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Evaluating Hungary's mixed-member electoral system

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The electoral system adopted by Hungary in 1989 represents a monument to the potential for institutional design through bargaining to produce complex yet stable institutions. The key compromise reached during this bargaining process was the decision to use a mixed-member system, electing a roughly even number of representatives from both majoritarian single-seat districts (SSDs) and from multi-seat, list proportional representation (PR) districts. This decision established Eastern Europe's first mixed-member electoral system, a format that was to become common in post-communist electoral systems. In its ten-year existence, Hungary's mixed-member system has operated in three elections and seen three different governments come to power. In this chapter I evaluate the consequences of the institutional choice of the mixed-member system, examining its role in Hungary's contemporary political system, discussing its perception by both elites and voters, and finally pointing to its long-term prospects.

The unusual complexity of the Hungarian electoral law warrants a brief description before we begin assessing its consequences. Hungary's "mixed mixed-member" system combines three essentially distinct systems to elect its unicameral 386-member parliament: voting for single candidates from SSD contests, list voting for parties in larger territorial districts using proportional rules to award seats from party lists, and proportionally allocating compensation seats from national compensation lists. The first two levels each require a ballot, while the national compensation list uses "surplus" votes not used at the primary levels.

In each SSD candidates compete directly, and each voter chooses his or her most preferred candidate on the ballot. Candidates may be nominated by parties or may run as independents. The candidate with the most votes wins, although if no candidate obtains more than half of the votes in a first round

of voting then a runoff election is held two or three weeks later. The top three candidates and any candidate with more than 15% of the vote compete in the runoff election, in which the top vote-getter wins the seat.

Hungary's electoral map is also divided into twenty electoral territories which correspond to county borders. Voters elect a maximum of 152 candidates from the territories, with specific seat awards made to candidates according to their rank on lists submitted by parties in each territory. The number of seats available in each territory varies from four to twenty-eight, with a median of six. Ballots in territories are counted according to party, and seats are then distributed using a largest remainder proportional representation (PR) formula, subject to the restriction that qualifying remainder votes must be at least two-thirds of the Droop quota calculated in that district. The Hungarian method places a limit on the allocation of remainder seats that excludes parties whose remainder votes are less than two-thirds of the quota calculated in that district. Known as the "two-thirds limit", this inevitably results in some seats in the territory remaining unawarded; these are then added to the pool of seats to be awarded from the national list.

Finally, the electoral law reserves fifty-eight national list seats for allocation to qualifying parties using a compensatory mechanism which distributes seats based on "surplus votes", i.e. votes not used to obtain a seat in the two primary tiers. The principle of the national list is to make the results more proportional globally by rewarding the losers from primary electoral levels. Votes for the national list come from the transfer of surplus votes from the SSD and territorial procedures. For each qualifying party, the surplus votes will be its registered candidates' votes from the first SSD round who did not win the contest, plus any unspent (remainder) votes left over from the territorial allocations, summed nationally. Seats unawardable in territories (because of the two-thirds limit) are also added to the fifty-eight national list seats, which in the past two elections has swelled to around ninety seats. All of these national pool seats are distributed proportionally using the d'Hondt procedure.

This complicated system originated in the regime change of 1989, when it was designed in a series of Roundtable negotiations between the ruling Hungarian Socialist Workers' Party and the newly formed parties of the opposition. Those negotiations used a mostly SSD system as a point of departure, reflecting the initial preferences of the Socialist Party. Opposition parties, however, strongly desired some form of proportional representation that would mitigate their relative lack of nationwide exposure and organizational capacities (see Chapter 11 above). The most visible birthmark of the electoral law produced in the end was therefore the mixed-member system which emerged as a compromise among the two major bargaining sides.

Consequences Among the Electorate

The decision to provide each voter with two separate ballots, cast simultaneously yet counted according to different rules, provided a valuable opportunity to electoral systems researchers in the form of a controlled comparative experiment. If institutions do influence the behavior of voters, then, provided that the rules for each ballot are sufficiently different, we should expect different voting decisions even though the set of preferences for the political parties remains the same. Observationally this phenomenon is referred to as "split" or "split-ticket" voting, defined as the situation in which an individual votes for a different party on her first ballot from the one she supports on her second ballot. In the specific context of the Hungarian case, a "split" vote is one in which the party sponsoring the candidate that the voter marks on her nominal ballot is not the same as the party named on her list ballot.[301]

Three phenomena might explain split voting in the Hungarian context. First, a voter may be forced to split his vote because his most preferred party has not registered both a list and a candidate in his voting district. Since the registration barriers to establishing candidacies are much lower than those for lists, for example, many small parties field candidates without also establishing lists. As the section on consequences for parties demonstrates, even larger parties found themselves in this situation due to either an inability to field candidates in every district, or a decision not to field candidates because of non-competition pacts with other parties.

