REAPPORTIONMENT AND REDISTRICTING

IN OTHER COUNTRIES

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UNITED KINGDOM

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Needless to say, such electoral distortions are a thing of the distant past in Britain. Currently, the 635 members of the House of Commons are elected from single-member constituencies of roughly equal population. Under rules established by Parliament in 1944 and 1958, seats are redistributed at intervals of not less than ten years nor more than fifteen. To monitor population movements and make redistricting recommendations to Parliament, four permanent Boundary Commissions—one each for England, Scotland, Wales and Northern Ireland—were created in 1944. The Speaker of the House of Commons acts as <u>ex officio</u> chairperson of each three-person commission, a judge of the high court acts as his deputy, and the third member of the commission is a nominee of the Home Secretary.

While it is the responsibility of the Boundary Commissions to establish constituencies that are as nearly equal in population "as is practicable," it has never been the intent in Britain to draw districts of strictly equal size. For one thing, Parliament determines the number of seats for each of the Kingdom's four components (England, Scotland, Wales, and Northern Ireland); and in deference to nationalist feelings, Scotland and Wales have always been awarded more seats than they would receive under a strictly proportional system. Northern Ireland, for its part, has always been under-represented at Westminster, on the rationale that it has had a parliament of its own to legislate in local matters.*

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Also preventing the creation of equal districts are two rules laid down by Parliament, to govern the conduct of the Boundary Commissions and with the avowed purpose of protecting minority rights. First, the commissioners are specifically instructed to respect the boundaries of local administrative areas (counties, boroughs, and urban districts), unless doing so would result in the creation of grossly disproportionate constituencies. Secondly, Parliament has made allowances for the commissions to depart from the principle of equal electoral districts in areas where difficult terrain and sparse population (as in the Scottish highlands) might result in the creation of unwieldy and inaccessible districts. In general, the effect of these two rules has been to favor rural areas over urban areas (the average rural constituency has about 2,000 fewer voters than the average urban constituency), and the Conservative Party over Labour.

Taking into account these rules for redistricting, the procedure followed by the Boundary Commissions is rather straightforward. Before each redistribution of seats, the commissions formulate their recommendations with the advice of the Registrars-General of the Kingdom and the Directors of the Ordnance Survey (the country's official map-makers). These recommendations are published in newspapers throughout the country. Local residents of any district may then lodge a protest, an Assistant Commissioner may be appointed to make an inquiry and file a report with the appropriate commission. Once all such protests have been considered, the commissions make their formal recommendations to Parliament, which may accept or reject them.

The evidence is that Britain's permanent Boundary Commissions have done a reasonably good job of keeping constituencies from varying too much in population. Very seldom is there a variation of more than 20 percent from the average. Moreover, except for a few minor complaints from back-benchers, the strict political neutrality of the commissions has never been in question.

CANADA

Canada, a former British colony, has followed the mother country in choosing to have its electoral divisions demarcated by independent and neutral commissions.* Prior to 1964, all redistributions of the 264-member Canadian House of Commons were carried out by Parliament itself, strictly on an _ad hoc_ basis, and with unashamedly partisan motives coloring every stage in the process. In most redistrictings, the Progressive Conservative Party, which drew much of its strength from rural areas, managed to win the advantage over the urban-oriented Liberals and New Democrats. As a result, in 1964 there were 25 Commons constituencies of fewer than 40,000 people, and 36 of more than 100,000.

In 1964, under a Liberal ministry, Parliament approved the Electoral Boundaries Readjustment Act, which provided for the automatic establishment, within 60 days of each decennial census report, of ten Electoral Boundary Commissions--one for each Canadian province. The four-member commissions were to consist of one judge appointed by the Chief Justice of the province; two residents of the province, appointed by the Speaker of the House of Commons; and the Federal Representation Commissioner (a new officer created in 1964), who was to sit on all ten commissions.

