

REFORMING THE ETHIOPIAN ELECTORAL SYSTEM: LOOKING FOR THE BEST ALTERNATIVE*

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ABSTRACT

Electoral systems are set of rules and procedures which determine how voters cast their votes and how the votes are converted into representative seats.¹ Beyond this, each electoral system has its own impact on how the political system functions. From this perspective, the author has tested the discontents of the Ethiopian electoral system, the first-past-the-post (FPTP) taking the election data of 2005, 2010 and 2015. The research finding showed that the FPTP electoral system is ill devised to the Ethiopian current needs and realities.² In view of such discontents, there should be a genuine concern of reforming the Ethiopian electoral system. The question remains, however, which electoral system best suits the Ethiopian situation from the bulk of alternatives? In choosing the best alternative electoral system, first, a list of criteria are set which sum up what we want to achieve and what we want to avoid or in a broader sense what we want our political system to look like. The possible alternative electoral systems are evaluated against the specific criteria designed. Finally, the evaluation revealed decisively that the mixed electoral system with compensatory seats which maintains the strong attributes of FPTP and PR electoral systems while avoiding at the same time their negative sides is found to be the best to the Ethiopian multicultural federation. This system which combines FPTP and PR systems would produce proportional results, encourage inter-party conciliation, reduce the number of ignored votes, enable geographic representation, ensure fair results for all political parties and the voters behind them, and above all creates cohesive government than the PR system would do alone.

Key words: *electoral system, the FPTP, the mixed electoral system, proportional electoral system, and Ethiopia.*

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¹Michael Gallagher and Paul Mitchell, Introduction to Electoral Systems (ed.) (The Politics of Electoral Systems, Oxford University Press Inc., 2005), P.3.

²Gebremeskel Hailu, *The Ethiopian Electoral System: Issues and Realities, a Reflection of Problems*, pending for publication at Gonder University International Law Journal (2016).

1. INTRODUCTORY REMARKS

Modern democratic societies are governed by a smaller set of public officials whom the people delegate them the task of political decision-making. These representatives are chosen through elections. The question of how votes are casted in an election and how the votes are converted into representative seats are governed by electoral systems.³ Electoral systems, other than translating votes to seats, have vital effects on a political system as a whole. They determine the number of parties, the ease of forming a stable government, the degree of representation of political parties and the extent of citizens' interest in politics.⁴ Hence, electoral systems are powerful instruments for shaping the content and practice of politics. In this regard, many scholars, including Donald Horowitz and Arend Lijphart argued; "within the range of democratic institutions, there is no more important choice than which electoral system to be used".⁵

However, each electoral system has its own advantages and disadvantages. No system is perfect, either theoretically or practically. Some electoral systems are preferable to some legal systems while others are not and the vice versa.⁶ Therefore, what matters most is, whether the net disadvantages of any system is more tolerable than the net disadvantages of other alternative systems taking into account the context where the electoral system works.

From this vantage point, unlike proportional representation (hereafter PR) electoral systems, majoritarian systems to which the Ethiopian electoral system, first-past-the-post (here after FPTP) belongs is strong in creating cohesive government and ensuring accountability of members at constituency level, among others, but is blamed for misrepresenting smaller parties, failing to create interethnic or intercultural conciliation and affecting multiparty democracy. The author has previously tested this assertion by an empirical research exploring the discontents of the Ethiopian electoral system in light of the nation's political experience, social plurality and

³Michael and Paul, *Supra* note 1, p. 3.

⁴Andrew Reynolds et al., *Electoral System Design (the New International Idea Handbook, International Institute for Democracy and Electoral Assistance, 2005)*, Pp. 5-6.

⁵*Ibid.*

⁶*Ibid.*

constitutional frameworks.⁷ The research finding showed with a lot of evidence that the FPTP is ill devised to the Ethiopian needs and realities. Particularly, it has distorted the level of representation and has produced *manufactured majority* rewarding bigger parties with bonus seats while punishing the smaller ones.⁸ This in turn has obstructed the legitimacy of the government.⁹ It has affected the behavior of political parties fostering ‘me or never’ or fear mongering political campaigns exacerbating intolerance between the opposition and the incumbent parties and the supporters behind them instead of conciliation and cooperation.¹⁰ It has also affected the multiparty system by denying smaller political parties seats proportionate to their votes.¹¹

In the existence of all these problems, there should be a genuine concern of reforming the Ethiopian electoral system.¹² The question remains, however, whether it is possible to devise an alternative electoral system which mitigates the problems of the FPTP? Vast of the literature long established this question positively. In 1990s several democratic states have answered that question in the affirmative. For instance, Japan, Italy, New Zealand, Russia, Hungary and Chile replaced their electoral systems by new ones in response to achieving some objectives which they had missed in the FPTP.¹³

In light of such experiences, this article is intended to investigate whether Ethiopia can do the same? If so, which alternative is best? And what should be the mechanisms employed to select the best alternative? Accordingly, the central focus of this research is searching a viable alternative electoral system which alleviates the problems of the existing electoral system without avoiding its existing virtues.

⁷Gebremeskel, *Supra* note 2.

⁸Bigger party in the Ethiopian context refers to the EPRDF, while small parties refer to the other parties who are unable to find parliamentary seats in the parliament.

⁹*Ibid.*

¹⁰*Ibid.*

¹¹*Ibid.*

¹²Getachew Assefa, *Electoral System and Political Pluralism in Ethiopia: A Case for Reform*, Ethiopian Constitutional Law Series (2015), Vol. VI (AAU Printing Press).

¹³Michael Gallagher and Paul Mitchell (ed.), *the Politics of Electoral Systems*, Oxford University Press Inc., 2005, p. X. See also, Murray Faure and Albert Venter, *Electoral Systems and Accountability: A Proposal for Electoral Reform in South Africa*, retrieved from <http://www.eisa.org.za/PDF/faure.pdf> <as accessed on October 4, 2016>.

To meet this objective, the results of the previous general elections, the nature and basis of formation of the political parties together with the available literatures and the experiences of other countries are duly considered. Moreover, interviews are conducted with key informants from the opposition and the incumbent political parties and the author's own observation is contemplated. However, it is good to note that the article is short of analyzing whether or not the existing FPTP electoral system in Ethiopia is practically conducted genuinely, i.e., the process is free, fair, and inclusive. The article rather examines the practical consequences of FPTP even when it is genuinely implemented in Ethiopia.

The structure of this article goes in the following manner. Following this first part, the second part of the discussion tries to review the practical pitfalls of the Ethiopian electoral system to underscore the need for reforming it. The forth part makes a thorough analysis on each of the possible alternatives of electoral systems by setting up established criteria. Finally, in the fourth part conclusions are drawn.

