

Chapter 10

European Parliament Elections in Spain: on the Proportionality and Representation of Nationalist and Regionalist Parties

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Ever since the first elections for the European Parliament (EP) held in Spain in 1987, the debate about the electoral system has been inexorably linked to criticisms from nationalist and regionalist parties.¹ Since the whole country forms a large single-district, their arguments lie on the unfairness of the electoral system for allegedly over-representing major parties and penalizing much smaller parties, particularly those whose electorates are limited to only a specific region of the Spanish territory. According to their claims, the current system forces nationalist parties to join occasional and often unnatural electoral coalitions with parties belonging to very disparate families. For this reason, nationalist parties have been demanding the substitution of the current single-district model by several regional districts whose borders should match those of the Spanish regions (or *comunidades autónomas* –autonomous communities).²

In this chapter, we will examine the extent to which the design of the nationwide electoral constituency is biased against the chances of nationalist parties. By computing some basic simulations, we will therefore analyse the impact of the Spanish electoral system for the EP elections. We aim to discuss the consequences of the eventual modification of the current magnitude by

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¹ In this paper, and for the sake of brevity, we will use the terms *nationalist parties* for referring either to regional, nationalist, and/or regionalist parties.

² See for instance the proposal submitted by the nationalist coalition *Convergència i Unió* (CiU) at the Congress of Deputies for changing the 1985 electoral law; *Boletín Oficial de las Cortes Generales, Congreso de los Diputados*, # 25-1, B, 11 April 2008.

alternative smaller regional districts. These simulations will help us to verify the validity of the arguments defended by nationalist parties and will shed some light on the debate about the representation of region-based parties in supranational political institutions.

10.1 The electoral system for the European Parliament in Spain

In Spain, the elections to the EP are similar to most other European countries regarding its condition as “second-order elections” (Reif and Schmitt 1980; Schmitt 2006). As explained in other chapters of this book, this *second-orderness* generally determines that turnout is much lower than in national elections, that incumbent parties suffer decreasing levels of electoral support, and that both opposition and smaller and/or more extremist parties enjoy substantive increases in their vote. The Spanish case also shares with many other European countries a set of features differentiating the electoral system for the EP and the system being applied to national elections. In fact, the number of differences between those two electoral systems outweighs that of similarities (Montero and Cordero 2009; Montero, Llera, and Torcal 1999). These differences and similarities are shown in Table 1, and discussed in more detail in this section (Hix 2004):

Table 1. Electoral systems for the Congress of Deputies (2011) and the European Parliament (2009) in Spain

Elements	Congress of Deputies	European Parliament
Size of Chamber	350	736
Seats available	350	50
Districts	52	1
Other sub-national constituencies	No	No
Apportionment	2 seats per province/district, 1 more according to the quota of 248: population in the province	Established by the treaties
Ratio seats/electorate	102.227	709.851
Electoral formula	D'Hondt	D'Hondt
Threshold	3% at district level	None
Lists	Closed	Closed
Effects	Majoritarian and conservative	Proportional
Disproportionality index ^a	7.3 ^b	2.4 ^c

^a Based on Gallagher (1991) index $DI = \sqrt{[\frac{1}{2} \sum (s_i - v_i)^2]}$, where v_i is the percentage of votes for every party, and s_i is the percentage of seats.

^b In the November 2011 general elections.

^c In the June 2009 European Parliament elections.

(i) In contrast to the 52 provincial constituencies and 350 seats in the Congress of Deputies, the whole country forms a single-district in the EP elections. This was the model followed by 21 out of the 27 countries belonging to the European Union (EU) in 2009. The number of seats to be distributed in Spain has varied from a maximum of 64 in 1994 and 1999 to 50 in the 2009 elections. In these latter elections, Spain was the fifth country by number of seats (Poland also distributed 50), only below that of Germany (99 seats), France (72), Italy (72), and the United Kingdom (69).

(ii) One of the most relevant characteristics of the electoral system for the Spanish Parliament lies both in its majority and conservative biases (Lago and Montero 2005). Those deviations result from the combination of an acute malapportionment and a majority of small-magnitude districts, precisely in the most conservative provinces. However, the design of the EP electoral system points to opposite effects. The existence of a single-district avoids the over-representation of least populated areas and obviously produces a fair and proportional relationship between votes and seats (Montero and Cordero 2009).

(iii) In national elections, the electoral threshold of 3 per cent of valid votes at the district level has been applied very rarely since the 1977 founding elections. Despite the much bigger magnitude of the EP single-district, Spanish legislators decided not to establish any electoral barrier to prevent the access of minor parties. This has been the strategy followed by most EU countries. In 2009, only 13 of them included thresholds that varied between 3 and 5 per cent.³

(iv) The two common elements between the electoral systems for the Spanish Parliament and the Spanish representation to the EP reside in the formula and the lists. Both use the D'Hondt formula for the assignment of seats and also closed lists. D'Hondt is the favourite electoral formula for the EP, being applied in 15 countries, and closed lists are in use in only nine countries, whereas in 14 countries voters can change the order of the candidates and in the other three, lists are open and allow the *panachage* system.

In short, the Spanish electoral system for the EP is proportional, has a single nationwide constituency, does not include any threshold, and excludes any variant of preferential voting. Thus, the high magnitude of the electoral district should produce fairly high levels of proportionality (Lijphart 1994; Taagapera 2007; Carey and Hix 2011). This is clear from Table 2, which reproduces the results of the last election for the EP, held in June 2009. The two major parties were able to receive almost 81 per cent of the valid votes and 86 per cent of seats. The impact of the electoral system is roughly measured in the last

³ Those countries were Austria, Czech Republic, France, Germany, Greece, Lithuania, Poland, Romania, Slovakia, Slovenia, and Sweden.

column of Table 2, where differences (in percentage points) between seats and votes are included. Again, the two main parties are over-represented. In contrast, all other parties suffer a certain infra-representation. Nonetheless, the advantage and disadvantage ratios of the electoral system for the EP are much lower than those for the Congress. In the 2011 general elections, for instance, the level of over-representation achieved by the conservative Partido Popular (PP) as the winning party was +8.5 percentage points, whereas the left-wing coalition Izquierda Unida (IU) was punished with an infra-representation of -3.8; the results of nationalist parties in this regard were equiproportional. Table 3 contains the basic indicators of disproportionality, fragmentation, and competitiveness for the series of elections to the EP since the very first one held in 1987. The sustained decline in the disproportionality indices throughout the period is remarkable. This result has also been underlined in the case of the Spanish Parliament as the consequence of the learning process of both voters and parties in combination with the increasing competition among parties at different election levels (Riera and Montero 2010).

