

The Electoral System for Elections to the European Parliament: A Comparison of the Original and the Newly Admitted Countries

Jan Outly

Abstract: *This paper compares electoral systems in two groups of EU states: the original member countries and the countries admitted to the EU in 2004. No essential difference was found between the two groups. The old members are less heterogeneous in terms of districts magnitudes, closing formula and derived thresholds; in the newly admitted countries this range is three times smaller. Both groups show much the same signs, as regards the type of the proportional formula, the method of transference of votes to mandates, and the possibility of the voters to influence the personal composition of the mandate. This raises the question of how this difference is reflected in parameters characterizing the party system and the share of unused votes. The data reveal that the two subsystems produced a basically identical number of parties (4.3 or 4.5), but in the newly admitted countries this distribution of mandates was achieved with a disproportion one third greater.*

Keywords: *European elections, European Union, original member states, new member states.*

The first elections to the European Parliament (EP), after the expansion of the Union by countries of Central and Eastern Europe, had significant impact upon political activities in the newly admitted countries. They influenced the programmes and the choice of persons in the political parties, the style of the pre-election campaign and its content, and also became a catalyst for internal politics. New themes were thus opened for politological research.

This text has two objectives. The first is a survey of the principles of electoral systems for the EP in the countries joining the European Union (EU) in 2004, as compared to the original member countries, and the second is the assessment of the difference of the effects of these rules in the two groups of countries. What makes the first of these objectives interesting is mainly the fact that although the European Union in 2002, after decades of discussions, accepted the legislation on uniform electoral procedures for the elections to the EU (2002/772/EC)², the member countries were given room for variant solutions to the concrete issues. This fact makes it necessary to assess the second objective, namely to what degree it is possible to speak of a uniform electoral system in EP elections or whether the main features of European elections are much different between the original and the new members. Here the term 'new members' refers to those that joined the EU in 2004, i.e., Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia.

This article begins with an outline of the development of discussions on the uniform electoral system for EP elections until they were terminated by a decision of the EU Council and its approval by the European Parliament in 2002. Then it will present select features of the elections, i.e., the right to vote, the candidate list, the means of voting and the indexes describing the system. For a comparison of the system in the original and in the newly admitted countries the text will treat the two groups separately in the calculations of aggregate indexes, i.e., the effective size of the constituency and individual thresholds. In this it will use an analogy to the approach with which political scientists characterize, on the national level, the electoral systems of the countries, which are divided into constituencies of various size. The 'national level' in this analogy is represented by the group of original or newly admitted countries; the constituencies are represented here by individual states or territorial regions created within the states. From the aspect of the theory of electoral systems the division into these two groups of countries is unfounded, the author, however, intends to establish the differences between the original and the newly admitted countries, which justify this approach.

The text is mainly based on bills and on parliamentary debates accompanying the process of legislation. Electoral data are taken mainly from Internet databases and from previous publications. The methods of analysis that were used (calculations etc.) agree with the common procedures and so they need not be explained.

The Influence of the European Electoral Law

The EU countries had already discussed the European electoral system when the Assembly delegates began to be elected directly by the citizens.³ For a long time, the discussions concentrated on the approval of a uniform, detailed electoral procedure.

The development showed, however, how difficult it was to arrive at an agreement. The opponents of the unification of elections argued with the principle of subsidiary, according to which only those norms can be accepted on European level that are absolutely necessary for the functioning of the policies of the Union. Their strategy was successful because, basically, there is no reason why any function of the European Parliament should be limited by the fact that the deputies were chosen by the citizens of the particular countries according to different rules.

‘The European electoral law’, i.e., the Act on direct and general elections of deputies to the Assembly (further only Act), accepted in 1976, thus defines only the main principles of the elections to the European Parliament. For instance it sets the day (or days) of elections, the number of mandates for each country, the procedures for the creation and termination of the mandate, the incompatibility of functions, etc.

