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The Tailor of Marrakech: Western Electoral Systems Advice to Emerging Democracies[1]

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Abstract

The article explores the challenges of providing Western electoral system advice to emerging democracies, drawing on experiences of Estonia and Poland in the format of a historical recollection of attempted electoral reforms and electoral engineering. It proposes a tentative five-phase sequence of attitudes toward foreign advice: initial acceptance of pre-existing rules, recognition of the need for reforms, attempts to reinvent electoral systems, eager adoption of foreign advice, and eventual reliance on local expertise with selective use of external input. Using Estonia as a case study, Taagepera details his role in introducing electoral system options during the transition from Soviet rule, highlighting the shift from external influence to local politicking. Kaminski contrasts this with Poland, where the absence of expert electoral advice during the 1989 Round Table negotiations inadvertently facilitated Solidarity's victory, underscoring the impact of electoral ignorance. The article assesses the validity of Western advice, focusing on proportionality, government stability, and party constellations, and advocates for simple, stable electoral rules in emerging democracies. They conclude that while a science of electoral systems is developing, its applicability to unstable democracies remains limited, and feedback from these contexts offers modest insights into established electoral theories, such as Duverger's law.

Keywords: electoral systems, emerging democracies, electoral engineering, proportional representation, party fragmentation, fall of communism.

[1] The early version of this article is available as a working paper Taagepera (1997); it was never published. It was prepared for roundtable on "Electoral Systems for Emerging Democracies: Experiences and Suggestions," 12 to 15 November 1996, Sorup Herregard, Denmark. The support of the Center for the Study of Democracy at the University of California, Irvine, is gratefully acknowledged.

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In my high school days in Marrakech, Morocco, a tailor once justified the poor fit of the suit he made for me by showing my uncle reams of Paris fashion.[4] The suit conformed to fashion, he said, it is my body that did not. When advising on electoral systems to emerging democracies, do we behave like the tailor of Marrakech, disregarding the existing body politic in favor of fashion somewhere else? But if a communist (or other totalitarian/authoritarian) straightjacket has deformed this body politic for decades, should one give advice that fits the deformation or helps to undo it? I admit that braces and therapeutic shoes are uncomfortable.

Harry Eckstein (1966) reminds us that political institutions may fail if they are not congruent with the social. But what is the social reality in, say, Eastern Europe? The communist framework has collapsed, and a stable replacement has not yet taken shape. With what should one try to be congruent?

Should one give advice congruent with the conditions expected in twenty years and not with the present ones, provided that things go more or less right? If this advice is at odds with present norms and understandings, however fleeting those may be, the advice will be rejected or misconstrued and will have nil or even a negative impact. On the other hand, if the present decision makers take our advice and its long-term advantages are preceded by short-term snags, then things may not go right in the long run either. Should one just scrutinize the interlocutors' facial expressions and give the advice they want to hear, thus building up their self-confidence (and encourage further consultations that one can enter in one's CV)? Maybe no Western advice should be volunteered, nor even given when requested, because it only makes matters worse. But the West gives advice, nonetheless, and is sometimes asked for it, even though the reception may be mixed.

Emerging democracies may go through a sequence of positive and negative attitudes toward foreign advice on electoral systems. My experience in Estonia makes me propose such a sequence. Based on a sample of one, the framework might fail. The second case of Poland highlights some of the differences in the attitudes to electoral advice, albeit the similarities to the Estonian case are striking. In the article, indirectly, I point to the touchy issue of whether the foreign advisors have failed to give adequate advice or whether local politicians have failed to take sound advice. Of course, it is neither and both, to some degree, plus honest misunderstandings. I examine to what extent our systematic and analytical knowledge of electoral systems enables Western political scientists to offer advice to emerging democracies, and my conclusions are rather modest. I also briefly digress from the impact of political science advice for emerging democracies to the latter's impact on political science discourse, focusing on Duverger's rule.

Foreign advice varies. One broad distinction is between law specialists and political scientists. Another is between theoreticians and practitioners of elections. Still another is between those who believe in a *science* of electoral systems, expressed in broad rules like Duverger's, and those who believe in an *art* of electoral systems where every country is a special case to be taken in its historical context.

I classify myself as a political scientist who is sometimes overly impatient with emphasis on legal well-wordedness over political implications. I am also a theoretician who has never helped to set up the practical framework for an election, and I have respect toward those who have done so. Above all, I definitely believe in the existence of universal gener-

[4] Except for Section "The case of Poland," "I" = Taagepera; in "The case of Poland," I = Kaminski.

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alities that make it possible to develop a science of electoral systems beyond art, while recognizing that the science part may not yet be sufficiently developed to address the needs of emerging democracies.

Tentative Sequence of Attitudes

I propose the following tentative sequence created as an empirical generalization of my experience:

Phase 0: Bogus elections. The democratizing elites take for granted pre-existing electoral rules used for choiceless fake elections, a framework suboptimal for elections with genuine choice. They see no cause for change, and hence no need for outside advice. This stage applies to former Soviet-dominated countries where authorities organized elaborate elections without choice. In democracies that emerge from blunter dictatorships, which did not hold elections, the basis for this stage is lacking.

Phase 1: Emerging need for reforms. The democratizing elites feel the need for new electoral rules, either because they lack an electoral system or the one inherited from choiceless elections proves unworkable when introducing choice. The elites try to reinvent the wheel on their own by grasping at some simple electoral formula which they see as self-evidently the only sensible one. There is no awareness of the variety of electoral rules practiced in democracies. To the extent that authorities notice this variety, they consider the unfamiliar and hence seemingly complex rules foolish at worst and unsuitable for one's own culture at best.

Phase 2: Learning from foreign experts. The multitude of options sinks in, especially when home-invented solutions backfire and/or more radical reformers replace the early reformers from within the establishment. Authorities eagerly invite and follow foreign advice, maybe more to the letter than the advisors intended it to be.

Phase 3: Electoral engineering. Familiarity with various electoral options increases, but confidence in having mastered all there is to know grows even faster. At the same time, the unified front for reform fractionalizes, and electoral rules become a subject of political football, often with short-term goals in mind, leading to counterproductive results later on, when the relative strengths of groupings may have drastically changed. Foreign professional advice, previously overvalued, is now undervalued, unless it agrees with one's own tastes. Extreme fractionalization and kaleidoscopic changes in party configurations in some countries bring popular disappointment with electoral rules and with democracy in general. Fractionalization also produces electoral outcomes contrary to those observed in more stable democracies using similar rules, and it further reduces the credibility of political science advice. At this stage, the tailor's suit may be modified rather by internal forces rather than external fashions (Chytilek & Šedo, 2007).

