

## Remedies for a not-so-representative LegCo

*James Lee*

In the recently concluded Legislative Council elections, much electioneering effort centred on exits polls, strategies and coordination, all aimed at making votes count. So how successful has been our system of proportional representation?

The main problem is so-called wasted votes. Suppose in a geographical constituency it takes at least 30,000 votes to win a seat. Where candidates garner under 30,000 votes, all those votes become wasted, i.e. unrepresented. One consequence is that many electors, for fear of being disenfranchised, would vote for a big player rather than their true first preference. Independent candidates and small parties face an uphill task.

For winning tickets, all votes received over and above the number required to secure the seat(s) gained become wasted. Affected by strategy and luck, wasted votes cause large discrepancies between voters' intentions and actual representation. In Hong Kong Island, the pan-democrats, capturing 53.4% of votes, won 4 seats; the loyalists, with 39.5%, 2 seats. That means the former, with 1.36 times the votes as the latter, clinched double the seats. In New Territories East, the pan-democrats clinched 2.5 times the number of seats with 1.35 times the number of votes!

Strategy and luck favoured the loyalists in two other GCs. Netting out, for the Special Administrative Region overall, the pan-democrats gained one seat more, and the loyalists one seat less, than proportional to votes received, i.e. the gap widened by two. Question is: should we accept such significant departures from proportional representation caused by strategy and luck?

A better mode of proportional representation called single transferable vote or STV has been used at various levels of government in mostly English-speaking countries. Voters are asked to indicate on the ballot their order of preference of candidates. If a candidate collects more than the minimum number of votes required for a seat, the surplus votes would be allocated to other candidates in the order of preference voters indicated. No vote would become unrepresented.

Secondly, proportional representation is compromised because voting for LegCo is divided into five geographical constituencies. With totally 30 directly elected seats, a party or candidate with a support rate of 3% arguably deserves a seat already. But GCs have only 4 to 8 seats each. So the required rate of support becomes much higher. This poses difficulty for small players, and even large parties like Liberal Party and Civic Party, which have more to contribute on SAR-wide issues than on servicing local communities. LegCo ends up with less diversity of thinking and strengths.

The remedy is to create a sixth GC, one covering the entire SAR. Electors will declare in advance if they decide to vote in the SAR GC. How many seats each GC gets will then be worked out.

The two difficulties with proportional representation mentioned above can also be redressed by increasing the number of LegCo seats, or by having one GC instead of five. Both solutions would only be partial, and entail substantial drawbacks.

Lastly, more electors are realizing that, given our executive-led government, LegCo elections is not to elect a winning party to office but to ensure a vibrant, pluralistic and talented legislature that both supports and challenges the administration. To express their preference for balance and not risk upsetting it, electors simply don't vote. That probably contributed to this year's low turnout.

Better than STV, let us adopt multiple transferable votes. Each elector can cast 100 votes, which he can freely split among candidates of different camps and talents. Voters' intentions would be accurately represented. Also, it is intuitively easier – and probably more fun – for people to allocate “vote dollars” than to rank candidates in order of preference.

9/2008

*The above is the full version of an article entitled “How best to make those votes count” in The Standard on 2/10/2008.*