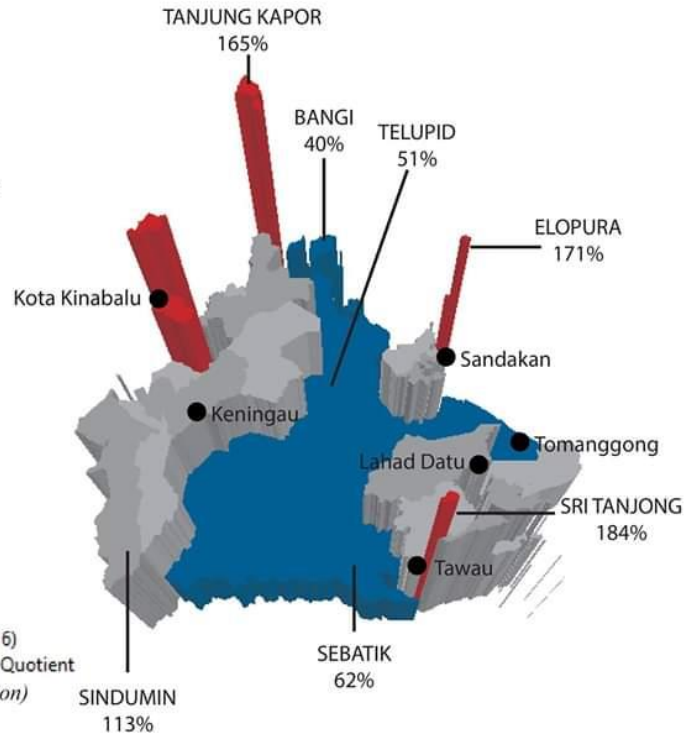
However, the creation of new seats did not address the issue of gross deviation of voter values across the state.

Since Sabah's physical and electronic communication is limited, deviation from ideal voter count should not exceed 25%.

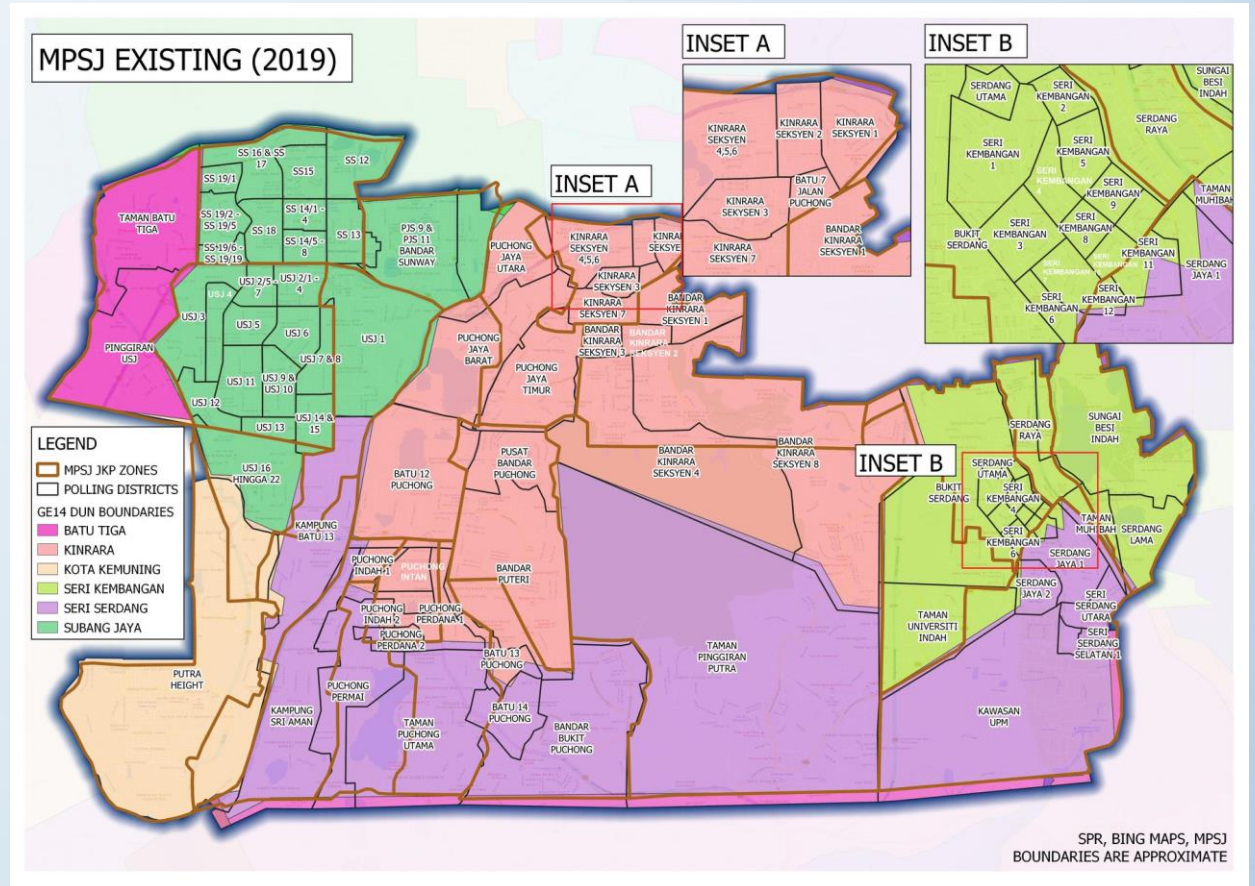
Malapportionment deepens the urban-rural divide of Sabahan politics and undermines the One Man, One Vote and One Value concept