In 1993, however, the Maastricht Treaty of the European Union introduced the institution of Union citizenship for the populations of all member states and so gave them a set of rights. Among them is the right to attend the elections to the European Parliament in the country in which the voter is resident, without having to be a citizen. Here then arose the need of some coordination so that the election laws of each country not only made it formally possible for EU citizens to vote but also to prevented various complications, e.g., duplicate voting, the requirement of the minimal length of the stay in the country, and the like. The treaty required that the corresponding rules for the implementation of unified electoral principles should be supplied by the EU Council. It did so in 1993 in its direction 93/109/ES⁴ 4 (hereinafter only directions). Together with the Act it formed the principal departure point for the respective electoral laws in each member country. The legal power of these statutes, however, was not unambiguous. During the preparation of the electoral law for EP elections, even governmental lawyers of the Czech Republic took an ambivalent view of the Act. Though the Act is a type of amendment to the Treaty on the foundation of the European Economic Community, that is norms of primary law, it should be regarded as a prescription from the category of primary law, and then it would be part of the Czech legislation like any other international treaty. Formally, however, it is only a decision of the Council members.

Efforts at accepting uniform electoral procedures continued in the European Parliament, and in June 1998 this institution sent a recommendation to the legislatures of the member countries. The document advises, among other things, to apply the method of d’Hondt’s divisor for allocating the mandates or to accept a closing formula of 5 % at the maximum, but also recommends legalisation of the obligatory attendance at elections. (Baimbridge and Darcy 2001: 256–257)

For elections held in 1999, all fifteen countries, including Great Britain, with its long tradition of the majority system, accepted the principle of relative representation. However, the member countries responded differently to the recommenda-

tions of the European Parliament. Most of them inclined towards the variant of the d'Hondt divisor, but they also used the method of a single transferable voice, the Hare-Niemeyer method and the modified Saint-Laguë system. One third of the countries, Austria, France, Germany, Greece and Sweden, included the closing formula in their electoral laws, among which Germany and France with the maximum level of 5 % of votes. Only Belgium, Greece, Luxembourg and Italy required compulsory attendance at elections. (Baimbridge and Darcy 2001: 256–257)

As late as in June 2002, the European Parliament and the EU Council reached an agreement concerning the European electoral legislation and regulation 2002/772/EC. It sets the following principal parameters for the 'European electoral system'.

- 1) EP elections are to be held according to the proportional system, using the formula of candidate lists or a single transferable vote;
- 2) the member countries are free to include the option of preferential voting (it is not required);
- 3) the member countries are free to set the size of the voting district but in each district so many mandates must be elected to ensure proportional distribution of the mandates;
- 4) if a member country sets a closing formula, it should not exceed 5% of the votes;
- 5) The concrete form of the electoral law can be adapted to a specific situation in a particular country, but the proportional character of the elections must be preserved.

David Farrell and Roger Scully (2005: 969–971) point out that the agreement arrived at the right time because the countries about to join the EU and to elect the EP two years later, were at that time preparing proposals for their national legislatures and had no choice but not to derive their laws from the European norm. The postponement of the agreement until the joining of the countries represented the risk of reducing the probability of reaching a compromise because countries using hybrid adaptations on a national level would enter the debate. The acceptance of the electoral rules in 2002 thus can be regarded as a success although the norm more or less only summed up the existing state of the valid legislation in each member country of that period rather than bound it to accept the new rules (including Great Britain, which accepted the proportional vote already in 1999).

From these main parameters it follows that the accepted Act rather inclines toward the narrowing of national variations of electoral laws, does not set strict rules, and allows the member countries considerable freedom in determining the concrete form of the electoral system.

Main Components of the 'European' Electoral System

The reason the acceptance of uniform electoral rules was so complicated and an agreement was reached so late was the attempt at enforcing as many uniform elements as possible, which would fundamentally influence the character of the system. They include the size of the voting district, the closing formula, and the method of conversion of votes to mandates. Especially the size of the voting district remained a subject of discussion for a some time. The original proposal, which led to the acceptance of the European norm in 2002, expected to establish voting districts in countries with a population of more than 20 million. (Farell and Scully 2005: 970) During the negotiations, however, this decision was removed from the proposal and the setting up of voting districts was left to the consideration of legislators in each country. The majority of national parliaments of the existing member countries (and all newly admitted members) decided to reject the division into small voting districts. With the exception of Ireland, because with the number of 13 occupied mandates and the method of a single transferable vote it basically cannot be otherwise, the voting districts are applied only by France, Belgium and Great Britain (in the survey Northern Ireland is registered separately, because for the conversion of votes a different method is used there than in the rest of the United Kingdom).

