

Prepared by: Kees Aarts

Date: 24 February, 2006

Comparative Study of Electoral Systems
Module 2: Macro Report

August 23, 2004

Country: Netherlands

Date of Election: 15 May, 2002

NOTE TO COLLABORATORS: The information provided in this report contributes to an important part of the CSES project. Your efforts in providing these data are greatly appreciated! Any supplementary documents that you can provide (e.g., electoral legislation, party manifestos, electoral commission reports, media reports) are also appreciated, and may be made available on the CSES website.

Part I: Data Pertinent to the Election at which the Module was Administered

1. Report the number of portfolios (cabinet posts) held by each party in cabinet, *prior* to the most recent election. (If one party holds all cabinet posts, simply write "all".)

<u>Name of Political Party</u>	<u>Number of Portfolios</u>
Partij van de Arbeid (PvdA)	6
Volkspartij voor Vrijheid en Democratie (VVD)	6
Democraten '66 (D66)	3

1a. What was the size of the cabinet before the election? – 15 ministers (including prime minister)

2. Report the number of portfolios (cabinet posts) held by each party in cabinet, *after* the most recent election. (If one party holds all cabinet posts, simply write "all").

<u>Name of Political Party</u>	<u>Number of Portfolios</u>
Christen-Democratisch Appèl (CDA)	6
Volkspartij voor Vrijheid en Democratie (VVD)	4
Lijst Pim Fortuyn (LPF)	4

2a. What was the size of the cabinet after the election? - 14 ministers (including prime minister)

3. Political Parties (most active during the election in which the module was administered and receiving at least 3% of the vote):

Party Name/Label	Year Party Founded	Ideological Family	European Parliament Political Group (where applicable)	International Party Organizational Membership
A. Christen-Democratisch Appèl (CDA)	1980	Christian Democratic	European People's Party	Christian Democratic International
B. Lijst Pim Fortuyn (LPF)	2002	Independents	n.a.	n.a.
C. Volkspartij voor Vrijheid en Democratie (VVD)	1948	Right Liberal	European Liberal and Democratic Party	Liberal International
D. Partij van de Arbeid (PvdA)	1946	Social Democratic	Party of European Social Democrats	Socialist International
E. GroenLinks (GL)	1990	Ecology	Greens/European Free Alliance	European Federation of Green Parties
F. Socialistische Partij (SP)	1972	Socialist	Confederal Group of European United Left	n.a.
G. Democraten '66 (D66)	1966	Left Liberal	European Liberal and Democratic Party	Liberal International

Ideological Party Families: (These are suggestions only. If a party does not fit well into this classification scheme, please provide an alternative and some explanation).

- | | | |
|-------------------------------|----------------------------------|----------------------|
| (A) Ecology Parties | (G) Liberal Parties | (M) Agrarian Parties |
| (B) Communist Parties | (H) Right Liberal Parties | (N) Ethnic Parties |
| (C) Socialist Parties | (I) Christian Democratic Parties | (O) Regional Parties |
| (D) Social Democratic Parties | (J) National Parties | (P) Other Parties |
| (E) Conservative Parties | (K) Independents | |
| (F) Left Liberal Parties | (L) Single Issue Parties | |

The following lists provide examples of political groups and organizations to which a particular party might belong. Please report any and all international affiliations for each party.

European Parliament Political Groups:

- (1) European People's Party
- (2) European Democrats
- (3) Party of European Socialists
- (4) European Liberal, Democrat and Reform Party
- (5) Confederal Group of European United Left
- (6) Nordic Green Left
- (7) Greens
- (8) European Free Alliance
- (9) Europe for the Nations

- (10) Europe of Democracies and Diversities
- (00) Not Applicable
- (98) Don't Know

International Party Organizations:

- (11) Asia Pacific Socialist Organization
- (12) Caribbean Democratic Union
- (13) Christian Democratic International
- (14) Christian Democratic Organization of America
- (15) Council of Asian Liberals and Democrats
- (16) Democratic Union of Africa
- (17) Eastern European Social Democratic Forum
- (18) Green Movement
- (19) Humanist Party

- (20) International Communist Union
- (21) International Democrat Union
- (22) International League of Democratic Socialists
- (23) Liberal International
- (24) Natural Law Party
- (25) Pacific Democratic Union
- (26) Organization of African Liberal Parties
- (27) Socialist International
- (28) Socialist Inter-Africa
- (00) Not Applicable
- (98) Don't Know

3a. Were there any significant parties not represented in parliament *before* the election?
 No.

