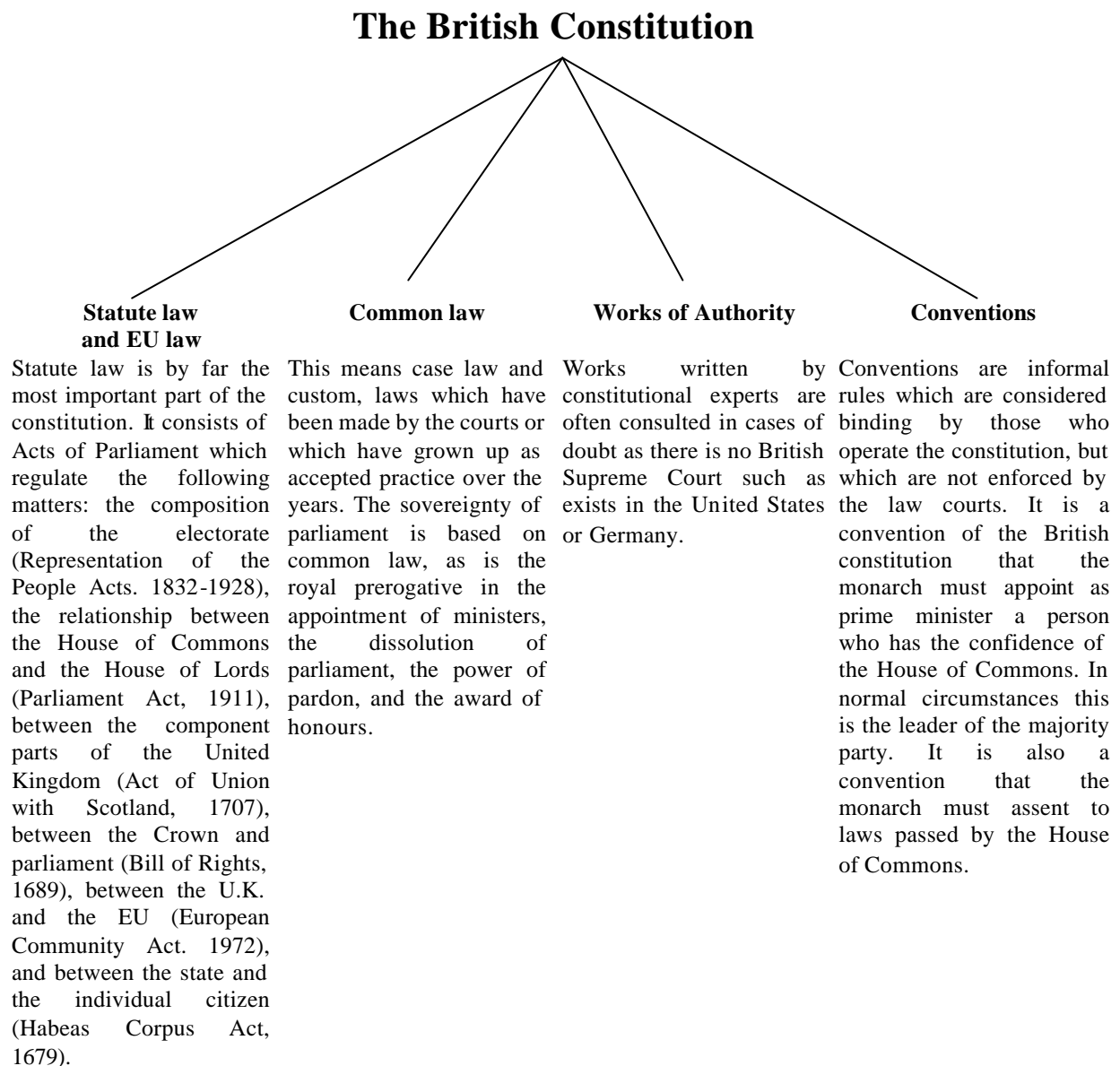


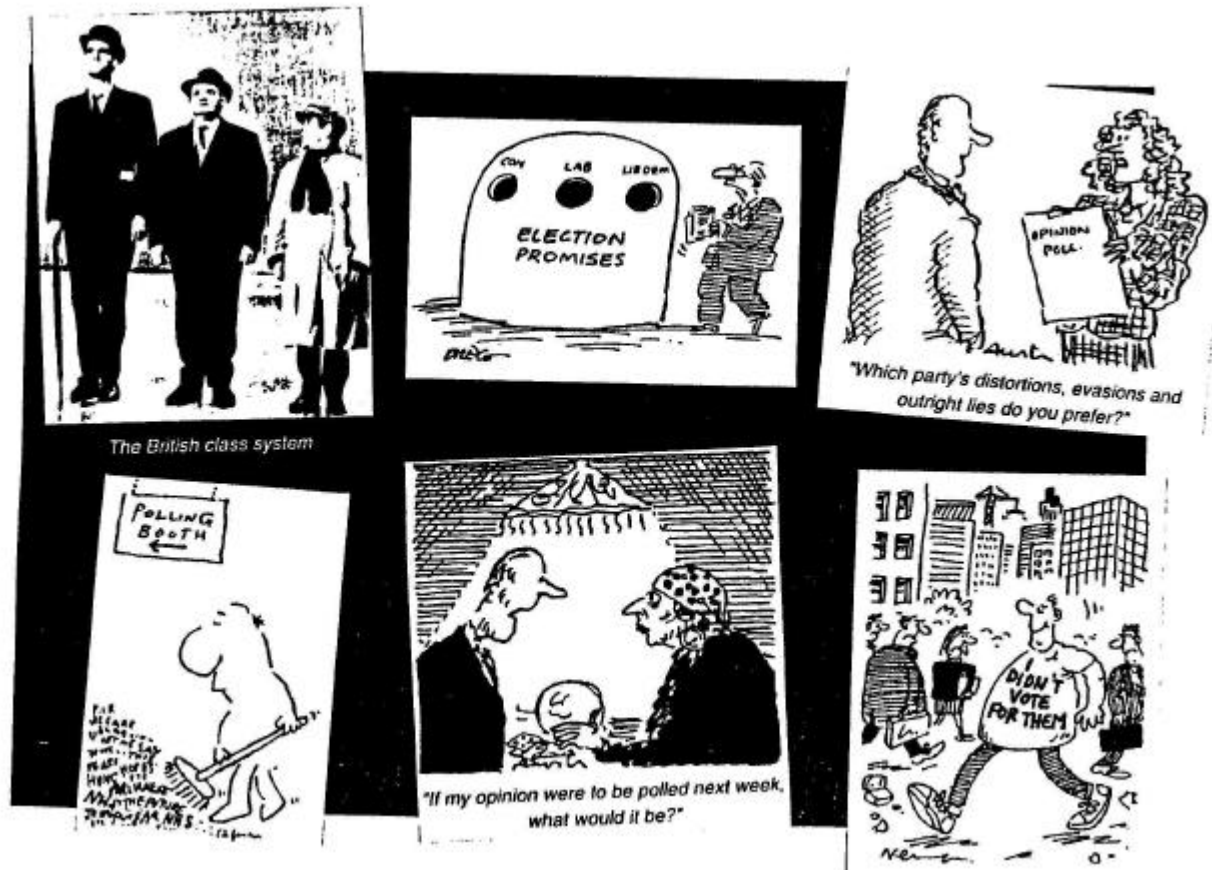
The Myth of the 'Unwritten' British Constitution

Constitutions are rules governing the structure, Organisation and procedure of a state or any other body such as a university, football club or a scientific society. It used to be said that Britain did not have a constitution. Later when this view was seen to be wrong it was common to describe the British constitution as unwritten. Now it is clear that this interpretation is also in error.

Can, then, Mr Burke produce the English Constitution? If he cannot, we may fairly conclude that, though it has been much talked about, no such thing as a Constitution exists ... - Thomas Paine



As can be seen from this chart the British constitution is partly written. It would therefore be more accurate to describe it as uncoded, i.e. not set out in a single document like those of Germany or the United States.



"Electoral Reform: Which System is Best?"

This article from the Guardian discusses some of the ways in which votes at the ballot box are translated into seats in parliament. Britain's first past the post system seems particularly unfair since in the 1992 general election it allowed the Conservative Party to win over 50% of the seats in parliament with only 43% of the votes. The Liberal Democrats, on the other hand, gained only 3% of the seats after obtaining 17% of the votes. - *The Guardian*, 8 April 1992. p. 4.

Electoral reform is on the agenda in several European countries as well as in Britain. The rise of fringe extremists in the French, German and Italian elections has made consensus rule by middle-ground parties more difficult as their ability to obtain overall majorities is reduced.

Almost all European countries use some form of proportional representation. But now, some European politicians are looking wistfully at Britain's first-past-the-post system. Others say that a reform of PR is needed. PR aims to produce a distribution of seats among parties and individuals that reflects the percentage of votes cast in their favour.