Sabah Proposed State Seats (2016)  
Deviation from Equalized Quotient

0 - 75 (Over representation)
76 - 100
101 - 125
126 - 200 (Under representation)



Source: SPR 2016

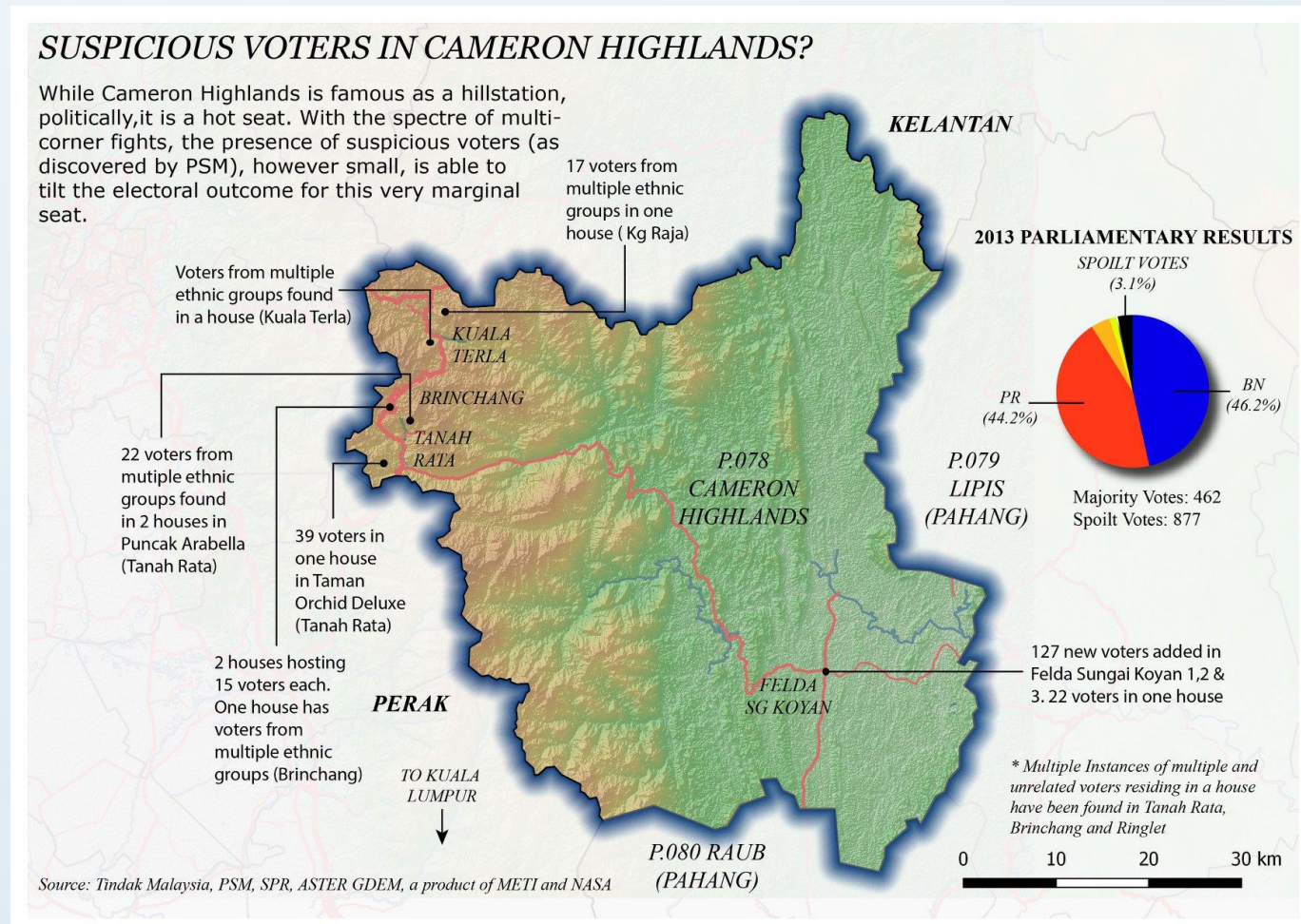


SPR, BING MAPS, MPSJ  
BOUNDARIES ARE APPROXIMATE

Source: Tindak Malaysia Facebook Page, Election Commission

# Malaysian FPTP: Problems

- Get easily tampered by Voter Roll Irregularity



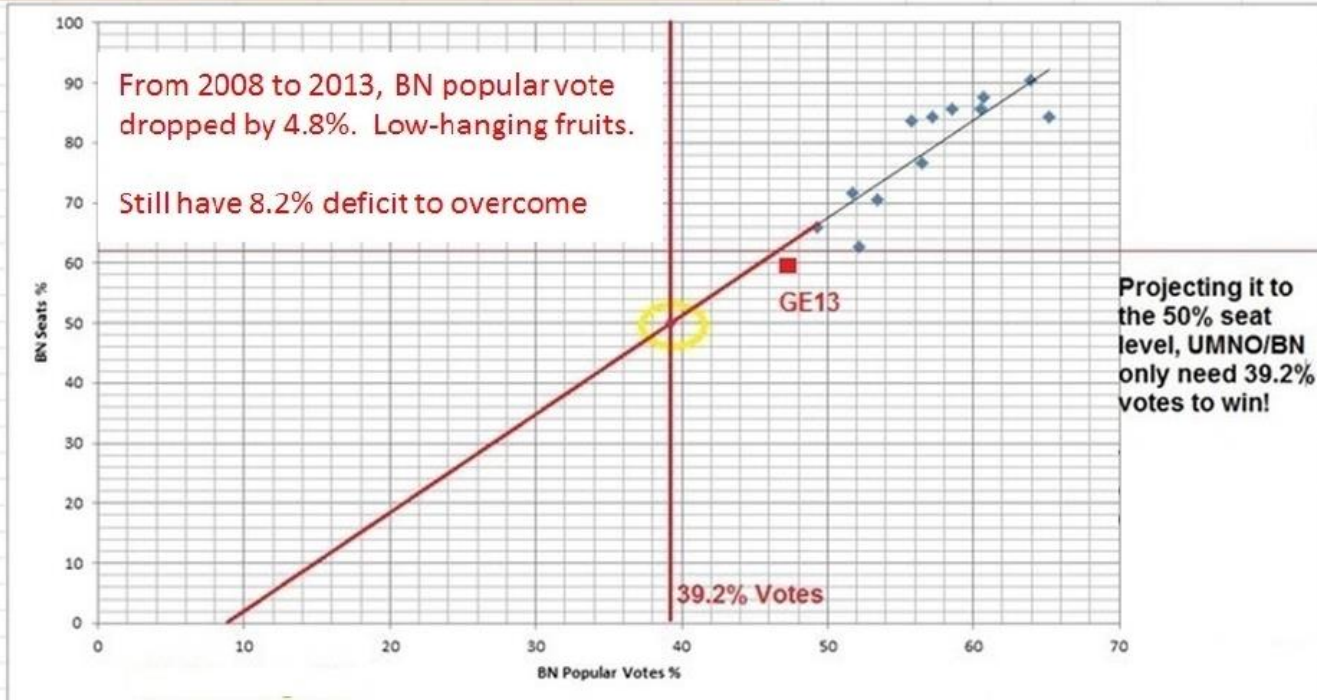
- Cameron Highlands – classic case of the failures of FPTP
- Undersized
  - Disrespect Local ties
  - Elected Rep won despite not having majority vote
  - Gets tampered with voter roll irregularity

# Malaysian FPTP: Problems

- Government not built by the majority or reflective of popular vote

Year	1995	2004	1974	1982	1964	1978	1999	1986	1990	2008	1959	1969	2013	Projected
BN Seats %	84.38	90.41	87.66	85.71	85.58	84.42	76.68	83.62	70.55	62.61	71.75	65.97	59.91	50
BN Popular Votes %	65.2	63.9	60.7	60.5	58.5	57.2	56.5	55.8	53.4	52.2	51.7	49.3	47.4	39.2

Historical Record of UMNO/Alliance Party/BN % Seats vs % Votes  
 Formula: =SERIES(,extended!\$E\$4:\$Q:\$4, extended!\$E\$3:\$Q\$3,1)