The 1964 act also laid down the general rules and criteria which were to be followed in the redistricting process. The first action is up to Parliament itself, which uses the last available census figures to determine the number of seats that are to be allotted to each province. The number of province seats is then divided

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*We will not here discuss the upper house of the Canadian Parliament, the 102-member Senate. Like the House of Lords, the Senate is a relatively powerless body which may "tidy up" Commons legislation, but acts in the main as a rubber stamp for House actions. Senators are appointed by the Governor-General, upon recommendation of the Prime Minister, any may serve until they reach the age of seventy-five. In general, the office of senator is merely a comfortable sinecure for loyal old members of the party in power.

into the population of the province to determine the province's "electoral quote." In drawing the actual boundaries of the districts, the Electoral Commissions are instructed to make each district's population "correspond as nearly as may be to the electoral quota for the province." Variations of up to 25 percent are permissible, to allow for such "special considerations" as the population density in certain areas, relative growth rates, compactness, accessibility, and the community (or diversity) of interests among people living in an area.

After each census, the provincial commissions are given one year to draw district boundaries and transmit their preliminary reports to the House of Commons. House members may then file objections to the reports, but commission members are under no obligation to take these objections into account. (Since 1964, no commission has ever made a major change in its districts after the filing of the preliminary report.) Once the commissions have filed their final reports, the House can take no further action, and the new districts come into effect with the next election.

Like the British electoral commissions, the independent commissions in Canada have been fairly successful in drawing districts that are roughly equal in population and that give undue advantage to no political party. While rural areas are still somewhat over-represented in the House of Commons (the commissions have chosen to proceed slowly in this matter so as to avoid major upheavals in constituency boundaries), only about 10 percent of Canadian districts in 1970 departed from the electoral quota by more than 20 percent.

AUSTRALIA

Australia is a third member of the Commonwealth that has entrusted legislative redistribution to independent commissions. Unlike Great Britain and Canada, however, Australia has possessed such redistricting machinery from the very beginning of its parliamentary system; moreover, Australia, much more so than the other two Commonwealth countries, has sought to make each and every constituency come as close as practicable to the "ideal" size dictated by population, without too much regard for other factors.*

The Commonwealth Electoral Act was approved by Australia's Federal Parliament shortly after the country secured self-rule in 1900. It is very much like the Canadian Electoral Boundaries Readjustment Act in that it calls for the automatic formation, after every decennial census, of redistricting commissions in each of the country's six states. The states are awarded seats in the House of Representatives based upon their total percentage of the national population. (Tasmania, the smallest state, is an exception; a special constitutional clause provides for a minumum of Tasmanian seats, and this minimum is greater than the state's population would ordinarily justify.) It is the task of the boundary commissioners--all residents of the state involved, except for one representative of the federal government--to draw the actual district lines, and to present them when completed for Parliament's consideration. Parliamentarians may voice objections and ask for revisions, but final authority rests with the commissions.

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*Again, there is no pressing need to deal here with the Australian upper house, the Senate. although its 60 members are directly elected--ten from each of the six Australian states--on the basis of proportional party representation, the Senate is not an important component of the Australian political system. The Government is formed by the party controlling the House of Representatives, and the Senate by tradition does not tamper seriously with House measures, although it may make minor adjustments in them.

The Commonwealth Electoral Act permitted a deviation from the ideal district population of up to 20 percent, to allow for such special constituency requirements as voter access to polling stations in remote areas and the preservation of economic or community identity of interests. However, deviation from the mean has very seldom approached 20 percent. In 1969, after six redistrictings, the average deviation nationwide was only 7.5 percent, and only eight constituencies exceeded the mean by more than 10 percent. This close adherence to the mean appears more remarkable in light of Australia's huge distances: districts vary in dimensions from a few square miles in the major cities to 900,000 square miles for one Western Australia district.

In 1969, at the prompting of the rural-based Country Party, Parliament passed new legislation which required (rather than permitted) the State Boundary Commissions to be mindful of local conditions in drawing constituencies. The redistricting that followed this new rule did favor the rural areas somewhat—allowing the Country Party to win 16 percent of the House seats with 9 percent of the national vote—but not in a major way. It is now estimated that a rural vote is worth about 9 percent more than an urban vote.

INDIA

The Indian Parliament, like those in Britain, Canada, and Australia, is a bicameral legislature with a very weak upper house--in this case, the Council of States. The number of seats in the Council of States is constitutionally set at 250, twelve of which are filled by presidential appointment from among prominent contributors to "literature, science, art, and social service." The other 238 seats are apportioned on the basis of population among India's twenty-two states and nine Union territories; there is a reapportionment after every decennial census. Aside from the fact that its members are elected by the various state and territorial legislatures, nothing more needs to be said about the Council of States; it is completely overshadowed in Indian national politics by the lower house of Parliament, the House of the People.