Phase 4: Electoral system stability. If democracy survives this period of disappointment and cynicism, a more balanced use of foreign electoral advice may come about, but as a relatively minor input in the face of growing practical experience and local academic expertise in electoral systems.

The Case of Estonia

I will now illustrate the preceding framework using the country I was involved with, Estonia. Emphasis will be on Phase 2, when outside advice had a definite impact, and Phase 3, when local politicking took over.

Phase 0. Pre-1990 elections in Estonia used the standard Soviet majority rule in single-member districts. When the choice between several candidates became possible in 1989, problems arose. Soviet rules allowed opposition to all candidates, and the rules required the winner to net at least 50% of the votes. This was easy to achieve in a field of one candidate (adding fraud, if needed). But with two candidates allowed to run, the outcome could be 48–45, plus 7% opposed to both, in which case the electoral rule declared both candidates losers, and completely new elections with new candidates were required. (In the presence of more than two candidates, authorities prescribed runoffs, which themselves could lead to the previous abortive outcome.) The Soviet rules also required a 50% turnout, which was easy to achieve through compulsion and fraud. But in free and fair elections, once their novelty wore off, turnout began to fall below 50% in some districts, which again disqualified the elections and mandated new elections with new candidates, with the risk of an even lower turnout.

Phase 1. Re-inventing the wheel entered rather briefly when reform communists proposed the equivalent of Single Non-Transferable Vote (SNTV), with little awareness of its use and problems in Japan. SNTV looked the obvious way to distribute the seats, once multi-member districts came into play: just assign the seats to candidates with the most votes. In Estonia, this phase overlapped with the next one, i.e., the discovery of the various options available.

Phase 2. Awareness of the existence of electoral rules other than the Soviet began in Estonia probably earlier than in any other part of the USSR, and it was my doing. I left Estonia in 1944 but kept up with the events in my homeland while specializing in the study of electoral systems. When the Soviet authorities first allowed me to revisit my homeland in May 1987 and the Soviet Estonian Academy of Sciences invited me at the spur of the moment to give a closed-doors presentation, I presented an overview of electoral systems. I quickly used subsequent press liberalization to publish popularizing articles on electoral rules in a Soviet Estonian daily *Edasi* (Taagepera, 1988, 7 July, 13 September, 15 December). Political activists and other newspaper readers were sensitized to the wide range of possibilities and the major differences in the possible outcomes.

This was an exhilarating moment for an electoral rules specialist. Imagine trying to publish a page-long description of electoral rules in your hometown newspaper, and people actually plodding through it and discussing it! By local initiative, the Taagepera and Shugart book on *Seats and Votes* (1989) was published in Estonian in late 1989. I also taught a 30-hour lecture course at the brand new Estonian Humanities Institute and conducted shorter seminars for local administrators. Terms like "Single Transferable Vote" (STV) became vaguely familiar to maybe 3% of Estonia's adult population, and the debate was quite informed.

For the 1990 Supreme Council election (and the preceding local ones in December 1989), the Popular Front proposed open list PR with simple quota and largest remainders, as I had suggested in *Edasi* (Taagepera, 1988, 13 September). I considered it the simplest method that struck some balance between party representation and voters' input regarding particular

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candidates. However, communists opposed any list elections as their discredited party label would have brought down even those communist leaders who were personally popular. As mentioned, they proposed SNTV because of its simplicity, but it also offered them advantages. With no party labels shown, they could capitalize on the high name recognition of local communist officials. (They also successfully pushed for local residence requirements to block the liberal capital city elite from competing with local managers.)

As a compromise, physicist Peet Kask, the leading electoral rules specialist of the Popular Front, proposed the Single Transferable Vote. Authorities adopted STV because it satisfied the communist need to avoid party lists while still leading to vaguely proportional representation. Despite its reputation for complexity, voters and officials successfully handled the ordinal ballot (Taagepera, 1996).

During the same period, authorities conducted a nationwide election for an Estonian Congress (February 1989) opposed, though not blocked by the communist authorities. As a privately organized general election, it was unique. Resources were extremely limited. Therefore, the premium was on keeping the seat allocation procedure simple. The vote had to be personal because local activists often belonged to several groupings that competed on the national level but cooperated at the grassroots. The election was organized by committees based on traditional counties, which hence perforce became the bases for multi-seat electoral districts.

As a poor man's approximation to non-list PR (such as STV), I recommended a square root approach to Limited Vote (LV). In a nine-seat district, a voter could vote for three candidates, but in a four-seat district, for only two. On the one hand, this mitigates the disadvantages of SNTV (one vote per voter), which risks wasting the excess votes cast for the most popular candidates. On the other hand, it also prevents the largest grouping from winning all the seats, as could happen with unlimited voting (as many votes per voter as there are seats in the district). The square root formula was adopted, rounding off to the higher side (in a five-seat district, voters had three votes). No data on the outcomes of the Congress elections seem to have been compiled (except the names of the winners), and I have no theoretical justification for the square root formula, but an informal PR seemed to prevail, and the voters accepted the results as legitimate.

Phase 3. Disaster struck within a year after these elections. Politicians had become sufficiently knowledgeable about the variety of electoral rules to begin playing games with them, with little theoretical understanding or practical feel for the outcomes. By this time, I was out of the picture, even for those who appreciated my expertise, because the name of the game was quick response in daily sparring. I am not aware of any other Western experts being consulted. The resulting 1992 parliamentary electoral law was a fruit salad; its components picked from the West but mixed in a Byzantine way.

These rules were the result of two years of haggling in the Supreme Council. The Popular Front was breaking apart and was being overshadowed by even more radical forces. Among these, the Christian Democrats preferred the German two-vote system, but with multi-seat districts to enable sympathetic independents to win. Little did they know how much this apparently small alteration (multi-seat districts) undermined the German balance. The Popular Front was in favor of minor changes to the existing STV. The former communist managers expected to lose and were interested in delaying the elections as much as possible. They had sufficient minority votes to block any decision in the Supreme Council, and their lack of urgency gave them power.

The 1992 rules combined a Finnish-type "quasi-list" PR (where voters must vote for an individual candidate) with an Israeli-type closed national list for votes left over when full simple quota seats had been allocated in districts. These remainders were allocated to restore nationwide near-PR, using unique quasi-D'Hondt divisors (1, 2.9, 3.9, 4.9, ...), restricted by a German-like 5 percent threshold. Given the profusion of parties, most seats were allocated through the national lists.[5]

In Israel, some of the closed lists may assign a high rank to some persons who could never win on a personal basis, but no one would know it, because people vote for parties only, with no possibility to indicate personal preferences for one particular candidate. In contrast, in Finland, candidates with the most personal votes win, sometimes to the dismay of their own party leaders. Mixing the two, the Estonian law required people to vote for personal candidates, and then allocated most seats in disregard of this explicit *vox populi*.