Second, a voter may cast a list ballot for a party to which he feels closest, yet cast his other ballot for an especially favored candidate of a different party, possibly even an independent candidate not eligible for a list. In this case the voter has a clear party preference, yet in the specific choice of candidates votes on criteria more personal than partisan.

A third source of split voting could be for reasons of strategy, whereby a voter's first preference was for both the list and candidate of a single party, yet she gave her vote on either the list or candidate to a less preferred party after considering the probability of the outcome. The strategic choice could in theory be made on either ballot, depending on the expectation of the vote for the party in both types of constituency. In the first type, the list ballot reflects the sincere choice and the vote for the candidate is strategic. In a general sense this means voting for a less preferred candidate whose chances of victory are deemed higher than a those of a first-ranked candidate. Yet two

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[301] The analysis that follows considers the split vote defined in terms of first-round ballots only. In addition, it looks only at parties that in a given observational unit (e.g. polling station or voting district) had both a list and a party-sponsored candidate. This sets the cutoff point to whether a party has won any parliamentary seats, meaning that parties with consistently less than 5% of the vote are not examined.

caveats specific to the Hungarian context deserve mention. First, Hungary's runoff format mitigates this situation, since the prize of the first-round contest is in fact advancement to a second-round for the top three candidates. Yet advancement to the second round, as the 1998 election proved, may represent a substantial political prize as bargaining leverage with another party, even for parties whose candidates do not win the second round contest. This suggests that it is still likely that strategic voting will take away votes from the first-round candidates with the least likelihood of winning, since, "as a more general rule, top-M runoff elections can have at most M + 1 viable candidates" (Cox 1997: 137). The second caveat concerns the compensatory national list. Because SSD votes that are not cast for the winning candidate in the district are collected for the national compensation list, the disincentive to "waste" votes at this level might also be mitigated. The extent to which this is true is difficult to confirm, although it has been repeatedly confirmed that the working of the national list is the least understood aspect of the electoral system. Finally, the newness of the Hungarian democracy might imply that the learning period of Hungary's electorate is not yet over, since strategic voting requires experience. Evidence presented below shows that split-ticket voting appears to be increasing with each election.

In the second type of strategic voting, a party's candidate may have a high probability of winning in a specific district, perhaps because of the candidate's special popularity or concentration of support in a district, yet the party's list is deemed unlikely to meet the 5% threshold necessary to qualify for both direct list and compensation list seats. The voter therefore votes for the candidate of his most preferred party, since candidates are not subject to the minimum vote threshold, and then votes for the list of a lesser preferred party which is more likely to meet the threshold, so that his list vote is not wasted. In the election of 1998 there was strong evidence that voters and parties alike were aware of the critical role of the vote threshold. One example was provided by the Workers' Party, a party consistently just under 5% in the polls. A widely circulated campaign poster simply featured party leader Gyula Thurmer next to a large numeric expression of the party's primary electoral objective: "5%". Another example could be found in the warning of the Council of Bishops, addressing the electorate of the Christian right, potential voters of the Christian Democrats which had consistently reached only 2% or 3% in a year of polls. The Council warned voters not to waste their votes on a party list that could not reach the 5% threshold.[302]

The search for evidence of split-ticket voting may begin by comparing the aggregate percentages won on each ballot by each party at the district level. For the same electoral unit, the difference in aggregate vote percentages will indicate the minimum level of split-ticket voting, although without more

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[302] Roman Catholics Bishops circular, reported in *MTI News,* April 19, 1998.

Table 21.1. Mean District Vote Percentages in Hungary, by Ballot Type

Party	1990		1994		1998	
	List	SSDs	List	SSDs	List	SSDs
HDF	23.6	23.8	11.0	12.1	2.9	*10.65
Free Democrats	20.2	22.1	19.7	18.8	7.0	10.1
Smallholders'	12.9	12.1	9.7	9.0	14.0	13.9
Socialists	10.4	10.5	32.5	31.2	32.8	29.9
Civic Party	8.3	9.7	7.2	7.9	29.9	*25.6
Christian Democrats	9.1	9.6	7.4	8.0	2.6	3.6
Justice and Life	n/a	n/a	2.0	3.2	4.5	5.5
Workers'	4.1	4.8	3.5	3.8	4.2	4.0
Mean other	1.0	4.4	1.1	2.9	0.8	2.0
Mean effective number of electoral parties	6.7	6.0	5.5	5.6	4.5	4.9
Standard deviation	0.9	1.5	0.6	1.1	0.3	0.8
n	20	176	20	176	20	176

*   Indicates that figure includes the party's own candidates running jointly.

