



# ALL ARE EQUAL, BUT SOME ARE MORE EQUAL THAN OTHERS

Is 'equalisation' of constituency size really an international norm from which the UK departs?

Lewis Baston - January 2011

## 1. Introduction

In presenting the Parliamentary Voting Systems and Constituencies Bill for its Second Reading in September 2010 the Deputy Prime Minister said:

In our parliamentary system, MPs both represent their constituents and are their stake in who forms the Government of the day, but at the moment the will of the voters is not weighed equally. For example, last December, Manchester Central contained 85,522 electors, while Glasgow North had just 50,588, a difference of 41%. On the broken scales of our democracy, 10 voters in Glasgow North have the same weight as 17 voters in Manchester Central. That is not a single anomaly, because those differences are repeated up and down the country. As of last December, Wirral West, Edinburgh South and Wrexham had fewer than 60,000 voters. Falkirk, Banbury and West Ham had more than 80,000. That unfairness is deeply damaging to our democracy.<sup>1</sup>

Clegg's remarks suggest that unequal constituency size is something that is a particular problem in the UK – 'deeply damaging', no less. One would expect from this that other countries with less 'broken scales' and more healthy democracies would have systems in which the will of the electorate is weighed more equally than in Britain.

This short paper looks at whether Britain's existing constituencies are in fact out of the ordinary by international democratic standards, and whether other countries regard the number of registered electors as being a satisfactory basis for drawing parliamentary seats. The findings are:

1. Current UK constituencies are not outside what are regarded as acceptable levels of variation in most democracies with single member districts.
2. The government's proposed scheme will result in a more rigid equalisation of constituency 'size' than any other comparable national legislature in the world.
3. The most usual standard internationally for measuring constituency 'size' is population – often the total population, sometimes a modified population total.

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<sup>1</sup> *House of Commons Debates* 6 September 2010 Column 36.

Using the registered electorate as a base, as we do in the UK, is done in a significant number of countries but this is still a minority approach.

The international comparisons are based on that relatively small group of countries that, like Britain, have single member constituencies. Systems that involve proportional representation raise different questions, because differences in constituency size are often compensated by having seats allocated at a regional or national level, as with the electoral systems in Scotland and Germany, and the sort of arguments made about 'voting power' that feature in the UK debate are more complicated under PR.

## **2. How equal are constituencies in other single member district electoral systems?**

Table 1 provides several different measurements of the degree of equality between electoral districts in a number of countries where the basis of the electoral system for the main national legislature is the same as in the UK – single member districts, with First Past the Post (FPTP) as in the UK, USA, Canada and Jamaica, or Alternative Vote (Australia).

**Table 1:** Measures of equalisation across electoral districts in democracies with electoral systems using single-member constituencies

	Date	Basis	Variability in seat size	Smallest seat (as % of average)	Largest seat (as % of average)	% of seats within 5% national limit	% of seats within 10% national limit
UK proposed	2015 (2009)	Electorate	2.2 (approx.)	29.3 (approx.)	105.0 (approx.)	99.3 (approx.)	99.5 (approx.)
USA	2012 (2010)	Population	-	74.2 (approx.)	139.9	85.7 (approx.)	96.8 (approx.)
USA	2002 (2000)	Population	4.4	76.5	139.7	89.7	96.3
England	2010 (2000)	Electorate	8.6	76.5	152.9	44.1	79.2
Australia	2010	Electorate	9.1	63.8	132.4	66.7	87.3
UK	2010 (2000)	Electorate	11.1	31.7	156.7	36.6	69.1
Canada	2008 (2006)	Population	21.3	25.7	166.0	22.1	39.9
Jamaica	2007	Electorate	24.8	65.0	154.0	3.3	25.0

Notes: The first date given is the relevant figure at the time of the most recent election, or in the cases of the US and UK following the current reallocations. Where a second date is given in parenthesis, this is the date at which the census or other count of relevant population took place. 'Variation in seat size' is the standard deviation of the size of constituencies, with the national relevant population divided by the total number of constituencies being given the value of 100 to allow comparable results.

Sources: US Census Bureau, Australian Electoral Commission, Elections Canada, Electoral Office of Jamaica, AceProject, David Jarman and [www.swingstateproject.com](http://www.swingstateproject.com) for tabulation of USA 2000.