The size of the voting district (see Table 1) is a component which seemingly differentiates the group of new countries from the original EU countries: the smallest voting district in the countries of the Fifteen has three mandates (Northern Ireland), the largest has 99 mandates (Germany), while among the EU-10 countries the smallest voting district is in Malta (5 mandates), the largest in Poland (54). In both these cases, however, the range is so great and the threshold values so extreme that the same conclusion can be made concerning the two groups of countries: They cannot be regarded as a space with a uniform character of electoral components. This is confirmed by the values of the lower and upper thresholds, or their medium value (effective threshold), specified in the further columns in the table. While in Germany it was already possible to gain a mandate through the support of ca. 0.5 % of voters, the effective threshold in Northern Ireland is over 18 %. In the newly admitted countries the range is about 12 % of votes.

Table 1: Size of Voting Districts in the Original and the Newly Admitted EU Countries and the Derived Characteristics⁵

<i>Original countries</i>	Seats	M	T'_I	T'_E	T_{EFF}	T
Germany	99	99	0,50 %	1,00 %	0,80 %	5 %
Italy*	78	78	0,60 %	1,30 %	0,90 %	---
Spain	54	54	0,90 %	1,80 %	1,40 %	---
Netherlands	27	27	1,80 %	3,60 %	2,70 %	---
Portugal	24	24	2,00 %	4,00 %	3,00 %	---
Greece	24	24	2,00 %	4,00 %	3,00 %	3 %
Sweden	19	19	2,50 %	5,00 %	3,80 %	4 %
Austria	18	18	2,60 %	5,30 %	3,90 %	4 %
Denmark	14	14	3,30 %	6,70 %	5,00 %	---
Finland	14	14	3,30 %	6,70 %	5,00 %	---
France	78	9,8	4,70 %	9,30 %	7,00 %	5 %
Belgium	24	8	5,60 %	11,10 %	8,30 %	---
United Kingdom**	75	6,8	6,40 %	12,80 %	9,60 %	---
Luxembourg	6	6	7,10 %	14,30 %	10,70 %	---
Ireland	13	3,3	11,80 %	23,50 %	17,60 %	---
North Ireland	3	3	12,50 %	25,00 %	18,80 %	---
<i>Newly admitted countries</i>	Mandates	M	T'_I	T'_E	T_{EFF}	T
Poland*	54	54	0,90 %	1,80 %	1,40 %	5 %
Czech Republic	24	24	2,00 %	4,00 %	3,00 %	5 %
Hungary	24	24	2,00 %	4,00 %	3,00 %	5 %
Slovakia	14	14	3,30 %	6,70 %	5,00 %	5 %
Lithuania	13	13	3,60 %	7,10 %	5,40 %	5 %
Latvia	9	9	5,00 %	10,00 %	7,50 %	5 %
Slovenia	7	7	6,30 %	12,50 %	9,40 %	---
Estonia	6	6	7,10 %	14,30 %	10,70 %	---
Cyprus	6	6	7,10 %	14,30 %	10,70 %	1,80 %
Malta	5	5	8,30 %	16,70 %	12,50 %	---

Source: The author's own calculations, partial data from Wuest 2004, Europawahlrecht 2004, www.elections2004.eu.int, Farrell and Scully 2005.

Notes: Due to the unavailability of detailed information the M values in the countries where elections are not held in a single voting district (France, Belgium, Ireland and the United Kingdom without Northern Ireland), are calculated as a simple arithmetic mean of the voting district.

*) Italy is divided for the EP elections into 5 territorial regions in which the mandates are allocated to concrete candidates of political parties. The calculation deciding about the distribution of deputy seats, however, is made on the national level and so for the purpose of the calculation it is regarded as a single voting district. The same applies for Poland.

***) It is the United Kingdom without Northern Ireland, which is registered separately, partly because the mandates are allocated under a different formula and partly because the size of the voting district is known and greatly differs from M in the rest of the United Kingdom.

While most of the original EU member countries did not introduce the *closing formula* (the threshold was introduced by only one third of them), 7 out of the 10 newly admitted countries apply the formula, except for Cyprus, even in the maximum size. Only in the Czech Republic, Poland and Hungary did the closing formula have a restrictive effect (the effective threshold there was lower, in other words, in the absence of the closing formula the chance of gaining a mandate would be gained even by subjects with a lower electoral gain – above 3 % votes). On the other hand in the original EU countries, eight countries, that is four times as many, have the value of effective threshold. Since only one half of them applies the closing formula, and only Germany established it as the maximum of 5 % of votes, it can be concluded that EP elections in the countries of the original Fifteen give more favourable conditions to smaller parties.