Part of the blame for the outcome went to unsettled conditions. In particular, one could glean little information from previous elections, where rules, issues, and groupings were utterly different. Voters bore part of the responsibility, because they perversely insisted on voting for parties with less than or hardly above the 5% threshold in opinion polls, and then they complained of the parliament being too fractionalized and unrepresentative. However, fractionalization of the electorate was also a well-known given when authorities debated electoral rules. Unsettled conditions and voter volatility made it even more imperative to hew close to the previous electoral rules (so that something familiar would gradually emerge) or at least keep the new rules simple. The reverse occurred. The multilayered political compromise added a complicated and hence unpredictable allocation rule to an inherently volatile public opinion.

The only part of my advice that is still applied is to have a 101-seat parliament, in line with the cube root law of assembly sizes (Taagepera & Shugart, 1989, p. 173–183). The Estonian outcome is a prime illustration of a worldwide pattern described several years earlier by Taagepera and Shugart (1989, p. 220, 228):

> So, in retrospect, many changes in electoral rules have not been worth the effort and disruption of stability. ... A lack of understanding of the workings of electoral systems has at times led to the neglect of major factors...
>
> Some electoral systems offer complexities that baffle even experts outside the particular country: districts, remainder distribution in super districts in which a party can participate only if it has previously gained such-and-such combination of votes, except when it has such-and-such other redeeming features. The enabling and disabling clauses pile on top of each other. ... In conclusion, most games with remainder distribution, adjustment seats, and thresholds are not worthwhile.

Phase 4. In 1995, Estonia had second elections with essentially the same rules as in 1992 (Taagepera, 1996). However, popular attitudes had changed. In 1992, people blamed the complex electoral rules for all the political ills. In 1995, they sullenly accepted the rules. They

[5] Please, note that the German-like 5% threshold failed to bring a German-like low number of parties. This was so not only because other components of the electoral rules were different. Even an exact copying of the German electoral laws can bring very different results, depending on country size and political history. Since 1992, Germany's own party constellation has changed beyond recognition.

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simply had gotten used to them. As of 1996, democracy looks safe in Estonia. The electoral rules, though pointlessly complex, do their job, and there is little need for outside expertise. However, the risk remains that during an economic downturn, the electoral rules may be made a scapegoat (as it happened in Estonia around 1930), and changing them in the midst of a crisis may lead to overcorrection of present shortcomings.

Estonia may not be a typical country (if such exists), and I certainly was not a typical foreign advisor. I was both an outsider and an insider. During the phase of receptivity to outside advice, I joined Western expertise with knowledge of the local language and background. In later times (that continue), the reverse feeling prevailed that expatriates like me qualify neither as credible outsiders nor as acceptable insiders. The puzzling aspect is that my role as advisor on electoral rules stopped by mid-1990, a full two years before my fairly strong run for the presidency of Estonia. It remains to be seen whether advisors with a more typical Western background recognize anything familiar in my attempt at periodization of attitudes toward foreign advice.

The Case of Poland[6]

Estonia was lucky to have Rein Taagepera, a world expert on electoral systems, whose book *Seats and Votes*, written with his student, Matthew Shugart, was one of the defining events in the study of electoral systems (Taagepera & Shugart, 1989). Taagepera's intellectual status in Estonia was titanic. In 2009, when I (Marek Kaminski) booked a tourist excursion in Estonia's capital, Tallinn, I mentioned to the guide – a young woman, probably born in late communism – that Rein is my colleague and friend at the University of California, Irvine. "You-are-friends-with-Professor-Taagepera?" – she asked me, disbelieving. "Yes, we sometimes go hiking and often work on similar topics," I answered. Since that moment, the guide started ignoring all the remaining fifteen participants on the excursion and talking only to me. The friendship with Rein transferred some of his fame to me.

Poland did not have its Rein Taagepera. This fact deeply affected the formation and development of the electoral system in this country. Another important factor in the late 1980s was the strong opposition, underground and later overground. The opposition continued the anticommunist struggle of the trade union *Solidarity* founded in 1980 with ten million members, then paralyzed with the Martial Law on December 13, 1981, and finally officially "disbanded" by the communists in 1983. The opposition – we, because as a student, I founded and was in charge of an underground publishing house STOP from 1982 to 1989 – was weakened but not destroyed. One of the consequences was the different attitudes toward electoral advice in the initial phases.

Phase 0. The Polish political system was the most relaxed one in the Soviet Bloc. Poland, jokingly called by Poles the "jolliest barrack in the camp," even had a fake multiparty system, with PZPR, the communist party, being dominant. The other parties, ZSL (farmers' party) and SD (small business party), were called "stronnictwo," which in the communist newspeak should be interpreted as PZPR's satellites. With a slight trace of independence, they were otherwise subordinate to the PZPR. Meanwhile, folk anticommunist wisdom often referred

[6] Marek M. Kaminski wrote this section.

to other tiny semi-political catholic organizations, such as Pax Association, PZKS, and ChSS, as catho-marxists.

In the last fully communist-controlled legislative elections in 1985, the communist *Patriotic Movement for National Rebirth* (PRON), which included PZPR, ZSL, SD, and the catho-marxists proposed the candidates. There were more candidates than the seats in the 460-seat Sejm on local and nationwide lists. One could cross a candidate; the name left uncrossed was considered a valid vote. The PZPR received 53.2% of seats, and the remainder was divided among ZSL (23%), SD (7.6%), and the catho-marxists, as well as some "nonpartisans." The official turnout was short of 79%, dramatically dropping from the previous near-100%.

Similarly to Estonia, the electoral system was considered as given, but the opposition unsuccessfully proposed some reforms. The underground TKK (the underground *Solidarity* executive body) considered the system unfair and recommended boycotting the elections. To verify communist statistics, it organized an independent count of the voters. I participated in this action and recall seeing my reluctant colleague, who was helping me with minor chores in my underground anticommunist publishing house, being pushed to the election booth by his father. The TKK's turnout estimate was about 66%.

Phase 1. In the late 1980s, economic woes, the Soviet *perestroika*, and the persistence of underground *Solidarity* led to a gradual thaw. In May and August 1988, two powerful waves of strikes shattered Poland. The second one was "extinguished" by the overground *Solidarity* chairman, Lech Wałęsa, as a sign of goodwill toward the communists. The striking workers were more radical than the "old" *Solidarity,* and it became clear that the next wave might result in a bloody confrontation with the authoritarian rulers. After some internal struggle, the PZPR's dove wing, led by Generals Jaruzelski and Kiszczak, started negotiations with *Solidarity*.