Table 2. Elections for the European Parliament in Spain, 2009

Parties/ coalitions	Votes		Seats		Differences % seats- % votes ⁱ
	In thousands	%	<i>N</i>	%	
PP ^a	6.670	42.1	23	46	+3.9
PSOE ^b	6.142	38.8	21	42	+3.2
CEU ^c	808	5.1	2	4	-1.1
IU-ICV-EUiA-BA ^d	588	3.7	2	4	-0.3
UPyD ^e	452	2.8	1	2	-0.8
Edp-V ^f	395	2.5	1	2	-0.5
Others ^g	781	5.0	0	-	-
Total ^h	15.836	100	50	100	

^a Partido Popular.

^b Partido Socialista Obrero Español

^c Coalición por Europa (Convergència i Unió, Partido Nacionalista Vasco, Bloc Nacionalista Valencià, Unió Mallorquina, Unió Menorquina, Coalición Canaria y Partido Andalucista).

^d Izquierda Unida, Iniciativa per Catalunya, Esquerra Unida i Alternativa y Bloque por Asturias: la Izquierda.

^e Unión Progreso y Democracia.

^f Europa de los Pueblos-Verdes (Esquerra Republicana de Catalunya, Bloque Nacionalista Galego, Aralar, Eusko Alkartasuna, Chunta Aragonesista, Entesa per Mallorca, Partido de El Bierzo y Confederación de Los Verdes).

^g Distributed among 29 other electoral lists, mostly nationalists or regionalists.

^h Turnout was 44.9% of valid votes; white and blank votes were 2.01%.

ⁱ In percentage points; positive signs denote over-representation; negative signs, infra-representation.

Table 3. Indices of proportionality, effective number of parties, and competitiveness in European elections in Spain, 1987-2009

Indices	European Elections					
	1987	1989	1994	1999	2004	2009
Disproportionality ^a	9.0	6.3	5.8	3.9	2.7	3.3
Effective number of parties ^b						
Electoral	4.4	4.6	3.6	3.4	2.7	2.9
Parliamentary	3.2	3.6	3.0	3.1	2.4	2.6
Competitiveness ^c						
Electoral ^c	14.4	18.2	9.3	4.4	2.3	3.4
Parliamentary ^d	18.3	20.0	9.4	4.7	1.9	4.0

^a Based on Gallagher (1991) index $DI = \sqrt{[\frac{1}{2} \sum (s_i - v_i)^2]}$, where v_i is the percentage of votes for every party, and s_i is the percentage of seats.

^b Based on Laakso y Taagepera (1979) index, following the formula $N = \frac{1}{\sum_{i=1}^n p_i^2}$, being p the share of votes, or the share of seats, of the party i .

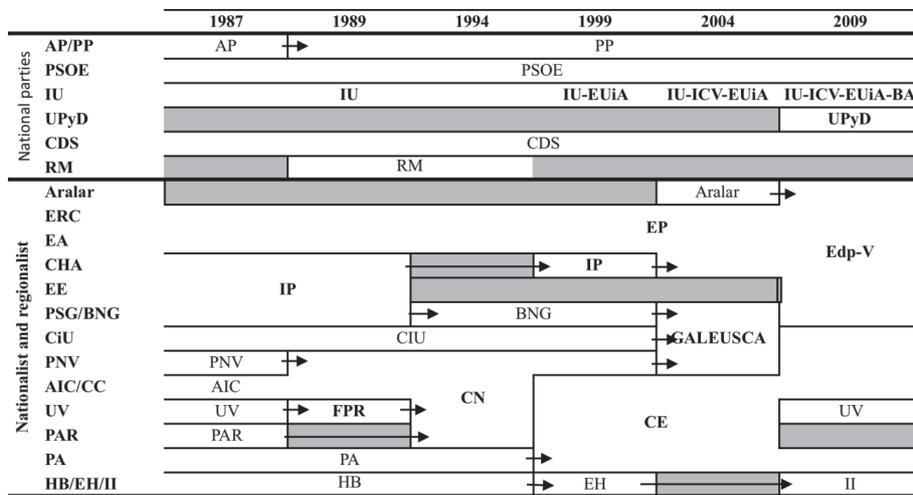
^c Difference in the share of votes of the two main parties; the lower the index, the higher the electoral competition.

^d Difference in the share of seats of the two main parties; the lower the index, the higher the parliamentary competition.

The formation of coalitions in the case of nationalist parties is another consequence of this process (Tavits and Annus 2006; Taagepera 2007). The single constituency has provided nationalist parties with incentives to implement different strategies of electoral coalition-making in order to maximize their chances of representation at the EP (Molins 1989). Although the magnitude of the district and the absence of any kind of threshold should favour the electoral prospects for those smaller parties, their chances to receive seats are also challenged by their low share of votes at national level and the vote concentration achieved by the two main parties. As stated in Figure 1, while national parties have avoided coalescing in almost every election, nationalist parties have made different coalitions depending on ideological rather than territorial proximity as they have also been learning the effects of the electoral system. On the other hand, these coalitions and the subsequent reduction in the psychological effects of the electoral system have also lowered the party supply, as measured by the indices of effective number of electoral and parliamentary parties included in Table 3 (Laakso and Taagepera 1979). In the 1984 European elections, the relatively high party-fragmentation denotes both the permissiveness of the electoral system and the nature of the second-order elections. In the 2009 European elections however, the growing competition between PSOE and PP and the increasing coordination among small nationalist parties through the formation of electoral coalitions reduced these rates (Torcal and Font 2012). Lastly, the indicators of electoral and parliamentary

competitiveness, that measure the distance between the two main competing parties in the party system, clearly shows how this distance has also been considerably reduced. This denotes as well the evolution from a predominant party system, in which the Partido Socialista Obrero Español (PSOE) was the dominant party and for over ten years enjoyed superiority over its main competitor, the conservative PP, to a subsequent model where the swinging between PSOE and PP depends on a reduced share of votes (Montero 2008).

