

Electoral System Reform in East Asia:
A Report for the Southeast Asia Rules-Based Order Project

Professor Benjamin Reilly
School of Social Sciences
University of Western Australia
35 Stirling Highway
Perth WA 6009
AUSTRALIA

Introduction

Electoral systems are one of the most influential constitutional or quasi-constitutional institutions shaping both political behaviour and political outcomes in East Asia. As elections have grown in importance in both democratic and non-democratic Asian regimes, for a range of functional and symbolic reasons, interest in electoral reform has also grown. Asia today has a greater diversity of electoral systems than ever before, with recent electoral reforms introducing various forms of majoritarian, proportional and mixed-member electoral systems. These institutional 'rules of the game' have very important consequences for the operation of constitutional systems.

Perhaps the most significant electoral trend is the move toward more majoritarian political arrangements in most countries. Asian countries have adopted a diverse set of electoral systems, ranging from the single-member district (SMD) plurality system to proportional representation (PR) and, increasingly, a combination of the two via mixed-member majoritarian (MMM) systems. While the details of these vary widely and will be described below, it is important to emphasize the common objectives that most of them shared. Many of these reforms were expected in theory to produce more consolidated party politics featuring competition among two major parties. In Northeast Asia, it appears that the post-reform political realities have, to a significant extent, met these theoretical expectations. In Southeast Asia, by contrast, the outcome of electoral reforms have been

much less predictable. In both cases, however, the reforms of the past two decades have gravitated towards more majoritarian options.¹

In what follows, the basic features of electoral systems across the democracies and semi-democracies of East Asia are laid out.² A review of some of the recent efforts of electoral reformers is then undertaken, followed by a discussion of the general trends in electoral system design and their consequences. The conclusion summarizes the findings and discusses issues that deserve investigation in the future.

Electoral rules

Typically, 'majoritarian' electoral rules, such as plurality or 'first-past-the-post' systems, are thought to be associated with the development of a few large, aggregative parties formed along a basic left-right political cleavage.³ By contrast, proportional representation, by allowing the direct translation of a range of social and ideological cleavages, are usually seen as encouraging a multiplicity of parties and a greater diversity of minority representation.⁴ Other electoral models, such as mixed systems,

¹ Benjamin Reilly, 'Democratization and Electoral Reform in the Asia-Pacific Region: Is there an 'Asian Model' of Democracy?', *Comparative Political Studies* 40:11 (2007): 1350-1371.

² My focus is on legislative elections, and on the lower chamber in the case of bicameral systems.

³ The classic statement is Maurice Duverger, *Political Parties: Their Organisation and Activity in the Modern State* (Wiley, New York, 1954).

⁴ See for example Arend Lijphart, *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries* (Yale University Press: New Haven and London, 1984).

have become popular in Asia in recent years and are sometimes claimed to offer ‘the best of both worlds’.⁵ The interaction of these different electoral system models with broader constitutional differences between parliamentary, presidential or semi-presidential forms of government is perhaps the most important institutional variable affecting the functioning of a democracy.

Across East Asia, the impact of these different electoral models has become increasingly apparent, and contested, in recent decades. All the region’s genuine democracies – from Japan in the north to Indonesia in the south – have undertaken major electoral reforms, as have some less democratic states. Another reason that electoral systems matter is that elections themselves have become more meaningful in many states than ever before. For example, electoral system change in the early 1990s in Japan – East Asia’s most developed democracy – substantively changed many aspects of politics, including the nature of inter- and intra-party competition, the manner of campaigning, and levels of clientelism and vote-buying.⁶ Since then, Taiwan and Korea have also introduced major changes, while recent ‘electorally-led’ democratic transitions in Myanmar and Malaysia have underscored the crucial role of elections in democratic development. At the other end of the spectrum, even quasi-democracies

⁵ Matthew S. Shugart and Martin P. Wattenberg (eds), *Mixed-Member Electoral Systems: the Best of Both Worlds?* (New York: Oxford University Press, 2001), hereafter Shugart and Wattenberg, *Mixed-Member Electoral Systems*.

⁶ Kuniaki Nemoto. ‘Electoral Systems in Context: Japan’, in E.S. Herron, R. Pekkanen, and M.S. Shugart (eds), *The Oxford Handbook of Electoral Systems*, (Oxford: Oxford University Press, 2017).

such as Cambodia, or single-party autocracies such as Vietnam, hold regular elections which may not provide the opportunity to change leadership but do provide important signals to the ruling regime about public attitudes.⁷

Matching this diversity of experience, East Asia today also uses a greater diversity of electoral *systems*⁸ than ever before, with recent reforms introducing several unusual forms of proportional, majoritarian and mixed electoral systems. Today, the region is something of a showcase for the diversity of electoral system design. It not only provides clear examples from each of the three main families of electoral systems – proportional, semi-proportional, and plurality-majority models – but also from most of the main electoral sub-types: proportional (Indonesia, Cambodia), plurality (Myanmar, Malaysia), mixed-member (Japan, Taiwan, Korea), two-round (Vietnam), and block vote (Laos) systems.⁹ In addition, the region provides several unique innovations in electoral system design such as Singapore's party-block system, Indonesia's regional distribution

⁷ Malesky, Edmund and Paul Schuler, 'The Single-Party Dictator's Dilemma: Information in Elections Without Opposition', *Legislative Studies Quarterly* 36:4 (2011), 491-530.