The electoral system that resulted from the so-called Round Table negotiations, led from February 6 to April 5, 1989, was created without external advisors. The two top communist experts, the sociologist Jerzy J. Wiatr and the social psychologist Janusz Reykowski, both highly positioned in the partisan structures of the PZPR, attempted to engineer the electoral system that would enable the PZPR to retain control over the Sejm. They were intelligent laymen who, jointly with collaborators, worked out or reinvented certain concepts used in voting theory, such as von Neumann's *simple games* that describe the distribution of winning, blocking, and losing power among parliamentary coalitions. Nevertheless, they failed to create a system that would be optimal for communists. They were constrained by what Jerzy Urban, the PZPR's spokesman, called using their "monkeys" (TV and other media personalities), as well as the reluctance to register political parties (Urban, 1997). Thus, they chose a majoritarian electoral system over a proportional list-based one. This choice finally turned out to benefit Solidarity. One reason for their failure was the boycott of Polish and probably foreign electoral experts to provide them with know-how. My friend and the leading social choice scholar in Poland reported that one of the experts asked him for help because "we are unsure of what we are doing." His answer is unquotable (Kaminski, 1999).

Many of the *Solidarity* experts I knew personally at that time were completely unfamiliar with electoral systems. However, their most important and consequential requirement was that the PZPR cannot be guaranteed to have the majority of the seats and that it they cannot be guaranteed to have 2/3 of all seats when adding its satellite seats. The finally negotiated

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electoral system modified the earlier 1985 rules and allowed for a 35% quota for independent – in practice, *Solidarity-backed* – candidates and substantial contingents for the PSL, SD, and catho-marxists. PZPR retained 38% of the seats. Moreover, the elections to the new 100-seat Senate were completely free.

To the massive surprise of the *Solidarity* leaders, the June 4, 1989, elections resulted in a massive victory for their candidates. They won 35% of Sejm seats and 99 out of 100 Senate seats. Solidarity's insistence on restricting the PZPR's contingent resulted in the PZPR-nominated prime minister, General Kiszczak's inability to form a working cabinet. The combined *Solidarity* forces in the Sejm and Senate could block any bills of such a cabinet. The two-month-long stalemate ended with ZSL and SD breaking their satellite status and forming a cabinet with *Solidarity*. The new prime minister, Tadeusz Mazowiecki, adopted a soft approach and agreed to include PZPR with a few ministers, such as General Kiszczak, the most prominent interior minister. With one vote in the General Assembly, General Jaruzelski was elected as president.

The dismal result of the PZPR could have been different had they adopted a proportional electoral system. While they excluded list-based PR systems due to their reluctance to register political parties and the desire to use their "monkeys," they overlooked the proportional system with desired properties. STV would allow their monkeys to compete individually and not require parties. It was not an exotic system, as Estonia also used it. Under STV, the "Old Regime" parties would receive about 72–75% of Sejm seats, and even with the heavy loss in the Senate, they could form their cabinet (Kaminski, 1999). Given the context of PZPR-*Solidarity* Round Table negotiations, STV would have been acceptable to both sides.

The vacuum of expert electoral advice, foreign or local, resulted in the fall of communist rule in Poland, which Hungary and the other Soviet satellites quickly followed.

The "electoral ignorance" was overwhelming in 1989 Poland. I consider my small contribution to the fall of communism in Poland not my seven-year-long running of an underground publisher but the recognition of my electoral ignorance. In early 1989, Andrzej Machalski, who coordinated the *Solidarity*'s Citizen Committee electoral campaign in their office on Fredro Street, offered me, a fresh sociology graduate, to run the *Solidarity* electoral campaign. Fearing an insufficient understanding of campaign mechanisms, I refused and possibly saved the excellently run campaign from my undoubtedly ignorant, at that time, involvement!

Phase 2. The 1989 electoral system was only transitional, and it was obvious that the next one must be fully free. Thanks to Rein Taagepera's impact, a serious discussion on electoral design started early in Estonia and then came somewhat delayed in Poland. Among the communists, the main reason was the earlier-mentioned inability to get the proper know-how. Among the opposition, I attribute it to its relative intellectual and organizational strength. In the 1980s, the Polish opposition was by far the strongest in the Soviet Bloc, with several bigger and smaller parties, over 100 underground journals and weeklies, and large numbers of trade union or student cells. In the post-revolutionary "constitutional moment" of 1989 – when reforms were possible due to the lack of organized interests – the emerging *Solidarity*'s elite extensively used the advice of foreign experts to introduce dramatic market reorientation of the inefficient socialist economy. However, the initial recognition of the importance of political institutions, such as the electoral system and constitution, was low. The massive education of politicians and experts – who began turning respectfully toward Western advice

– only commenced once it became evident, following the June 4 elections and throughout the ensuing summer, that communism in Poland had truly ended.

In 1990, the American educational nonpartisan organization *Campaigns & Elections* organized Poland's first workshop on elections and electoral systems. Among two or three dozen politicians, I was one of the few sociologists admitted to their two-day seminar. After the first three-hour lecture on the components of electoral systems, during a coffee break, I recognized a few politicians from one of the leading parties. One of them was discussing something furiously. Intrigued, I moved closer and overheard the discussion of the allocation algorithms, D'Hondt and Hare-Niemeyer's largest remainder, and the impact of electoral threshold and district magnitudes on election results. They just learned the basics and immediately debated how to engineer the new electoral system to their advantage!

The constitutional moment passed so fast that authorities implemented only economic reforms. The politicians quickly learned the basics of voting theory, but it was too late to propose non-partisan reforms. They moved to electoral engineering, i.e., tweaking the electoral system to their advantage. Indeed, the party leaders I met discussing electoral engineering used their freshly learned knowledge to their advantage. In the first fully free elections in 1991, their party, KPN, used the electoral system feature called *apparentement*, which enabled the blocking of party lists. Adam Słomka, the furious discussant during the *Campaigns & Elections* workshop, "strategically established at least four decoy parties ranging across the ideological spectrum and secured an estimated seven additional seats by harvesting their votes" (Flis & Kaminski, 2025).

Phase 3. After rapid learning of the previous phase, the Polish electoral tailor started its own relentless sequence of alterations of his poorly fitted suits. It was like different suit parts like sleeves, waistband, cuffs, pockets, or collars – rather than foreign glamour journals – were forming coalitions that would impose their preferred fashion, emphasizing their narrow interests.