information it is unreliable to make inferences about the maximum level of split voting in the individual units from only aggregate data. For instance, in a district where the Free Democrats won 23.6% of the list vote and 10.1% of the SSD vote, at least 13.5% of the voters split their tickets. Table 21.1 presents information about split voting collected at the district level. Each figure represents the mean percentage won by each party at the district level, where district is defined as the 20 list districts or the 176 single-member constituencies. In no case is the minimum split vote more than two percentage points, except for the curious election of 1998.[303]The result in this election of joint candidacies between the Civic Party (Fidesz, formerly the Federation of Young Democrats) and the HDF was to bring down the Civic Party's SSD average relative to its list average, and to raise dramatically the HDF's average in SSDs relative to its own list average. In the 1998 election the Free Democrats also appeared to do more poorly as a party than its candidates fared on average, while the Socialist candidates did slightly worse than their party list average. In all three elections, the mean "Other" scores indicate that other party lists always fare more poorly than small party and independent candidates, probably because voters shy away from wasting their votes on lists almost certain to miss the 5% list vote threshold. Finally, the summary comparison of the effective number of parties in the electorate, a measure that counts

[303] This election was complicated by the existence of joint candidacies between the Civic Party and the HDF. The Civic Party ran 52 of its candidates jointly with the HDF, while the HDF ran 26 of its own jointly with the Civic Party. The SSD mean results in the last column of Table 12.1 consider a party's joint candidates equivalent to its non-joint candidates.

Figure 21.1 Mean District Vote Percentages by Party, Lists v. Candidates
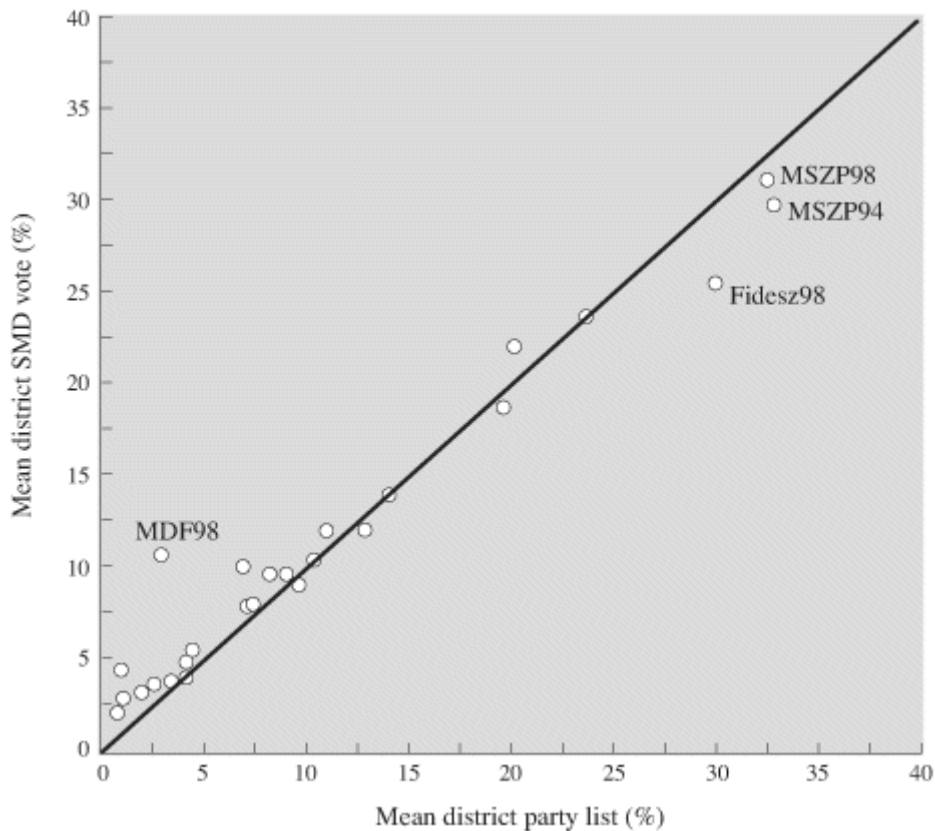
parties according to their vote shares,[304]indicates a very close correspondence between the concentration of support among voters between the two ballots. It also indicates an interesting trend: the average number of effective parties in the electorate appears to be decreasing by one per election.

Figure 21.1 graphs the relationship between list vote percentages and SSD vote percentages. Each point on the graph represents a district mean percentage for a single party in one election, taken from Table 21.1. The dashed line on the diagonal represents the perfectly corresponding case of no split voting, although aggregate results falling on this line do not necessarily mean there was no split voting. Nonetheless, the results at the district level do not suggest a widespread pattern of split voting.

A finer look at the problem can be gained by looking at smaller units: 10,822 polling stations recording aggregate information about both ballots, with an average of 413 valid votes cast in each polling station (1998).[305]Table

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[304] This quantity is commonly used in electoral studies to weight parties' counts by their vote shares. It is calculated as $1/v_i^2$ for all parties eligible to receive votes, where v_i represents party i 's proportion of the vote (Laakso and Taagepera 1979).

[305] Of course, these are aggregate data, when we are really interested in observing an individual-level phenomenon.