In France, which combines single member districts with the two round system, the redistricting map of 1986 is still in force. Even at the outset there were considerable variations in population between different districts, with the second division of Lozère having 35,408 inhabitants and the fourth division of Hauts-de-Seine weighing in at 123,765 inhabitants.<sup>2</sup> In terms of registered electorate, there are huge differences between constituencies. The smallest, the overseas territory of St Pierre et Miquelon, has an electorate of 4,923 which is 6.5 per cent of the average constituency electorate. Lozère-2 is, by electorate, 36.2 per cent of the standard size while Bouches-du-Rhône-13 is 162.7 per cent of standard size.<sup>3</sup>

The different measures capture different dimensions of equality – how unequal the system is as a whole (probably the best measure), how far out of line the anomalous cases are, and the proportion of seats that meet two criteria that have featured in debate in the UK, namely being 5 per cent or 10 per cent away from the national quota.

Previous Democratic Audit research has shown that UK constituencies are more equal than they have been in the past.<sup>4</sup> Our new research shows that the variation in size of the UK's constituencies is not out of line with practice in other countries with single member constituencies. UK constituencies are more equal on most measures than Canada or France, which allow considerable departure from equality of (population) numbers, but rather less so than the highly equalised Australian and American systems.

Ironically, a measure on which the UK scores 'worst' in terms of equality, the deviation from quota of the smallest seat, is one that the government's proposed Bill 'worsens' rather than improves.

Some countries with single member districts make no serious effort to equalise the size of their constituencies. In Jamaica a wide variation around the mean is tolerated, with

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<sup>2</sup> See <http://www.parliament.uk/briefingpapers/commons/lib/research/briefings/snpc-05629.pdf> based on the work of Michel Balinski.

<sup>3</sup> See [http://www.interieur.gouv.fr/sections/a\\_votre\\_service/resultats-elections/LG2007/index.html](http://www.interieur.gouv.fr/sections/a_votre_service/resultats-elections/LG2007/index.html)

<sup>4</sup> Lewis Baston: [How pressing is the case for further equalisation of constituency electorates?](#)

few coming relatively close to the mean but then again no constituencies falling very far away from it. This inequality did not prevent the most recent Jamaican election from providing a startling demonstration of First Past the Post 'working' as it is classically supposed to, with the JLP winning 32 seats out of 60 on 50.0 per cent of the vote and the PNP winning 28 with 49.4 per cent of the vote. India has a principle of trying to equalise for population, and nominally reviews every 10 years. But this system has been in suspension since the early 1970s with the result that constituencies vary in size from 50,000 to over 25,000,000.<sup>5</sup>

### **3. An extreme form of equalisation**

The startling truth about the government's proposed equalisation scheme is that it would be the most extreme version used in any national legislature based on single member constituencies in the world. This is true both in terms of the number of tolerated anomalies and the uniformity imposed on the bulk of constituencies.

If it is axiomatic, as the government has asserted, that constituencies should be 'equal sized' (and the question of how size is defined is not simple), then it is worth asking why no other country in the world has achieved this without using a PR system.

The US and Australia are held out as examples of equalised constituencies, and the government's approach is modelled on the Australian system.

The crucial aspect of the Australian and US systems for creating single member districts is that the process comes in two stages.

1. The first stage is to allocate constituencies to component parts of the country – states in the US, states and territories in Australia. Each part is given a whole number of constituencies.
2. Boundaries are then drawn within each state which conform to a high standard of equalisation (variation of 3.5 per cent in Australia and around 1 per cent in the US).

The government has chosen to adopt a modified version of the Australian system of districting, in which there is strict equalisation on the basis of registered electorate (on the basis of 3.5 per cent in Australia, 5 per cent in the UK).

While in form the proposed rules for the UK are the same, in meaning they will end up being very different. Both Australia and the US have subdivisions that receive small allocations of seats. Of the 8 states/ territories in Australia, there are three which have small numbers of seats (2, 2 and 5). In the US, there are seven with a single House seat each, and another five with two seats each.

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<sup>5</sup> See <http://www.indian-elections.com/electoralsystem/electoralsystem.html#4>

Giving whole numbers of seats to small areas means that there are some large variations in the size of US Congressional districts. Montana forms a single House seat with a population of 994,416, but Rhode Island with a population of 1,055,247 has two seats averaging 527,623 people. Clegg in his Second Reading speech spoke with horror about a 41 per cent variation being tolerated in the UK, but the United States, supposedly the ultimate in equalisation of district size, has a situation where there is an 88 per cent difference between the size of a House of Representatives seat in Montana and Rhode Island. If this is permitted in the USA, the case against Britain giving some latitude to the Isle of Wight seems very weak. There are similar divergences in Australia between large seats in the Capital Territory and a small seat in the Northern Territory. Some are clearly more equal than others in these systems.