3b. Were there any significant parties not represented in parliament *after* the election?
 No.

3c. Were there any other non-represented parties or independent actors whom you believe to have had a significant effect on the election?
 No.

4a. Ideological Positions of Parties:

Please indicate Parties A-F's positions on a left-right dimension (in the expert judgment of the CSES Collaborator). If this dimension is not appropriate, please provide an explanation of the salient cleavages, and parties' relative positions.

Party Name	Left Right										
	0	1	2	3	4	5	6	7	8	9	10
A. CDA							X				
B. LPF								X			
C. VVD								X			
D. PvdA						X					
E. GroenLinks					X						
F. SP				X							

G. D66						x						
--------	--	--	--	--	--	---	--	--	--	--	--	--

4aa. Do you believe there would be general consensus on these placements among informed observers in your country? Yes.

4b. If you have asked respondents to rank political parties on an alternative dimension, other than the left-right dimension, please also provide your own rankings of the parties on this dimension.
n.a.

Name of dimension:

Label for left hand position:

Label for right hand position:

Party Name	Left										Right
	0	1	2	3	4	5	6	7	8	9	10
A.											
B.											
C.											
D.											
E.											
F.											

4bb. Do you believe there would be general consensus about these placements among informed observers in your country?

5. In your view, what are the five most salient factors that affected the outcome of the election (e.g. major scandals; economic events; the presence of an independent actor; specific issues)?

1. Rise of new, challenging “Leefbaar”(‘Liveable’) – parties in year before election
2. Rise of Pim Fortuyn as independent political actor in 2001-02
3. Dissatisfaction with incumbent government with respect to integration of ethnic minorities
4. Dissatisfaction with incumbent government with respect to health care
5. Reactions to the rise of new parties and Fortuyn (i.e. movement towards CDA)

5a. Do you believe there would be general consensus about the importance of these factors among informed observers in your country?

Yes – with some difference of opinion on relative importance possible. Another factor of importance would be recent changes in leadership in all major political parties. Or the recent slowing down of economic growth.

6. Electoral Alliances:

Sometimes, electoral alliances are made at the constituency level as, for example, in Finland. Documenting who is allied with whom, and how, in each constituency is a large task and we do not expect you to do more than make some general reference to the existence of constituency-level alliances. Sometimes, electoral alliances are made at the national level -- these are the alliances that we would like you to identify. Information is sought on who is allied with whom and on the nature of the electoral alliance.

a) Were electoral alliances permitted during the election campaign?

No

Yes – but note that these alliances are only relevant for the distribution of residual seats, and that in the election the parties participate under their own names and with their own lists

If yes, please complete the following:

<u>Alliance Name</u>	<u>Participant Parties (please indicate dominant members with an "*")</u>
----------------------	---

Alliance 1: GroenLinks and SP (no dominant member)

Alliance 2: SGP and ChristenUnie*

Alliance 3:

Alliance 4:

Alliance 5:

7. Party Leaders and Presidential Candidates:

In legislative elections, please report the leader of each party.

In presidential elections, list presidential candidates and their parties. If candidates were endorsed by more than one party, please indicate this below.

<u>Party of Candidate</u>	<u>Name of Party Leader or Presidential Candidate</u>
A. CDA	Jan Peter Balkenende
B. LPF remained on the ballot)	Pim Fortuyn (assassinated May 6, but his name
C. VVD	Hans Dijkstal
D. PvdA	Ad Melkert
E. GroenLinks	Paul Rosenmöller
F. SP	Jan Marijnissen
G. D66	Thom de Graaf

Part II: Data on Electoral Institutions

If possible, please supplement this section with copies of the electoral law, voters' handbooks, electoral commission reports, and/or any other relevant materials.