Table 21.2.OLS Estimates of Split-Ticket Voting in Hungary, Polling Station Level[a]

Party	1990		1994	
	Intercept	Slope	Intercept	Slope
HDF	−0.04	1.12	−0.01	1.10
Free Democrats	−0.01	1.07	−0.03	1.11
Smallholders'	0.00	0.92	0.00	0.93
Socialists	−0.02	1.13	−0.02	1.00
Civic Party	−0.01	1.06	−0.01	1.21
Christian Democrats	0.00	1.02	0.00	1.02
Workers'	0.00	0.93	0.00	1.10
Justice and Life	—	—	0.00	1.26
S.E.E.	0.034			
R^2	0.91			
N	136,235			
Just Years	−0.01	1.02	0.00	0.95
S.E.E.	0.036			
R^2	0.90			
N	136,235			

[a]   All non-zero coefficients significant at $p > 0.001$ level.

21.2 presents the results of a regression model charting the deviations from the dashed unit slope of 1.0. The results are from a polling-station level OLS regression of party SSD vote percentage on party list vote percentage, with dummy variables to distinguish each party and each year. For each party in each election, therefore, there are two estimated parameters, an intercept and a slope. The intercept estimate indicates the party's average candidate vote when its list vote was zero or very near zero. The slope coefficient indicates the degree to which a party's SSD vote corresponds to its list vote. A pattern consistent with a lack of split voting would occur where a party's intercept was zero and its slope estimate was 1.0. Slopes of less than 1.0 indicate that a party's candidates were less attractive than its list; conversely, a slope greater than 1.0 indicates that a party's candidates fared better than its lists. Since all units are proportions, the numerical values of the coefficients are straightforward to interpret.

In 1994, for example, the Civic Party's average list did 21% better than its average candidate did, based on the estimate of 1.21; the average Smallholders' Party (FKGP) list did about about 7% worse than its average candidate. Both cases, however, indicate the opposite of the rough evidence provided by the district averages in Table 21.1, probably indicating the hazards of using aggregated voting results to make inferences about individual ballots. The 1994 results for the Party of Justice and Life (MIÉP) and the Workers' Party are consistent with Table 21.1, however, indicating that candidates fared better than lists, possibly because of voters' (justified) concerns that these parties' lists would not exceed the minimum threshold. Because of

the ecological inference problem, however, these results should be viewed with circumspection.

The second half of Table 21.2 eliminates the party dummies from the regression model to contrast the two years. It indicates that more split-ticket voting took place in 1994 than in 1990, based on the observation that the aggregate difference indicates the minimum split voting that occurred. The estimate of 0.95 indicates that the average party did better on its list than with its candidates.

A final empirical method available for the investigation of split-ticket voting is to examine opinion polls taken immediately after the election. This has the benefit of avoiding the ecological problem by drawing on individual-level data. Table 21.3 presents a breakdown of poll responses to two questions asked in a survey taken the week of May 24, 1998: For which party's candidate did you vote [in the first round]? and For which party's list did you vote?[306]

The off-diagonals in Table 21.3 provide direct evidence of split voting in the 1998 election. Each of the cells contains two percentages, one each for the row and the column. These percentages on the diagonal have an easily interpreted meaning. When the row percentage is less than 100, it indicates how many list voters for that party did not also choose its candidate. When the column percentage is less than 100, it indicates how many of the voters choosing that party's candidate did not also give that party their list ballots. The two figures are therefore quite useful in sorting out the two different kinds of strategic voting identified earlier. Row diagonal percentages less than zero would provide evidence consistent with the classic Duvergerian equilibrium associated with single-member districts. The Party of Justice and Life result of 67.8%, for instance, indicates that approximately one-third of the voters preferring this party on the list shunned the party's candidate in the SSD vote. The diagonal row percentages in fact drop to 80% and less after the fourth largest party, indicating tentative support for the $M + 1$ thesis. When the column diagonal percentage is less than 100, it most likely indicates the relative share of voters deterred from their preferred party's list because that party seemed unlikely to meet the minimum threshold. For example, voters choosing the HDF candidates reported their most common list to be Fidesz—47.1%—while only 24.3 of these voters reported they had cast their list ballot for the HDF. The Party of Justice and Life and the Workers' Party, both widely expected in opinion polls to be just under the 5% threshold, both had approximately one in five of their candidate-voters choose the lists of other parties. Finally, this type of strategic logic also potentially explains many of the "Other" voters whose first-choice parties either did not have lists or did not have lists that were expected to meet the threshold.

[306] Although the cell entries are presented as integers, the results were actually weighted according to demographic characteristics to correct slight variations in the sampling procedure. This explains why some columns do not appear to sum correctly.