Figure 1. Parties^a and coalitions^b in European elections in Spain, 1987-2009^a



- ^a Parties were the following:
 AIC: Agrupaciones Independientes de Canarias.
 AP: Alianza Popular.
 BNG: Bloque Nacionalista Galego.
 CC: Coalición Canaria.
 CDS: Centro Democrático y Social.
 CHA: Chunta Aragonesista.
 CiU: Convergència I Unió.
 EA: Eusko Alkartasuna.
 EE: Euskadiko Ezkerra.
 EH: Euskal Herriarrok.
 ERC: Esquerra Republicana de Catalunya.
 HB: Herri Batasuna.

- II: Iniciativa Internacionalista.
 IU: Izquierda Unida.
 PA: Partido Andalucista.
 PAR: Partido Aragonés.
 PNG: Partido Nacionalista Galego.
 PNV: Partido Nacionalista Vasco.
 PP: Partido Popular.
 PSG: Partido Socialista Galego.
 PSOE: Partido Socialista Obrero Español.
 RM: Agrupación Ruiz Mateos.
 UPyD: Unión, Progreso y Democracia.
 UV: Unió Valenciana.

10.2 Proportionality, (regional) representation, and nationalist parties

At the European level, 21 out of the 27 countries of the European Union, including Spain, have adopted single-district. Only Belgium (4)⁴, France (8), Ireland (4), Italy (5), Poland (13), and the United Kingdom (12) had multiple districts in the 2009 EP elections. In Spain, the decision to switch from the 52 districts for the parliamentary elections to the single-district for the EP has been accompanied by a protracted debate among parties. Ever since the very first European elections held in Spain in 1987, the issue of the type of district has been always contested by regional, regionalist, and nationalist parties. When the electoral law for the EP was drafted by the Congress, the incompatible strategies of nationwide parties –favouring a single constituency– and nationalist parties –demanding regional districts in accordance with autonomous communities– made it impossible to reach a consensus. Every nationwide party, regardless of its size and location within the party system, supported the single-district because of its contribution to the proportionality of electoral results and its basic agreement with the very nature of the EP as an assembly for representing *people* more than territories.⁵ On the other hand, nationalist parties strongly defended the necessity of breaking down the single constituency into a number of districts suited to the regional territories in which these parties compete: for them, the principle of proportionality should become subordinated to the principle of regional autonomy declared by the Spanish Constitution (Santaolalla 1987: 95-96).

As a consequence, nationalist parties have been demanding a radical change of the electoral system by entering diverse combinations of autonomous communities as a sort of *natural* district for the European elections (Rubio and Biglino 2009: 161 ff.). Following a series of legal and political initiatives, the issue was brought to the Constitutional Court by the Parliament of the Basque Country; the Court declared in 1991 the constitutional validity of both national and regional district designs, and also the freedom of the national legislator to choose any of them.⁶ In most European elections, the manifestos presented

⁴ There are four electoral districts, but only three electoral colleges, because in the Brussels bilingual area and its surroundings it is possible to vote for French or Dutch lists (belonging to one of the two electoral colleges); see www.elections2009.belgique.be/fr. Last accessed on 10 July 2013.

⁵ Art. 1 of the *Act Concerning the Election of Representatives of the Assembly by Direct Universal Suffrage*, passed by the Council on 20 September 1976, stated that “the representatives of the Assembly of the peoples of the States brought together in the Community shall be elected by direct universal suffrage”; see *Official Journal L 278*, 8 October 1976, pp. 5-11.

⁶ The sentence is reproduced at the *Boletín Oficial del Estado*, 64, 15 March 1991.

by nationalist parties contained the substitution of the single constituency by a variety of proposals; most of which consisted in at least establishing the regional district for the autonomous community identified with the party making the proposal. In the 2009 contest, for instance, the Partido Nacionalista Vasco (PNV) in the Basque Country, *Convergència i Unió* in Catalonia, *Coalición Canaria* (CC) in the Canary Islands, the *Chunta Aragonesista* (ChA) in Aragon, and the *Partido Andalucista* (PA) in Andalusia, among others, all included in their respective platforms requests for their own regional constituencies.⁷ Their rationale underlined different dimensions of representation. For the CiU, the main goal of having regional districts reflecting “the multinational character of Spain” is that they would facilitate “a most genuine representation of the will of voters, particularly the Catalans”.⁸ For the PA, the relevance for Andalusia of having its constituency lay in the possibility of guaranteeing “the information and debate about its situation, and its own representation for defending its interests within the European institutions, particularly in the case of the European Parliament”.⁹ And the PNV criticized (against all evidence) that the “single-district designed by the [Spanish] electoral law to the European parliament was the exception among member states”. The party attributed this alleged anomaly to the strategy of diluting the projection in Europe of the communities making up the *Estado de las autonomías*, and blamed it for the low turnout in European elections. As a consequence, the PNV defended a new European legislation in which electoral districts should reflect “the respect and coherence with the internal territorial distribution [in Spain] *vis-à-vis* the elections for the European Parliament”.¹⁰ Finally, at the national parliamentary level, several nationalist parties have persistently attempted to voice their demands for regional districts. As far as we know, the last occasion was in 2008-2010, after the Congress set up an *ad hoc* parliamentary committee for revising the 1985 current electoral law. CiU presented some initiatives based upon an EP recommendation by which member states should both acknowledge “regional specificities” for establishing regional districts, and particularly so in the case of states having more than twenty million inhabitants; among other advantages for the goal of representation, the new design of regional districts was enhanced as a perfect tool for achieving a closer

⁷ These platforms have been collected from the webpage Ciudadano100, *Programas electorales, Elecciones al Parlamento Europeo 2009*, at www.ciudadano100.com/programas.html, last accessed on 29 June 2013.