2. BRIEF HIGHLIGHT ON THE DISCONTENTS OF THE ETHIOPIAN ELECTORAL SYSTEM, THE FPTP

As a matter of fact, the FPTP electoral system does have its own strong and weak sides subject to conditions where the system is implemented. The ACE Newsletter¹⁴, however, underscored the importance to realize that a given electoral system will not necessarily work in the same way in different countries. Although there are some common experiences in different regions of the world, the effects of a particular type of electoral system depend to a great extent on the socio-political context in which it is used. What matters most is, therefore, the context where the electoral system is supposed to work. Regarding the Ethiopian context, save its positive results, the following discussion tends to show the problems of this electoral system.

¹⁴ACE Newsletter, Electoral Systems, P7, available at: <https://aceproject.org/ace-en/topics/es/onePage> <as accessed on December 15, 2016>.

2.1. THE EFFECT OF FPTP ON REPRESENTATION PARTIES

Pursuant to the FPTP, a party who won in each electoral constituency is returned to the parliament. The literature widely blames this system for hampering fair representation of parties and the views behind the parties. In this regard, let's test this assertion by taking the 2005 and 2010 Ethiopian general elections.

Table 1: Results of the 2005 Ethiopian general election

No.	Party	Popular vote	Seats on the basis of		Discrepancy
			FPTP	PR	
1	EPRDF	10,260,413	327	274	+53
2	CUD	4,594,668	109	123	-14
3	UEDF	1,741,670	52	47	+5
4	OFDM	454,435	11	12	-1

Source: Abrha Kabsay cited at *infra* foot note No. 24.

In the 2005 Ethiopian competitive general election, 35 political parties took part. Of which 4 parties from the opposition and one independent have managed to get parliamentary seats. EPRDF won 327 seats using the FPTP electoral system. If we make electoral simulation using PR instead of the FPTP, the EPRDF would have won 274 seats which reduce its share by 53 seats. The Coalition for Unity and Democracy (CUD) would have had secured additional fourteen seats from 109 seats it secured using FPTP had the system in use been PR electoral system. The Oromo Federalist Democratic Movement (OFDM) which got 11 seats would have had secured one additional seat. On the contrary, United Ethiopian Democratic Forces (UEDF) would have lost five seats from the 52 seats it achieved using FPTP had the system in use been PR electoral system.

On balance 43 seats would have been distributed to other parties who failed to get any seat on the basis of FPTP electoral system. That shows, the votes which had been polled to the smaller parties and which could have earned 43 seats are wasted and the smaller parties are left misrepresented.

One more instance; let's examine the results of the 2010 general election for Addis Ababa City Administration which is represented by 23 seats at the national parliament.

Table 2: Results of the 2010 Ethiopian general election

No	Party	Popular vote	Seats on the basis of		Discrepancy
			FPTP	PR	
1	EPRDF	564,821	22	13	+9
2	Medrek	380,329	1	8	-7
3	EDP	39,786	0	1	-1
4	AEUP	19,622	0	1	-1
5	CUD	14,108	0	0	0

Source: The ENEB General Election Report 2010, available at its library, Sep 2010.

Out of total 1,041,180¹⁵ (one million forty one thousand and one hundred eighty) votes, EPRDF received 564,821 (five hundred sixty four thousand and eight hundred twenty one) votes¹⁶ which accounts 54.2% of the total votes. However, using the FPTP electoral system, it won 95.6% of the seats (22 out of 23 seats). But, had the system in place been PR electoral system, it would have had entitled to 54.2% of the seats (13 out of the 23 seats). Hence, in actual terms 41.4% of the votes casted against EPRDF are wasted or are

¹⁵The Ethiopian National Electoral Board (ENEB) Report for the 2010 General Election, available at the library of the ENEB, September 2010.

¹⁶*Ibid.*

left unrepresented. Instead, as a result of the FPTP electoral system, EPRDF got additional 9 more seats (41.4% of the total seats).

Medrek, a coalition of different parties, got 380,329 out of the 1,041, 180¹⁷ votes which amounts to 36.5% of the total votes but received only a single seat (4.4% of the seats). Nevertheless, had it been a PR electoral system, it would have been entitled to 36.5% or 8 seats and it actually lost 7 seats (32.1% of seats). In other words, 32.1% of votes which are casted to Medrek are left unrepresented.

In the same manner, Ethiopian Democratic Party (EDP) and All Ethiopian Unity Party (AEUP) would have been entitled each to a single seat, had the system been proportional representation but owing to the FPTP electoral system they got nothing.

Overall, the above discussion reveals that the existing electoral system is distorting the allocation of votes to seats thereby misrepresenting the minor parties. The FPTP greatly benefited the EPRDF compared to others and this substantiated the theory which states FPTP inherently benefits bigger parties and puts the smaller ones and the voting population behind them disadvantaged.

2.2. THE EFFECT OF FPTP ON MULTIPARTISM

Ethiopia is experiencing an infant democracy striving to bring about multiparty democracy only since barely a couple of decades ago. The country had been characterized by absence of accommodation for almost all of its history.¹⁸ As a result of that gloomy reality, the country was in prolonged civil wars, which were basically the off-shoots of the different views that could have been peacefully resolved had there been multiparty system in the country.¹⁹

For multipartism to triumph, the electoral system should be accommodative, representative, and fair to all. However, it is an established fact that FPTP

¹⁷*Ibid.*

¹⁸Mohamed Abdurahman et al., Election (Office of the National Electoral Board of Ethiopian Bulletin, Addis Ababa, 2010), P 9.

¹⁹*Ibid.*

electoral system is against multiparty democracy in diversified societies.²⁰ It rather encourages larger parties to the disadvantage of the smaller ones leading to two party systems in most cases.²¹

From the election data presented by Ethiopian National Electoral Board (herein after ENEB) from 1995-2015, the number of contending parties is increasing.²² Nevertheless, in the last two elections, the ruling party and its allies won 99.9 % and 100 % of the seats in the House of Peoples' Representatives (HPR). This result left substantial number of votes given to the opposition parties unrepresented in the HPR.²³ Obviously, this trend ultimately affects the multiparty democracy for parties are losing hope of receiving parliamentary seats let alone winning government positions. The lion's share of this problem goes to the existing electoral system which rewards larger political parties at the expense of smaller ones.

2.3. THE EFFECT OF FPTP FOR OR AGAINST CONCILIATION

In Ethiopia, the aforementioned analysis reveals the existence of serious misrepresentation in the parliament. The opposition is left unrepresented despite receiving substantial votes. Because of the winner take all nature of the FPTP electoral system, political parties consider each other as enemies and not allies. They each preach themselves as 'good' and their competitors as 'evil' in their election campaigns. The author's observation from the previous elections reveals pre-election campaigns were not held among programs but rather were inclined to hate mongering propagandas. The

²⁰Andrew Reynolds *et al*, *supra* note 4.