Table 21.3. Post-Election Survey Evidence of Split-Ticket Voting in Hungary, 1998

List vote	Candidate vote									
	Fidesz	Socialists	Small-holders'	Free Dems	Justice	Workers'	HDF	Christian	Other	Total
Civic Party	**325**	5	11	3	1	1	12	4	5	367
Row%	**88.5%**	1.5%	2.9%	0.9%	0.4%	0.3%	3.2%	1.1%	1.2%	
Column %	**93.6%**	1.9%	12.9%	5.6%	7.3%	6.7%	47.1%	26.7%	33.3%	
Socialists	6	**277**	1	13	0	1	2	0	3	304
Row %	2.1%	**91.0%**	0.4%	4.3%		0.4%	0.8%		1.0%	
Column %	1.9%	**95.2%**	1.4%	21.7%		8.4%	10.0%		20.0%	
Small-holders'	6	3	**69**	0	1	0	2	0	1	82
Row %	7.0%	2.8%	**84.1%**		1.2%		2.6%	0.5%	1.8%	
Column %	1.6%	0.9%	**83.3%**		5.0%		8.6%	2.9%	6.7%	
Free Dems	1	2	0	**42**	0	1	0	0	0	46
Row %	1.2%	5.4%	0	**91.9%**		1.6%				
Column %	0.2%	0.9%		**71.0%**		5.0%				
Justice	4	0	2	1	**16**	0	1	0	0	24
Row %	17.4%		8.3%	4.2%	**67.8%**	0	2.3%			
Column %	1.2%		2.4%	1.7%	**83.1%**		2.3%			
Workers'	1	2	0	0	0	**12**	0	0	0	15
Row %	5.6%	15.4%				**79.0%**				
Column %	0.2%	0.8%				**79.9%**				
HDF	0	0	0	0	1	0	**6**	0	1	8
Row %					12.0%	0	**80.6%**		7.4%	
Column %					4.6%		**24.3%**		6.7%	
Christian	4	0	0	0	0	0	0	**10**	0	15
Row %	27.2%							**70.0%**		
Column %	1.1%							**70.4%**		
Other	0	1	0	0	0	0	2	0	5	8
Row %		12.5%					25.0%		62.5%	
Column %		0.3%					7.7%		33.3%	
Total	347	291	82	80	20	15	25	15	8	868
Row %	40.0%	33.5%	9.5%	6.9%	2.3%	1.7%	2.9%	1.7%	1.5%	100%
Column %	42.3%	35.0%	9.4%	5.3%	2.8%	1.7%	0.9%	1.7%	0.9%	100%

Source: Századvég/TARKI Post-election poll.

Overall, the results indicate minor but not widespread split voting, most likely due to a combination of strategic concerns of the two types outlined previously. This phenomenon is difficult to differentiate from voters with genuinely different preferences between candidates and parties as lists, however, since from the data presented here these are observationally equivalent. The picture is further complicated by the runoff format in the SSDs and by the knowledge that first-round SSD votes cast for losing candidates will count for a compensation list. Nonetheless, the results indicate rough support for the $M + 1$ thesis in terms of strategic voting, in addition to the 5% threshold apparently playing some role in voter decisions on their list ballots.

Finally, based on the aggregate results from Table 21.1 and the survey results from Table 21.3, split voting—at least the minimum split voting—appears to have increased with each election. This could be evidence of an increasingly sophisticated, and therefore increasingly strategic, electorate learning what sort of rewards and punishments are built into Hungary's electoral rules.

Consequences for Political Parties

Assessing the consequences for political parties of the different incentives offered by the rules associated with the two ballots is a somewhat simpler task. The differential effect could occur in two ways. First, party decisions for entry may differ according to whether the constituency is an SSD or a list PR district. Second, the mechanical effect of the rules will differentially affect how parties win legislative seats, according to whether it was an SSD or list PR district. This section discusses each potential consequence in turn.

Cox (1997) argues that the equilibrium for party entry in a district is also $M + 1$. If M is taken as the three places available in the runoff election, and we consider that the minimum list PR district magnitude is 4, then we would always expect the number of parties entering lists to be greater than the number of parties entering candidates. In fact this is not the case, because of the linkage of SSD candidacies with the requirement for establishing lists in PR districts, and because of the compensatory national list, which makes even losing SSD votes desirable. The electoral law states that for a party to establish a list in a PR district, it must first establish candidates in one-fourth of the SSDs contained in the larger PR district (with a minimum of two). Combined with the knowledge that losing party candidates in SSDs will still contribute valuable votes for allocation on the compensation list, this gives parties an incentive to establish candidacies in every district possible. This automatically leads to their establishing as many lists as possible, something that is also necessary to collecting sufficient nationwide votes to meet the 5% threshold. This

is why we observe nearly full candidacies and lists for the major parties, with the exceptions explained by either small parties experiencing some organizational problems, or parties intentionally withholding candidates because they have agreed with another party to do so in advance (Table 21.4). For these reasons, the Hungarian district level makes a poor case for observing Duvergerian psychological effects on party entry. The only exception might be the effect on very small parties, which are often unable to qualify for list seats, and independent candidacies, which are categorically ineligible for list seats. As shown in the last three columns of the "Mean other" row of Table 21.4, small party and independent candidacies have been steadily decreasing with each election.