⁸ CiU, *Programa Electoral CiU, Elecciones Europeas 2009*, p. 73, in Ciudadano100, *Programas electorales*.

⁹ PA, *Elecciones Europeas 2009. Programa*, p. 3, in Ciudadano100, *Programas electorales*.

¹⁰ PNV, *Programa Electoral Elecciones Europeas-09*, p. 5, at http://www.eaj-pnv.com/documentos/programa-elecciones-europeas-20092014_8515.html, last accessed 29 June 2013.

relationship between voters and members of the EP.¹¹ At both regional and national levels, those initiatives have been systematically rejected on the basis of the superiority of the principle of proportionality over any other related to the territorial representation of specific parties.

Is this really the case? To what extent does maintaining the single-district produces more proportional results than any other district design favoured by nationalist parties? In the next section, we will consider these questions by designing and applying a number of simulations, which should differentiate the hypothetical effects of distinctive types of districts on electoral results received by both nationwide and nationalist parties at European elections.

10.3 Electoral simulations: The real system and three alternative models

When defending the reform of the magnitude of the districts, nationalist parties' proposals used to be based on calculations that allegedly aimed at maximizing both their ideological preference of having their respective regions as their natural and only constituencies and their electoral results. These two aims should come together, or at least the latter should prevail over the former. Parties are, of course, rational actors, and the strategy of winning votes and consequently seats is superior to pursuing solely ideological goals even at the price of both votes and seats. While nationwide parties underline proportionality (of which representation is a sequitur), nationalist parties prioritise their actual presence in their regional districts even at the prize of losing representation given the likely decrease in proportionality. Nationalist parties seem thus to overestimate their willingness to represent their regions and to underestimate the permissiveness of districts which, in this trade-off, may have become smaller. Being apparently aware of these risks, nationalist parties have proposed some alternative models. Table 4 compares the different magnitude of districts resulting from the apportionment criteria used in the current electoral system and those analysed in this chapter, based on the proposal of nationalist parties. Each of them contains distinctive regional criteria for designing the new apportionment, and therefore different district magnitudes.

¹¹ The bill submitted by CiU to the Congress of Deputies is included in *Boletín Oficial de las Cortes Generales, Congreso de los Diputados*, # 25-1, B, 11 April 2008. And the EP Resolution A4-0212/98 was issued on 2 June 1998 by the Committee on Institutional Affairs, being rapporteur Georgios Anastassopoulos, on “a proposal for an electoral procedure incorporating common principles for the election of the Members of the European Parliament”; it is at www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A4-1998-0212&language=MT, last accessed on 29 June 2013.

Table 4. Seats in the elections for the European Parliament, 2009, and in three alternative models of didtrict apportionment

Districts	2009 ^a	Model A ^b	Model B ^b	Model C ^b
Nationwide	50		-	National tier – 14
Regional	-			Regional tier – 36
Andalusia	-	9	7	2
Basque Coutry	-	3	3	2
Catalonia	-	8	6	2
Galicia	-	3	3	2
Aragon	-		2	2
Asturias	-		2	2
Balearic Islands	-		2	2
Canary Islands			2	2
Cantabria			1	2
Castile and Leon			3	2
Castile – La Mancha		27	2	2
Extremadura			2	2
Madrid			5	2
Murcia			2	2
Navarra			1	2
La rioja			1	2
Valencia			4	2
Ceuta			1	1
Melilla			1	1
Total	50	50	50	50

^a This is a current electoral design, being in place since the 1987 electoral law for the EP.

^b Only five districts, one for each of the four “historical” communities, and the fifth for the rest of them, plus the cities of Ceuta and Melilla.

^c Seats should be distributed among the 17 communities, plus another two to the cities of Ceuta and Melilla.

^d Seats should be assigned in two tiers: in the first, each community should have two seats, plus another two for the cities of Ceuta and Melilla, which will be distributed according with the regional share of party votes; at the national tier, the 12 remaining seats would be distributed among parties an the basis of their share of vote at the national level.

Proceeding from the simplest to the most complex proposal, we have designed four models and labelled them as models *A* (substituting the current single constituency by five districts), *B* (proposing 19 districts, one per each autonomous community plus two others for the cities of Ceuta and Melilla), and *C* (complementing the current design with an allocation of seats in two

tiers). We will undertake a simulation with each model to consider alternative results for the six European elections held so far since 1987. As is well known, those results should be received *cum grano salis* as simulations deny the *ceteris paribus* clause, which is essential in any exercise of comparative statics. In the simulations, electoral results have already incorporated choices by voters which could have actually been different had the criteria used in the simulation been taken into account by voters. Moreover, we will discuss the outcomes of simulations focusing only on the mechanical effects of the electoral system. In spite of all those caveats, the three simulations that will be summarised in the following pages will shed some light on the consistency of arguments put forward by nationalist parties when attempting to strengthen their regional representation in supranational parliamentary institutions. But before entering into simulations, let us analyse how the real electoral system for the EP works.

The real model: the single constituency

This model is based upon the current Spanish electoral system for the European Parliament as described in the first section of this chapter. As such, it will be taken as the baseline for comparisons with the three simulations that follow. In this model, and given the high magnitude of the single constituency with its 50 seats, both voters and parties have gradually learnt to vote efficiently. As for the voters, the last column in Table 5 is clear evidence of how the decrease of disproportionality evolved with their voting being concentrated on parties with real chances of getting at least a seat. This applies particularly for the most relevant nationwide parties both in general and European elections. All of them –except the Agrupación Ruiz Mateos (ARM), a populist party which only competed in those two elections– were able to get seats, even in the case of the minor parties such as IU, Centro Democrático y Social (CDS), and more recently Unión Progreso y Democracia (UPyD).