²¹To illustrate this by way of example, let's take the case of New Zealand; New Zealand had long experienced a two party system until it switched to a MMP from the FPTP. Despite its two party experiences, the first contest under MMP has involved 34 parties resulting in the election of six and a coalition government. See, Pippa Norris, *Choosing Electoral Systems: Proportional, Majoritarian, and Mixed Systems*, International Political Science Review (1997), Vol. 18, No. 3, Sage Publications Ltd.P. 299, available at: <http://www.hks.harvard.edu/fs/pnorris/Acrobat/Political%20Studies%20Twilight.pdf> <as accessed on October 10, 2016>.

²²In the electoral periods from 1995-2015, it was 57, 49, 35, 63 and 58 respectively, see NEBE Bulletin of the 2010 Election, *supra* note 18.

²³Solomon Goshu, Electoral Reform on the Horizon, *the Reporter Newspaper*, 22 Oct. 2016.

incumbent and the opposition parties blame each other for every political failure even arising from their own internal affairs.

During the eves of election campaigns, especially at the later three elections (2005, 2010 and 2015) both the ruling and the opposition parties tried to use scare-mongering campaigns rather than their alternative policies.²⁴ Their content of campaigning is ‘me’ or ‘never’ which resulted from the desire to take the single seat available in a constituency contemplating the ‘*winner takes all*’ scenario. If this is taken back to the political history of the state, it is adding fuel to the already polarized political culture.

The opposition parties further blame one another tagging some of their members as ‘*weyanie*’ or otherwise allies of the ruling party. They deny legitimacy to the government and the institutions created by the latter. Understandably, the weak political culture of tolerance and compromise is one of the causes for such behavior.²⁵ However, such problems might have been dealt by a properly designed electoral system. To say the least, the plurality electoral system is escalating the mistrust among political parties. So, we can say, the existing electoral system does not help the political parties to negotiate and make political compromise or consensus on Grand National issues and interests.

2.4. THE EFFECT OF FPTP ON GOVERNMENT LEGITIMACY²⁶

Legitimacy requires the broadening of representation of social groups in governmental decision making roles.²⁷ In this regard, it would be compelling to ask whether FPTP in Ethiopia enhanced representation of diverse views

²⁴Abrha Kahsay, *Alternative Mechanisms of Electoral Systems for Vibrant Democracy and All Inclusive Representation in Ethiopia* (Unpublished Master’s Thesis in the Public Administration and Development Management, Addis Ababa University 2008), P. 70.

²⁵*Ibid.*

²⁶In his *Second Treatise of Government*, John Locke (1632-1704) argues that legitimate government is a limited government based on consent, in which the majority rules but may not violate people’s fundamental rights. Furthermore, John Rawls, in *Political Liberalism* (1993), accessible on <http://plato.stanford.edu/entries/legitimacy/> presents legitimacy in this way: On the broadest view, legitimacy both explains why the use of political power by a particular body—a state, a government, or a democratic collective, for example—is permissible and why there is a *pro tanto* moral duty to obey its commands.

²⁷William P. Irvine, *Does Canada Need A New Electoral System*, 1979, P.4.

and interests. As we have seen from the election data discussed above, FPTP created ‘*manufactured majority*’ in which a single party received more seats than its popular votes. The more votes are wasted the more illegitimate the elected government would be.

To make the discussion practical, some instances from the general election of 2005 and 2015 should be presented. In the 2005 election, EPRDF undeservedly got 53 additional seats because of the FPTP. The post-election violence of 2005 is one signal questioning the legitimacy of the elected government as huge numbers of people are left unrepresented.²⁸

When it comes to the 2015 general election, EPRDF and its affiliates had won the parliament without any opposition. However, months after the victory, wide spread opposition protests were seen which triggered the government to declare a state of emergency. The same situation had arisen after the 2005 election. The EPRDF understood them as a ‘protest votes’ for there was problems of good governance and the issue of justice and high expectation of development.²⁹ But in the 2016 protest, EPRDF higher officials openly admitted the non-representation of the opposition in the parliament to be reconsidered by reforming the existing electoral system.³⁰

Because of these facts, there seems a consensus to reforming the Ethiopia electoral system. The upcoming discussion is interested to search for alternative electoral system to the Ethiopian multiethnic federation.

3. CHOOSING AN ALTERNATIVE ELECTORAL SYSTEM TO THE ETHIOPIAN MULTIETHNIC FEDERATION

In the preceding discussion, the author tried to show the discontents of the Ethiopian electoral system, FPTP. Cognizant of such problems, the author is

²⁸The same thing was witnessed in many countries. For example, the exceedingly disproportionate nature of the FPTP caused popular frustrations in Lesotho after the May 1998 elections, resulting in violent demonstrations by supporters of the losing parties a few days after the announcement of the results, Denis K. Kedima, *Choosing an Electoral System, Alternatives for the Post-war Democratic Republic of Congo*, Journal of African Elections Vol. 2, No. 1, P.40.

²⁹Interview with Bereket Simon, Member of the Executive Committee of the EPRDF, Addis Ababa, 12 April 2008, as cited in Abrha Kahsay, *supra* note 24.

³⁰Bereket Simon, an EPRDF key man, addressing on live broadcasting on EBC concerning the mass protests and oppositions, August 2016.

convinced that this system needs to be reformed. The question, however, is what other alternatives do we have? To address this question, like most electoral system designers do, we have to set criteria relevant to the Ethiopian reality on the basis of which the possible alternative systems are going to be evaluated.

The choice of an electoral system is considered useful if it is evaluated with reference to some criteria which the political system can employ through a sensible decision-making process.³¹ Among other things, the choice must be simple and easy both to implement and understand. However, if it is cumbersome, to the point that the political system cannot reasonably manage it, the solution is not considered to be viable.³²

To this end, the choice of a workable alternative electoral system to the Ethiopian multi ethnic federation should start with a list of criteria which sum up what we want to achieve and what we want to avoid as a political system.³³The following discussion is interested to identify such criteria before heading to the actual evaluation.

³¹Guido Ortona, *Choosing the Electoral System: Why Not Simply the Best One?* Retrieved from <http://www.al.unipmn.it> <as accessed on September 10, 2015>, P.2.

³²*Ibid.*

³³For instance, one may want to encourage the growth of strong political parties and at the same time to provide opportunity for independent candidates to be elected. A system which gives value to both desires may result in a highly complicated ballot paper which causes difficulties for less educated voters. Hence, the task in choosing electoral system is to prioritize the criteria that are most important and then assess which electoral system or combination of systems best maximizes the attainment of these objectives. See, Andrew Ellis, Head of Electoral Processes International IDEA Stockholm, Sweden, *Principles of Electoral System Choice*, Presented at Workshop VI: Representative Democracy, Participatory Methods and Capacity Development for Responsible Politics Sixth Global Forum on Reinventing Government Seoul, Republic of Korea 24-27 May 2005, retrieved from <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan020458.pdf> <as accessed on June 2, 2015>. In almost all cases the choice of a particular electoral system has a profound effect on the future political life of the country concerned, and electoral systems, once chosen, often remain fairly constant as political interests solidify around and respond to the incentives presented by them. The choices that are made may have consequences that were unforeseen as well as predicted effects. Electoral system choice is a fundamentally political process, rather than a question to which independent technical experts can produce a single 'correct answer'. The consideration of political advantage is almost always a factor in the choice of electoral systems. However, calculations of short-term political interest can often obscure the longer-term consequences of a particular electoral system.