Please refer to: www.kiesraad.nl/uk, for Electoral Act and an detailed explanation

A. QUESTIONS ABOUT ELECTORAL DISTRICTS.

Definitions: An electoral district is defined as a geographic area within which votes are counted and seats allocated. If a district cannot be partitioned into smaller districts within which votes are counted and seats allocated, it is called primary. If it can be partitioned into primary districts, and during the counting process there is some transfer of votes and/or seats from the primary districts to the larger district, then the larger district is called secondary. If a district can be partitioned into secondary districts (again with some transfer of votes and/or seats), it is called tertiary.

In some electoral systems, there are electoral districts that are geographically nested but not otherwise related for purposes of seat allocation. In Lithuania, for example, there are 71 single-member districts that operate under a majority runoff system, and also a single nationwide district that operates under proportional representation (the largest remainders method with the Hare quota). Neither votes nor seats from the single-member districts transfer to the nationwide district, however. The two processes are entirely independent (with voters having one vote in each district). In this case, the nationwide district, although it contains the 71 single-member districts, is not considered to be secondary. It is primary. One might say that there are two segments to the electoral system in such cases.

1. How many segments (as just defined) are there in the electoral system?

x 1 segment

2 segments

more than 2

Please answer the following questions (questions 2 through 11) for each segment of each directly elected house of the legislature:

2. How many primary electoral districts are there?

1 nationwide district

3. For each primary electoral district, how many members are elected from each district?

(If district variation exists, answer 3a)

150 members elected

3a. If districts elect varying number of members, please list the districts, indicating the number of members elected from that district. (Attach separate sheets, as required).

District Number of Members

4. How many secondary electoral districts are there?

0

5. How many tertiary electoral districts are there?

0

If possible, please summarize the information above for questions 1-3 and 4-5 in the table here:

Chambers/Houses		Lower			Upper		
Segments	Number	1	2	3 or more	1	2	3 or more
Primary districts	Number No. of members*	x 1 150					
Secondary districts	Number No. of members*	0 -					
Tertiary districts	Number No. of members*	0 -					

*Please report the total number of members for all districts, per segment.

B. QUESTIONS ABOUT VOTING.

6. Exactly how are votes cast by voters?

At least two weeks before polling day, all voters receive a card from the mayor addressed to them in person, inviting them to vote between 7.30 and 21.00 hours on that day at the polling station in the district in which they live.

Most municipalities use voting machines, to which voters are given access after presenting a polling card. The decision to use voting machines in elections is taken by the council of the municipality concerned. Only voting machines of a kind approved by the Minister of the Interior may be used in elections.

In municipalities which do not use machines, voters present their polling card and receive a ballot paper from the presiding officer at the polling station. The ballot paper is printed with the lists of candidates and votes are cast by using a red crayon to colour in a white circle in a black square preceding the name of the preferred candidate.

Voters who are unable to vote in person may authorise another voter to do so for them. They can do this either by transferring the polling card to a voter from the same electoral district or by authorising someone living in another electoral district to vote on for them. This is done by applying to the mayor. No reason need be given for the request. The proxy simply receives a special card from the mayor authorising him or her to vote on behalf of the applicant.

Voters who cannot attend their local polling station may arrange to vote elsewhere, by applying to the mayor for a voter's identity card which enables them to vote anywhere in the area for which the election is being held.

Voters living abroad may apply to vote by post in parliamentary and European elections. They then receive their voting papers from the municipality of The Hague.

6a. How many votes do they or can they cast?

One vote.

6b. Do they vote for candidates, for lists, or for both? (please explain)

Both – see above. A vote always is one for a list and for a candidate at the same time. A majority of voters however cast their vote on the first candidate on the list.

7. Are the votes transferable?

No (first the number of seats for each of the lists is determined; after that it is established how many votes each candidate has, and whether this leads to the election of candidates on the basis of preferential votes).

8. If more than one vote can be cast, can they be cumulated?

n.a.

9. Are there any other features of voting that should be noted?
No

C. QUESTIONS ABOUT CONVERTING VOTES INTO SEATS.

10. Exactly how are votes converted into seats?

For administrative reasons, the country is divided into 19 districts. Parties may submit different candidates (and/or a different order of candidates) in these 19 districts. Note that these districts do not return seats – so they are not electoral districts in the common use of the term.