Nationalist parties were forced to learn to coalesce with other similar parties in order to minimize the restriction of their regional scopes when competing for seats in a district as big as the whole country. For this reason we have included in Table 5, which also shows the seats obtained by parties in every European election, two necessary variations to make our simulations understandable. Firstly, the seats are assigned to *single* parties, and not to coalitions. To do so, we have given the seat to the party within the coalition that received the highest share of votes in its own region. Secondly, when the number of parties forming a coalition is larger than that of the seats actually received, those seats were *divided* among parties as if they were

to be shared among the coalesced parties. This is why Table 5 shows the (otherwise impossible) fractions of each seat distributed among two or more parties during the legislative session according to the arrangements of the coalition. This is the case, for instance, of the Coalición Nacionalista (CN) in the 1989 elections, which obtained one seat to be shared by the parties making up the coalition: the PNV enjoyed 0.6 of the seat, the Agrupaciones Independientes de Canarias (AIC, now CC), 0.2, and the Bloque Nacionalista Galego (BNG), another 0.2. In practical terms, the agreement was that the PNV candidate would occupy the seat at the EP for 3 years (or 0.6 of the five years parliamentary mandate), and the AIC and BNG for the remaining two years (0.2 each).

Table 5. Number of seats in elections for the European Parliament in Spain, per party and election, 1987–2009^a

Years	National parties						Nationalist parties											Number of seats	Index of disproportionality ⁱ	
	PP ^b	PSOE	IU ^c	UPyD	CDS	ARM	CiU	ERC	PNV	HB ^d	EA ^e	EE	BNG ^f	PA	CC ^g	PAR ^h	UV			
1987	17	28	3	-	7	-	3	0	1	1	0	0	0	0	0	0	0	0	60	9.0
1989	15	27	4	-	5	2	2	0.5	0.6	1	0.5	1	0.2	1	0.2	0	0	0	60	6.3
1994	28	22	9	-	0	0	3	0	1	0	0	-	0	0	0.3	0.3	0.3	0.3	64	5.8
1999	27	24	4	-	0	-	3	0.5	1	1	0.5	-	1	0.5	0.5	0.5	0.5	0.5	64	3.9
2004	24	25	2	-	0	-	1	0.6	1	=	0.2	-	0	0	0	0.2	0	0	54	2.7
2009	23	21	2	1	0	-	1	0.5	1	0	0.3	-	0.2	0	0	0	0	0	50	2.4

^a Decimals indicate that parties included within a coalition shared their seat with one or several of the parties also in the coalition. See Table 2 and Figure 1 for full names of parties.

^b PP refers to AP in 1987 elections.

^c IU refers to IU-EUiA, IU-ICV-EuiA, and IU-ICV-EUiA-BA.

^d In 1999 HB refers to EH, in 2009, to II.

^e The shared seat of EA in 2009 belongs to Aralar (joining the coalition with EA).

^f The shared seat of BNG in 1989 belongs to CG (Coalición Galega).

^g CC refers to CC and AIC.

^h The shared seats of PAR in 2004 and 2009 belong to ChA.

ⁱ See Table 3.

With the exception of the two major nationalist parties -CiU and PNV-, the remaining regional parties did not get a *full seat*, as it were, in the last two elections without being integrated into a coalition. Only exceptionally smaller parties such as BNG, Herri Batasuna (HB), and PA were able to achieve it during the 1980s and 1990s. In the case of a single candidacy, the representation of PNV remained almost constant with one deputy at the EP, while the representation of CiU did vary between three and only one seat.. In contrast, nationwide parties did not need to resort to coalitions. Among them, the electoral competition between the PP and the PSOE as the two major parties changed from the hegemony of PSOE during the 1980s to the much higher levels of competitiveness between them since 1994. Although the electoral contests for the EP have been performing as a sort of *primary elections* for the subsequent general elections, their results have shifted in parallel with changes in the national arena. As a minor party, IU has always been severely under-represented by the majoritarian biases of the electoral system for elections to the Congress of Deputies. However, it has achieved a better balance between its share of votes and seats in the EP, and has been represented at the EP ever since the first 1987 elections precisely because of the purely proportional design of the single nationwide constituency, which enables a better representation of small parties with geographically dispersed support; the same applied to UPyD in 2009.

As mentioned earlier, the current results in terms of seats, included in Table 5, will be used as a baseline for comparison with the three simulations that will be performed with three selected models of district design. In each of these models only the size of the district will be manipulated, keeping constant the remaining elements of the electoral system (i.e., the size of the delegation to the EP, the electoral formula, and the legal threshold). By doing so we hope to be able to examine the different effects of district design on the gains and losses in terms of seats for Spanish parties at the EP.

Model A: five regional districts

In the 2009 European elections, 21 out of 27 countries coincided in including in their electoral systems a single constituency. Only Belgium in 1994, France in 2004, and Italy in 1999 reformed their electoral systems in order to increase the number to 4, 8, and 5 districts, respectively. In France and Italy their rationale was to group smaller regions into bigger districts, while Belgium chose to distribute their seats among its three traditional linguistic communities, with Brussels as a special district.¹² In Spain, model *A*, proposed by

¹² See footnote 4.

several nationalist parties,¹³ sets five districts for the European elections: four for each of the so-called *historical* communities (or *nationalities*), Catalonia, the Basque Country, Galicia, and Andalusia to a lesser degree, and a fifth for the remaining 13 communities. Their goals were twofold. On the one hand, to adjust the wide panoply of electoral activities for the EP to the peculiarities of each of these communities; on the other, to avoid the electoral coordination with other nationalist parties into circumstantial and perhaps *unnatural* coalitions. It is a somewhat hybrid design, in which parties defending it propose also that other communities could voluntarily ask to become their own constituency. For undertaking our first simulation, we have apportioned seats to those five districts according to a proportional distribution of their population.

To what extent do the results in this model match the actual distribution of seats included in Table 5? Despite the goals of nationalist parties to prioritise (regional) representation over proportionality, the results in Table 6 are not entirely those to be expected (Latner and McGann 2005). The PSOE is in the winning side by the change from one single-district to five districts: it would add one seat in three of the elections -even three additional seats in 1989-, although it would lose one representative in 1994, when its share of the vote was the lowest in the series. Those gains are mainly the consequence of the balanced representation of regions with many seats that have traditionally supported PSOE, such as in Andalusia and Catalonia. In contrast, PP's representation is relatively less notorious, with increments between one and two seats, but keeping its actual number in half of the elections. Smaller nationwide parties (IU, CDS, ARM, and more recently UPyD) would lose one seat on average in every election, while IU would lose two in 2009. The fate of nationalist parties would depend upon their size. While in Catalonia (CiU and ERC) and the Basque Country (PNV and HB) their main nationalist parties would increase their seats marginally – but clearly, the smaller parties would lose in the Basque Country (EA and EE), Galicia (BNG), Andalusia (PA), and in the communities making up the residual district such as Aragon (PAr), and Valencia (UV).