3.1. NORMATIVE CRITERIA FOR EVALUATING ALTERNATIVE ELECTORAL SYSTEMS

Technocrats of electoral systems use different criteria for choosing alternative electoral systems based on the goals that electoral systems tend to achieve.³⁴ Some of these are mutually compatible, but some others are mutually incompatible, which is why it is so important to be clear about what one is choosing. Here are the possible goals of electoral systems which are employed as evaluating criteria for choosing the best alternative systems:³⁵

1. Easy to understand and administer
2. Accountability to constituents
3. Proportionality of seats to votes
4. Interethnic or intercultural conciliation
5. Effective parliament/opposition oversight
6. Stable and efficient government
7. Minimize wastage of votes

Before making the actual evaluation on the basis of these criteria, it would be important to conceptually clarify each of them in the following manner.

3.1.1. Easy to Understand and Administer

All features of an electoral system should be easily comprehended by those citizens who will be using it to elect a representative assembly.³⁶ Elections are meant little if they are difficult to vote. The ease of voting is determined by factors such as how complex the ballot paper is, and how easy to cast a vote is.³⁷ Moreover, the choice of any electoral system is dependent on cost

³⁴Donald L. Horowitz et.al, *Electoral Systems and Their Goals: a Primer for Decision-Makers* (Duke University, 2003), P.3.

³⁵*Ibid.*

³⁶Kenneth Benoit, *Models of Electoral System Change*, University of Dublin, 2004, Pp. 371, retrieved from <http://www.elsevier.com/locate/electsud><as accessed on October 2, 2015>.

³⁷*Ibid*

and administrative capacities. A sustainable political framework takes into account the resources of the country both in terms of the availability of people with the skills to be election administrators and in terms of the financial demands on the national budget³⁸. In any account, electoral systems should not be more complex to understand and administer. In this regard, while FPTP and the closed list PR systems are simple to vote and administer, the Single Transferable Vote and the Alternative Vote systems are more complex, requiring high level of literacy and numeracy.³⁹

3.1.2. Accountability to Constituents

Under most electoral systems, legislatures are elected as representatives of particular segments of the territory. Members of parliament (MPs) are seen as having important roles representing the views of local constituency and promoting their interests as well as acting as local ombudsman for individual and group issues and concerns.⁴⁰ Territorial representation reinforces accountability, one of the basic principles of democracy.⁴¹ For instance, if a

³⁸*Ibid.*

³⁹*Ibid.*

⁴⁰Simon Hix et al., *Choosing an Electoral System*, British Academy Policy Center, 2010, P.108, see also, Joseph F. Zimmerman (ed.) *Representation and Electoral Systems* the American Political Science Association Rockefeller College State University of New York at Albany 135 Western Avenue Albany, New York 12222 Vol. XXII, No. 2 2007 retrieved from <http://www.apsanet.org/~res/newsletters/0704.pdf><as accessed on October 4,2016>, Detlef Nolte and Francisco Sanchez, *Representing Different Constituencies: Electoral Rules in Bicameral Systems in Latin America and Their Impact on Political Representation*, retrieved from <http://se2.isn.ch/serviceengine/Files/EINIRAS/47002/ipublication/document singledocument/BC603966-EC79-44BB-AD05-68E84F9A7B32/en/wp11.pdf><as accessed on October 4, 2016>.

⁴¹In the late 1980s and early 1990s, popular discontent with politics led to a push for major political reform in Italy, New Zealand, and Japan. In each country, there was agreement that the government lacked accountability, and reformers promoted electoral system change to address the problem. All three countries enacted variants of “mixed member” electoral systems, and all three included systems in which voters cast two ballots: one for a candidate in a single-member district (SMD) and one for a party in proportional representation (PR). There was hope that reform would create tighter links between the wishes of voters and the government elected to office. In all three cases, the public was disappointed by the results of the first elections under reform, but now that more than a decade has passed, it is easier to offer a more measured analysis of the new systems. Overall, these reforms instituted a major improvement in the level of government accountability, Ethan Scheiner, *Does Electoral System Reform Work? Electoral System Lessons from Reforms of the 1990s*, Annual Review of Political Science, Vol.11, P162.

MP of certain territory failed to perform the promises he made during an election campaign or demonstrates incompetence, the electorate reacts to that failure by denying votes in the next election or the latter can use the right to recall him.

The issues of size of the constituency and the population have their own effects on representation and accountability. The larger the constituency in area or population, the greater its heterogeneity and therefore, the greater the problem of identifying local views and a legislature faces difficulties being made aware of the wide range of issues and interests contained within it.⁴²

Electoral systems like the FPTP are praised for ensuring effective constituency representation and thereby accountability of members of the parliament. But PR electoral systems fail to do this for candidates will not be elected on the basis of constituency. PR uses the nation as a whole or sometimes the regions as a constituency. As a result, there are neither local representatives nor local accountability.

3.1.3. Proportionality of Seats to Votes

The proportionality of election results measures the degree to which the parties' share of seats corresponds to their share of votes. Legislatures are supposed to mirror the composition of the society represented through different political parties or independent candidates.⁴³ The political parties which represent the various segments of the electorate should be entitled to fair representation of seats proportionate to the votes they received.

Majoritarian systems provide disproportionately exaggerated seats to a winner party or a party in first place, while penalizing others at the same time.⁴⁴ The results of this measure suggest that the average winner's bonus under majoritarian systems is 12.5 percentage points, compared with 7.4 under mixed systems, and 5.7 under proportional representation. Hence under

⁴²Simon Hix et al., *Supra note 40*.

⁴³Gerard Newman, as Revised by Scott Bennett, *Electoral Systems, Commonwealth of Australia*, 2006 p, 8, See also, Andrew Reynolds et al., *Electoral System Design*, the New International Idea Handbook, International Institute for Democracy and Electoral Assistance, 2005 p. 5, all voices and multiple interests shall be brought to the policymaking process, and in this regard the need for diversity in the composition of parliaments is emphasized.

⁴⁴Pippa Norris, *supra note 21*, Pp. 307.

majoritarian electoral systems a party which won 37.5% of the vote or more could usually be assured of a parliamentary majority in seats, whereas under PR systems a party would normally require 46.3% of the vote or more to achieve an equivalent result.⁴⁵

For this reason, minorities in diversified societies are underrepresented if majoritarian electoral systems are employed while PR electoral systems generally foster the election of parties who might otherwise be underrepresented in majoritarian electoral systems.⁴⁶ Failing to grant proportional seats cause alienation and exclusion from the political system which in turn causes anti-system movements.