⁸ In the electoral studies literature, "electoral systems" can include the electoral formula, district magnitude, electoral threshold, quotas, and the total number of parliamentary seats. In this chapter we mainly focus on one aspect, namely, electoral formula (how votes are calculated into seats). For other aspects of electoral systems in Asia, see Allen Hicken and Yuko Kasuya, 'A Guide to the Constitutional Structures and Electoral Systems of East, South and Southeast Asia', *Electoral Studies* 22:1 (2003), 121-151.

⁹ For more on these classifications, see Andrew Reynolds, Ben Reilly and Andrew Ellis, *Electoral System Design: The New International IDEA Handbook* (International Institute for Democracy and Electoral Assistance, Stockholm, 2005).

presidential model, or the Philippines combination of plurality voting with a party list for sectoral groups.¹⁰

The single most important trend in East Asia has been the advent of ‘mixed-member majoritarian’ (MMM) models, which combine elements of both plurality and proportional voting. The distinctive regional design of such systems is perhaps the clearest example of ‘political engineering’ in Asia.¹¹ Under MMM, part of the legislature is elected, usually at a national level, by proportional representation, with the rest chosen from local districts. Voters usually get two separate votes, thus providing them with the option of making a distinct choice for both a local representative and a national party.¹² Unlike the ‘mixed member proportional’ (MMP) systems used in Germany and New Zealand, where list seats are apportioned equally with districts seats and then assigned in order to produce proportional outcomes overall, Asian mixed-member systems tend to be weighted heavily in favour of the districts and run the list component of elections separately, with no interchange between the two. This results in more

¹⁰ For more on these, see Benjamin Reilly, ‘Electoral Systems’ in William Case (ed), *Routledge Handbook of Southeast Asian Democratization* (Routledge, New York, 2015). Singapore’s party block system is described later in this chapter.

¹¹ Benjamin Reilly, *Democracy and Diversity: Political Engineering in the Asia-Pacific* (Oxford University Press, Oxford, 2006), hereafter Reilly, *Democracy and Diversity*.

¹² Separate lists of candidates are put forward by each party; voters who vote for a party are thus also effectively choosing their candidate list – hence the term “party list”.

majoritarian outcomes favouring larger parties than would be the case under more proportional systems.

The Philippines can be seen as the instigator of this movement in Southeast Asia. Its 1987 Constitution provides for up to 20 percent of the legislature to be chosen from a national list designed to represent “sectoral interests” and marginalized groups such as youth, labour, the urban poor, farmers, fishermen and women, separately to the standard single-member Congressional districts. However, unlike party lists in other countries, these seats were not chosen proportionately, undermining their utility for minority representation, and have been plagued by problems of both design and implementation. Elsewhere in Southeast Asia, Thailand also adopted a mixed-member model during its last democratic period and looks likely to reintroduce a heavily modified version in 2019.

However, it is in Northeast Asia that the trend towards mixed-member systems has been most pronounced.¹³ In 1994, the Japanese legislature passed a reform law shifting elections from the Single Non-Transferable Vote (SNTV), used from 1947 to 1993, to an MMM model. Under SNTV, each voter cast one vote, with multiple winners elected in descending order of their vote share depending on the number of seats per district, which in Japan usually ranged from three to five. When MMM was put in place

¹³ The following discussion draws on Benjamin Reilly and Yuko Kasuya, ‘Asian Electoral Systems’ in David Law, Holning Lau and Alex Schwartz (eds), *Oxford Handbook of Constitutional Law in Asia*, Oxford University Press, forthcoming.

in 1994, this all changed: each voter was given two votes, with 300 seats chosen from single-member districts and 200 seats elected by a proportional tier which divides the country into eleven regional blocs.¹⁴

Taiwan's trajectory was similar to Japan's. Since the start of its democratic transition in the late 1980s, when SNTV was mainly used, Taiwan shifted to MMM as part of its 2005 constitutional reforms.¹⁵ Under the new system, the size of the parliament (Legislative Yuan) was reduced from 225 to 113 seats, with 73 seats elected from single-member districts and 34 seats elected using closed-list PR (half of them reserved for women), and a further 6 seats allotted for aboriginal districts.

South Korea too has used different mixed-member systems since its transition from military rule to democracy in the late 1980s. For the first four post-democratization elections (1988, 1992, 1996, 2000), voters were given only one vote to be cast for the district candidate, despite the existence of both SMD and PR seats. The first two elections among the four also drastically overrepresented the strongest party in the allocation of list seats. With 75 percent of seats allocated on an SMD basis and the remaining 25 percent allocated to a nationwide constituency, a party winning at least

¹⁴ The exact number of seats allocated for each tier has varied depending on elections. In the case of the 2017 election, the SMD tier had 289 seats, while the PR tier had 176 seats.

¹⁵ In addition to 119 seats elected through SNTV, the former model had six seats reserved for aboriginal voters, and two PR lists: one electing 30 seats as 'national-at-large' delegates, and the other electing six seats representing overseas Chinese.

half of the SMD seats was automatically entitled to two-thirds of the PR seats; if it attained less, the top party still obtained half the national list seats. This system was a legacy of elections from the authoritarian era.

In the elections of 1996 and 2000, the allocation of the list seats was made proportional to the number of votes each party obtained (thus scrapping the advantage given to the strongest party), but the single ballot system remained. After intervention from the courts, this shifted to a more conventional MMM model at the 2004 election, with voters casting separate votes for the SMD tier and the nationwide PR tier. Korea's seat distribution between the tiers is even more asymmetric than those of Japan and Taiwan: over four-fifths of the 300-seat legislature is elected from local districts, with just 47 list seats.