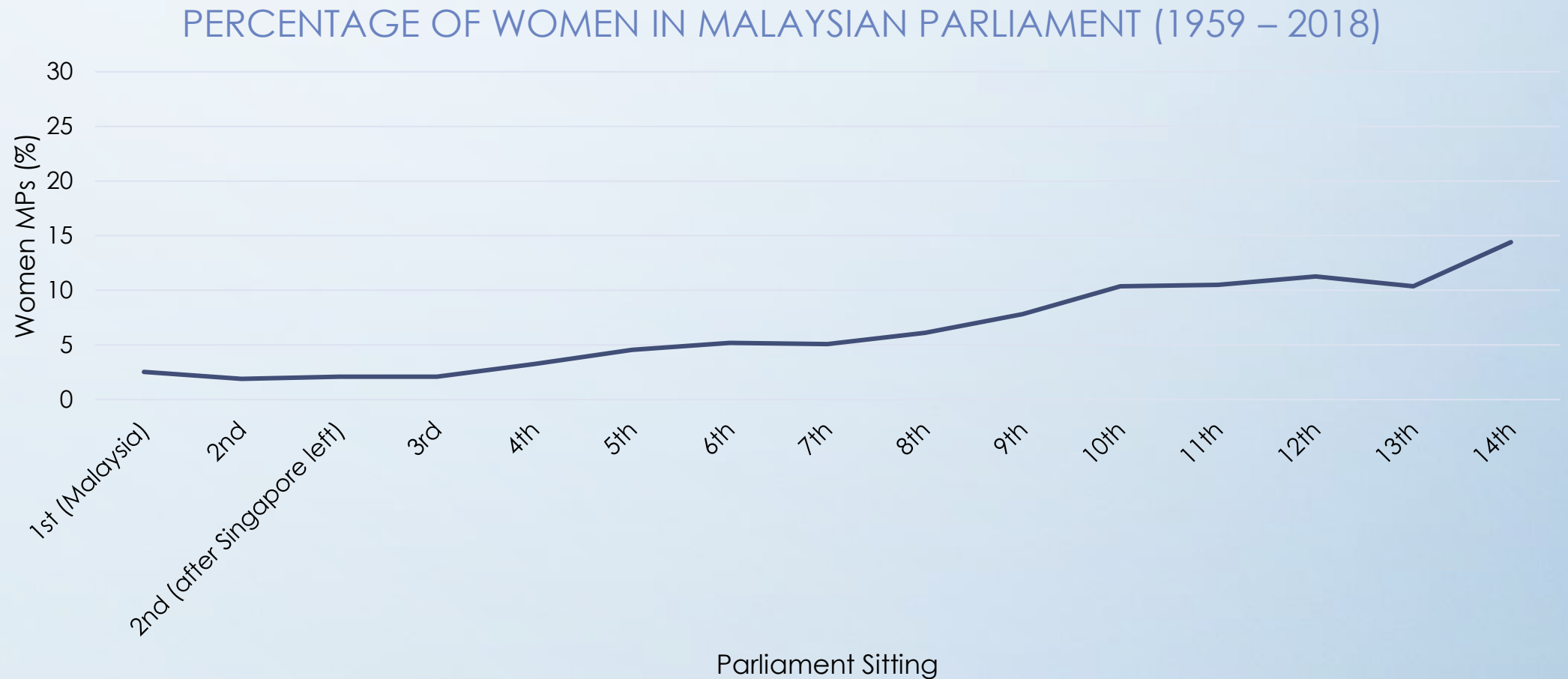


In 2018, Barisan Nasional just need **39.2%** of the votes in the **right seats** in the country to form the government. Barisan Nasional Votes was below the threshold, and it lost the elections

Source: Tindak Malaysia Facebook

# Malaysian FPTP: Problems

- Deters greater representation of women and youths





# Conclusion

- Electoral System influence how we vote, the type of government we have and how party discourses are shaped and reinforced
- No Electoral System is Perfect
- We chose First Past the Post due to its simplicity and ability to form stable government
- However, post 2018 era indicates the need of change of our electoral system



# Sources/Additional Readings

- <https://www.ifes.org/publications/electoral-system-design-new-international-idea-handbook>
- <http://www.thenutgraph.com/uncommon-sense-with-wong-chin-huat-constituency-redelineation-and-citizen-vigilance/>
- [https://www.researchgate.net/publication/254230823\\_Malaysia\\_-\\_towards\\_a\\_topology\\_of\\_an\\_electoral\\_one-party\\_state](https://www.researchgate.net/publication/254230823_Malaysia_-_towards_a_topology_of_an_electoral_one-party_state)
- Strong Patronage, Weak Parties: The Case for Electoral System Redesign in the Philippines (Edited by Paul D. Hutchcroft)
- Prof. Chin Huat Wong's Polisi Lab Presentation (September 2019)
- Tindak Malaysia Facebook Page