¹³ Those were the most relevant ones in some autonomous communities; some of them have been quoted in the preceding section of this chapter.

Table 6. Model A: gains and losses in seats assigned to parties in five districts in elections for the European Parliament in Spain, 1987-2009^a

Years	National parties						Nationalist and regionalist parties										Number of seats	Index of disproportionality	
	PP	PSOE	IU	UPyD	CDS	ARM	CiU	ERC	PNV	HB	EA	EE	BNG	PA	CC	PAR			UV
1987	0	1	-1	-	-1	-	1	0	0	0	0	0	0	0	0	0	0	60	7.2
1989	1	3	-1	-	-2	-1	2	-0.5	0.4	0	-0.5	-1	-0.2	0	-0.2	0	0	60	8.4
1994	1	-1	-1	-	0	0	1	0	0	1	0	-	0	0	-0.3	-0.3	-0.3	64	4.0
1999	2	1	-1	-	0	-	1	-0.5	0	0	-0.5	-	0	-0.5	-0.5	-0.5	-0.5	64	4.8
2004	0	1	-1	-	0	-	0	0.4	0	-	-0.2	-	0	0	0	-0.2	0	54	4.2
2009	0	0	-2	0	0	-	1	0.5	0	1	-0.3	-	-0.3	0	0	0	0	50	4.3

^a Figures are the differences between the actual number of seats received by every party in each election (included in Table 5) and the number of seats obtained after computing the simulation. See Table 2 and Figure 1 for full names of parties.

In short, this alternative design would adversely affect the representation of smaller nationalist parties in the European elections for three reasons. Firstly, it would generally increase the effective barrier of access, preventing the representation of many of these parties (Taagepera and Shugart 1989; Lijphart 1994). Secondly, it would discourage coalitions between parties from different regions –and therefore belonging to different constituencies–, and this lack of coordination would also diminish their chances to receive seats. Finally, coalitions among nationalist parties belonging to the same regions would very likely be deemed as unnecessary, additionally reducing the chances of small parties while increasing those of relevant parties within each autonomous community.

Model B: 19 regional districts

The next simulation is a system with 19 electoral districts (one for each autonomous community, plus the cities of Ceuta and Melilla), following the proposal of parties like PNV¹⁴, which considers necessary the adaptation of

¹⁴ See the PNV Manifesto to the 2009 EP Elections, p. 7, at http://www.eaj-pnv.com/adjuntos/pnvDocumentos/8515_archivo.pdf. See also the question posed by the PNV to Government at www.ianasagasti.blogspot.com/mi_blog/2009/06/pregunta-a-rubalcaba-sobre-la-abstenci%C3%B3n-en-las-elecciones-europeas.html, last accessed on 3 July 2013.

districts to the “current territorial distribution” of the country. Thus, for each region, at least one seat has been assigned, with the remaining seats proportionally distributed among regions according to their population. In the event of adopting this model, Spain would become the country with the highest number of constituencies for EP elections.¹⁵ This high number of districts and the reduction in the number of seats allocated for Spain for the 2004 and 2009 European elections offer some clues about the negative impact of a model like this for the proportionality of the electoral system (Table 7). Since two deputies would represent most regions, those with less population would become over-represented, and small national parties would suffer a severe under-representation. In the 2009 European elections, for instance, both IU and UPyD would lose their current seat. The PSOE would also suffer both the over-representation of the less populated, and also more conservative regions, and the under-representation of two of the larger regions -Catalonia and Andalusia. In the case of the nationalist parties, it would be CiU and HB who would benefit from the reform, and once again at the expense of smaller parties, which would lose their representation at the EP. Only PA in 1989 would keep its seat, due to the high magnitude of the district in Andalusia.

Table 7. Model B: gains and losses in seats assigned to parties in 17 regional districts in elections for the European Parliament in Spain, 1987-2009^a

	National parties						Nationalist parties											Number of seats	Index of disproportionality
	PP	PSOE	IU	UPyD	CDS	ARM	CiU	ERC	PNV	HB	EA	EE	BNG	PA	CC	PAR	UV		
1987	2	5	-2	-	-5	-	0	0	0	0	0	0	0	0	0	0	0	60	13.3
1989	2	8	-3	-	-4	-2	1	-0.5	0.4	0	-0.5	-1	-0.2	0	-0.2	0	0	60	14.9
1994	5	0	-5	-	0	0	0	0	1	0	-	0	0	-0.3	-0.3	-0.3	0	64	9.7
1999	5	-1	-3	-	0	-	1	-0.5	0	0	-0.5	-	0	-0.5	0.5	-0.5	-0.5	64	7.8
2004	4	-2	-2	-	0	-	0	0.4	0	-	-0.2	-	0	0	0	-0.2	0	54	7.9
2009	2	0	-2	-1	0	-	1	-0.5	0	1	-0.3	-	-0.3	0	0	0	0	50	6.6

^a Figures are the differences between the actual number of seats received by every party in each election (included in Table 5) and the number of seats obtained after computing the simulation. See Table 2 and Figure 1 for full names of parties.

¹⁵ Although the United Kingdom had 84 uninominal districts in 1994, since 1999 it is formed by just 12.

Model C: two tiers of seat assignment

The former model *B* shared its disproportionality with the electoral system for the Congress, mainly caused by the high number of constituencies and its low magnitude, designed to obtain a better territorial representation. In order to avoid these negative consequences, model *C* is set to achieve a better trade-off between the proportionality of parties and the territorial representativeness of regions in which nationalist parties compete. This is pursued through the design of two tiers of seat assignment, one at the regional level with 36 seats (two for each of the 17 autonomous communities plus one for each of the cities of Ceuta and Melilla), and a second at the national level with the remaining seats (between 12 in 2009 and 28 in 1994 and 1999).