Finally, Mongolia since its democratization in 1990 has oscillated between a block vote (1992, 2008) and SMD plurality (1996, 2000, 2004), before shifting to MMM in the 2012 election. However, it recently reverted to SMD plurality for the 2016 election after the Constitutional Court declared the MMM system unconstitutional.¹⁶

Southeast Asia has seen fewer outright changes of electoral system, but even more experimentation – including a range of ill-fated attempts to quarantine parts of electoral

¹⁶ Pavel Maškarinec, 'The 2016 Electoral Reform in Mongolia: From Mixed System and Multiparty Competition to FPTP and One-Party Dominance', *Journal of Asian and African Studies*, 53:4 (2018): 511-531.

politics from political parties altogether.¹⁷ Thailand is an example of a country which has come full circle on this question. After a dozen different constitutions, it adopted a MMM system as part of its 1997 constitutional reforms. Like the Northeast Asian cases, this combined plurality elections in local districts with a separate PR list – but with the twist, since abandoned, that list seats would be the preserve not of under-represented minorities but of elites, providing a pathway to office for potential cabinet ministers.¹⁸ The system was also designed to strengthen Thailand's notoriously weak political parties and helped facilitate the decisive electoral victories in 2001 and 2005 of former telecommunications tycoon Thaksin Shinawatra and his Thai Rak Thai party. This proved to be their undoing, as the Thai elite rejected the idea of populist single-party government. Following military coups that ousted first Thaksin (in 2006) and then his sister Yingluck (in 2014), Thailand's latest constitution and election rules have returned to the pre-1997 status with the aim of limiting the power of large political parties and preventing any one party from gaining a majority.¹⁹

¹⁷ Roland Rich, *Parties and Parliaments in Southeast Asia: Non-Partisan Chambers in Indonesia, the Philippines and Thailand*. (London and New York: Routledge, 2012).

¹⁸ Allen Hicken, 'Party Fabrication: Constitutional Reform and the Rise of Thai Rak Thai', *Journal of East Asian Studies*, 6 (2006), 381–407.

¹⁹ The military's electoral proposals seek to re-fragment Thai politics and make it impossible for another Thaksin to emerge. In the latest iteration, voters will select MPs in 350 constituencies nationwide, with a further 150 party-list seats chosen nationally. However, as in Korea before 2004, voters will cast a single, fused ballot instead of separate votes for a candidate and a party, and list seats will be allocated in such a way as to proliferate rather than limit party numbers.

As noted earlier, the Philippines also introduced a mixed system as part of its 1987 Constitution, although it was not until a decade later, in 1998, that the election of a separate party list was first held – in theory limited to “sectoral” parties to promote the interests of under-represented and sectoral groups, the definition of which has kept the courts busy ever since. The title is somewhat ironic as like most Philippine institutions, the actual structure of the party list system works to undermine rather than promote party-building – no group can win more than three seats, and the major parties are barred from running (although many of those which do stand are more closely linked to existing elites than to marginalised groups). When combined with the multi-member plurality or ‘block vote’ system still used to elect the Philippines Senate as well as four out of five elected officials at a sub-national level, this system virtually guarantees a high level of *intra*-party competition and a candidate-centric rather than a party-centric polity.²⁰

At the other end of the spectrum is Singapore, which has designed its electoral system to ensure continued domination of government by the long-ruling People’s Action Party, while also enabling some nominal representation of opposition movements and ethnic minorities. Using what has been called a ‘party block’ vote, Singaporean elections combine single-member plurality and multi-member electoral districts known as Group Representation Constituencies (GRCs), in which voters choose between

²⁰ See Paul Hutchcroft (ed), *Strong Patronage, Weak Parties: The Case for Electoral System Redesign in the Philippines* (Manila: Anvil Press, 2019), hereafter Hutchcroft, *Strong Patronage, Weak Parties*.

competing party lists on a first-past-the-post basis, with the winning party claiming every seat in the district. This creates an exceptionally majoritarian electoral system, which helps the government maintain power, but has also enabled the opposition Workers Party, by virtue of winning a sole GRC at the 2011 and 2015 elections, to gain a foothold in parliament. GRCs also provide an element of minority representation by ensuring that at least one member elected from each party must hail from an ethnic minority (e.g. Malay, Indian) community. In an additional twist, Singapore also has 'Nominated Members of Parliament', whereby up to nine non-elected MPs with expertise and ability are added to parliament. These provide an additional venue for non-government parties, and for functional representation for labour, women's and environmental groups.²¹

Elsewhere, even the region's more conventional proportional and plurality systems have also been repeatedly tinkered with. Indonesia, the region's largest democracy, offers an example. After starting with a 'closed list' PR system in which only party labels appeared on the ballot, Indonesia shifted in 2004 to an 'open list' system which enables electors to vote not just for a party but for their chosen candidate as well. Open lists in theory promote greater accountability but also weaken party cohesion by encouraging members of the same party to compete directly with each other for votes. At the same time, Indonesia reduced the 'district magnitude' of its system (the number of members elected per district) – a move which again tends to favour larger parties. At

²¹ Garry Rodan, 'Westminster in Singapore: Now You See it, Now You Don't', in Haig Patapan, John Wanna and Patrick Weller (eds), *Westminster Legacies: Democracy and Responsible Government in Asia and the Pacific* (Sydney: UNSW Press, 2005).

the other extreme lies the region's newest independent state, Timor Leste (East Timor), which began with a mixed system but today has the purest form of PR in Asia: with the whole country forming one constituency, even very small parties can gain representation.