The first electoral system resulted from many frantically debated proposals amid presidential vetoes, threats to dissolve the parliament, attempted constitutional amendments, and even consultations with the military. The main parties, the Centre Agreement (PC) and the Democratic Union (UD), were changing their preferences over majoritarian and PR systems depending on their expected support in the polls. The resulting electoral system led to extreme party system fragmentation, with the effective number of parties (Laakso & Taagepera, 1979) reaching an astronomical number of 10.7 (Flis & Kaminski, 2025).

Despite occasional success with manipulation, the homegrown experts were in their early learning phase and were prone to frequent blunders. After the 1991 elections, Bronisław Geremek of UD questioned the propensity of PR systems to facilitate party fragmentation. Following the 1993 vote of nonconfidence, the fragmented Sejm introduced a new electoral law that led to early elections. Electoral volatility, the over-optimistic expectation of the post-solidarity right, and the entry of new conservative parties caused the severe defeat of the rightist parties, which obtained about 31.94% of votes but only 8.26% of seats (Kaminski *et al*., 1998).

The party think tanks started solidifying their electoral expertise. After some unsuccessful reforms, the electoral law was changed with important consequences in 1997 and 2001, with the latter reform reversed in 2002. The slowing down of electoral engineering was associated with the stabilization of the electorate and the freezing of the party system

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that emerged in its relatively final form of a 2005 duopoly of the Civic Platform (PO) and Law and Justice (PiS).

Many unsuccessful attempts marked this chaotic period of electoral engineering. The effectiveness of manipulation in the early 1989, 1991, and 1993 reforms was so low that parties supporting or opposing reforms were successful in terms of their seat share only in about 50% of all cases. In about half of all cases, they voted against what later turned out to be their best interest! Moreover, electoral volatility, weak institutionalization and recognition of parties, last-minute party changes and new entrants to the system, and systematic biases in the polls amplified the problems with know-how. However, the effectiveness of their electoral engineering increased with time, suggesting better adaptation of partisan manipulators to their challenges (Kaminski, 2002).

A brief evaluation of electoral reforms in the first quarter of the twenty-first century

After years of intense electoral reforms and engineering, Central and Eastern European electoral systems have entered "Phase 4," a period of relative stability. The frequency and scope of both attempted and implemented changes substantially declined.

In Poland, following the last major amendment to the Sejm electoral law in 2002, subsequent reforms were primarily responses to systemic shortcomings rather than electoral engineering. A notable example occurred during the 2014 local elections, where the "primacy effect" of a booklet-style ballot – listing the Polish People's Party (PSL) on the first page – nearly doubled PSL's seat share compared to a single-sheet format (Flis & Kaminski, 2021). Minor adjustments to the Senate electoral law, prompted by administrative reforms, involved tweaking the majoritarian formula and district structure, but had a negligible impact. The presidential election system, which introduced popular voting in 1990, remained unchanged through 2025.

In Hungary, Fidesz introduced a modification of the mixed-member system in 2011, reducing the number of MPs from 386 to 199 and implementing a compensatory mechanism for votes not translating into single-member seats. The reform, clearly driven by electoral engineering, included high coalition thresholds that disadvantaged opposition parties and incorporated some gerrymandering. Despite these concerns, the system remained within the broad bounds of democratic norms, with the EU's Venice Commission deeming it "a good basis for the conduct of genuine and democratic parliamentary elections" (Horváth & Tanács-Mandák, 2025).

Many changes in Poland, Hungary, and other countries were minor, but Czechia and Romania warrant attention. In Czechia, the Constitutional Court invalidated parts of the electoral law for the Chamber of Deputies, ruling that the proportional representation system's vote-to-seat conversion formula disadvantaged smaller parties. This led to adjustments in the PR system for the 2021 election. In Romania, more substantial reforms occurred in 2015 and 2020. In 2015, authorities reinstated a closed-list PR system for parliamentary elections, replacing the mixed system used from 2008 to 2012. In 2020, the government lowered the electoral threshold for parties from 5% to 3% in local elections and eased the rules to facilitate alliances among smaller parties.

Interestingly, the most contentious reform occurred in Germany. The 2021 elections exposed the unwieldy nature of Germany's mixed-member proportional system, with the Bundestag expanding from 598 to 735 seats due to overhang and levelling seats. Anticipating further increases, a new electoral law before the 2025 elections eliminated these additional seats. However, this reform created 23 "orphaned" seats, where winners in 23 single-member districts were denied seats. These issues sparked discussions about future reforms (Behnke, 2025; Flis, Behnke *et al*., 2025).

Despite occasional alterations, Central and Eastern European countries have finally manufactured their electoral suits. New proposals are more balanced and offer a reflection on diverse political interests. For instance, Jarosław Flis's Mixed Local Proportional modifies intra-party seat distribution dynamics without altering inter-party seat allocations (Flis *et al*., 2025). This proposal, uncontested by political parties, has been forwarded to the Parliamentary Committee on Electoral Reform for further processing.

Validity of Western Advice

Is Western advice on electoral systems worth taking? I focus on advice on rules that convert votes into seats, based on the assumption that the votes are obtained fairly. I will not deal with Western law specialists who tighten the wordings and with practitioners of the physical setup of elections who help to make sure that the votes are genuine. These are important parts of Western advice, but it is outside my competence. Moreover, politicians will take the advice seriously primarily during constitutional moments following revolution and before they move to the electoral engineering (Phase 3) of electoral reforms.

The impact of electoral rules in this narrow sense comes in three main aspects, i.e., the proportionality of representation, stability of government, and party constellation. Some degree of proportionality and stability are desiderata in their own right. Party constellation is an important intervening variable. I try to discuss them separately, but these three aspects interact to such a degree that before discussing proportionality, I will have to touch on party constellation.

Please note that I say, "party constellation," not "party system." The word "system" should be reserved for stable constellations where the same party labels occur for many elections in a row and popular votes do not gyrate wildly. There is nothing systemic in the kaleidoscopic reversals observed in many early emerging democracies from one election to the next. Nay, *even "kaleidoscopic" is overstating the degree of stability*, because in a kaleidoscope the same pieces recur in new combinations, while in emerging democracies even the very pieces (parties and visible leaders) can change.