For a comparison of electoral systems in the two groups of countries, however, it is necessary to shift attention from the level of the voting districts to the quantities characterizing the system as a whole. Table 3 gives the values of the effective size of the district (M), 'national' 10 mean threshold (T), and 'national' thresholds of the lowest inclusion (T) and the highest exclusion (T).⁶ From the table it follows that the groups of countries mainly differ in the first two quantities. There are three components determining this difference. A certain role is played by the structure of the size of the voting districts (see Table 2). In the original as well as in the newly admitted member countries most voting districts have between 5 and 10 mandates (61, or 59 %) and the representation of the largest voting districts – 25 and more mandates – is approximately identical (11, or 10 %). In the EU-10 countries in these largest voting districts nearly one half of the seats (45 %) is distributed, which is a far higher proportion than in the newly admitted countries, but in the sum with data on districts with 20 to 25 mandates such a clear difference between the two groups in no longer found. Still this different structure is strongly manifested in the effective size of the voting district (Table 3). The original member countries are characterized by M with 41 mandates, while in the ten new countries it is twelve fewer. From the calculation of the 'national' mean threshold, in the determination of which the value of the 'national' threshold of lowest inclusion plays a role, it follows that the principal components are the size of the smallest voting district in the system (M), the number of districts (E), and the total number of elected mandates (S). M in the original member countries is 3 mandates and is represented only by Northern Ireland. From newly admitted countries Malta is M with 5 mandates. Since M in the calculation of the lower threshold is raised in the denominator by a negative figure, its lower value results also in the lower T value. This in combination with the fact that in the original member countries a total of 570 mandates (S) are distributed in 38 districts (E), while in the newly admitted countries it is 1262 mandates, or 10 constituencies, and the difference in the value of the 'national' mean threshold is more than doubled

(0.52, or 1.16 %). These figures, however, only confirm on the system level what was written above, namely that electoral rules in E-10 countries are, measured by these quantities, potentially more restrictive towards smaller subjects.

Table 2: Structure of the Size of Voting districts in Original and in Newly Admitted EU Countries.

	EU-15		EU-10	
	frequency	share of seats	frequency	share of seats
$M \geq 25$	11 %	45%	10%	33%
$20 \leq M < 25$	5 %	8%	20%	30%
$15 \leq M < 20$	5 %	6%	0%	0%
$10 \leq M < 15$	5 %	5%	20%	17%
$5 \leq M < 10$	61 %	32%	50%	20%
$M < 5$	13 %	3%	0%	0%

Source: The author's own calculations, partial data from Wuest 2004, *Europawahlrecht 2004*, www.elections2004.eu.int, Farrell and Scully 2005.

Table 3: Comparison of parameters of voting systems in Original and in Newly Admitted EU Countries.

	EU-15	EU-10
M'	40,9	28,8
T_{av}	0,52 %	1,16 %
T_j	0,1 %	0,4 %
T_f	5,9 %	5,6 %

Source: The author's own calculations, partial data from Wuest 2004, *Europawahlrecht 2004*, www.elections2004.eu.int, Farrell and Scully 2005.

The existence of the *closing formula* in European elections in itself is debatable. The need to introduce the closing formula can arise in elections to the national parliament, when due to high fragmentation of the party system in the assembly too many subjects are regularly present to be able to create stable voting majorities. For the EP, however, the situation is different. The delegates elected in their countries from candidate lists of various political parties join the fractions in the EP, which are a type of parallel to deputy clubs. The elections in themselves do not determine how many clubs there will be in parliament because it is common that after the elections several subjects join one fraction, though on the national level they are rivals. The closing formula accepted on the national level thus has no immediate influence on the number of agents in the elected assembly.