Only Malaysia and Myanmar continue to use the kind of standard SMD plurality system familiar to British or American practice. But there too, the impact of electoral systems has been heightened in recent years. What appears to be a process of "electorally-led" democratization is taking place, in which the holding of repeated elections, even if in a less-than-open political environment, can over time positively affect democratic rights and processes.²² Both countries have recently experienced electorally-led democratic breakthroughs, on the back of a series of increasingly competitive elections and political transitions that culminated in new governments being elected in both Myanmar (2015) and Malaysia (2018), the first constitutional change of government for many years in both countries.

Electoral reforms

Elections give citizens the opportunity to hold governments accountable and express their preferences for both political leaders and public policies. By providing a

²² See Steffan Lindberg (ed), *Democratization by Elections: A New Mode of Transition* (Baltimore, MD: Johns Hopkins University Press, 2009).

process where competition for political power can occur peacefully, they also serve a powerful legitimating role for governments. In Asia, the legitimating role has been particularly important given that for many years elections were of more symbolic than actual importance.²³ Once political systems became more competitive, however, this symbolic role of elections was eclipsed by the function of choosing and changing governments, with the result that many of the region's electoral systems were subjected to ongoing, if not always successful, political engineering.²⁴

A common aim has been to strengthen the region's political parties and party systems, many of which have long been seen as deficient. Political scientists often laud the role of institutionalized political parties as a crucial pillar in the effective working of democracy, seeing them as the 'missing link' in the quest for democratic consolidation across Asia.²⁵ Similarly, the challenge of forging a stable political system in situations of considerable socio-regional diversity and inequality helps to explain efforts to restrict localism and reward nationally-focused parties in a number of countries. For example, in Indonesia, the world's most populous emerging democracy and largest Muslim country, parties must establish an organisational network in two-thirds of the provinces across

²³ Robert H. Taylor, 'Introduction', in R. H. Taylor (ed), *The Politics of Elections in Southeast Asia*. (Cambridge: Woodrow Wilson Center and Cambridge University Press, 1996).

²⁴ Reilly, *Democracy and Diversity*.

²⁵ Allen Hicken and Eric Kuhonta, 'Shadows from the Past: Party System Institutionalization in Asia', *Comparative Political Studies* 55:5 (2011): **572-597**.

the archipelago, and in two-thirds of the municipalities within those provinces, before they can compete in elections.²⁶

The turn towards mixed-member electoral models is another attempt at political engineering. Japan and Taiwan introduced MMM systems with the hope of encouraging more stable and aggregative political party systems to develop in the quest for better governance.²⁷ The call for the shift to MMM in Japan first started in the 1960s, with critics blaming the SNTV system for inducing corruption by generating “personalistic” politics.²⁸ The introduction of MMM sought to reduce factionalism and money politics and enhance party-centred electoral competition. In particular, proponents of electoral reform envisioned the emergence of a two-party system that involved a Westminster-style two-party system, with alternation of government as a solution to the corruption-ridden politics which had emerged under the long reign of the Liberal Democratic Party (LDP). After several reform attempts in the 1970s and 80s, a new electoral law was

²⁶ An exception to this rule applies in Aceh and was a key part of the 2005 peace agreement there. See Ben Hillman, ‘Power-sharing and political party engineering in conflict-prone societies: The Indonesian experiment in Aceh’, *Conflict, Security and Development*, 12:2 (2012): 149-169.

²⁷ Reilly, *Democracy and Diversity*.

²⁸ Steven R. Reed and Michael F. Thies, ‘The Causes of Electoral Reform in Japan’, in Shugart and Wattenberg, *Mixed-Member Electoral Systems*, 152-172.

finally passed in 1994 when, for the first time in many years, a non-LPD coalition government gained power. Taiwan's electoral reform happened in a similar manner.²⁹

In South Korea, the main impetus for electoral reform came from a non-elected body, the Constitutional Court. As already mentioned, prior to the 2004 reforms, the National Assembly members were elected by a two-tier system in which the allocation of the second tier of national seats was determined by the results of the single-member tier, leading to extremely lopsided results in favor of the strongest party. In 2001, the Constitutional Court determined that this system was unconstitutional because it violated democratic principles that call for "the accurate reflection of people's opinions and guarantee people's freedom of choice."³⁰ The consequent reforms introduced a two-vote MMM system closer to the Japanese and Taiwanese model. Despite this, the Korean legislature has since become increasingly disproportional in terms of its balance between district and list seats over time.³¹

Unlike mixed-member systems in other world regions, the Asian examples of such systems also tend to be structurally highly majoritarian, advantaging larger parties with a national reach and making it difficult or impossible for smaller parties to gain

²⁹ Jih-wen Lin, 'The Politics of reform in Japan and Taiwan', *Journal of Democracy* 17:2 (2006): 118–31.

³⁰ The Constitutional Court of Korea, *Decisions of the Korean Constitutional Court (2001)* (Seoul: Constitutional Court of Korea, 2002), pp. 17-18.

³¹ In the elections of 2004, 2008, and 2012, about 18% of the total seats went to PR tier; this shrank in the 2016 election, where the SMD tier had 253 seats, while the PR tier had 47 seats, or 15%.

election. In Northeast Asia, this majoritarian bias in the rules of the game has had a direct impact on political outcomes. In South Korea and Taiwan, the MMM system helped a trend toward two-party politics.³² In the case of Japan, it appeared that two-party competition would replace long-standing LDP dominance, exemplified by the government change from LDP to the Democratic Party of Japan (DPJ) in 2009. However, since the return to power in 2012, LDP dominance has resumed and continued to the present. The disproportionality created by the electoral rule, coupled with a fragmented opposition, has enabled the LDP to return to its dominant party status since Shinzo Abe became the prime minister in 2012.