Proportionality. As a measure of the lack of proportionality of seats to votes, I will use the more intuitive Loosemore-Hanby disproportionality index D rather than Gallagher's least-square measure (cf. Lijphart, 1994, p. 58, 60–61). As far as I know, everything I say applies regardless of the measure chosen. The general pattern for stable democracies is that D tends to decrease with increasing "effective magnitude" (which considers legal thresholds, adjustment seats, etc.). This is shown in Figure 1, where I have added some recent Estonian, Polish, and Russian data points to the worldwide pattern of the early 1980s (from Taagepera & Shugart,

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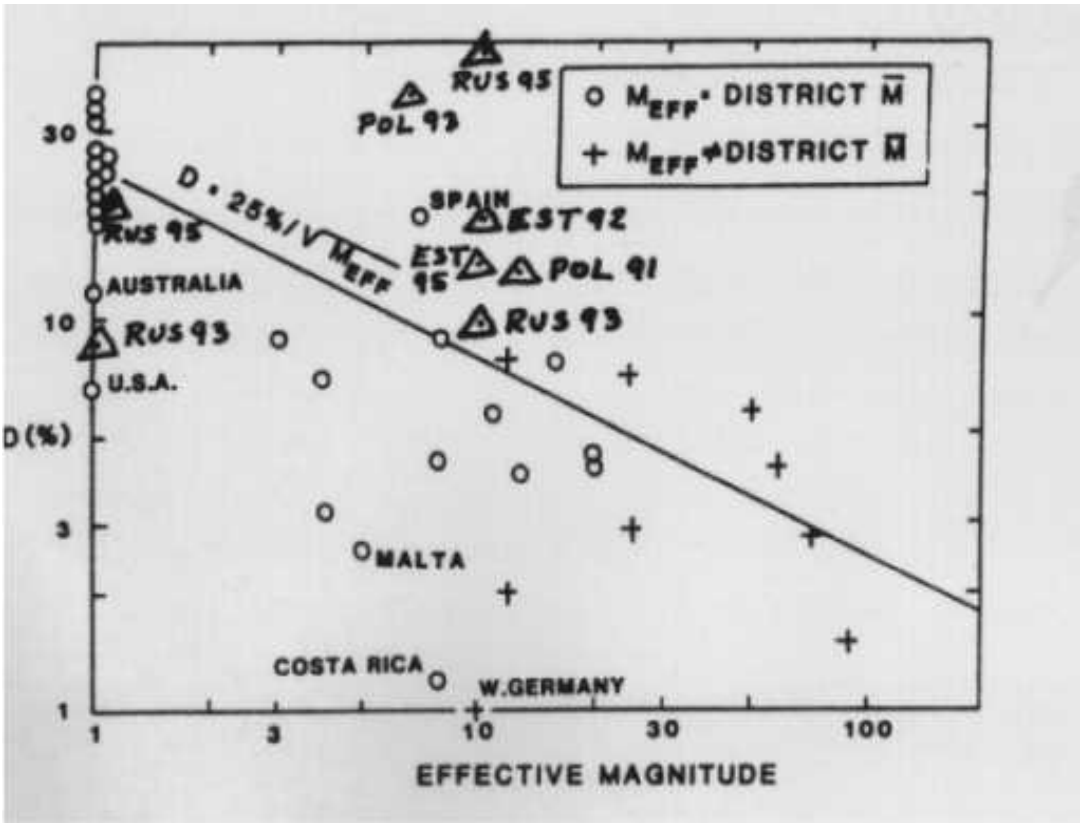
1989, p. 141). The average pattern is close to D = 25 percent/$\sqrt{M}$, but some countries deviate strongly and need to be discussed before one offers simple advice to emerging democracies.[7]

We might take it for granted that proportional representation (PR) is most fully established (thus leading to low D), but there is a kink. Highly proportional rules entice low-support parties to run in the hope of winning at least a few seats. When many such parties run and fail, then D may actually be fairly high. Weimar Germany was a case in point. The problem can be especially acute in recently established democracies, where a lack of previous elections deprives party leaders of a realistic baseline for evaluating their chances. Highly proportional rules may continue to keep up the hopes of groups who repeatedly almost won a seat, or actually won it in some past elections, or saw similar small groups occasionally win. Such hopes are reinforced when the general party constellation is unstable. The existence of marginal parties contributes to such instability, so that the situation is self-reinforcing, resulting in a higher-than-average D.

FIGURE 1. Deviation from PR and Effective Magnitude in the 1980s



Source: stable democracies (Taagepera & Shugart, 1989, p. 4); Estonia, Poland, and Russia in the 1990s, calculated by Taagepera.

Conversely, we would expect simple plurality in one-seat districts to produce a large D through the so-called Duverger mechanical effect: Smaller parties may get votes but no seats. Thus, usually

[7] The equation is empirical, although we may be on the threshold of giving the square root a theoretical justification. Lijphart's results (1994, p. 99), using the least square measure and effective thresholds (which are essentially the inverses of effective magnitudes) seem to fit a similar pattern with a lower constant: LSq = 15 percent/$\sqrt{M}$. See Taagepera and Shugart (1989, p. 166–269) for examples of calculating effective M for complex systems. If a 5% threshold dominates the rules, then M^{eff} = 50 percent/T = 10. [Much of this wisdom of 1997 is superseded by Shugart and Taagepera, *Votes from Seats* (2017) that introduces assembly size as a major factor and abandons the notion of "effective M" as a clumsy attempt to account for assembly size impact.]

D is high when M=1, but again there is a kink. If small-party voters and leaders learn their lesson from the mechanical effect really well and the so-called Duverger's psychological effect sets in with full force, the small parties may fold, the opportunity to waste votes on them stops, and D can become rather low. The prime example is the United States House (see Figure 1), where third parties have been squeezed out and the two major parties obtain fairly proportional representation.[8]

Given that highly PR rules entice small parties to run, lose, and boost D (a counter Duvergerian psychological effect), and highly majoritarian (or rather "pluralitarian") rules may reduce D by utterly discouraging third parties from running, Matthew Shugart and I have proposed a vague "*law of conservation of deviation from proportionality*" (Taagepera & Shugart, 1989, p. 122–123, 209, 230) that can operate in some cases. Let me stress that for most stable democracies, the effective magnitude still tends to reduce D. The U.S. is among the outliers in Figure 1.

In that mixed light, what advice should one give to emerging democracies who wish to keep D reasonably low? In the presence of a highly fractionalized constellation of short-lived parties, almost nothing seems to work in the short run.

A rather high threshold of representation (say, 5%) may discourage small parties in the presence of much larger parties (cf. W. Germany in Figure 1), but much less so when even the largest parties fluctuate between 10 and 20 percent in opinion polls, as has been the case in Estonia. Under such conditions, a group with 3% support in opinion polls can toy with the hope of surpassing the 5% threshold. Looking at previous gyrations in public opinion, such groups may even have semi-rational hopes to become the largest party (or part of it, through an ad hoc electoral coalition that breaks up after the election). However, most of such parties will fail, boosting D.