The central polling station begins by allocating seats to lists, treating the lists submitted by the same party and the combined lists as single lists. The total number of valid votes cast in the entire country is divided by the number of seats to be allocated (150 in the Lower House). This results in the electoral quota. The number of votes cast for each list is divided by the electoral quota and the quotient determines the number of seats initially allocated to that list. Before seats can be allocated to a combined list, a calculation is made to determine whether the constituent parts of the list would have won a seat on their own. The parties that would not have done so are excluded from the combination when the result is calculated.

After the first round of allocations, there are usually some seats still available, and these are then allocated using the method of the highest average: the number of votes cast for each party is divided by one more than the number of seats already allocated to it, the averages thus calculated are ranked in descending order and the remaining seats are allotted to the parties accordingly.

In elections to the Lower House and the European Parliament, only parties which have attained the electoral quota may take part in this process.

If a party has submitted different lists in different electoral districts, the seats are subsequently divided among these lists, using a group quota obtained by dividing the total number of votes cast for the group of lists by the number of seats allocated to that group. Any remaining seats are then allocated under the highest surplus system. Seats allocated to a combination of lists are first divided among the parties making up the combination, on the basis of a combined list quota and then the system of the highest surpluses. If the participating parties submitted different lists in different electoral districts, the seats are subsequently allocated to the lists of the relevant parties.

Once the seats have been allocated to the parties it is decided which candidates have been elected. Votes cast for individual candidates are called preferential votes. Candidates who receive a set minimum number of preferential votes are automatically elected unless the group for which they are standing has been allocated too few seats or none at all. The minimum number is 25% of the electoral quota. To determine whether a particular candidate receiving preferential votes has been elected, all the votes cast for him/her in the entire constituency (all electoral districts) are totalled up. The remaining seats allocated to the relevant list are then allocated to the candidates in the order in which their names appear on the list.

10a. Are there legally mandated thresholds that a party must exceed before it is eligible to receive seats?

Yes

If so, what is the threshold?

0.67% of the valid votes (1/150) – see above.

10b. What electoral formula or formulas are used?

See above – De Hondt.

11. If there are lists, are they closed, open, or flexible?
- closed
 - flexible, but in practice virtually closed
 - flexible
 - flexible, but in practice virtually open
 - open

Definitions: A list is closed if the seats that are awarded to that list are always occupied by the candidates in order of their appearance on the list (i.e., if the list gets x seats then necessarily the top x names on the list get the seats). A list is open if the question of which candidates on the list get the seats that are awarded to the list is determined solely by the votes that each candidate receives. A list is flexible if parties place their candidates in the order they would like to see them elected, but voters can, with varying degrees of ease, change this order through votes they cast for individual candidates.

Please repeat questions 2 through 11 of this section for each segment of each directly elected house of the legislature.

D. QUESTIONS ABOUT THE POSSIBILITIES OF ELECTORAL ALLIANCE.

Definitions: A joint list refers to one on which candidates of different parties run together.

Apparentement refers to a legal agreement between two or more lists to pool their votes for the purposes of an initial seat allocation, with seats initially allocated to the alliance then reallocated to the lists in the alliance.

12. What are the possibilities of forming alliances in the system?

Apparentement – see above (Q.I-a-6) – since there is effectively only one electoral district, the answer there also applies here. Alliances may be formed in order to qualify for more residual seats than when the parties would not have formed an alliance.

12a. Can parties run joint lists?

- Yes
- No

12b. Is there apparentement or linking of lists

- Yes
- No

12c. Can candidates run with the endorsement of more than one party?

- Yes – but only in different (administrative) districts. A candidate's name may not appear more than once on a ballot.(In practice, this never happens.)
- No

12d. Do parties withdraw their lists or candidates in some constituencies, urging their supporters there to vote for an ally's list or candidate?

- Yes
- No

12e. Other?

13. Are joint lists possible?

Yes – in the sense that parties may decide before the election to submit a single list. But this joint list is for electoral purposed indistinguishable from a “normal” single list.

13a. If joint lists are possible, are they subject to different regulations than single-party lists?

For example, higher thresholds, different numbers of candidates that may appear on the list, etc.
No.