With regards to the internal operation of parties, reform consequences vary across East Asia. In the case of Japan, some scholars see them as meeting their core objectives, albeit gradually, by decreasing intraparty competition and reliance on delivery of pork barrel spending, while increasing the importance of party labels, ideology, and manifestos.³³ However, others such as Krauss and Pekkanen argue that intra-organizational features of LDP that were theoretically expected to disappear, such as the candidate-support organizations in electoral districts (*koenkai*) and factions, have

³² Willy Jou, 'Electoral Reform and Party System Development in Japan and Taiwan: A Comparative Study', *Asian Survey* 49:5 (2009), 759-785; Kenichiro Yashima and Kwanpyo Bae, 'Electoral System Reform Debates in Democratized South Korea', *Senkyo Kenkyu* 31:2 (2015): 77-96.

³³ Greg Noble, 'The Decline of Particularism in Japanese Politics', *Journal of East Asian Studies* 10 (2010), 239-273; Amy Catalinac, 'From Pork to Policy: The Rise of Programmatic Campaigning in Japanese Elections', *The Journal of Politics* 78 (2016): 1-18.

proved more resilient.³⁴ Similarly, pre-reform Korea was known for its inchoate parties; after the two-ballot reform, its weakly institutionalized party organizations have persisted.³⁵ Among Northeastern Asian democracies, only Taiwan seems to have embraced the Western model of institutionalized parties—the Nationalist Party or Kuomintang (KMT) and the Democratic Progressive Party (DPP) —with frequent government change between the two.³⁶

In Southeast Asia, results have been similarly variegated. Thailand offers a cautionary tale. Reformers hoped that the 1997 constitutional reforms and introduction of a new electoral system would undermine the institutional foundations of patronage politics by moving away from a situation where members of the same party competed with each other for votes, to a new environment in which genuine party allegiances and programmatic strategies could emerge, with members less reliant on local agents and ‘money politics’. Instead, the electoral reforms coincided with (and helped facilitate) the emergence of Thaksin, one of Thailand’s richest men, as the country’s dominant political force. Characterized as a case of “be careful what you wish for”, the electoral

³⁴ Ellis S. Krauss and Robert J. Pekkanen, *The Rise and Fall of Japan’s LDP: Political Party Organizations as Historical Institutions* (Ithaca: Cornell University Press, 2010).

³⁵ Ollie Hellmann, ‘Party System Institutionalization Without Parties: Evidence from Korea’, *Journal of East Asian Studies* 14 (2014): 53-84.

³⁶ Tun-jen Cheng and Yung-ming Hsu, ‘Long in the Making: Taiwan’s Institutionalized Party System’, in Allen Hicken and Erik Martinez Kuhonta (eds), *Party System Institutionalization in Asia: Democracies, Autocracies, and the Shadows of the Past* (New York: Cambridge University Press, 2015).

reforms contained so many incentives for cohesive parties and strong government that they arguably unbalanced the Thai political landscape, ultimately ushering in the conditions for a return to military rule.³⁷

Objectives

How do we explain this multiplicity of reforms across Asia? One factor is clearly the desire of incumbents to minimize political fragmentation and contestation by restricting the electoral prospects of new opposition parties. But more lofty aims have also been present at times: political reformers in countries such as Japan, post-Suharto Indonesia and post-1997 Thailand, beset by economic crises, hoped that encouraging more cohesive and policy-focussed politics would provide a route towards better governance. In some cases, as well as reforming electoral systems, they also tried to shape their party systems more directly by introducing rules governing the formation, organization and behaviour of political parties. However, as with the Thai reforms, the law of unintended consequences has been evident in many cases.³⁸

³⁷ Eric Kuhonta, 'The Paradox of Thailand's 1997 'People's Constitution': Be Careful What You Wish For', *Asian Survey* 48 (2008): 373–92.

³⁸ Benjamin Reilly, 'Political Parties, Electoral Systems and Democratic Governance' in Larry Diamond, Marc F. Plattner, and Yun-han Chu (eds), *Democracy in East Asia: Prospects for the Twenty-First Century* (Baltimore MD: Johns Hopkins University Press, 2013).

Indonesia provides the clearest example of this dilemma. As well as restricting the ability of regional parties to contest elections, Indonesia's political party laws limit party numbers by introducing systemic pressures for smaller parties to amalgamate with others. Following the 1999 election, parties that failed to gain more than two percent of seats in the lower house of parliament or three percent of seats in regional assemblies had to merge with other parties to surmount these thresholds in order to contest future elections – a provision that resulted in a number of smaller parties amalgamating prior to the 2004 elections. This was exacerbated by the introduction of a 2.5% electoral threshold for the 2009 election, resulting in a further decline in the number of parties. At the 2014 elections, with the threshold raised to 3.5%, only 10 parties were able to clear the party registration threshold, raising questions about whether the laws have become too successful in meeting their targets – especially as some well-established parties with strong but regionalised support bases have been denied registration. Similar reforms have also impacted presidential elections, as candidates for president must be backed by parties or coalitions that secured 20 percent of seats or 25 percent of the vote at prior legislative elections, and must then at the election itself gain both a nationwide majority and at least 20 percent of the vote in over half of Indonesia's 33 provinces to avoid a second-round runoff.