However, the extremely low magnitude of regional districts as well as the fairly small magnitude of the national tier make it impossible to achieve those goals: electoral disproportionality comes together with a poor territorial representation. As Table 8 shows, the main beneficiaries of this model are the two main national parties, not the nationalist parties, nor the small national parties. In fact, the PP would systematically increase its representation in 4 or 5 seats during the eighties and nineties. Also the PSOE would increase their representation in every European election, especially in 1989, when it was the predominant party. By contrast, and similarly to the previous models, the fragmented district design would be especially harmful for CDS, IU, and UPyD. These parties have generally occupied the third or fourth position in terms of votes in most of the regions, an evident *loser* position considering that with this model every region is guaranteed only two seats. In addition, nationalist parties in larger regions such as Catalonia would lose seats: both CiU and ERC would suffer a decrease in their number of EP members. And with the exception of CC, PNV, and HB, whose results would be just slightly modified, all the remaining nationalist parties would end up losing their parliamentary representation at the EP. The failure of this model for striking a balance between proportionality and regional representation is still present when we refined it through the assignment of only one seat to every autonomous community, thus increasing the national tier from 12 to 31 seats in 2009. Although not shown in the text because of space constraints, the results are similar. PP and PSOE would continue to be the major beneficiaries, much at the expense of nationalist parties. The main differences relate to CDS, IU, and UPyD, which would get a slightly less disproportional representation.

Table 8. Model C: gains and losses in seats assigned to parties in two tiers in elections for the European Parliament in Spain, 1987-2009^a

	National parties						Nationalist parties											Number of seats	Index of disproportionality
	PP	PSOE	IU	UPyD	CDS	ARM	CiU	ERC	PNV	HB	EA	EE	BNG	PA	CC	PAr	UV		
1987	3	3	-2	-	-3	-	-1	0	0	0	0	0	0	0	0	0	0	60	11.2
1989	4	6	-3	-	-3	-1	0	-0.5	0.4	0	-0.5	-1	-0.2	-1	-0.2	0	0	60	13.6
1994	5	2	-5	-	0	0	-1	0	0	0	0	-	0	0	-0.3	-0.3	-0.3	64	10.5
1999	4	2	-3	-	0	-	-1	-0.5	0	0	-0.5	-	-1	-0.5	0.5	-0.5	-0.5	64	7.3
2004	1	1	-2	-	0	-	0	-0.6	0	-	-0.2	-	0	0	0	-0.2	0	54	6.5
2009	2	2	-2	-1	0	-	0	-0.5	0	0	-0.3	-	-0.3	0	0	0	0	50	7.9

^a Figures are the differences between the actual number of seats received by every party in each election (included in Table 5) and the number of seats obtained after computing the simulation. See Table 2 and Figure 1 for full names of parties.

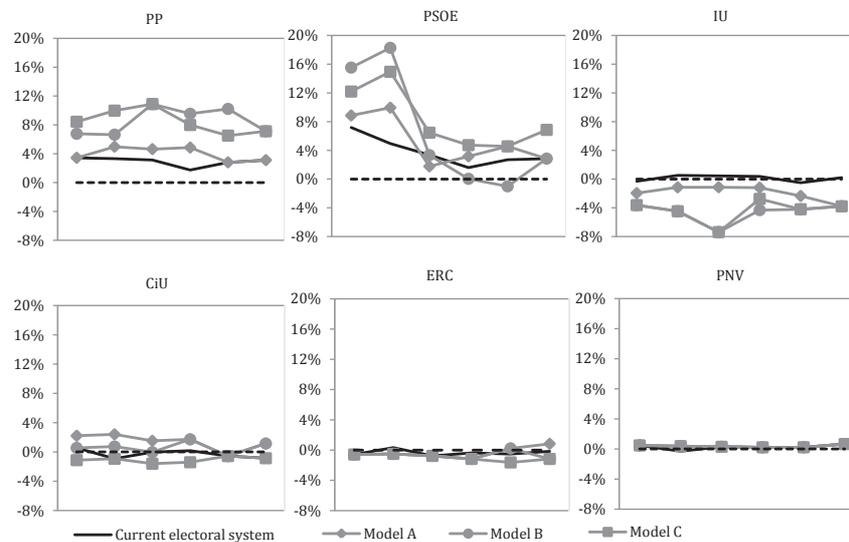
10.4 Disproportionality and number of parties

As discussed in previous sections, nationalist parties have repeatedly rejected the single national constituency for the elections to the EP. Their criticisms rest on its design and its consequences. For them, the design of only one district entails a blatant contradiction to the *Estado de las autonomías*, included in the 1978 Spanish Constitution as one of the main pillars of the entire political system. In spite of that, the 17 Spanish regions or autonomous communities lack any territorial representation at least in the form of separate districts for the European elections. As they also complain, this design has consequently forced them to coalesce with other similar regional parties in order to avoid ending up without seats at the EP. Nationalist parties have therefore proposed several models for designing alternative districts in which the communities could be territorially represented. In term of seats, however, the simulations we have undertaken with three of these models pointed to somewhat contradictory results. Only CiU and HB would increase their representation at the EP –in two out of three simulations. But the many remaining nationalist parties appear to receive a worse share of seats in most of the mod-

els. Also small nationwide parties like CDS, IU, and UPyD would considerably decrease their presence at the EP, usually to the benefit of PP and PSOE as the major parties.

If we now look from seats to the disproportionality between votes and seats and the number of parties, the picture is fairly similar. Figure 2 shows the evolution of the differences (in percentage points) between votes and seats of the main Spanish parties following the current model and the proposed alternative models. It is clear that PP and PSOE would get a remarkable over-representation with models *B* and *C*, while their application would cause harm especially to IU. On the other hand, only small changes are perceived in nationalist parties, especially in the case of PNV, the main Basque nationalist party, while the Catalans ERC and CiU would be over-represented by applying models *C* and partially model *B*. In any case, the current national district is the one that minimizes the distance between the vote share and the seat share remaining as the most proportional system in almost every European election.