The enormous size and complexity of the Indian polity has presented special problems of reapportionment and redistricting for the House of the People. On the British model, its members are elected by plurality vote from single-member constituencies. The explosive growth in India's population has brought about some expansion of House membership after each census; but to keep the size of the House within manageable limits, the expansion in the seats has not been anywhere near proportional to population increase. In 1952, there were 499 seats and an average constituency of about 350,000; today there are 542 seats and an average constituency of more than a million.

Seats in the House of the People are reapportioned among the states and territories after each census, in such a manner that, so far as is practicable, the ratio between the number of seats and the population of the state or territory will be the same. Of course, it is also necessary to redistrict the states and territories every ten years. For this purpose, Parliament in 1956 approved the States

Reorganization Act, which provided for the appointment after every census of a three-man national Delimitation Commission. This commission is chaired by the chief election commissioner (a federal post created in 1956), and its other two members are active or retired judges of the Supreme Court or a state high court. The commission is given one year after the publication of each census to draw up redistricting plans for the states and territories and present them to Parliament for its consideration. Because no commission in a huge and complex country like India could be expected to master local districts in less than a year, the State Reorganization Act called for the commission to be assisted in its work by state and territorial advisory committees. These were to be appointed from among members of Parliament and the state and territorial legislatures by their respective Speakers; and the Speakers, for their part, were to make nominations that reflected the party complexion of the chambers (a provision almost certain to give a majority on each committee to the dominant Congress Party).

Before each redistricting, Parliament has reserved a special number of House seats for "Scheduled Castes" (i.e. untouchables) and "Scheduled Tribes" (tribes considered to be backward). In 1967 there were 114 such reserved seats (77 for castes and 37 for tribes), representing about 20 percent of the total membership (a percentage somewhat smaller than the percentage of Scheduled Castes and Tribes in the total Indian population). The seats are reserved in order to guarantee representation to these peoples who otherwise would probably have a very difficult time winning seats in the House. Of course, the reserving of these seats requires that the Delimitation Commission draw a large number of constituencies in which Scheduled Castes and Tribes make up a majority of the population. In each of these constituencies, the parties are required to put up only candidates from the Scheduled Castes.

The Delimitation Commission and its various advisory committees are required by law to try to draw constituencies that are as nearly equal in population as practicable. At the last redistricting, this generally meant creating constituencies ranging in population from 750,000 to one million. Aside from the population requirement, wide discretion is given to the Delimitation Commission to determine redistricting criteria. In the past, governing influences on district lines have included incumbency considerations, the inviolability of district boundaries (districts--created by the British government--are still important units of local government), and the grouping of persons sharing a common language, religious belief, tribal loyalty, economic dependency, or caste affiliation.

The device of an independent Delimitations Commission has not freed Indian redistrictings from the charge of partisanship. The dominant Congress Party has been attacked frequently by opposition groups for allegedly seeking advantage from redistricting procedures. Little has resulted from such charges, however, since the Congress majority has always accepted the recommendations of the Delimitation Committee with only minor alterations.

FRANCE

The two houses of the French parliament, unlike those of the four Commonwealth countries, are almost equal in their powers. The 491 members of the lower house, the National Assembly, are directly elected from single-member constituencies that vary considerably in population. After the promulgation of the Constitution of the Fifth Republic in 1958, National Assembly seats were allotted to the 95 French departments (the local administrative units created during the Revolution) in rough proportion to their populations. (The electoral law required that each department receive at least two seats; the smallest departments, as a result, were over-represented.) The district lines within each department were then drawn by the Ministry of the Interior, using the most recent population statistics. This redistricting was done in a period of only fifteen days, with the Ministry aiming at the creation of constituencies that fell in the range of 45,000 to 75,000 voters. As it turned out, a few districts varied considerably from this range (three districts had over 100,000 inhabitants), but about 80 percent fell within it. There were some instances of blatant gerrymandering in 1958 to break up Communist voting strength and to favor well-known anti-Communist candidates. Also, because of the very short time allowed for the redistricting, there was a notable lack of regard for local conditions and circumstances; some small towns were split down the middle by district lines.