As a result of these technical changes, even though Indonesia continues to use PR, the actual proportionality of electoral *outcomes* has been systematically reduced. A similar pattern has been evident in Cambodia, which persists with the form but not the substance of its UN-inherited PR electoral system. In 1998, the electoral formula used to convert votes into seats was changed to the 'highest average' method at the

provincial level, rather than the nationwide 'largest remainder' system used in 1993 – a change that discriminates against smaller parties. As in Indonesia, calls for greater local accountability also saw district boundaries adjusted and smaller constituencies created, with the result that over one-third of all Cambodian parliamentarians now represent single-member districts. In combination with two decades of political repression, the net effect of these changes has been a sharp decline in the proportionality of electoral outcomes and the elimination of many small political parties, to the advantage of the ruling Cambodian Peoples Party (CPP).

While these changes have helped to protect incumbency, they have not been able to disguise the leaching away of popular support for the government. The July 2013 election saw a steep decline in support for prime minister Hun Sen and his CPP government, which lost many formerly safe seats to the opposition led by Sam Rainsy (68 seats for the government and 55 seats for the opposition Cambodian National Rescue Party in the 123-seat National Assembly). As in Singapore, an electoral system designed to advantage the ruling party instead aided a united opposition. Unlike Singapore, however, the Cambodian regime responded to this democratic opening by repression rather than accommodation: Rainsy was exiled, opposition parties de-registered and voters intimidated, making the 2018 elections a meaningless one-party contest.

By contrast, the prevalence of strongly majoritarian systems in the resilient 'semi-democracies' of Malaysia and Singapore, while also aimed at keeping long-ruling dominant parties in power, have become increasingly competitive as voters have shifted

their support away from long-ruling incumbents. Again, the unintended consequences of political engineering has been evident. In Singapore, technical changes introduced by the PAP which were intended to tilt the electoral playing field in favour of incumbents instead benefitted opposition movements that have reached a critical level of electoral support. The Group Representation Constituencies discussed earlier, which have long helped the governing PAP maintain control by giving the largest-polling party every seat in a district, also had the effect of aiding the opposition Workers Party at the 2011 and 2015 general elections by enabling them to take all six seats in a single GRC and establish themselves as Singapore's first meaningful parliamentary opposition for many years.³⁹

Table 1 sets out recent changes in electoral systems across Asia. In almost all cases, electoral reforms have seen the introduction of new systems that are substantially more majoritarian in operation than their predecessors.

³⁹ Netina Tan, 'Manipulating electoral laws in Singapore', *Electoral Studies*, 32:4 (2013), 632-643.

Table 1: Electoral System Changes in East Asia

Country	Former Electoral System	New Electoral System
Cambodia	Closed List PR, with large districts (largest remainder method) (1993)	Closed List PR, with smaller districts (highest average method) (1998 to present)
Indonesia	Closed List PR, with large districts (1999)	Open List PR, with smaller districts (2004 to present)
Japan	SNTV (1947-1993)	MMM (1996 to present)
Mongolia	Block Vote (1992, 2008), Plurality (1996, 2000, 2004), MMM (2012)	Plurality (2016)
Philippines	Block Vote (1946 -1951), Plurality (1953-1969, 1987-1995)	MMM, with three-seat party list limit (1998 to present)
Thailand	Block Vote (pre-1997)	MMM (1997, 2001, 2004); Block-PR (2007); MMM (2011)
Singapore	Plurality in mostly single-member districts (pre-1988)	Party Block Vote in mostly multi-member districts (1988 to present)
South Korea	MMM, single-ballot (1988-2000)	MMM, two-ballots (2004 to present)
Taiwan	SNTV (1992 -2000)	MMM (2004 to present)

Source: Compiled by the authors from various sources. The years in parenthesis indicate the election year in which the electoral system in question was used.

As well as governments, constitutional courts have played a key role in many of these reforms.⁴⁰ Korea's shift to a two-ballot system, Mongolia's return to plurality, and the Philippines expansion of party list seats were all mandated by the courts. While some of these interventions have been well-founded, others have resulted in new problems. In Indonesia, the Constitutional Court ruled against the 'closed list' PR system that had been used for decades under both autocratic and democratic rule, maintaining that voters should be able to choose between candidates and not just parties. But as political scientists predicted, building greater links between individuals and the electorate carried costs as well. The shift to 'open list' voting undercut party cohesion as members of the same party competed with each other for votes, and undermined other efforts aimed at building stronger parties. Indonesia's 2009 and 2014 elections were thus very much a contest between candidate rather than party brands, with high levels of intra-party contestation, with electoral success now dependent on a candidate's personal vote total rather than the party vote.

In the Philippines, the courts have been similarly influential, particularly in regards to the party list seats. A 2009 Supreme Court ruling increased the number of party list seats, dispensed with a prior seat threshold, but upheld a seat cap restricting party list group representation to a maximum of three seats each. The effect of these rulings appears to have been widespread confusion. Today, both 'sectoral' and 'non-

⁴⁰ Bjoern Dressel and Marcus Mietzner, 'A Tale of Two Courts: the Judicialization of Electoral Politics in Asia', *Governance* 25:3 (2012), 391-414.

sectoral' parties compete for list seats, which (unlike party lists elsewhere in Asia) are not assigned proportionally. Instead, the Philippines simply takes the highest vote-gaining groups and allocates a seat to each of them, while applying a three-seat cap to each and every party. The result has been a proliferation of small and ineffectual parties, which has exacerbated the weakness and incoherence of the Philippine party system. In the absence of clear legal rulings, established parties have also colonised the party list seats with front organisations. Some parties have even split themselves into several sub-parties to try to circumvent the three-seat limit. This is a problem, as most experts believe that more coherent parties are an important part of the solution to finding better governance in the Philippines.⁴¹

Conclusion

Across East Asia, electoral reforms to promote political stability have been linked to broader ideas of governance and development.⁴² In part because of a widespread elite consensus on the need for “pro-development” policies, there has been an active effort to promote more programmatic party politics, either via electoral systems change (as in Japan and Taiwan), constitutional replacement (as in Thailand or the Philippines),

⁴¹ Hutchcroft, *Strong Patronage, Weak Parties*.