3.1.4. Interethnic or Intercultural Conciliation

Electoral systems can be seen not only as ways to constitute governing bodies but also as a tool of conflict management within a society.⁴⁷ In

⁴⁵*Ibid.*

⁴⁶Pippa Norris, *Electoral Engineering*, retrieved from <http://www.hks.harvard.edu/fs/pnorris/Acrobat/Institutions/Chapter%203.pdf> <as accessed on October 10, 2016>, P 6. This author also noticed the following “It is well established that certain social groups are over-represented in elected office, with parliamentary elites commonly drawn from predominant ethnic groups, men, and those of higher occupational status. While there are substantial variations worldwide, overall women constitute only one sixth (14.4 percent) of national legislators worldwide, with women usually lagging furthest behind in national parliaments using majoritarian electoral systems. Reformers have considered various strategies designed to widen opportunities for women and minorities, including legally binding candidate quotas, dual-member constituencies designated by minority group or gender, and affirmative action for candidacies and official positions within party organizations. Some of these mechanisms can be adopted in single-member districts, for example in the mid-nineties the British Labor Party adopted all-women shortlists for nomination in half its target seats. But, advocates argue that affirmative action can be implemented most easily when applied to balancing the social composition of party lists, for example by designating every other position on the candidate list for women. These mechanisms, proponents suggest, can also increase the number of regional, linguistic, ethnic or religious minorities in parliament, although their effects depend upon the spatial concentration of each group. Socially diverse representation can be regarded as intrinsically valuable for consensus democracy, by improving the range of voices and experience brought to policy discussions, and also because the entry of minority representatives into public office can increase a sense of democratic legitimacy and develop leadership capacity. Proponents argue that it is important to maximize the number of ‘winners’ in elections, particularly in divided or heterogeneous societies, so that separate communities can peacefully coexist within the common borders of a single nation-state”.

⁴⁷Sonia Alonso and Rubén Ruiz, *Political Representation and Ethnic Conflict in New Democracies*, European Journal of Political Science (January 2005), P.1. “Democratization,

heterogeneous societies where citizens are divided by socio-cultural basis such as race, ethnicity, language, religion, or region, there remains a question as to how the electoral system may contribute to the peaceful coexistence of different social groups within the same democratic polity. Some systems encourage political parties to make inclusive appeals for electoral support outside their own core vote base.⁴⁸ For instance, even if a party draws its support primarily from region one voters, a particular electoral system may give it the incentive to appeal to region two or other regional voters. Thus, the party's policy platform would become less troublesome and less exclusionary and more unifying and inclusive.

Similar electoral systems might give the incentive for the formation of national parties which will be less ethnically, regionally, linguistically or ideologically exclusive.⁴⁹ Such electoral systems can encourage voters to look outside their own group and think of voting for parties which traditionally have represented a different group. Hence, such voting behavior breeds accommodation and community building.⁵⁰ The PR electoral systems particularly the STV are good at attracting such incentives while the majoritarian electoral systems specifically, the FPTP works for the formation of parties on the basis of the cleavages. The Ethiopian experience is a good example for the latter.

by definition, entails devolution of power from the state to society. As such it opens a window of opportunity for the expression and mobilization of old and new grievances. Democratization and ethnic conflict are in fact empirically correlated phenomena. Periods of democratization are usually accompanied by an increase in the levels of ethnic conflict. Managing ethnic conflict is, therefore, a fundamental aspect of a successful transition to democracy and a subject of heated academic debate”.

⁴⁸Ibid, creatively crafted electoral systems, such as the alternative vote, have gigantic effects on making compromises and conciliation among diverse political parties. One core strategy as advocated by Donald Horowitz is to design electoral rules that make politicians reciprocally dependent on the vote of members of groups other than their own. To build support from other groups, candidates must behave moderately and accommodatively on core issues of concern. Hence, designing electoral rules that enable politicians to campaign for the ‘second choice’ votes of electors are crucial as they will enable the creation of parties with conciliatory policy positions so as to pick up such second votes than parties who choose to maintain a narrowly focused, sectarian approach. See, <http://books.google.com.et/books?id=CHLvGawRmEwC&printsec=frontcover&dq=electoral+engineering+pdf&hl=en#v=onepage&q=electoral%20engineering%20pdf&f=false><accessed on December 18, 2015>.

⁴⁹Ibid.

⁵⁰Ibid.

3.1.5. Effective Parliamentary Oversight

The weight of evidence from both established and new democracies suggest that long term democratic consolidation requires the growth and maintenance of strong and effective political parties and the electoral system should not promote party fragmentation.⁵¹ Meanwhile, the development of strong parties helps strong opposition in the parliament to help oversee the activities of the executive.

Effective governance relies not only on those in powers but almost as much, on those who oppose and oversee them.⁵² Hence, the electoral system should help ensure the presence of available opposition critically assessing legislation, questioning the performance of the executive, safeguarding minority rights and representing its constituency effectively. The opposition should have enough representatives to be effective and be able to present a realistic alternative to the existing government. While the strength of the opposition depends on many other factors, the choice of electoral system is one important consideration. If the system itself makes the opposition impotent, democratic governance is inherently weakened. Therefore, in a plural society, a consensus blows towards avoiding a FPTP system which limits the representation of the opposition in the parliament which further leaves the government blind to others views, needs, and desires.

3.1.6. Stable and Effective Government

The prospects for stable and efficient government are not determined by the electoral system alone, but the results of a system can contribute to stability in a number of important aspects. The key question is whether voters perceive the system to be fair, whether government can efficiently enact legislation and govern and whether the system avoids discriminating against particular parties or interest groups.⁵³

The question whether the government can enact legislation efficiently is partly linked to whether it can assemble a working majority in the legislature, and this in turn is linked to the electoral system. The system

⁵¹*Ibid.*

⁵²Gerard Newman,*Supra* note 43, P. 6

⁵³*Ibid.*

should, as far as possible, act in an electorally neutral manner towards all parties and candidates; it should not openly discriminate against any political groupings.

As a general but not universal rule of thumb, majoritarian electoral systems are more likely to produce legislatures where one party can outvote the combined opposition, while PR systems are more likely to give rise to coalition governments.⁵⁴ Even though, plurality electoral system is assumed to give rise to stable and effective government, it may not always bring about this result if some segment of the society perceived it as unfair and feel misrepresented.