Redistricting of National Assembly seats since 1958 has occurred strictly on an ad hoc basis. The parliament can create new departments for rapidly growing urban areas, or allot additional seats to departments that have increased considerably in population (five seats were added in 1965, and three in 1972). The Interior Ministry, under Cabinet supervision, is still responsible for drawing the lines. At present, the great majority of constituencies still fall in the 45-75,000 population range.

The 283 members of the French upper house, the Senate, are elected indirectly from the 95 departments, by electoral colleges made up primarily of municipal councilors (and delegates elected by municipal councilors) from each and every town in the department. Electoral colleges vary in size from 270 to 6,000 electors, depending on the population of the department. In 1958, Senate seats were allotted to the departments on the basis of their populations, with the requirement that every department have at least one senator (this automatically gave a degree of over-representation to the smallest departments). The most serious bias in Senate representation, however, is in the electoral system: over half of the municipal councilors who sit in the electoral colleges represent towns with fewer than 1,500 inhabitants. This strong rural tinge to its electorate has tended to make the Senate a conservative body that favors the agricultural sector of the national economy.

ITALY

It probably comes as no surprise that the Italian electoral system is extremely complex. The two houses of the parliament, the Senate and the Chamber of Deputies, have equal powers. The Senate created by the Constitution of 1948 represents an attempt to inject a note of federalism into Italian politics. The Constituent Assembly which wrote the Constitution divided Italy into twenty regions, the boundaries of which corresponded in the main to geographically, historically, and culturally distinct territories. The Constitution allots to the regions one senator for every 200,000 inhabitants (fraction above 100,000), with the provision that no region should have fewer than six. (The three smallest regions, by reason of this provision, are slightly over-represented in the Senate.) In electoral practice, the Ministry of the Interior, after each decennial census, divides up the regions into senatorial districts of approximately equal populations; to help prevent charges of bias in the drawing, the lines of the districts generally follow the borders of the provinces that have served as local administrative units since Italy was united. The parties nominate one candidate for each district, but may nominate the same candidate for as many as three districts within the same region.*

For purposes of elections to the Chamber of Deputies, the Constituent Assembly in 1948 divided Italy into 32 large multi-member electoral districts, the boundaries of which were determined by the shapes of the provinces. These districts have never been redrawn. According to the Constitution, there is to be one deputy for each 80,000 inhabitants (or fraction above 40,000); therefore, after each census

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*A Senate candidate does not win election simply by securing a majority within an individual district, however. To be elected outright, he must secure 65% of the vote in a district--an almost unheard-of event. Otherwise, his election depends on the vote for his party within the region as a whole. Seats are allotted to the parties on a proportional basis, using a party-list ballot; and those party candidates are elected who have polled the highest percentages of the total vote in their respective single-member districts.

the Interior Ministry allots a certain number of seats to each of the 32 districts, based upon their respective populations. In elections, a list system of proportional representation is used, assuring that the parties will be awarded Chamber seats in rough proportion to their total vote in the district.

Because of the use of proportional representation within multi-member constituencies, redistricting has never been a serious issue in Italy.

SWEDEN

Nor is redistricting an issue in Sweden's unicameral legislature, the Riksdag. Until 1971, the Riksdag was a bicameral body, with an upper house elected in indirect fashion by the city and county councils (an electorate similar to that for the French Senate), and a lower chamber elected directly on the basis of proportional representation. Under constitutional reforms initiated in January of 1971, however, the new unicameral, 349-member Riksdag came into being. The reform measures divided the country into 28 multi-member constituencies. Twenty-four of these are the counties that have long served as the local administrative units of Sweden. Stockholm, Goteborg, and Malmo, the three largest cities, form separate constituencies; while three smaller cities in Malmohus Province are combined to form a single, non-contiguous district.

Of the 349 Riksdagmen, 310 are elected directly from the constituencies. (To prevent the representation of tiny splinter groups in the Riksdag, parties must receive at least 4 percent of the national vote, or 12 percent of the vote in an individual district, to qualify for a Riksdag seat.) The parties put up slates of candidates in each district. The voter first chooses a party, then indicates his preferences among the candidates of that party. Once the ballots have been counted and party seats determined, a series of complex mathematical operations are carried out to determine individual voter preferences.

The 39 seats that are not filled in the constituencies are reserved in order to rectify any deviations between the national vote of a party and the number of seats it holds in the Riksdag. After the election, these seats are parceled out among the parties to ensure that each receives parliamentary representation as close as possible to that justified by its national vote.