⁴² Michael Rock. *Dictators, Democrats and Development in Southeast Asia* (New York: Oxford University Press, 2016).

legal regulation of political parties (as in Indonesia), or some combination of all three. While distinct, most of these reforms have at their heart the quest for stronger and more cohesive party politics which could aggregate social cleavages and, in theory, deliver more stable and effective governance.

While such reforms have proven relatively successful in Northeast Asian democracies such as Japan and Taiwan, political parties in Southeast Asia mostly remain fluid and under-developed despite similar efforts.⁴³ In Indonesia, electoral reforms have seen smaller parties winnowed away, but this does not appear to have helped institutionalize the larger incumbent parties. Thailand during its last democratic interlude mimicked an emerging two-party system, but with none of the assumptions of shared commitment to democracy, median voter competition or centrist politics inherent in that model. Elsewhere, despite opposition gains, Southeast Asia's semi-democracies and autocracies rely on dominant political party machines — the PAP in Singapore, the CPP in Cambodia, and the Communist parties in China, Vietnam and Laos — which are markedly more institutionalized than their democratic counterparts.⁴⁴

⁴³ For a discussion, see Aurel Croissant and Philip Vokel, 'Party System Types and Party System Institutionalization: Comparing New Democracies in East and Southeast Asia', *Party Politics* 18:2 (2012), 243.

⁴⁴ Philip Keefer, 'Collective Action, Political Parties, and Pro-Development Public Policy', *Asian Development Review*, 28:1 (2011), 94-118.

Today, some counter-trends against the majoritarian turn in Asia can be noted. Hand in hand with electoral reforms that aid larger governing parties, many countries have also adopted measures that promote the representation of women and minority groups. Perhaps the best-known examples are the application of gender quotas to increase women's representation in Indonesia, Mongolia, South Korea, Taiwan and Timor Leste.⁴⁵ Other deviations from majoritarian democracy include the separate elections and reserved seats for indigenous groups in Taiwan⁴⁶, as well as more questionable efforts to represent minorities such as the party-list seats in the Philippines or the Group Representation Constituencies in Singapore discussed earlier. Indonesia's open-list PR system is also taking the country in a less majoritarian direction, as is Thailand's proposed new electoral model. Scholars have paid less attention to these reforms than to the movement towards more majoritarian politics, which has been the primary focus of this chapter. These counter-trends deserve further research in the future.

⁴⁵ See Netina Tan, 'Gender Reforms, Quotas and Women's Political Representation in Taiwan, South Korea and Singapore', *Pacific Affairs* 89:2 (2016), 309-323.

⁴⁶ Kharis Templeman, 'When Do Electoral Quotas Advance Indigenous Representation?: Evidence from the Taiwanese Legislature', *Ethnopolitics* 17:5 (2018), 461-484.

References

- Catalinac, Amy 2016, 'From Pork to Policy: The Rise of Programmatic Campaigning in Japanese Elections', *The Journal of Politics*, 78(1): 1-18.
- Cheng, Tun-jen and Yung-ming Hsu 2015, 'Long in the Making: Taiwan's Institutionalized Party System', in Allen Hicken and Erik Martinez Kuhonta (eds), *Party System Institutionalization in Asia: Democracies, Autocracies, and the Shadows of the Past*, New York: Cambridge University Press.
- Constitutional Court of Korea 2002, *Decisions of the Korean Constitutional Court (2001)*, Seoul: Constitutional Court of Korea.
- Croissant, Aurel and Philip Vokel 2012, 'Party System Types and Party System Institutionalization: Comparing New Democracies in East and Southeast Asia', *Party Politics* 18(2).
- Dressel, Bjoern and Marcus Mietzner 2012, 'A Tale of Two Courts: the Judicialization of Electoral Politics in Asia', *Governance* 25:3, 391-414.
- Duverger, Maurice 1954, *Political Parties: Their Organisation and Activity in the Modern State*, New York: Wiley,
- Hellmann, Ollie 2014. 'Party System Institutionalization Without Parties: Evidence from Korea', *Journal of East Asian Studies*, 14: 53-84.

Hicken, Allen 2006, 'Party Fabrication: Constitutional Reform and the Rise of Thai Rak Thai', *Journal of East Asian Studies*, 6:381-407.

Hicken, Allen 2008, 'Developing Democracies in Southeast Asia: Theorizing the Role of Parties and Elections' in Erik Kuhonta, Dan Slater, and Tuong Vu (eds), *Southeast Asia in Political Science: Theory, Region, and Qualitative Analysis*, Stanford: Stanford University Press.

Hicken, Allen and Yuko Kasuya 2003, 'A Guide to the Constitutional Structures and Electoral Systems of East, South and Southeast Asia', *Electoral Studies* 22(1): 121-151.

Hicken, Allen and Eric Kuhonta 2011, 'Shadows from the Past: Party System Institutionalization in Asia', *Comparative Political Studies*, 55(5): 572-597.