Taking the powerful second chambers of each country into account only widens the differences in voting power between different parts of the United States and Australia, because Senate seats are not based on population. In the US Congress as a whole, if one regards both Houses (435 Representatives, 100 Senators) as having equal power, then each Senator is 'worth' 4.35 Representatives in terms of voting power. Each state's power in Congress can be expressed as the size of its House delegation plus 8.7 (two Senators), so Rhode Island has 10.7 legislative 'votes' out of 870. Using this method to calculate how heavily the votes of an inhabitant of each state weighs in Washington DC shows that the vote of an inhabitant of Wyoming is more than 10 times as powerful as that of a Californian. It makes the gap between the Hebrides and the Isle of Wight appear tiny.

The American and Australian systems, by virtue of being federal countries with some small units, build in a degree of respect for local ties of community identity which overrides equality of numbers. There are large numbers of sovereign units (50 in the US, 8 in Australia) and no predominant component of the federal state. Respecting state boundaries, including those of small states, leads each country to tolerate considerable variations in electorate size in practice. Australia has 14.1 million electors, 150 federal seats and 8 states/ territories. The largest component of Australia, New South Wales, is 33 per cent of the total; California is 12 per cent of the US population. England is 87 per cent of the United Kingdom (and South East England alone is 14 per cent of the UK).

In the UK under the government's proposals there are essentially 4 sovereign units, or 12 if one regards English regional boundaries as inviolable.<sup>6</sup> Compared to the number of elected representatives (the relevant criterion in allocating seats), if the UK were as subdivided as Australia it would have 32 units, and if it were as subdivided as the United States there would be 69 defined entities whose boundaries could not be crossed.

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<sup>6</sup> Arguably 6 or 14 units, given the treatment of Orkney & Shetland and Eileanan an Iar is analogous to that of small 'states' in a federal model.

Ironically, the current English system of using the counties (46 plus London) as the basis of reviewing constituencies and then trying to make seats equal within each county is closer to the reality of Australian districting than the government's proposals. The government's proposals would involve crossing the county boundaries of large counties such as Essex, Kent and Hampshire, each of which amounts to about 2.5 per cent of the UK's parliamentary seats – about the proportion of the US Electoral College of a medium-sized state like Georgia or Virginia.

England is the predominant entity with around 503 MPs out of 600, but even the smallest (Northern Ireland) would be a medium sized state in comparative terms within Australia or the US. There will be very little variation in the average size of a constituency between the four constituent countries of the UK, in contrast to every other large country using single member districts.

The government's proposals amount to a sudden shift from Britain being in the middle of a table of international comparisons to having a system which involves extremely equalised electoral districts. The government's reasonable-sounding argument about equal sized constituencies, even if it is stripped of the excessive rhetoric, is based on a theory of representation that nobody else seems to follow in practice. Given the concerns that already exist about the disruption to the representative role of the MP if constituency boundaries are artificial and subject to change every 5 years, and the known inadequacies and possible future trends in UK electoral registration, it is quite an experiment. The procedure by which this change is being pushed through is a contrast to the consultation that normally precedes far-reaching changes in constitutional law and practice.

The size of constituencies within England is already, under the existing system, more equalised overall than it is in Australia. Even a UK system based around a rigid 10 per cent maximum variation, with exceptions made for the Scottish islands, the Isle of Wight, Cornwall and anomalous high-population inner London seats, would still be about as equalised in practice as the distribution of seats in the US House of Representatives. The government would still end up achieving the aim of a highly equalised system, on any international comparison, if it accepted a number of changes to make the outcome more palatable to political opinion and local community identities.

#### **4. Is registered electorate the only democratic basis for allocating seats?**

Most countries use some measure of total population to serve as the basic measure of constituency size, either total population or a modified population such as voting age population (VAP) or citizen population. Britain is a member of a minority, albeit a significant minority, of countries that use registered electorate, as the ACE Project research on comparative electoral systems noted:

Approximately half of the countries that delimit districts use "total population" as the population base for determining equality across electoral districts. Another third of the countries employ registered voters as the population base.<sup>7</sup>

The two basic methods in widespread use are therefore 'population' and 'electorate', which are each regarded as acceptable measures of constituency size.