14. If appurement is possible, what lists can participate in such agreements:

- lists of the same party in the same constituency
- lists of the same party from different constituencies
- lists of different parties in the same constituency

15. If candidates can run with the endorsement of more than one party, is this reflected on the ballot?

- No – n.a. (see above).
- No party endorsements are indicated on the ballot paper
- Yes, candidate's name appears once, together with the names of all supporting parties
- Yes, candidate's name appears as many times as there are different parties endorsing him/her, each time with the name of the endorsing party
- Yes, other (please explain):

Part III: Data on Regime Type

Below are various questions about the type of regime--presidential, parliamentary, semi-presidential--in your country. There are two potential problems with these questions that should be noted at the outset. First, in some countries there may be a discrepancy between the *de jure* (or legal) situation and the *de facto* (or practical) situation. For example, in Great Britain the Queen still possesses a legal right to veto legislation, but this right has not been exercised since 1707. In the case of such obviously obsolete powers, please answer according to the *de facto* situation. Otherwise, describe the *de jure* situation. A second potential problem is that the questions may not be phrased optimally for the situation in your particular country. In such cases, please answer as best you can, providing some indication of the difficulties as you see them.

A. QUESTIONS REGARDING THE HEAD OF STATE.

Definitions: The Head of State is typically the highest ranking official in the executive branch of government. Often, this position is held by a president or a monarch, and may be more ceremonial than effective. The Head of Government is usually the highest ranking official in the legislative branch of government. In some systems, this may be someone other than the Head of State (i.e. the prime minister in the Westminster systems), while in other cases, the roles of the Head of State and Head of Government are combined (i.e. in the United States, the president serves as both the Head of State and the Head of Government).

1. Who is the Head of State?

- President
- Monarch
- Prime Minister serves as ceremonial head of state
- Other (please specify)

2. How is the head of state selected?

- Direct election
- Indirect election
- Birth right
- Divine right
- Other (Explain)

2a. If by direct election, by what process?

- Plurality election
- Run-off or two-ballot system
- Other (Explain)

2a1. If by run-off system, how are the candidates selected for the final round?

- The _____(##) candidates with the highest vote totals advance to the second round
- Any candidate with at least _____% of the popular vote advances to the second round

2b. If by indirect election, by what process?

- Electoral college
- Selection by the legislature
- Other (Explain)

2b1. If by electoral college, how are electors chosen?

2b2. Does the electoral college deliberate?

- Yes
- No

2b3. What is the voting procedure used by the electoral college?

2b4. If by the legislature, by which chamber(s) of the legislature? What is the voting procedure used?

3. Does the Head of State have the following powers? Please check all that apply:

3a. Introduce legislation?

- Yes
- No

3b. Require expedited action on specific legislation? (i.e., set a deadline by which the legislature is required to act on the bill)?

- Yes
- No

Definitions: A Head of State possesses a partial veto when he or she can target specific clauses of a piece of legislation for veto, while promulgating the rest. In the U.S., such vetoes are sometimes called line item vetoes. A Head of State possesses a package veto when he or she can veto the entire piece of legislation submitted by the legislature, but cannot veto some parts and accept others.

3c. Package veto?

- No
- Yes, and the requirement to override the veto is:

3d. Partial veto?

- No
- Yes, and the requirement to override the veto is:

3e. Issue decrees with the power of law?

- Yes
- No

3f. Emergency powers?

- Yes
- No

3g. Negotiate treaties and international agreements?

- No
- Yes, provided the following additional requirements are met:

3h. Commander of the armed forces?

- Yes
- No

3i. Initiate referenda or plebiscites?

- Yes
- No

3j. Refer legislation to the judicial branch for review of constitutionality?

- Yes
- No

3k. Convene special legislative sessions?

- Yes
- No

B. QUESTIONS ABOUT THE HEAD OF GOVERNMENT.

Definitions: In some countries, the Head of Government is directly elected, in elections that may or may not occur concurrently with legislative elections. In these cases, the Head of Government is said to be elected independently of the legislature. In others, the Head of Government is the leader of the governing party or governing coalition in the legislature, and so, the selection of the Head of Government depends upon the distribution of seats in the legislature. In these cases, the Head of Government is not elected independently of the legislature.

4. Is the Head of Government elected independently of the legislature?

- Yes
- No

4a. Is the Head of Government also the Head of State?

- Yes
- No

4b. If the Head of Government is not elected independently of the legislature, how is the Head of Government selected?