Hillman, Ben 2012, 'Power-sharing and political party engineering in conflict-prone societies: The Indonesian experiment in Aceh', *Conflict, Security and Development*, 12(2): 149-169.

Hutchcroft, Paul (ed) 2019. *Strong Patronage, Weak Parties: The Case for Electoral System Redesign in the Philippines*. Manila: Anvil Press.

Jou, Willy 2009, 'Electoral Reform and Party System Development in Japan and Taiwan: A Comparative Study', *Asian Survey*, 49(5): 759-785.

Keefer, Philip 2011, 'Collective Action, Political Parties, and Pro-Development Public Policy', *Asian Development Review*, Asian Development Bank, 28(1), 94-118.

Krauss, Ellis S. and Robert J. Pekkanen 2010, *The Rise and Fall of Japan's LDP: Political Party Organizations as Historical Institutions*, Ithaca: Cornell University Press.

Kuhonta, Erik 2008, 'The Paradox of Thailand's 1997 'People's Constitution': Be Careful What You Wish For', *Asian Survey* 48: 373-92.

Lijphart, Arend 1984, *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries*, New Haven and London: Yale University Press.

Lin, Jih-wen 2006, 'The Politics of reform in Japan and Taiwan', *Journal of Democracy* 17(2): 118–31.

Lindberg, Staffan (ed) 2009, *Democratization by Elections: A New Mode of Transition*, Baltimore, MD: Johns Hopkins University Press.

Malesky, Edmund and Paul Schuler 2011, 'The Single-Party Dictator's Dilemma: Information in Elections Without Opposition', *Legislative Studies Quarterly* 36:4, 491-530.

Maškarinec, Pavel 2018, 'The 2016 Electoral Reform in Mongolia: From Mixed System and Multiparty Competition to FPTP and One-Party Dominance', *Journal of Asian and African Studies*, 53(4): 511-531.

Nathan, Andrew J. 1993, 'The Legislative Yuan Elections in Taiwan: Consequences of the Electoral System', *Asian Survey*, 33(4): 424-438.

- Nemoto, Kuniaki 2017. 'Electoral Systems in Context: Japan', in E. S. Herron, R. Pekkanen, and Matthew Shugart (eds), *The Oxford Handbook of Electoral Systems*, Oxford: Oxford University Press.
- Noble, Greg 2010. 'The Decline of Particularism in Japanese Politics', *Journal of East Asian Studies* 10, 239-273.
- Reed, Steven R. and Michael F. Thies 2001, 'The causes of electoral reform in Japan', in Matthew Shugart and Martin Wattenberg (eds), *Mixed-member Electoral Systems: the Best of Both Worlds?* New York: Oxford University Press.
- Reilly, Benjamin 2006, *Democracy and Diversity: Political Engineering in the Asia-Pacific*, Oxford: Oxford University Press.
- Reilly, Benjamin 2007, 'Democratization and Electoral Reform in the Asia-Pacific Region: Is there an 'Asian Model' of Democracy?', *Comparative Political Studies* 40(11): 1350-1371.
- Reilly, Benjamin 2013, 'Political Parties, Electoral Systems and Democratic Governance' in Larry Diamond, Marc F. Plattner, and Yun-han Chu (eds), *Democracy in East Asia: Prospects for the Twenty-First Century*, Baltimore MD: Johns Hopkins University Press.
- Reilly, Benjamin 2015, 'Electoral Systems' in William Case (ed), *Routledge Handbook of Southeast Asian Democratization*, New York: Routledge.

Reilly, Benjamin and Yuko Kasuya, 'Asian Electoral Systems' in David Law, Holning Lau and Alex Schwartz (eds), *Oxford Handbook of Constitutional Law in Asia*, Oxford University Press, forthcoming.

Reynolds, Andrew, Ben Reilly and Andrew Ellis 2005, *Electoral System Design: The New International IDEA Handbook*, Stockholm: International IDEA.

Rich, Roland 2012, *Parties and Parliaments in Southeast Asia: Non-Partisan Chambers in Indonesia, the Philippines and Thailand*. London and New York: Routledge.

Rock, Michael 2016, *Dictators, Democrats and Development in Southeast Asia*. New York: Oxford University Press.

Rodan, Garry 2005, 'Westminster in Singapore: Now you see it, now you don't', in Haig Patapan, John Wanna and Patrick Weller (eds), *Westminster Legacies: Democracy and Responsible Government in Asia and the Pacific*, Sydney: UNSW Press.

Shugart, Matthew S. and Martin P. Wattenberg (eds) 2001, *Mixed-Member Electoral Systems: the Best of Both Worlds?* New York: Oxford University Press.

Tan, Netina 2013, 'Manipulating electoral laws in Singapore', *Electoral Studies*, 32(4): 632-643.

Tan, Netina 2016. 'Gender Reforms, Quotas and Women's Political Representation in Taiwan, South Korea and Singapore', *Pacific Affairs* 89(2): 309-323.

Taylor, Robert H. 1996, 'Introduction', in R. H. Taylor (ed), *The Politics of Elections in Southeast Asia*. Cambridge MA: Woodrow Wilson Center and Cambridge University Press.

Templeman, Kharis 2018, 'When Do Electoral Quotas Advance Indigenous Representation?: Evidence from the Taiwanese Legislature', *Ethnopolitics* 17(5): 461-484.

Yashima, Kenichiro and Kwanpyo Bae 2015, 'Electoral System Reform Debates in Democratized South Korea', *Senkyo Kenkyu* 31(2): 77-96.