As for the *mathematical method* used, the direction of the Council gives the member countries a free hand in the choice of the method. In the EP elections most EU member countries (see Table 4) use the method of the d'Hondt divisor. Malta, Ireland and from the United Kingdom Northern Ireland allocate mandates by the

method of a single transferable vote. Greece and Slovakia accepted the relatively infrequent Droop quota, Latvia the Saint-Laguë divisor. Sweden traditionally uses its adapted form. In Germany, Italy, Cyprus and Lithuania the Hare-Niemeyer method is applied. (Europawahlrecht 2004)

Table 4: Form of Various Electoral Rules in EP Elections in 2004 in EU Member Countries

Country	Mathematical method	Preference vote	Type of ballot
Belgium	d'Hondt	yes	closed
Denmark	d'Hondt	yes	open, one vote
Finland	d'Hondt	yes	open, one vote
France	d'Hondt	no	(strictly closed)
Ireland	STV	(yes)	(open)
Italy	Hare	yes	open, more votes
Luxembourg	d'Hondt	yes	open, more votes
Germany	Hare-Niemeyer	no	(strictly closed)
Netherlands	d'Hondt	yes	closed, one vote
Portugal	d'Hondt	no	(strictly closed)
Austria	d'Hondt	yes	closed, one vote
Greece	Droop	no	(strictly closed)
North Ireland	STV	(yes)	(open)
Spain	d'Hondt	no	(strictly closed)
Sweden	modif. Saint-Laguë	yes	closed, one vote
United Kingdom	d'Hondt	yes	closed, one vote

Country	Mathematical method	Preference vote	Type of ballot
Czech Republic	d'Hondt	yes	closed, more votes
Estonia	d'Hondt	no	(strictly closed)
Cyprus	Hare	yes	closed, more votes
Lithuania	Hare	yes	closed, one vote
Latvia	Sainte-Laguë	yes	closed, more votes
Hungary	d'Hondt	no	(strictly closed)
Malta	STV	(yes)	(open)
Poland	d'Hondt	no	(strictly closed)
Slovakia	Droop	yes	closed, one vote
Slovenia	d'Hondt	yes	closed, one vote

Source: Author

Other Features of the European Electoral System

As stated above, the conception of European citizenship secures for the Union citizens who meet the conditions, the right to take part in EP elections in any member country. This holds for both active and the passive voting rights. There are three conditions to be met for obtaining this *right to vote*:

First, the person who wants to apply his voting right in a country different from the one in which he is a national must be a resident of that country.

Second, this voter must meet the requirements set forth by his/her home nation. The exceptions are the criteria, which set a certain minimal length of stay. In practice this could prevent citizens from other member countries from taking part in the elec-

tions. Council directive⁷ says that the condition of the minimal length of permanent residence is met when in the corresponding period the voter was resident in another member country.

There is, however, an exception to this exception. The directive is meant for the situation when migration inside the Union could produce a great change in the composition of the population. If the ratio of the voters with permanent residence in the country but without its nationality exceeds 20 % of all voters who are resident there, the member country can act differently and give the voting right only to those voters who lived there for some minimum time, though not longer than five years. Each 18 months before every EP election the Committee would check whether reasons for this exception persist.

Three, on a date set before the elections are held, the voter – citizen of a different country – has to inform the authorities of his intention, i.e., he must be registered on the voting list. If voting in the member country is compulsory, this duty applies to him as well. This voter will remain registered on the voting list until he applies for deletion.

The rules for application of the passive voting right are very similar to those that define the possibility of voting. Also in this case the Direction says that the nationals who want to be elected must be the nationals of this country for a certain minimum period, the Union citizens have the right of meeting this condition if during this period they are nationals in any member country. But in this case the same exception holds for the situations when the share of voters resident in the country but who are not its nationals, is more than 20 % of all the voters there: the right to candidature can depend on a stay of as many as ten years.

The citizen of a EU member country who wants to be candidate (under conditions set by this country) in another EU country in European elections, must submit a written confirmation from the respective administration of the country from which he comes, showing that he was not deprived of the voting right there and that no such incapacity is known to these authorities. In an opposite case the authorities would not allow him to apply for the deputy post although all conditions were otherwise met.

The conditions for the candidate are set by each EU member country separately (see Table 5). The Czech electoral law stem from the Constitution, which though not mentioning the European Parliament arranges the passive voting right for elections to the Deputy Chamber of the Parliament of the Czech Republic. The legal condition for candidacy is the age of 21. Citizens of another member country are subject to Czech regulations. The same principle is applied in all EU countries. Table 1 shows that the limit of the passive voting right ranges from 18 to 25 years, is rather variable, and that only the general lower limit in the later group of countries is to be noted (more than 50 % of them have the limit of 18 or 19 years).