The Swedish electoral system, then, represents an interesting combination of both individual constituency districts and proportional representation. And obviously, it is a system that precludes any serious questions concerning the basis of electoral divisions.

DENMARK

The Danish electoral system is so similar to that of Sweden that little needs to be said of it here. The Danes, too, formerly had a bicameral parliament, with an indirectly elected upper house and a directly elected lower house. In 1953, the Danes adopted a new constitution that created a unicameral legislature with 179 seats, the Folketing.

Two seats in the Folketing are reserved for the Faeroe Islands and two for Greenland. Of the 175 remaining seats, 135 are filled by party-list voting from multi-member constituencies, and 40 are reserved to ensure proportionality. The constituencies were demarcated in an electoral law that was enacted shortly after adoption of the 1953 constitution. This law divided the country into three electoral areas: Copenhagen, the Islands, and Jutland. Copenhagen and the Islands represent the most heavily populated and industrialized parts of the country; the Jutland peninsula is largely agricultural. The law then divided these three areas into 24 constituencies: three in Copenhagen, nine in the Islands, and eleven in Jutland. As in Sweden, the seats that are filled by direct election are redistributed among the constituencies after each national census, on a proportional basis. Censuses occur every ten years, compared to four in Sweden. The formal redistribution is carried out by the Interior Ministry.

WEST GERMANY

The federal assembly of West Germany consists of two chambers, the Bundesrat and the Bundestag. The Bundesrat represents the ten states of the Federal Republic, and its 41 members are appointed by the state governments. According to the West German constitution adopted in 1949, each state must have at least three Bundesrat deputies. States with a population of more than two million have four Bundesrat seats, and those with more than six million have five. Seats are reapportioned among the states after every decennial census. This arrangement, of course, clearly favors the smaller states. In 1974, the three smallest states had one Bundesrat representative for every 410,000 inhabitants, while the four largest states had one deputy for every 2.2 million inhabitants.

The Bundestag is the more important house of the federal assembly in that the Government is formed from among its members, and--except in legislative areas where the constitution grants concurrent powers to the states--it can override a Bundesrat veto. The Bundestag has 469 seats which are reapportioned among the ten states after every federal census on the basis of population. Presently, the largest state--North Rhine-Westphalia--elects 153 members, while the smallest state--Bremen--elects only five.

West Germany represents a combination of election from individual constituencies and election based upon proportional representation of the parties. One-half of the Bundestag deputies--248 members--are directly elected by a plurality vote from single-member constituencies. The other seats are divided up by the parties in proportion to their party votes within each state. This requires electors to vote twice on a single ballot: first, for an individual candidate; second, for a state party list. Parties carrying insufficient constituencies receive compensation

in the form of seats for their candidates on the state party lists.*

Under the 1949 Electoral Law, the various states were apportioned Bundestag seats, and the state governments then drew the boundaries of individual constituencies. Little incentive existed at the time to gerrymander, since the law declared that party proportionality should be retained subtracting each seat won in the constituencies from the number of seats that would be allotted to a party from the party lists. Success in the constituencies thereby reduced the number of list seats a party might obtain. Unfortunately, there was a provision of the law which encouraged some degree of gerrymandering: if a party won more individual districts than the seats it would be awarded proportionally in a state, then it could retain these seats, and the size of the Bundestag was expanded accordingly. Between 1949 and 1961, the Christian Democratic Party used this provision to win two to five extra seats in each Bundestag by sweeping the constituency seats in under-populated rural districts of Schleswig-Holstein.

To end this practice, the Electoral Law was amended in 1956 so as to provide for a non-partisan electoral Boundaries Commission on the British model. This commission is permanent, and monitors population movements continually. After each election it proposes to the Government a redistricting plan for each state-- with the aim of making each of the nation's 248 electoral districts as nearly equal in population as is practicable. The Government presents the commission's plan to the Bundestag, which may make changes before it is adopted.

The first redistricting plan of the permanent Boundaries Commission was made to a Christian Democratic Government in 1961, and was rejected in its entirety. In the following election, the Christian Democrats, using the electoral loophole, won

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*To prevent the formation of splinter parties, a party must win at least three constituencies, or five percent of the national vote, to be represented in the Bundestag.

five Bundestag seats that they otherwise would not have held. In 1963, however, the Federal Constitutional Court indicated that further failure to redistrict might cause it to invalidate the next election. Since then the redistricting plans of the Boundaries Commission have been regularly adopted by the Bundestag, with only minor changes.