Even a more drastic threshold in Poland's 1993 elections described earlier (5% for parties and 8% for coalitions) did not discourage fractionalization, and D reached 37.9%. The effect of 1993 fragmentation of the conservative parties motivated consolidation and reduced the number of parties and hence D = 16.41 in the next 1997 elections, with the same thresholds (Kaminski *et al.*, 1998). However, the high D helped to delegitimize the regime as "undemocratic."

Low-magnitude districts have a high inherent effective threshold, which should increase D (unless low M induces the small parties to vanish, as in the U.S.), but their demonstration effect is indirect and thus even weaker than that of an explicit nationwide threshold. With low magnitude districts, if some parties succeed in repeatedly attaining a large vote, they may eventually crowd out smaller parties and independents by throwing their superior resources into selected districts. But if all parties are small, this consolidation cannot even begin. The Duverger mechanical process cannot produce a demonstration effect when even the largest parties are so small that success depends on the existence of local strongholds.[9]

[8] While D among parties is pushed down, the deviation from "PR of viewpoints" may remain high: Many voters have to vote for the lesser evil, choosing between two large coalitions both of which may keep their most burning issues on the back burner. This lack of representation of minority viewpoints may explain part of the low electoral participation in the U.S.

[9] In Poland 1991 and 1993 simultaneous elections in one-seat (Senate) and large-magnitude (Sejm) districts brought comparable fractionalization of the two assemblies (Jasiewicz, 1996). Comparing D is not sensible for 1991 because of the large number of independent Senators (21). With only 4 independent Senators in 1993, Senate's D can be estimated at an even higher than for Sejm D ~ 44.5. In Russia 1993 and 1995 the half of the Duma elected in one-seat districts had less fractionalization of votes and a lower D than the nationwide district subject to a 5 percent threshold (Moser, 1996), but the underlying circumstances are too complex to draw conclusions based on electoral rules alone (White, Rose, & McAllister, 1996). Scholars have noted a long time ago (Rae, 1971, p. 161) that plurality rule in one-seat districts actually has an extremely low threshold of inclusion (representation) in the presence of numerous candidates, leading to counter-Duvergerian possibilities.

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Summarizing, the goal of a fairly low D is unattainable in the face of extreme fractionalization. The only advice one might give is to keep the rules simple, given that there is nothing to gain by making them more complex.

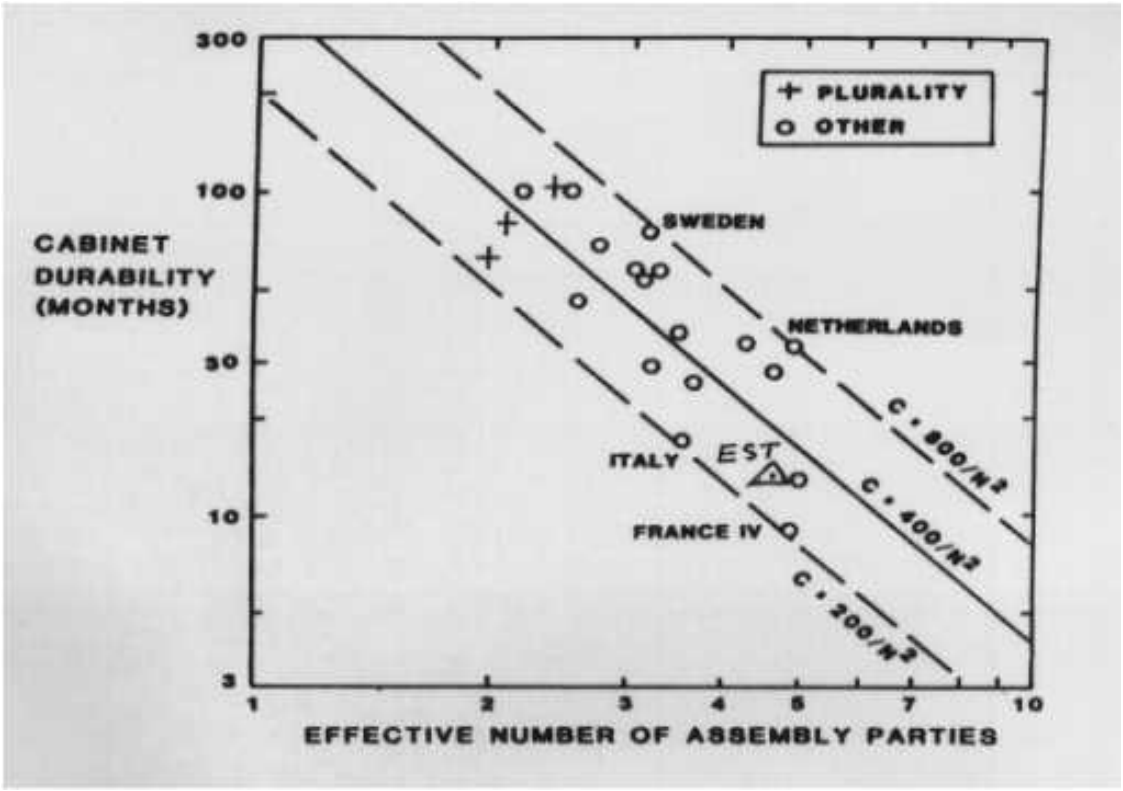
Stability of government and the inverse square law. Governmental stability has many distinct aspects and depends on many factors independent of electoral rules. One of its aspects is cabinet durability (C), which in the case of longstanding parliamentary regimes is tied to the effective number of assembly parties (N) by an inverse square law: $C = 400 \text{ months}/N^2$ (Taagepera & Shugart, 1989, p. 100) – see Figure 2.

This law has theoretical justification in terms of communication channels, but it represents an average over a long time. Tentatively, I have added Estonia to the stable democracies in Figure 2, which has had three cabinets over 37 months (October 1992 to November 1995). The law cannot predict with any certainty the duration of any given cabinet. One may also presume that the first cabinets in emerging democracies are especially fragile and would tend to fall below the average (although this is not the case for Estonia). If so, then it would be even more imperative for new democracies to try to keep the number of parties down. This advice is easier to give than implement, because this brings us to the question of the number of parties.

Party constellation. In stable democracies, the effective number of parties is affected by electoral rules, chiefly by effective magnitude (M) or effective threshold, but also by assembly size. In particular, the effective number based on assembly seats (N) is expected on theoretical grounds to be around $N = 2.15\ M^{3/16}$, and this is close to the average pattern observed (Taagepera & Shugart, 1993, p. 460, equation 12).10 However, N is also affected by the number of political issue dimensions and historical tradition. Consequently, while the average pattern of N vs. effective magnitude (or threshold) fits theoretical expectations, the correlation is limited (Lijphart, 1994, p. 99). In newly democratizing countries, the impact of electoral rules on the number of parties is even more diffuse and slow, to the point of no correlation observed in the short run, and possibly for a long time to come.