3.1.7. Minimize Wastage of Votes

Voters who cast their ballots to a losing candidate are considered to have their votes disregarded or wasted.⁵⁵ Though it is difficult to avoid disregarded votes, it's important to minimize this problem to the greatest extent possible. The phenomenon of disregarded votes has contributed to strategic voting in which voters cast their ballots for a party that they do not prefer, simply to prevent a more disliked alternative from winning a seat.⁵⁶ Some other voters may not get the incentive to go to vote if they consider their preferred candidate does not have the chance to win or it is unlikely to lose. This ultimately reduces the level of turnouts⁵⁷ and also affects popular participation, a cardinal aspect of democracy. On the basis of this element, FPTP is poor in minimizing wastage of votes. But, PR effectively manages wastage of votes.⁵⁸

⁵⁴*Ibid.*

⁵⁵Law Commission of Canada, *Voting Counts: Electoral Reform for Canada*, retrieved from <http://dsp-psd.pwgsc.gc.ca/collection/J31-61-2004E-pdf> <as accessed on September 5, 2016>, P.67.

⁵⁶*Ibid.*

⁵⁷Henry Milner, *Electoral Systems, Integrated Institutions and Turnout in Local and National Elections Canada in Comparative Perspective*, Canadian Journal of Political Science(1997), Vol. 30, No. 1, Pp. 89-106, retrieved from: <http://www.jstor.org/stable/3232168> <Accessed on January 27, 2015>.

⁵⁸*Ibid.*

3.2. EVALUATING THE ALTERNATIVE ELECTORAL SYSTEMS

The previous discussion has established criteria distinguishing the important goals to be achieved and the important pitfalls to be avoided in designing electoral systems. The next task tries to evaluate the potential alternative systems against these criteria. Nonetheless, the evaluation is not extended to those majoritarian electoral families for the very reason that our previous conclusion proved that majoritarian electoral systems including FPTP are not healthy choices to diversified societies, like ours.⁵⁹ Hence, the evaluation is going to be made against those electoral systems which are deemed workable in diversified societies.

In this regard, as far as which electoral system is best to Ethiopia, most academicians⁶⁰ and the opposition parties⁶¹ prefer the PR electoral system. Ethiopian academic writings propose the PR electoral system. However, this author is interested to investigate the PR and the mixed electoral systems on the basis of the above criteria. This is because in the recent academic discourses there are arguments and controversies as to whether PR electoral system or the mixed ones are best in diversified societies, like Ethiopia.⁶² Furthermore, the conclusions in either way are not straightforward by themselves but rather have to be tested regard to the context where they are

⁵⁹The pros and cons of different types of electoral systems have been widely discussed in our previous Section. There is no one-size-fits-all solution regarding electoral systems, neither for Africa nor for any other region. Yet, there are some general insights which should guide any decision about electoral law: the so-called winner takes all or first past the post systems, popular in Anglo-Saxon countries, are highly problematic for segmented societies; they will easily turn ethnic and religious divisions into a zero-sum competition; those groups that loose will feel excluded from the political process and all the benefits it offers; the risk of violence and even civil war will be high. See, Winrich Kuhne, *the Role of Elections in Emerging Democracies and Post-Conflict Countries, Key Issues, Lessons Learned and Dilemmas*, retrieved from <http://library.fes.de/pdf-files/iez/07416.pdf><as accessed on September 10, 2015>, P. 5.

⁶⁰Among others the following authors propose PR electoral system: Getachew Assefa, *supra* note 12 and Beza Dessalegn, *the Right of Minorities to Political Participation under the Ethiopian Electoral System*, Mizan Law Review (September 2013), Vol. 7, No.1,P.100.

⁶¹Ishiyama, John, "Examining the 2005 Ethiopian Parliamentary Election Results under Alternative Electoral Rules"International Conference on African Development Archives,Paper 110, 2007, P.11,. Online Available at: http://scholarworks.wmich.edu/africancenter_icad_archive/110<visited on December 2016>.

⁶² In this regard Solomon Goshu has extensively reviewed the views of various Ethiopian constitutional law authors on whether the existing electoral system should be revisited or not. For further reading see Solomon Gosh, *Supra* note 23.

supposed to work. Hence, the following evaluation tries to concentrate on the PR and mixed electoral systems and the systems which fulfills most of the criteria compared to one another is said to be the best alternative to the Ethiopian federation.

3.2.1. The PR Electoral System

The PR electoral system has two variants-the list PR and the Single Transferable Vote (STV).⁶³ Unlike the list PR, the STV is the most complex electoral system both to understand and administer requiring high level of literacy and numeracy. Therefore, from the outset, it is not feasible to the Ethiopian situation where the level of literacy and numeracy is low⁶⁴. So, the following evaluation shall emphasize on the list PR electoral system.

Under a list PR system each party or grouping presents a list of candidates for multi-member electoral districts. The voters vote for a party and parties receive seats in proportion to their overall share of votes.⁶⁵ The PR electoral system can be employed either in the form of closed list or open list. In closed list PR, the winning candidates are taken from the list in order of their position on the party lists. If the lists are open, the voters can influence the order of the candidates by making individual preferences.⁶⁶

Under this system, all major groups and their leaders will continue to have a stake in the system and the risk of groups feeling excluded is much lower as it ensures proportionality of seats to votes and minimizes the wastage of votes common under FPTP. Depending on the available threshold, all major parties would be fairly represented in the parliament. For this reason, effective opposition oversight is highly likely.

On whether PR electoral system creates stable and effective government, there is a large body of both theoretical and empirical research suggesting that, the more fragmented and dispersed a legislature, the less its government

⁶³ Andrew Reynolds, *Supra* note 4, P.57.

⁶⁴ According to *country meters* estimates 48.93% of adult population (aged 15 years and above) in Ethiopia are able to read and write and 51.07% adults are illiterate, available from <http://countrymeters.info/en/Ethiopia>, visited on December 12, 2016.

⁶⁵ *Ibid.*

⁶⁶ *Id.*, P.60.

is likely to be effective.⁶⁷ The question of whether a given government can enact legislation effectively is linked to whether it can assemble a working majority in the legislature. The conventional wisdom in this regards goes to state that plurality electoral systems are more effective than PR systems because they are supposed to be less fragmented and therefore more decisive.⁶⁸ Proportional systems, on the other hand, are supposed to encourage the multiplication of parties, and, as a result, they are more prone to give rise to coalition governments and to be less effective in a country where the level of political tolerance and compromise is not yet developed.⁶⁹

Scholars argue that some form of proportional representation is needed in divided societies.⁷⁰ For this and other reasons, most major transitional and post-conflict elections in recent years have utilized some form of PR.⁷¹ Nonetheless, PR systems provide tiny geographic connection between voters and their representatives and thus create difficulties in terms of accountability and responsiveness of elected politicians to the voters.⁷² Nevertheless, many new democracies particularly those in agrarian societies have much higher demands for constituency service at the local level than they do for representation of all shades of ideological opinions in the legislature.⁷³ For this reason, it has increasingly been argued in South Africa, Cambodia and elsewhere that the proportional systems used at the first elections should be modified to encourage a higher degree of territorial

⁶⁷Alina Rocha, *Why Electoral Systems Matter: An Analysis of Their Incentives and Effects on Key Areas of Governance*, available at: <http://www.gsdrc.org/document-library/why-electoral-systems-matter-an-analysis-of-their-incentives-and-effects-on-key-areas-of-governance/><accessed on October 8, 2016>.