Figure 2. Differences between percentage of votes and percentage of seats for several parties for the European Parliament and in models *A*, *B*, and *C*, 1987-2009



This information is summarized in Figure 3. It represents the Gallagher's (1991) index of disproportionality,¹⁶ which confirms that models *B* and *C* are

¹⁶ It is based in the well-known least squares index; its formula is the following: $\sqrt{\sum (v_i - s_i)^2}$, where v_i is the percentage of votes for every party, and s_i is the percentage of seats.

Figure 3. Disproportionality in the Spanish electoral system for the European Parliament and in models A, B, and C, 1987-2009

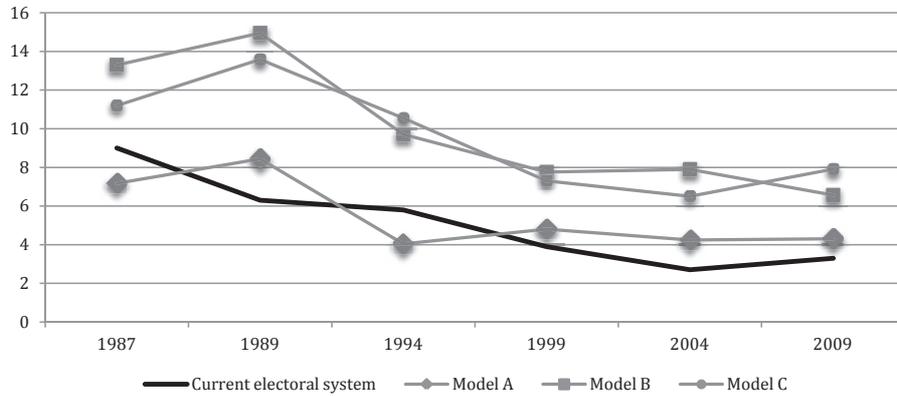
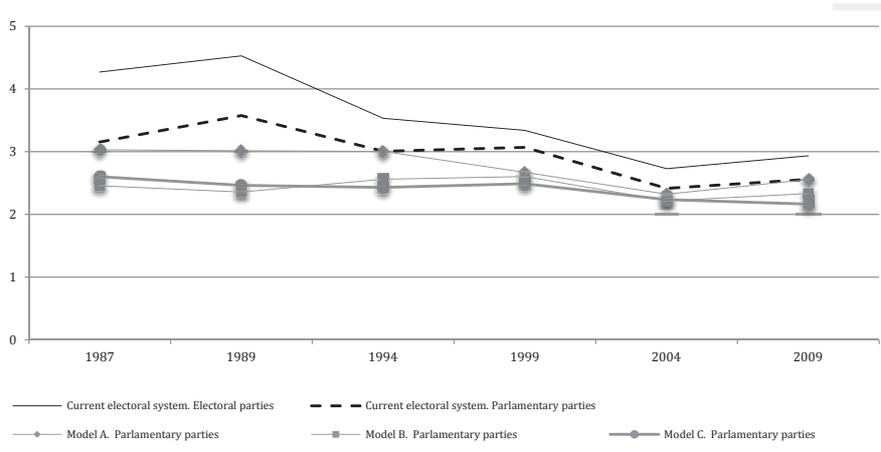


Figure 4. Effective number of parties in the Spanish electoral system for the European Parliament and in models A, B, and C, 1987-2009



those with the highest levels of disproportionality. In contrast, both model A and the current electoral system enjoy the maximum adjustment between votes and seats and thus the lowest disproportionality. In 1987 and 1994, model A was even less disproportional. Its translation into the number of parties is included in Figure 4.¹⁷ In parallel with the decreasing evolution of the index of disproportionality, the number of parties has also been directly reduced. Electoral parties have shrunk from 4.2 to 2.9 since 1987 as a direct consequence

¹⁷ See Laakso and Taguepera's (1979) index, which has the following formula, $N = \frac{1}{\sum_{i=1}^n p_i^2}$ being p the share of votes, or the share of seats, of the party i .

of the higher concentration of votes in the two main parties, PP and PSOE. The variations in this evolution are particularly well-captured by the current electoral system, which furthermore has reduced the distance between electoral and parliamentary parties over these years. As expected, Model *A* comes immediately after, while models *B* and *C* kept almost constant the number of parliamentary parties regardless of the election cycles and the growing concentration of votes in the two main parties.

10.5 Concluding remarks

Since the very first elections to the EP held in Spain in 1987, nationalist parties have complained about the side effects of one element of its electoral system: the current single-district. According to them, this model reinforces proportionality at the expense of territorial representation, ignoring the political, economic, and social history of Spain, as well as contradicting its quasi-federal system, enshrined in the 1978 Constitution. In their view, the electoral competition between only a few large national parties and the many much smaller *regional* parties is unfair since it severely under-represents the latter.

In order to test the validity of this argument, we have analysed the mechanical effects of different simulations. Following the proposals made by nationalist parties, we have shown diverse alternatives for the Spanish district division to the EP elections. Drawing on electoral results data, we have computed the gains and losses of seats for each party following three different simulations: Firstly, a model with 5 districts (one per each so-called *historical* community and one for the remaining regions); secondly, a model with 19 districts (one per community); and finally one simulation supplementing the current electoral system with an allocation of seats in two tiers (at regional and national level).

These models have revealed contradictory results in terms of absolute gains and losses in seats. First, the simulations have primarily benefited the two major parties at national level -PP and PSOE-, while the main victims of the fragmentation of the national constituency have been the smaller national parties (CDS, IU, and UPyD). Among nationalist parties, only CiU and HB would experience partial increases in their number of seats applying two out of three of the simulations, while most of the remaining (usually smaller nationalist parties) would lose their chance to be represented at the EP.

Also in terms of proportionality PP and PSOE would obtain a substantial over-representation with two of the models, mainly at the expense of

the third and fourth parties (usually IU and, more recently, UPyD). Very small differences are shown in Basque nationalist parties, while the two main Catalan parties would be over-represented by applying two of these simulations. However, the model that has shown the highest level of proportionality since 1987, and for every and all parties, has been the current single-district model.

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