[10] This equation is now completely outdated. N depends appreciably on assembly size, especially when M=1. For proper equations, see Shugart and Taagepera, *Votes from Seats* (2017), p. 149.

FIGURE 2. Inverse Square Law of Cabinet Durability



Source: stable democracies (Taagepera & Shugart, 1989, p. 100); Estonia 1992–1995 calculated by Taagepera.

The effective number of assembly parties is also correlated with the number of political issue dimensions (I), the average pattern being simply N=I+1 (Lijphart, 1984, p. 148; Taagepera & Grofman, 1985; Taagepera & Shugart, 1989, p. 93). However, in the newly democratizing countries, the usual major issue dimensions (wealthy-poor, rural-urban, ethnic) are split and distorted by the rapidly changing situations of many people. Above all, the desire of many leaders to head their own little party with no clear niche in the issue dimensions space often overshadows basic issues.

As for historical tradition, it enters in indirect and diffuse ways. Thus, Latvia's and Estonia's profusion of parties compared to relative restraint in Lithuania reminds one not only of similar tendencies in the 1920s but also of the unification of Lithuania and Poland in 1385, compared to splintered resistance to German conquest further north. The tradition often includes contradictory elements (such as M=100 in Estonia in the 1920s but M=1 in the late 1930s), and leaders and popular moods will claim the parts they happen to like. It is easier to use historical tradition to explain away everything in retrospect than to forecast or base recommendations on it.

Regarding the restrictive effect of low district magnitudes and high thresholds on the number of parties, the observations made for deviation from PR apply: The pressures by electoral rules take a long time to have an impact. Moreover, the relationship between magnitude and the number of parties is diffuse even in established democracies.

Once more, *the prime advice is to keep the electoral rules simple*, because there is nothing to gain by adding rules' complexity to the already complex flux of social change. For the sake of simplicity, I recommend discouraging fractionalization by using small multi-seat districts

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rather than thresholds. Some district magnitude has to be selected (including the possibility of a single nationwide district) – this is a step that cannot be omitted for the sake of simplification. In contrast, it is possible to avoid thresholds, and their magic, based largely on German experience, has worn off. This said, I have no illusion that low-magnitude districts are a panacea or that their effects, if any, would be rapid.

The second major advice is to *keep for at least three elections whatever rules a country has picked* and then change them only marginally, rather than get rid of the ills one knows by diving into the unknown. If the existing rules are complex, this advice conflicts with the recommendation of simplicity. But do not rush to simplify. Hurried attempts at simplification all too often end up adding another layer of complexity. The first few times a set of electoral rules is used gives a very little idea of what the outcomes will be once the leaders and voters learn to use the system and adjust to it. Protest against a new rule is often a protest against its newness rather than its content. If you have to change, change the district magnitude or nationwide threshold only marginally, and see what happens. *Do not make huge alterations where fine-tuning may be all that is needed*.

Beyond the recommendations of simplicity and incrementalism of changes, little advice can be given that might not yield short-run results very different from those observed in an average established democracy. As yet, we lack clear insights into the peculiar functioning of emerging democracies as a group, compared to the established ones. As for the special nature of a given country, I lack clear insight even for my native land, and I doubt that any electoral rules specialist, native or foreign, can do much better for any emerging democracy. We might as well be guided by universal generalities established empirically (such as D vs. M, Figure 1) and sometimes also theoretically (such as C vs. N, Figure 2). At best, they will have the desired impact in the long run. At worst, they would do no more harm than any other advice offered on fuzzier grounds.

Conclusion: Feedback from Emerging Democracies?

Of course, the preceding advice applies only if one believes that such universal relationships 1) can exist on philosophical grounds, and 2) have been established with sufficient theoretical and empirical credibility. Reworded, it is the issue I mentioned at the beginning: 1) Can there be a science of electoral systems? 2) If so, does it already exist? Or is only an art of electoral systems available to us because a science is not possible or does not yet exist?

After discussing the advice given to emerging democracies, it is time to touch briefly on the reverse aspect: What light does the experience of newly democratizing countries cast on existing studies of electoral systems? My answer is: not much, at the present stage of development.

The study of any system has to begin with stable, steady-state cases, even when the unstable cases are more interesting. One must work out the thermodynamics of closed systems to a fair degree before approaching the thermodynamics of open systems. Change is more complex than steady state and cannot be fruitfully tackled before the laws prevailing in steady state are reasonably well established. We have not yet done this in electoral systems, although we are making headway.

It comes as no surprise if the outcomes in as yet unstable democracies do not fit the patterns found in the stable ones. It only reminds us (in case we have forgotten) that all scien-

tific laws and rules apply only within certain frameworks. Newton's second law, as usually worded, applies only at speeds much lower than the speed of light. Such limits on the range of applicability are important parts of the laws. Whatever helps to delineate the limits is valuable. However, even here, the experience of recent democracies does not add much to the numerous deviating cases among stable democracies. The large number of parties is more puzzling (and hence can contribute more to understanding the limits on Duverger's rule) in India 1996 than in Russia 1996.

Things look different for those who believe that the study of electoral systems is inherently bound to remain an art. This seems to be Dieter Nohlen's position (1996). At the 1996 annual meeting of the American Political Science Association, scholars paid fair attention to deviations from Duverger's rule ("law" + "hypothesis") in East European elections, with some (e.g., Jasiewicz, 1996) ascribing them to the unsettled conditions and some others (e.g., Moser, 1996) raising doubts about the universality of Duverger's rule. Given the slow process of the underlying psychological effect, no one should expect Duverger's rule to apply during the first elections with the same election rules. Therefore, such data cannot prove or disprove the rule.

To the extent there is a philosophical desire to disbelieve the possibility of a science of electoral systems, there is no point in my getting into an argument. I simply say something akin to "Eppur si muove" ("And yet it moves") and continue to find out more about the regularities of stable electoral systems, while they can have their fun doing something else. As for advice to emerging democracies, I recognize that at our present state of knowledge about non-steady-state electoral systems, the scientist has as yet little more to offer than the artist or the philosopher.

Some artists have better bedside manners than some scientists. The scientist may be more tempted to behave like the tailor of Marrakech because they believe that universal laws will eventually catch up with the emerging democracies. But the artist may also carry heavy baggage of a philosophic and normative kind. In the long run, the client may be slightly better off with the scientist, but the choice is up to the client.

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