The following are the main forms of PR used in Europe:

- **The Single Transferable Vote**, as practised in Ireland and Malta, is favoured by the Liberal Democrats. In Ireland, constituencies elect up to five MPs. Voters indicate their order of preference for candidates. If a candidate has more votes than the quota needed to win a seat, the surplus is distributed to other candidates as indicated by the preference.

- **The Additional Member System**, used by Germany, elects some candidates through constituencies as in first-past-the-post elections and others according to an overall voting trend. Parties must win at least 5 per cent of the vote to qualify for seats, a hurdle meant to keep extremist parties out.

- **A List System**. This is a purer form of proportional representation in which parties put forward lists of candidates according to the strength of party support. The list method forms the basis of electoral systems in Sweden, Italy, Belgium and Spain.

- **The Alternative Vote** is the system used to select Australia's lower house. Electors choose a first preference candidate in a single member constituency who must gain half the vote to win. If not, the second preference votes are shared out and so on until a majority winner emerges.

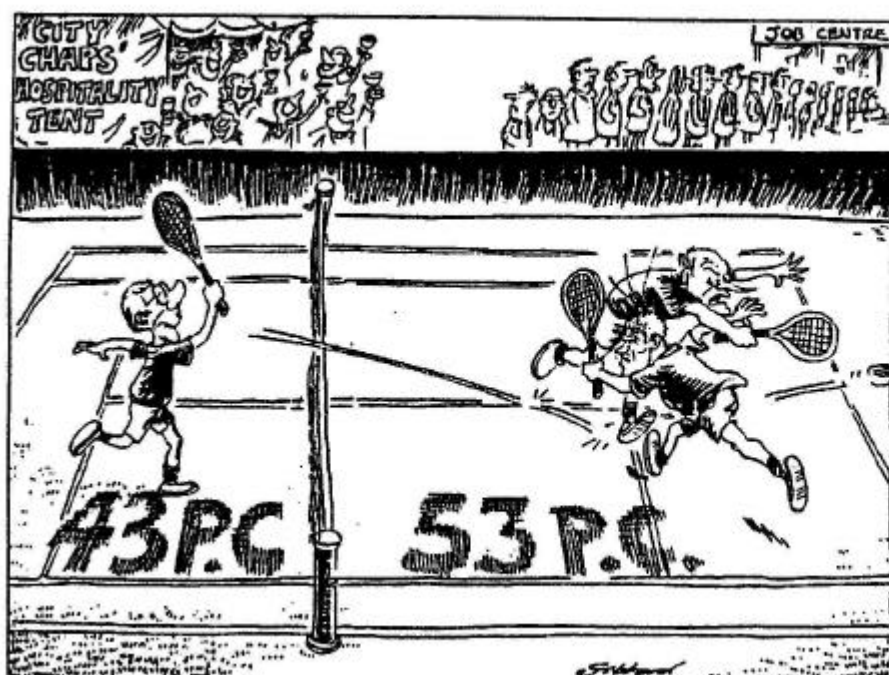
- **Reinforced Proportional Representation**, used in Greece, reserves a bloc of about 20 seats for the party which comes first. Greece experimented with a more proportional method in 1989 but abandoned it after two unstable governments were elected.

Democracy is a process by which the people are free to choose who gets the blame. – Laurence J. Peters

“Election Results”

The present British electoral system and some of its alternatives showing the results they produced and would have produced at the general election on 9 April 1992. The figures are taken from *The Independent on Sunday*, 12 April 1992, p. 20.

	The result under the first past the post system on 9 April 1992			The result as it would have been under the alternative vote system					
	% of total votes	seats	% of seats	seats	% of seats	seats	% of seats	seats	% of seats
Conservative	43.0	336	51.6	323	49.6	275	42.2	346	45.9
Labour	35.4	271	41.6	261	40.1	237	36.4	283	37.7
Liberal Democrats	17.7	20	3.1	39	6.0	102	15.7	89	11.9
Scottish National Party	2.1	3	0.5	6	0.9	17	2.6	10	1.3
Plaid Cymru	0.4	4	0.6	5	0.8	3	0.5	4	0.5
Ulster Parties	2.2	17	2.6	17	2.6	17	2.6	19	2.5



John Major, leader of the Conservative Party is playing tennis with Neil Kinnock, leader of the Labour Party at the time of the 1992 election, and Paddy Ashdown, leader of the Liberal Democrats. This cartoon appeared on 14 April 1992 in the Guardian.