JAPAN

Japan is a country badly in need of legislative reapportionment and redistricting, but one in which the unbreakable grip of one party on national political power has prevented any significant change from taking place. Under the Constitution of 1947, the Japanese Diet is divided into an upper house (the House of Councilors, with 252 members) and a lower house (the House of Representatives, presently consisting of 511 members). The House of Representatives is much the more powerful body: the Prime Minister is always drawn from the House of Representatives, and the Representatives can, by a two-thirds vote, override the objections of the upper house to any piece of legislation.

The apportionment of representation and the electoral districts of the Diet were determined by the Occupation authorities in 1947, and since then there has never been a major redistricting or reapportionment. Of the 252 members of the House of Councilors, 100 are elected by the nation at large, while 152 have as their constituencies the 47 prefectures that have served as units of local administration in Japan since the Meiji restoration. In 1947, each prefecture was awarded from two to eight Council seats, in rough proportion to its population at the time. For elections to the House of Representatives, the Occupation authorities divided Japan into 118 multi-member constituencies, the boundaries of which all lay inside the prefectures. Each district was then awarded from three to five Representatives, depending on its population in 1947.

When these prefectural and district constituencies were established, about two-thirds of the Japanese population lived outside of the large cities. In the thirty years since that time, Japan's official censuses (held every five years) have revealed a tremendous influx of population into the urban areas, and a relative decline in the rural population. Two-thirds of the Japanese populace now reside in the cities.

Because the Liberal Democratic Party has always maintained a majority in both houses of the Diet, however, and because its greatest strength has always been in the countryside (where it usually wins about 60 percent of the vote, compared to only 30 percent in urban districts), there has never been a significant reapportionment of seats or a redrawing of district boundaries. Whenever the pressure for reform has grown too great, the Liberal Democrats have either increased the representation of urban districts in the House of Representatives on an ad hoc basis, or they have created new urban districts by dividing old ones and awarding three to five seats to each half. However, there has never been a corresponding decline in the representation of rural districts. As a result, while there has been a gradual increase since 1967 from 467 House seats to 511 (and an increase in the number of districts from 118 to 130), the rural districts are still very much over-represented. As for the House of Councilors, since 1947 there has been no reapportionment at all of its prefectural constituencies; thus a Councilor from the Tokyo prefecture now represents about two million people, while a Councilor from the rural prefecture of Tottori represents a population of fewer than 400,000. Such inequities have allowed the Liberal Democrats consistently to win 50-75 percent of the seats in both houses of the Diet, although their share of the national vote has seldom exceeded 48 percent.

MEXICO

Mexico is a federal republic composed of 31 states and a federal district. Its Congress is bicameral. The Senate has 64 members, two each elected at large from the states and the federal district. The representation of each state in the lower house, the Chamber of Deputies, is in proportion to its population. At present, a state receives one Chamber seat for each 200,000 of its population or fraction over 125,000--with the exception that no state has fewer than two deputies. Because each seat in the Chamber of Deputies represents a specific number of people, the size of the Chamber may increase considerably after each census. In the 1960s, the Electoral Law provided for one deputy per 170,000 of population, and there were 162 deputies. In the 1960s, in order to prevent the size of the Chamber from increasing too drastically, the law was amended to provide one deputy for each 200,000 inhabitants; there are currently 231 deputies. Seats in the Chamber of Deputies are reapportioned among the states after each decennial census.

Delegates to the Chamber of Deputies are elected from single-member constituencies. The electoral districts are redrawn every ten years by the Federal Election Commission that was created by the Electoral Law of 1945. This commission has six members; the Minister of Government, a senator and a deputy chosen by the President, and three representatives from the political parties. If the parties cannot agree on which of them should be represented, the three public members of the commission are empowered to make that decision; thus it is all but guaranteed that four members of the commission--the three public members and the delegate from the majority party--will represent the government viewpoint.