Table 21.4. Registered Lists and Candidates in Hungary, 1990, 1994, and 1998

Party	Total lists			Total candidates (R1)		
	1990	1994	1998	1990	1994	1998
HDF	20	20	20	174	174	120
Free Demo-crats	20	20	20	173	174	175
Smallholders'	20	20	20	163	158	175
Socialists	20	20	20	171	176	176
Civic Party	20	20	20	86	173	147
Christian	15	20	20	105	164	146
Justice and Life	—	11	20	—	66	173
Workers'a	19	20	20	95	155	163
Median other	3.5	12.0	7.0	2.0	4.0	2.0
Mean other	7.83	9.8	8.3	21.5	19.5	16.6
Total	228	259	218	1,623	1,876	1,606

a   Hungarian Socialist Workers' Party (MSZMP) in 1990 counted as Workers' Party.

One unambiguous difference that the two-ballot system produces in Hungary lies in the different mechanical effects produced by the two sets of vote conversion rules. The majoritarian single-seat districts, not surprisingly, elect far fewer parties than the proportional mechanism of the larger-magnitude PR districts. Table 21.5 compares the effective number of parties elected from the SSD ballots with those elected from the list ballots.[307]The results indicate that for Hungary's first two elections, the effective number of parties elected from SSDs was three fewer than the effective number of

[307] These results are at the national level, since it would hardly be illuminating to point out that the average effective parties elected from the SSDs was 1.0. To calculate the list results, I re-ran the elections without the two-thirds remainder limit which in practice limits the allocation of list PR seats. My experiences in simulating a variety of elections under the Hungarian rules indicate that there is almost no difference whether the list seats are allocated completely at the list district level or whether the unused surpluses and unallocated seats are added to the national compensation list allocation.

parties elected from the lists. This dropped to one fewer in 1998, although the result was still nearly twice as many parties from the list system as from the SSD system. Finally, just as we saw in the case of the effective number of parties in the electorate, the effective number of parliamentary parties has been generally decreasing with each election.

Table 21.5. Mechanical Effects by Ballot Type in Hungary, 1990, 1994, and 1998

	1990		1994		1998	
	List	SSDs	List	SSDs	List	SSDs
Effective parties elected	5.1	2.2	4.3	1.4	2.6	1.6
Least-squares disproportionality	6.8	30.5	6.0	40.0	14.0	25.0
Loosemore–-Hanby disproportionality	15.8	42.3	13.1	53.8	14.0	48.1

The last two rows in Table 21.5 compare the disproportionality of the outcomes at the aggregate level. Depending on the election and measure used, the list results range from five to almost seven times less disproportional than the SSD results. Election results for the system as a whole took a value within these extremes, because of the compensatory effect of the national list based on votes from candidates and lists that did not win in the primary electoral tier. The result is quite unequivocal: the SSD ballot and the way it is counted is the primary source of disproportionality in the Hungarian system, mitigated by the proportional list vote and the the extra compensation list.

Systemic Consequences

The final type of consequence of Hungary's mixed-member system that remains to be assessed concerns the various effects it has on national politics and the system as a whole.

Although the Hungarian electoral rules are established on the principle that the SSD and territorial districts should yield roughly the same representation per seat, in practice the ratio of seats to registered voters in the SSDs tends be higher than in the list PR districts. By law, the SSDs each contain approximately 60,000 residents. The twenty PR districts for list allocation, on the other hand, are assigned district magnitudes according to population, and would require reapportionment of these numbers to adjust for future population shifts. In the 1998 election, for example, the number of eligible voters per seat in SSDs was about 45,700, compared with about 52,700 per territorial list seat. The SSDs ratios also tend to vary much more, a few having less than 28,000 eligible voters in a district. In addition, because of the "first-pastthe-post" character of the second SSD round, it is possible to win a seat with

far fewer votes than is required by the Hungarian largest-remainder PR rules (which state that no remainder seat will be awarded to a party whose remainder is less than two-thirds of the quota). This meant, for example, that in 1998 the "cheapest" SSD seat was won with just 6,973 votes, although the lowest remainder with which it was possible to win a seat in the list PR allocation was 12,878. This difference is purely a product of the two-thirds limit on PR remainder allocation, however.

A more subtle consequence of the two-ballot system is the different types of candidacy that each ballot encourages. The tendency in SSD contests is for parties to place their most electable candidates for election in SSDs, and to fill the territorial (and national) lists with party faithfuls with less direct popularity or voter appeal. The law also permits candidates to run simultaneously in a SSD, in a district list, and on the national compensation list, giving parties a triple chance to secure the election of their leaders. In 1994, for example, fewer than 10% of all candidates ran only in an SSD, while 40% ran on at least one list, and 30% ran in SSDs and on both regional and national lists. Parties therefore tend to place the members whose election they consider most crucial at the top of both their territorial and national lists, as well as running that candidate for election in a SSD.