⁶⁸*Ibid.*

⁶⁹*Ibid.*

⁷⁰*Ibid.*

⁷¹Joel D. Barkan, et al. *Space Matters: Designing Better Electoral Systems for Emerging Democracies*, *American Journal of Political Science* (2006), Vol. 50, No. 4, P. 927, retrieved from <http://www.Jstor.org/stable/4122924><as accessed on October 10, 2016>.

⁷²*Ibid.*

⁷³*Ibid.*, a more serious problem is that in the context of societies with large rural populations, PR reduces the opportunities for face to face dialogue and linkage between legislatures and citizens and especially the accountability by the former to the latter. In Namibia for instance, where nearly 90% of the population resides in the Northern fifth of the country, 300 miles north of the capital, few citizens ever see a member of parliament because MPs have no geographic constituency to which they are accountable. A similar situation exists in South Africa. In such countries, there appears to be clear tradeoff between achieving proportionality and the loss of accountability.

accountability by having members of parliament represent territorially defined districts and service the needs of a constituency.⁷⁴

The party list PR usually reposes great power in party leaders to decide which candidate will have better chances of being elected from the already set list and the sovereignty of the voter is thought to be impaired. Even though the list PR uses open list where the voter influences which candidate is to be elected, there are no usually geographic or territorial representatives. Therefore, as the PR electoral system fails to link MPs to the constituent territory which in turn affects accountability to the electorate, it would not be suitable choice to the Ethiopian federation in which 80% of its population lead an agrarian life.

Electoral systems that produce proportional results or accountability to constituents or effective governments may or may not foster interethnic or intercultural conciliation. One way to think about electoral systems and interethnic conciliation is to ask whether a given system provides politicians an incentive to hold moderate behavior or moderate policy platforms for an electoral success. The PR electoral systems and specifically the STV are good at crafting moderate policy platforms which will be inclusive to different ethnic or cultural groups. However, the FPTP is poor at creating such conciliatory schemes because moderate policies may not help parties for an electoral success if the diversities are territorially concentrated, similar to the Ethiopian situation.

3.2.2. Mixed Electoral Systems

Mixed electoral systems provide voters two votes-one for the legislature from the party in a list PR tier and the other for a candidate representing a constituency in FPTP tier.⁷⁵ All mixed electoral systems share one defining common attribute, a portion of the seats in parliament are assigned on the basis of some plurality method, usually, FPTP in single member

⁷⁴*Ibid.*

⁷⁵Robert G. Moser and Ethan Scheiner, *Mixed Electoral Systems and Electoral System Effects: Controlled Comparison and Cross-national Analysis* (Elsevier, 2004), P.576.

constituencies and the other seats are determined by a party's share of the popular votes (regionally or nationally) on the basis of PR.⁷⁶

However, on how the two electoral systems function, there are two types of mixed electoral systems; the Mixed Member Majoritarian (MMM) and the Mixed Member Proportional (MMP). In the MMM system, the two tiers of seats, each determined by its own electoral formula, are independent of each other.⁷⁷ That is, no attempt is made to use the PR component to balance for distortions in the constituency vote. The two electoral systems, the PR and FPTP, operate independently.

But, when it comes to MMP, the two tiers of electoral systems are linked. It provides compensatory list seats from the PR component to parties that are underrepresented in the constituency based FPTP contest.⁷⁸ A political party that passes certain threshold of the votes gets a share of the seats in parliament that is about the same as its share of the party vote. For example, in total parliamentary 100 seats, if a party gets 25% of the party votes, it will get roughly 25 MPs in Parliament. If that party wins 15 electorate seats in the constituency, it will have ten (10) list MPs in addition to its constituency MPs. On the other hand, if a party does not win a seat in the constituency but got 20% of the party votes, it will be entitled to 20 parliamentary seats on the basis of the list PR.

Let's take an example to illustrate how the MMP works: People cast votes on a double ballot. First, they vote for a district representative. This part of the ballot is a single-member district FPTP contest to see which person will represent the district in the legislature where the person with the most votes wins. The list PR votes are counted on a national or regional basis to determine the total portion of seats that each party deserves.

The following table illustrates how this process works for a hypothetical election. Assume party-A won 40% of the party list votes in the 100-member state legislature, so they would be entitled to a total of 40 of the 100 seats. Since they already get 28 seats in the district elections, they would then add

⁷⁶Law Commissions of Canada, *Supra* note 55, Pp. 90-92.

⁷⁷*Id.*, P.85.

⁷⁸Mary Anne Griffith-Traversy (ed.), *Democracy, Parliament, and Electoral Systems* (Commonwealth of Parliamentary Association, Pluto Press, 2002), P.202.

12 more from their national or regional party lists to come up to their quota of 40 legislative seats.

Allocation of Seats in MMP Electoral System with 100 Parliamentary Seats (50 members elected using FPTP and the other using list PR)

Political parties	Number of districts won	Percentage of the national party vote	Total number of seats deserved by party	Number of seats added from party list
Party-A	28	40%	40	12 (40-28)
Party-B	18	36%	36	18 (36-18)
Party-C	4	18%	18	14 (18-4)
Party-D	0	6%	6	6 (6-0)
Total	50	100%	100	50 (100-50)

Source:-<https://www.mtholyoke.edu/acad/polit/damy/BeginningReading/howprwor.htm> with some modification.

As you can see from the above table, the election results in MMP electoral systems are proportional and fair.⁷⁹ As a result of this, most nations that have reformed their electoral systems in the past decade have opted for some version of mixed electoral systems.⁸⁰ These systems are thought to combine the “best of both worlds” the accountability and geographic representation that is one of the strengths of FPTP, along with demographic representation

⁷⁹*Id.*, Pp. 79-80; 141-146.

⁸⁰Daniel Bochsler, *Are Mixed Electoral Systems the Best Choice for Central and Eastern Europe or the Reason for Defective Party System?* Prepared for Presentation at the APSA Annual Meeting, Toronto, 3-6 September 2009, P.1, retrieved from http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1456829 <as accessed on October 7, 2015>.

and the fairness of proportional systems.⁸¹ Examples of these systems are found in Germany, Scotland, and New Zealand.⁸²

The German style electoral system has become a best seller in the charts of the electoral reforms since 1990s.⁸³ Mixed systems are introduced as a compromise between the two extreme forms of PR and plurality vote and they are best in situations where the contending elites could fail to agree on choosing one of them.⁸⁴ They are perceived to allow modest and better outcomes in many varied dimensions of political representation and party system moderation.