- Appointed by the head of state alone
- Appointed by the legislature alone
- Nominated by the head of state, and approved by the legislature
- Nominated by the legislature, and approved by the head of state
- Other (Please explain): Appointed by Head of State and countersigned by Prime Minister

5. What authorities does the Head of Government have over the composition of the cabinet?

Please check all that apply.

- Names ministers and assigns portfolios alone
- Nominates ministers for approval by the president
- Reviews and approves ministerial nominations made by the president
- Dismisses ministers and reassigns portfolios at own discretion
- Other (Please explain): Countersigns the appointment of ministers by the Head of State

6. What authorities does the Head of Government have over the policy making process?

Please check all that apply:

- Chairs cabinet meetings
- Determines schedule of issues to be considered by the legislature
- Determines which alternatives will be voted on by the legislature, and in which order
- Refers legislative proposals to party or legislative committees
- Calls votes of confidence in government
- Other (Please explain):

C. QUESTIONS REGARDING THE CABINET

7. By what method(s) can the cabinet be dismissed? Please check all that apply:

- By the head of state acting alone
- By the prime minister acting alone
- By majority vote of the legislature where a majority of all legislators is required
- By majority vote of the legislature where a majority of those legislators voting is required
- By some combination of the above, acting in concert (Please explain):
- Other (Please explain):

D. QUESTIONS REGARDING THE LEGISLATURE

8. Can the legislature be dissolved prior to regularly scheduled elections? _____No ___x___Yes:

- By the head of state acting alone
- By the prime minister acting alone
- By majority vote of the legislature
- By some combination of the above, acting in concert (Please explain):
- Other (Please explain): by Royal Decree countersigned by the Prime Minister

9. If the legislature can be dissolved prior to regularly scheduled elections, are there restrictions on when and how the legislature can be dissolve? Please check all that apply:

- On the timing of dissolution (e.g. not within one year after a legislative election) (Please explain):

- As a response to action/inaction by the legislature (e.g. only when the legislature has censured the cabinet; only if the legislature fails to pass the budget) (Please explain):

- Other (Explain):

10. Is there a second chamber of the legislature? No_____ Yes__x__, it is:

directly elected

x indirectly elected through the following process:

(It is called the “First Chamber”, in contrast with the “Second Chamber” the election of which is discussed above).

Members of the First Chamber are elected for a four-year term by the members of the provincial councils. Elections to the First Chamber are normally held in the same year as provincial council elections. The team of assessors comprises the Queen's Commissioner for the province and three members appointed by the Queen's Commissioner from the members of the provincial council. The votes are counted by the team and an official report is drawn up of the number of votes cast for each list and for each candidate. On the same day the reports are conveyed to the Electoral Council, which acts as the central polling station and calculates the result. For this purpose, the votes from the various provinces are weighted by dividing the province's population on 1 January of election year by the number of members in the provincial council. Seats are allocated to groups or combinations of lists and to lists and candidates in the same way as in direct elections. The minimum number of preferential votes in elections to the First Chamber is 50% of the electoral quota.

10a. If there is a second chamber and it is indirectly elected, are those who choose its members:

x wholly regional and/or local officials?

partly regional and/or local officials?

not necessarily regional and/or local officials?

10b. If there is a second chamber, does it have specific and exclusive legislative powers (i.e. the power to reject the executive's proposed budget)?

No

x Yes (Please explain): All acts (including the yearly budget acts) have to be approved by the First Chamber in order to become effective. In contrast with the Second Chamber, the First Chamber does not have the right to introduce amendments.

10c. If there is a second chamber, does it have the power to remove the cabinet or censure its ministers?

x Yes – in the same way as the Second Chamber: the Cabinet may find out that it lacks sufficient confidence in the First Chamber, and consequently offer its resignation.

No

E. FEDERALISM

11. Is there a constitutionally guaranteed division of power between the central government and regional and/or local governments?

Yes

x No

12. Does the central government have the power to remove elected officials of regional and/or local governments?

Yes

No

F. REFERENCES

Please list any resources that were consulted in the preparation of this report, or that the CSES community may find especially helpful in understanding the political system described here.

See the reference quoted above: www.kiesraad.nl/uk