#### **Note on terminology**

Total population	As measured by Census e.g. in United States – includes children, legal and illegal foreign residents, prisoners, etc.
Voting Age Population (VAP)	If the voting age is 18, the total population aged 18 or more
Citizen population	Population – either total or VAP – who are citizens of the country
Eligible voters	Those members of VAP who are eligible to vote by reason of citizenship (i.e. in the UK - British, Irish and Commonwealth). Includes people eligible but not registered.
Registered voters	Includes only people who have been entered on an electoral roll – i.e. including those who are registered but not eligible (dead names, fraud) and some duplicates, but not those who are eligible but not registered (missing names)
Attainers	In Great Britain those who have not attained voting age but are included in advance on the register and form part of the 'Parliamentary Electorate' total.

Of major countries using single member constituencies, the UK and Australia use registered voters while Canada, the United States, India and France use resident population. Population is also used as a basis for allocating seats in proportional and mixed systems in some countries including Germany, Italy, Hungary and the Czech Republic, although registered voters are used in Scotland and Croatia. Population is therefore recognised as a fair criterion in many democratic countries and cannot be rejected out of hand.

The argument for using population as a standard is based on equality of representation. As I argued in another piece:

An MP represents all of his or her constituents, regardless of whether they are on the electoral register or even entitled to be on the electoral register. Resident foreign citizens, asylum applicants, children and prisoners are all entitled to the

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<sup>7</sup> See <http://aceproject.org/ace-en/topics/bd/bdb/onePage>

MP's constituency services and have a legitimate claim on the voice of that MP in Parliament.<sup>8</sup>

The argument for using registered electorate as a standard is often made in terms of voting power, i.e. that it gives each elector an equal chance of affecting the election result. While wide or systematic differences in electorate could create unequal power, this is not much of a problem in the UK. Voting power depends more strongly on two factors – the turnout in the constituency the elector is in (to take it to a ludicrous extreme, if an elector is the only person to turn out in their seat, they have huge voting power) and, under the UK First Past the Post system, whether their seat is marginal or not. The cure for disproportional voting power cannot be constituency boundary change, unless it has an element of proportional representation that pools votes over an area larger than the individual constituency. Nevertheless, provided that electorate figures are relatively stable and that registration is relatively complete and accurate, it is a reasonable criterion. Whether UK registers meet this criterion is open to question.

## **5. Conclusion**

Given how reasonable the idea of equal constituency size (and the more problematic notion of equal voting power) may sound, it is truly remarkable that no national legislature even approaches the UK government's definition of the principle. Differences in constituency size that could easily pass muster in a catalogue of electoral anomalies, such as those listed by Clegg, are to be found in Australia and the United States - where equalisation supposedly rules. Constituency size is always modified by locality and geography in some form. In federal states this makes itself felt through the division of the country into relatively small sub-units. In England, a similar outcome is produced by using counties as a basis for allocating seats and explicitly tolerating a degree of variation. Even in 'equalised' countries like Australia and the United States, the population or electorate-based equality of the lower House is subverted by a powerful elected Senate whose seats are distributed to favour the small components of the federation – rather as Scotland, Wales and Northern Ireland have been favoured in the past in our single directly elected chamber.

Far from moving Britain closer to international norms of democracy, the government's proposals on parliamentary boundaries involve an experiment of a sort which has not been seriously attempted in any other large country which uses single member districts.

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<sup>8</sup> Lewis Baston: [How pressing is the case for further equalisation of constituency electorates?](#)

## **About Democratic Audit**

Democratic Audit is an independent research organisation, based at the University of Liverpool. We are grant funded by the Joseph Rowntree Charitable Trust to conduct research into the quality of democracy in the UK and are currently conducting the fourth full Audit of UK democracy. The previous three Audits, which assess the democratic performance of the UK using a methodology which has won international acclaim, were published in 1996, 1999 and 2002. Democratic Audit has published many path-breaking reports on specific aspects of the UK's political life from a clearly defined democratic perspective.

Democratic Audit is a not-for-profit company, grant funded by the Joseph Rowntree Charitable Trust, and is based at the University of Liverpool. Registered in England and Wales; company no. 6145962.

## **About the Author**

Lewis Baston has been Senior Research Fellow at Democratic Audit since July 2010. His principal areas of expertise are electoral systems, constitutional reform, the history of elections, boundaries and redistricting and devolution. Before joining Democratic Audit Lewis was Director of Research at the Electoral Reform Society and had worked at ERS since 2003. From 1998 to 2002 he was a research fellow at the Centre for the Understanding of Society and Politics (CUSP) at Kingston University. His work for Democratic Audit since 2010 has involved a number of research reports on reducing the number of MPs (with Stuart Wilks-Heeg), 'equalising' constituency size, and modelling new boundaries using the government's proposed rules.



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