Lessons taken from the above stated countries reveal that the MMP is superior. It is fair to supporters of significant political parties and likely to provide more effective representation of minorities. It is likely to provide a more effective parliament and opposition and also has advantages in terms of voter participation and reducing wastage of votes through the compensatory seats. It encourages plurality of ideas in the parliament. Moreover, it inspires a fair level of geographic representation and enhances accountability of individual candidates and the government to a certain degree.⁸⁵

When it comes to the Ethiopian context, Ethiopia is composed of a diversity of ethnic groups, languages, cultures and religions. Its history has been characterized by political disturbance, massive violations of human rights, civil wars, lack of tolerance and concession. Such a diverse and divided

⁸¹The Law Commission Canada, *Supra* note 55, Pp.90-93.

⁸²In Germany 50% of the seats in the *Bundstage* are based on constituency elections and the other 50% are list seats. In New Zealand, 58% of the seats are single member constituencies elected by means of FPTP and the remaining 42% are list seats. In Scottish parliament, which consists of 129 members 57% is elected in constituencies by means of FPTP and the remaining 43% are awarded to regional lists, *ibid*.

⁸³Daniel Bochsler, *supra* note 80.

⁸⁴This was the case in Bulgaria, Hungary and Croatia, where the contending elites hold two extreme options; mixed electoral system has served as a mid-solution thereby flourished the praised virtues of this system. That it fostered the democratic principles of representation and accountability. Moreover, it hampered the excesses of the two extreme systems. See, Daniel Bochsler, *Supra* note 80.

⁸⁵Commission on Legislative Democracy, *Facts on Mixed Member Proportional Electoral Systems*, retrieved from <http://www.gnb.ca/0100/Doc/fact7mixed-e.pdf,P1> <as accessed on October 4, 2016>, see also, http://www.Petershirtcliffe.co.nz/upload/download_files/MMP%20vs%20SM%20Essay.pdf <as accessed on October 4,2016>, Miguel Centellas, *Mixed-Member Proportional Electoral Systems in New Democracies: the Bolivian Experience*, retrieved from: <http://www.centellas.org/politics/papers/mpsa2005.pdf> <as accessed on October 4, 2010>.

society needs an electoral system which would ensure a fair representation of political and ethnic groups, political stability, and conciliation for nation building without still overstating the virtues of the existing electoral system.

In a country like ours, where there are regionally concentrated ethnic or cultural groups, opting for plurality electoral system would stimulate the emergence of regionally based parties⁸⁶ and this encourages the parties to craft policy platforms which only appeal to such ethnic groups and may become hostile to others.

However, the inclusion of PR type electoral system to the status quo would encourage political parties to seek voters and membership across different communities. This limits the attractiveness of mono-ethnic politics and therefore prevents political instability which would have resulted from feelings of exclusion. Furthermore, the inclusion of PR enables the representation of widely dispersed ethnic groups for their votes would not be disregarded as it happens in the FPTP electoral system. Hence, the inclusion of PR would foster issue based campaigning and voting rather than lining up to ethnically or regionally organized parties.

The MMP electoral system gives voters maximum choice and flexibility; it frees them from the prison of having to suffer an unwanted candidate for the constituency in order to get desired government.⁸⁷ It helps minimize the disregarded vote phenomenon that is characteristic of the FPTP system.⁸⁸ In view of this, the MMP is best alternative to the Ethiopian federation.

To sum up, the subsequent table shall be closely observed which tries to simplify the argument as to which electoral system is the best alternative to Ethiopia.

⁸⁶To substantiate our argument, look at the following political parties which are created regionally or ethnically: Tigray Peoples' Liberation Front (TPLF), Amhara National Democratic Movement (ANDM), Oromo Peoples' Democratic Organization (OPDO), Southern Ethiopian Peoples' Democratic Movement (SEPDM), Oromo Federalist Democratic Movement (OFDM), Benshangul-Gumuz Peoples Democratic Unity Front (BGPDUF), Afar National Democratic Party (ANDP), Gambela Peoples Democratic Movement (GPDM), Argoba National Democratic Organization (ANDO), Harrari National League (HNL) and SheckoMejenger Peoples Democratic Unity Organization (SMPDUO)

⁸⁷*Ibid*, interestingly, in the first mixed member proportional election held in New Zealand in 1996, 37% of the voters split their ticket a high level by international standards.

⁸⁸*Ibid*.

Table 3: Comparative assessment of electoral systems vis-à-vis some electoral goals⁸⁹:

No	Electoral system goals	FPTP	PR Systems			Mixed Systems	
			STV	SNTV	PR	MMM	MMP
1	Accountability to constituency	✓				✓	✓
2	Easily understood and administered	✓		✓	✓	✓	✓
3	Proportionality of seats to votes		✓	✓	✓		✓
4	Interethnic/intercultural conciliation		✓	✓	✓	✓	✓
5	Effective parliamentary oversight		✓	✓	✓	✓	
6	Stable and effective government	✓				✓	✓
7	Minimize wastage of votes		✓	✓	✓	✓	✓

From the table, it is vivid that the MMP will perform well in all the criteria. Therefore, the author is convinced that this system is best to the Ethiopian multi-ethnic federation. However, since electoral systems need to be tested on the ground, we should not expect that the new system will cure all the democratic problems rather it is the best compared to others. On the other

⁸⁹ Note: the arrow shows strengths or potential strengths. The absence of it, however, does not suggest a total lack of it but rather the experience of countries with such systems to conform to it widely.

side of the coin, it is clear from the table that the first-past-the-post electoral system is the least in achieving some of the democratic values we need most as a nation.

Nonetheless, despite all these advantages, there are also arguments forwarded against the MMP electoral system. There is fear that under MMP coalition governments may instable a system, increase in administrative costs, and create two warrior classes of parliaments. But, empirical studies have been made by different researchers and electoral reform commissions and their conclusion found little or no connection between the alleged impacts and the MMP.⁹⁰

4. CONCLUSIONS

This article has tried to evaluate the electoral options to the Ethiopian multi ethnic federation on the premises that the existing electoral system is no more desired. In doing this, certain criteria against which the choices are going to be evaluated are selected. Evaluation is made against these criteria. Accordingly, we concluded that adding an element of proportionality to our electoral system, as inspired by some systems like Germany, New Zealand, and Scotland would be the most appropriate model for adoption. MMP, while it retains the proportionality benefits of proportional representation systems, it also ensures that voters have geographical representation. They also have the luxury of two votes, one for the party and one for their local MP. This system would produce satisfactory results when compared to the other alternative systems. MMP which adds PR tier to the existing system is expected to produce proportional election results, to reduce the number of wasted votes, to encourage interethnic or intercultural conciliation and to increase the representation of the opposition thereby giving us a strong parliamentary oversight over the actions of the executive.

⁹⁰The Law Commission of Canada, *Supra* note 55.