Table 5. Age limit for active and passive voting right in EP elections in 2004 in EU countries:

Country	Voting age/age of candidacy	Country	Voting age/age of candidacy
Belgium	18/21	Czech Republic	18/21
Denmark	18/18	Estonia	18/21
Finland	18/18	Cyprus	18/25
France	18/23	Lithuania	18/21
Ireland	18/21	Latvia	18/21
Italy	18/25	Hungary	18/18
Luxembourg	18/18	Malta	18/18
Germany	18/18	Poland	18/21
Netherlands	18/18	Slovakia	18/21
Austria	18/19	Slovenia	18/18
Greece	18/21		
Spain	18/18		
Sweden	18/18		
United Kingdom	18/21		

Source: *Europawahlrecht 2004*.

Conclusion

This paper compared select values of the main indexes of the electoral system in two election groups: the original EU member countries and the countries admitted to the EU in 2004. No essential difference was found between the two groups, which is mainly due to the legislative regulation on the level of Union norms. A more detailed view may reveal a few differences, in some quantities, however, even the detailed analysis does not reveal any differences.

First, the EU-10 countries are less heterogeneous as regards the size of voting districts, the closing formula and the derived parameters, that is, the upper, lower and effective thresholds. While for the original countries it holds that the largest voting district is 35 times larger than the smallest district, in the newly admitted countries this range is three times smaller. 85 % of mandates of new EU members are distributed in conditions of an equal (5 %) closing formula, whereas in EU-15 countries the same formula (zero threshold) is applied in the distribution of 58 % of mandates. The effective threshold in districts in the original EU countries ranges from 0.8 to 18.8 %, in new countries from 1.4 to 12.5 %.

Second, both groups show much the same signs, as regards the type of the proportional formula, the method of transference of votes to mandates, and the possibility of the voters to influence the personal composition of the mandate. The formulas of the candidate lists use two methods of divisors (d'Hondt and Saint-Laguë) or two methods of largest remnants (Hare or Hare-Niemayer and Droop) and do so in a comparable number of cases. The application of the formula of a single transferable

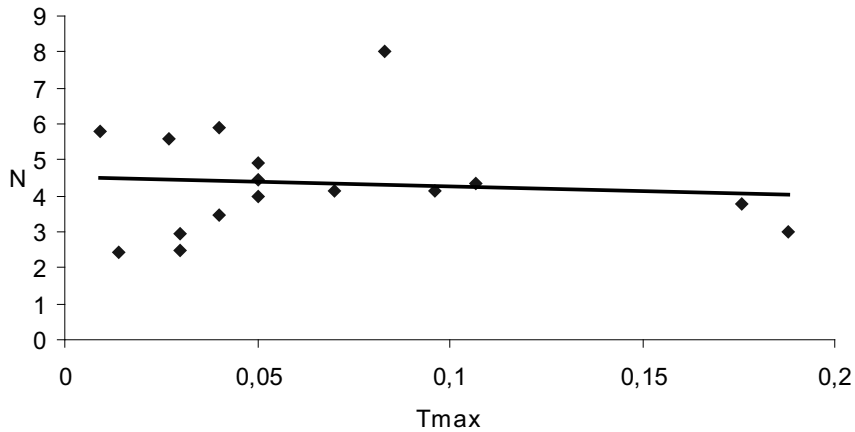
vote is found uniform too. From this there follows a similar structure of the types of the candidate lists (Table 4).

Three, the paper points out that the newly admitted countries have a lower effective size of district and 'national' thresholds than the original EU-countries. This raises the question of how this difference is reflected in the parameters, which can be significantly influenced by these two quantities, i.e., parameters characterizing the party system and the share of unused votes, Table 6 is a survey of the number of parties (measured by the Laaks-Taageper index – N) and the disproportions (measured by Gallagher's 'least squares' index) in each country.⁸ In the lower part of each of these sections is found the weighted mean if these values (partial data were balanced by the number of mandates in each country in the particular group). The data reveal that the two subsystems produced a basically identical number of parties (4.3 or 4.5), but in the newly admitted countries this distribution of mandates was achieved with a disproportion one third greater.