Despite its government majority, however, it appears that the Federal Election Commission has generally made an honest attempt to draw districts that

are approximately equal in population.* This admirable conduct on the part of the partisanly weighted commission loses much of its luster, however, when one considers that no redrawing of districts could make a significant difference in the political makeup of the Chamber of Deputies. Mexico is a one-party state, and that party--the Institutional Revolutionary Party (PRI)--would retain an overwhelming majority no matter how the lines were drawn. The candidate of the PRI has always received at least 75 percent of the votes for President; no other party has ever held a governorship or a Senate seat; and as for the Chamber of Deputies, opposition parties have never held more than 16 percent of the seats (at present, there are five opposition deputies in the Chamber). Most legislation receives unanimous approval in both houses of Congress, and even the most controversial measures always receive at least a 95 percent majority.

The overwhelming superiority of the PRI in Mexico's Congress has resulted mainly from the simple fact that very few Mexican citizens would ever consider voting for the opposition. There has also been some corruption and intimidation at the polls. And as a final safeguard of the PRI's total control of Mexican congressional politics, the Constitution provides that each house of the Congress has the final say on who its members shall be; utilizing this provision, the PRI majority has occasionally refused to seat opposing deputies, and has voted instead to award the seat to the PRI candidate from that district.

Because the country has only one party of significance, reapportionment and redistricting do not raise serious issues in Mexico. No matter what the shape of the electoral districts, or on what basis they are established, the Institutional Revolutionary Party is guaranteed absolute control of the national legislature.

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*Under the Mexican Constitution, deputies may not succeed themselves; thus there is never a problem of incumbency in redistricting.

SOVIET UNION

The Supreme Soviet of the USSR is a bicameral legislature having two houses of approximately equal size and of coequal powers. Members of both houses are elected for five years, and cannot succeed themselves. The Soviet of Nationalities has 750 members elected on the basis of territorial units. Each of the USSR's 15 union republics, regardless of population, has 32 deputies. (The Russian S.F.S.R., the largest republic, has a population about 130 milion; the Estonian S.S.R., the smallest republic, has only 1.3 million inhabitants.) Each of the twenty autonomous republics (formed within union republics by large and compact minority populations) has eleven deputies; each of the eight autonomous regions (smaller versions of the autonomous republics) has five deputies; and each of the ten national districts (the smallest minority population groups accorded some degree of theoretical autonomy within a republic) is entitled to one representative.

The Soviet of the Union is elected solely on the basis of population, irrespective of national or republican origin. It presently has 767 members, each of whom, under provisions of the Soviet Constitution, is elected from a single-member constituency of 300,000. Because of this strict population requirement, the Soviet of the Union increases in size after each national census (since the Revolution, the USSR has had four national censuses--in 1926, 1939, 1959, and 1970). To maintain the approximately equal size of the two houses, therefore, representation for the union republics in the Soviet of Nationalities was recently increased from 15 to 32.

For elections to the Supreme Soviet, single-member districts of roughly equal population are drawn up prior to each election by the 32-member Presidium--the executive body of the Supreme Soviet. For the Soviet of the Union, the districts must have a population of at least 300,000, but may contain as many as 599,000 people. For the Soviet of Nationalities, constituencies may vary in size from 40,000

to 4 million, depending on the republic, region, or district involved. The Presidium announces the districts two months prior to the casting of ballots.

It hardly needs explanation here that the Supreme Soviet is purely an ornamental body. There is never more than one candidate for any seat, and these are either members of the Communist Party (in 70 percent of the districts) or persons whose candidacy has been approved by the Party. It is not possible to vote for an alternative candidate, although one can--at personal risk--vote against the official candidate by scratching out his name. In no election has any candidate for the Supreme Soviet received less than 99 percent approval of the electorate.

SUMMARY

We have here considered the bases of electoral divisions in ten classical democracies, one single-party state with some attributes of a democracy (Mexico), and one totalitarian state. Among the ten democracies, five--the United Kingdom, Canada, Australia, India, and France--elect the lower houses of their parliaments from single-member constituencies; while three others--Sweden, Denmark, and Italy--use the party-list system in multi-member constituencies, and award parliamentary seats based upon proportional representation. West Germany features a combination of single-member constituencies and proportional representation, since half of its Bundestag deputies are elected in one way and half in the other. Finally, there is Japan, which features a curious system of election from multi-member constituencies, but without any provisions for proportional representation.