In the case of prominent candidates for whom a loss in an SSD would be too embarrassing to risk, however, parties may choose to place them only on the lists. For instance, in the hotly contested 1998 election, voters had no chance to choose directly either then-prime minister and Socialist leader Gyula Horn or the Civic Party leader and current prime minister Viktor Orbán. These parties learned from the painful example of ex-communist Imre Pozsgay—widely favored in 1989 to become the first elected president of Hungary—who lost his 1990 SSD race and entered parliament only because of the party list. Of the 33 total seats won by the Hungarian Socialist Party in 1990, only one came from an SSD contest. Likewise, the Young Democratic Alliance and the Christian Democrats each won 21 seats in 1990, yet only one and three respectively came from SSD contests. In both cases, candidates who lost their individual contests became MPs because of the list mechanism. The lists, whose order and membership voters may not change on the ballot, are often criticized for just this reason: they give parties the power to elect candidates who would probably not have won a direct contest with other candidates.

The national lists submitted by each party almost perfectly reflect the top leadership of each party, rather than the most popular political figures. While list placements tend to be the least transparent and most party-driven, even candidate selection at the SSD level reflects a significant amount of party strategy driven by national rather than local concerns, with parties searching "methodically for the best tactics and the best candidates, having learned from their own experience and from that of other parties both national and

foreign" (Ilonski 1999). Even the legal hurdles to establish SSD candidacies tend to punish small or independent organizations lacking the capacity to recruit candidates and collect 750 signatures per candidate.

Some mixed-member electoral systems—those of Russia and the Ukraine, for example—commonly result in the election of many independent candidates in the SSDs, in contrast to the lists seats which only parties are eligible to contest. In Hungary, by contrast, this phenomenon is virtually nonexistent because the structure of political competition is dominated by political parties, a legacy that dates back to the transition itself, negotiated by political party representatives in closed meetings. These parties also designed the electoral rules to heavily favor parties and to discourage independent candidacies, disqualifying non-party candidates from well over half of the seats. This includes legislative rules allocating committee positions and other privileges to parties only, meaning that independent MPs are powerless in the legislature until they join a party faction, which they invariably do once elected. In addition, parties have a strong incentive to recruit potential independents in order to gain additional compensation votes even if these candidates lose their SSD contests. Finally, individuals running as party lists have a triple chance of being elected—assuming they compete in an SSD and on both regional and national lists—whereas running as an independent leaves only the SSD option available. As a consequence, independent candidacies since the first election in 1990 have been steadily declining. In the 1990 election only 199 of 1,623 candidates ran as independents, and only six independents won their contests. These levels dropped to 103 independent candidates in 1994 with no victories, and to just 53 in 1998 with just one gaining a seat.

It remains to be tested whether legislators elected from SSDs behave differently from those elected from lists. My non-systematic assessment of legislative behavior is that legislators tend to respond to their parties more than to their particular districts, although this should be tested against evidence such as individual voting records or scores of constituency service. On the whole, Hungarian parties tend to maintain a good measure of party discipline, although personality disputes have divided and even crippled some parties, particularly those of the right. For example, the Hungarian Democratic Forum, following its election defeat in the 1994 elections, in 1996 split nearly in two when 15 of its 38-member parliamentary delegation left to form the Hungarian Democratic People's Party (HDNP). The next year the Christian Democratic People's Party (Christian Democrats) also split when the leaders could not agree on whether to form an electoral alliance with the Democratic Forum. Eleven of its 22-member delegation left to form the Christian Democratic Alliance, which later ran on HDF lists in the 1998 election (and were generally successful as a consequence, while the remaining Christian Democrats won no seats in 1998). In principle, we could examine whether the leaders of the breakaway parties were more often than not elected in SSDs

rather than from party lists, suggesting possibly more independence and closer identification with a constituency than with a national party organization. In practice, however, the parties experiencing splits tend to have too few members elected from SSDs to make such analysis conclusive. For example, the HDF had five members elected from SSDs in 1994, and two of these left with the HDNP, although the leader Iván Szabó had been elected from the Budapest list. In the case of the split of the Christian Democratic Party, which had elected only three SSD candidates in 1994, only one left the party. On such evidence, therefore, it is difficult to conclude that SSD-elected candidates are less likely to follow party discipline.[308]

Legislators could also be compared, of course, on the basis of constituency service according to whether they were elected in single-member districts or from party lists. Certainly there exists informal evidence to indicate that SSD-elected MPs are loaded with small tasks that are difficult for government or central office officials to fulfill (Ilonski 1999: 100–1). To date, however, there has been no systematic evidence gathered on constituency service by Hungarian MPs, making this proposition also impossible to quantify or even verify.