What do these data tell us? For more concrete conclusions it is necessary to link them with other variables, presented above. This is done by Graphs 2 to 4, which separately for the original and for the newly admitted countries express the relation between the height of the threshold and the effective number of parliamentary parties (Graphs 1 and 2), or the index of disproportion (Graphs 3 and 4). By the height of the threshold (in graphs marked as T_{max}) is here understood the barrier applied in the distribution of mandates (that is either the closing formula or the effective threshold – according to which value is higher). In both cases the graphs tell of the differences between the two groups of countries. In the group of original EU members, with the increasing threshold the number of parties does not really change (there is only a slight decrease), whereas in the newly admitted countries the N decrease is much greater. The fact that in new members the higher threshold reduces the number of parties can be interpreted as that the voters more often voted for parties which failed to get a mandate or that knowing the restrictive effect of the system they preventively voted only for a small number of subjects with a better chance of succeeding in the elections. A comparison with the second group of graphs (3 and 4) shows that the first of the two options is correct. In EU-15 countries, on the other hand, the rising threshold does not bring any major decline in N. So it can be deduced that the behaviour of the voters is already stabilized and the voters mainly voted for those subjects that gained a mandate. The relation between the size of the threshold and the index of disproportion is, at first sight, the same in both groups – the connecting line of the trend points to the direct proportion and in new members is only a little steeper. In EU-10 countries, however, the abscissa is set higher, i.e., with an identical threshold the proportionality in these countries is higher than in the EU-15. This supports the previous argument that the N drop is due to lost votes. The original member countries, as it follows from the combination of the two

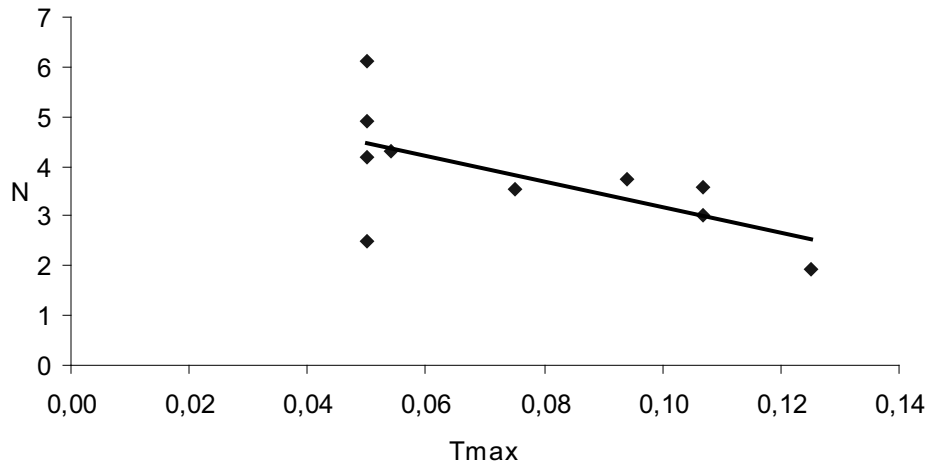
graphs, show, with the increasing threshold, a progress of disproportional, but at the same time a stagnation in the effective number of parties – so that here rather than an exclusion of subjects a deformation takes place in the distribution of mandates among the successful parties.⁹

Table 6: Index of Disproportion and Effective Number of Parties in Original and in Newly Admitted EU Countries



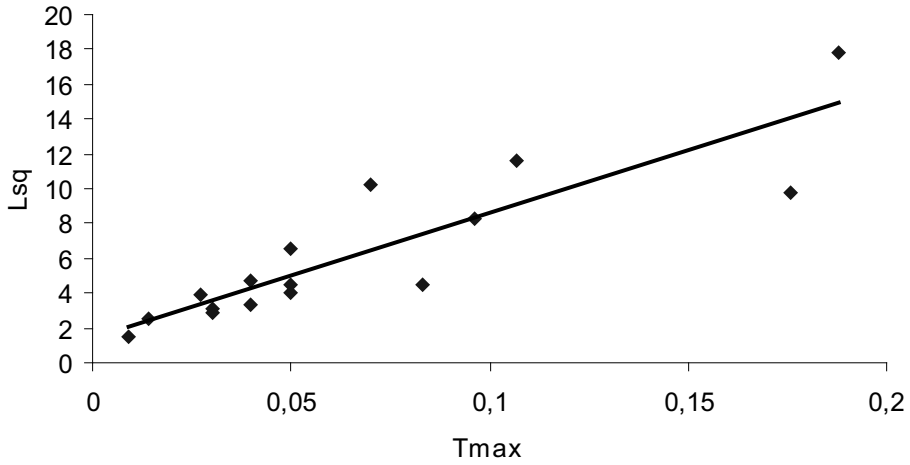
Source: The author's own calculations, partial data from Farrel and Scully 2005.