Among the five democracies in which the basic electoral battle is fought in single-member districts, all have aimed at the creation of electoral divisions that are only approximately equal in population, and that take into account the specific circumstances of local areas. In France, most constituencies were drawn in a great hurry some twenty years ago, with the only guidance being that most of the districts should fall within a broad range of population varying from 45,000 to 75,000 persons. Since that time, the French have failed to create machinery or rules for the regular redistribution of parliamentary seats, and have been content to deal with the inevitable distortions in district populations on a strictly ad hoc basis. Too, they have left the responsibility for the actual drawing of district lines in the hands of a government ministry, and allowed the government to determine for itself what considerations besides population ought to influence the redistricting process.

On the other hand, the four major democracies of the British Commonwealth have established special machinery for redistricting, and have given some definition

to the criteria which ought to be considered in establishing electoral divisions. Australia was the first of these countries to require legally the reapportionment and redistricting of its parliament at set intervals (after each national census); it was also the first to create politically independent commissions to draw the actual district lines. Although Australian law presently contains a specific requirement for the boundary commissions to give weight to local conditions in redistricting, Australia has traditionally come very close to the "one man, one vote" ideal in its electoral divisions.

In Britain and Canada, the device of independent boundary commissions has also been quite successful. In both countries election laws have required the commissions to make equal-population factors their primary concern, but have also outlined other factors that the commissions must consider. The British, for example, have deliberately awarded a disproportionate share of parliamentary seats to the Welsh and the Scots, and have instructed their boundary commissions to respect local administrative units as much as possible and to make allowances for the ready accessibility of all districts. The British aim has been to do away with grossly disproportionate constituencies, while providing rules that will insure consideration of certain local circumstances in all redistricting efforts.

Canada, for its part, has specifically outlined the "special considerations" that should influence the provincial boundary commissions, and has allowed deviations of up to 25 percent in constituency populations. Unlike the British, the Canadians have taken the special precaution of denying Parliament the right to alter decisions of the electoral commissions. In general, however, the Canadian commissions, like those in Britain and Canada, have been successful in making redistricting a nonpartisan matter. Equal population is the prime consideration, and the special circumstances that may influence district lines have usually aroused no partisan ire.

India presents the case of a country with so diverse a population that there was no way for the electoral law to give adequate definition to the local conditions that might influence the national boundaries commission. While the Indian Parliament has found it necessary to reserve a large number of constituencies for certain classes and ethnic groups, it has pretty much left redistricting criteria to the commission and its advisory committees. Unfortunately, the Indian electoral law practically guarantees that the state advisory committees will represent the viewpoint of the country's dominant political party; and as a result the Indian electoral commission has not been successful in escaping frequent charges of partisanship.

Partisanship has also dominated reapportionment and redistricting procedures in Japan, a country in which the "one man, one vote" ideal has grown increasingly remote from the reality. This has resulted from the continuous domination of the Japanese Diet by a single political party, which has found its interests served by the steadily increasing disproportionality of Japanese electoral districts. There is no provision in Japanese law for the reapportionment of legislative seats or the redrawing of district lines, and thus the Liberal Democrats have felt compelled to make changes in the electoral divisions only on an ad hoc basis. There are not apt to be regular redistributions under established rules until the Liberal Democrats lose their hold on power.

In contrast, the Swedish, Danish, and Italian electoral systems all preclude questions concerning the objective integrity--the "fairness," if you will--of electoral divisions. In all of these countries, parties are awarded seats from multi-member constituencies in almost precise proportion to their share of the total votes in the constituencies. Furthermore, all three countries "reserve" a certain number of seats, outside of the constituencies, and distribute them among the parties after the election in such a manner as to insure that each party's representation in

parliament will reflect almost exactly its percentage of the national vote. Of cours,
there are a number of special problems that arise from multi-member constituencies
and proportional representation; but the problems of redistricting and reapportion-
ment are not among them.

Finally among our ten democracies there is West Germany, which has sought
to combine the virtues of proportional representation with those of single-member
districts. To do so, it has adopted two methods for the election of Bundestag
deputies, and combined them on a single ballot. The states serve as multi-member
constituencies for half the Budestag members, and the other half represent single-
member districts whose boundaries are drawn by an independent commission on the
British model. This commission was created with the intention of making the
individual districts as nearly equal as possible in population, and to provide for
regular redistributions under established rules. In general--like the independent
commissions of Great Britain, Canada, and Australia--the commission has been
successful in its work, and free from partisan motives.

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