The effect of the mixed-member system on the organization of political competition has if anything served to reinforce the patterns present at the system's inception. All six of the parties that have repeatedly held legislative seats were key players in the Roundtable negotiations of 1989 which produced the mixed-member system. And the only new party to win seats—the Party of Justice and Life, passing the list threshold by just half a percentage point in 1998—was formed from former members of the largest opposition force at the Roundtable talks, the HDF. The system sometimes operates in unexpected ways, but together its majoritarian and proportional pillars have managed to maintain the electoral existence of nearly all of the original parties who designed it, alternatively rewarding them and salvaging them. The Socialist Party, whose 1994 legislative majority was due to the disproportional bonus from the SSDs, for example, was saved from virtual non-representation in the 1990 elections by the proportional system—which, ironically, it had initially opposed in the Roundtable talks. The current governing party, the Civic Party, won the 1998 election by forming alliances in the single-member district contests whereas its legislative presence in the previous two elections had rested nearly entirely on the proportional lists. The party

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[308] Nonetheless, the size of the breakaway factions underscores the power of parties relative to candidates, a theme reflected at nearly every level of the system, from parliamentary rules to the regulations governing candidacies at the local levels. Before the 14-seat victory by the Justice and Life Party in 1998 led this rule to be challenged, parliamentary rules required a party to hold 15 seats in order to be judged an official faction in parliament, a distinction carrying numerous procedural privileges including entitlement to representation on committees.

system and the electoral system's fortunes have thus been closely linked since the beginning, and a significant change in one is likely to occur only in response to a significant change in the other. The final section of this paper examines the prospects for such a change.

The Future of the Mixed-Member System

Most electoral laws adopted during the Eastern European transitions from state-socialism have been significantly amended or changed entirely. Hungary is one of the few exceptions, and this has to do with the mode of its adoption and the party interests whose operation it reinforces. The law is not without its critics, mostly those citing its complexity and its ability to produce counterintuitive results, such as giving the most total seats to a party that came in second place in the total votes (as it did with the Civic Party in 1998). Yet the only substantive modifications since 1989 have been minor, aimed either at slight modifications of existing parameters—such as raising the original 4% threshold to 5% in 1993—or at better ensuring the fair operation of existing procedures such as candidate registrations and ballot-counting. Elites seem satisfied with the system, perhaps even taking pride in its complexity (as do Hungarian lawyers in the complicated Hungarian legal system, and Hungarian accountants in their Byzantine tax law). The public by now seems habituated to a system in which votes are straightforward to cast, if a bit baffling to track in their complex conversion into seats. And party leaders, as I discuss in these final comments, find themselves facing a fairly stable equilibrium institution. No party with the power to significantly change the law has an incentive to do so, and no party who would benefit from a real change holds sufficient power.

One manipulative electoral law change successfully passed in 1997 by the Socialists and Free Democrats was to change the requirement for joint lists, in response to rumors that the opposition might form a grand coalition in the 1998 elections. Whereas formerly a two-party joined list needed 10% of the nationwide votes, the amended rule required each party on the joined list individually to poll 5% for the joined list to be valid.[309]This of course eliminated the primary incentive for creating a joined list, and possibly explains why the Civic Party and the HDF, while fielding 78 joint candidates, did not establish a single joint list.

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[309] At the time of the passage of this law in the summer of 1997, I was working on a project in the Hungarian National Election Office. I pointed out that, if a list were joined, it would be impossible to know how many votes were assigned to each "individual" party. After a few days I received a sober reply that, yes, this was a deficiency in the law, but they had devised a complicated procedure to work around this.

Neither this measure nor any other proposed measure, however, was aimed at altering the mixed-member system. Other proposals have included eliminating the second SSD round, adding 13 guaranteed seats for national and ethnic minorities, and further complicating the vote counting by linking the list distributions to the number of SSD seats a party wins (Benoit 1997). This last proposal, put forward by the Free Democrats in 1997, was aimed at redistributing the spoils from larger to smaller parties by adding further linkages between the SSD and list results; the effect, however, would have been to reinforce the mixed-member system rather than to weaken it. None of these measures appears to be poised to pass any time soon, however, and it is not coincidental that these calls for modification surfaced during an election year. In the discourse on electoral system reform, the mixed-member system has never been a direct issue. The complexity to which it contributes has long been a general issue, but this discussion concerns the multiple tiers and the vote-counting rules rather than the mixed-member system per se.

One of the stated programs of the government elected in 1998 is to reduce the size of parliament from its current 386 to between 200 and 250. This proposal is being considered alongside the need to formulate new regional administrative units for Hungary's planned accession to the European Union, which the current government considers a convenient vehicle for also redefining the electoral map. The move does not appear to be one of electoral manipulation; indeed, the parties backing the move appear to have few specific plans for the new electoral law beyond the stated goal of preserving the basic character of the system. This is likely to mean that they will keep the mixed-member system and simply reduce the number of existing districts. The reform will be difficult to pass, however, since the ruling coalition is far short of the two-thirds majority necessary to amend the election law. After three elections, each part of the multifaceted Hungarian election law has provided some value to nearly every parliamentary party, while successfully excluding most challengers from the monopoly spoils. It would therefore be a highly unexpected result if Hungary were to abandon its mixed-member system in the foreseeable future.