Graph 2: Relation between the Height of the Threshold and the Effective Number of Parliamentary Parties – New EU Members



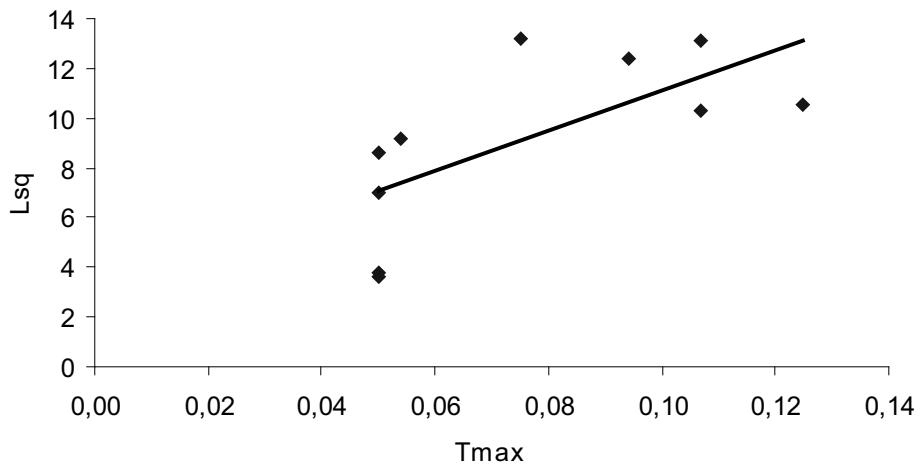
Source: The author's own calculations, partial data from Farrel and Scully 2005.

Graph 3: Relation between the Height of the Threshold and the Index of Disproportion – Original EU Members



Source: The author's own calculations, partial data from Farrel and Scully 2005.

Graph 4: Relation between the Height of the Threshold and the Index of Disproportion – new EU members



Source: The author's own calculations, partial data from Farrel and Scully 2005.

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- Rozhodnutí rady ze dne 25. června 2002 a ze dne 23. září 2002, kterým se mění Akt o volbě zastupitelů v Evropském parlamentu ve všeobecných a přímých volbách, jež je připojen k rozhodnutí 76/787/ESUO, EHS, Euratom (2002/772/EC, Euratom). Informační systém pro aproximaci práva – ISAP (<http://isap.vlada.cz>).
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Notes

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- ² The precise title: *Decision of the council on 25 June 2002 and 23 September 2002, changing the Act on the election of representatives to the European Parliament in general and direct elections*, which is enclosed to the decision 76/78/ESUO, EHS, Euratom (2002/772/EC, Euratom).
- ³ For the development of these discussions see e.g. Fiala and Pitrová 2003: 278–283.
- ⁴ The precise name: Directions of the Council determining detailed measures for the execution of the right of the citizens of the European Union, who are residents of a member state and are not its nationals, to vote and be elected in the elections to the European Parliament – 393L0109.

5 $T'_I = \frac{100\%}{2(M+1)}$, $T'_E = \frac{100\%}{M+1}$, $T'_{EFF} = \frac{75\%}{M+1}$. For details see e.g. Lebeda 2001: 134–149.

6 $M' = \frac{\sum M^2}{\sum M}$, $T_{av} = \frac{(T_I T_E)^{0.5}}{E^{0.125}}$, kde $T_I = \frac{100\%}{S(1+M_m^{-0.5})}$ and T_E is sum of T_E in each voting district. M describes the size of the elected mandates. For details see e.g. Lebeda 2001: 134–149.

7 Council Directive 93/109/ES

8 The calculations were made according to the relations: $N = \frac{1}{\sum_{i=1}^n P_i^2}$ where p is the share of mandates of party i ;
 $LSq = \sqrt{\frac{1}{2} \sum_{i=1}^n \left(\frac{V_i}{V} - \frac{S_i}{M} \right)^2}$ where v is the number of votes gained by party i , V the number of all votes delivered, s the number of mandates won by party i and M the number of all distributed mandates.

9 The highest LSq is in districts using the formula of a single transferable vote. This formula from its very substance produces – by this method determined – disproportions because votes are shifted to candidates with a lower number of preferences, while for the calculation LSq the sum of the first preferences is used.