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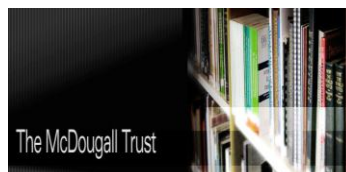
Electoral System Change in Europe since 1945



Electoral System Change in Europe since 1945: Belgium

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Section 1: Overview of Belgian Electoral System Changes since 1945

The electoral system in operation in Belgium in 1945 was first introduced in 1899 and succeeded a system of plurality elections in multimember electoral districts.

In 1899, the Belgian legislature decided to adopt a system of list proportional representation with the D'Hondt method of apportionment (Pilet 2007). Elections were organized in 30 multimember constituencies with district magnitude varying between 2 and 18 (average district magnitude = 5.1). The total number of seats and their distribution among districts were modified at every election following the demographic evolution of the country.

In 1919, in order to make elections more proportional it was decided to set up a two-tier system of seats allocations. A first allocation of direct seats was organized at district level. For the second tier of seat allocation, the remainder seats and votes were gathered at the provincial level in order to produce more proportional results.

Regarding the allocation of seats within lists, Belgium opted for a semi-open list system offering voters the choice between casting a list vote or a preference vote for one candidate within the list he/she supports.

After it is known how many seats each list has obtained, an eligibility threshold is calculated. It equals the number of votes for the party divided by its number of seats plus one. Candidates reaching the eligibility threshold on the basis of their preferential votes are directly elected. For the remaining seats, list votes are transferred to the candidate occupying the first position on the list until (s)he reaches the eligibility threshold. If there are still list votes remaining, they are transferred to the second candidate on the list and so on. When all list votes have been transferred and if there are still seats to be allocated the remaining candidates compete on the basis of their scores in preferential votes only.

The system clearly works to the advantage of the candidates occupying the top positions on the list. Between 1945 and 1991 only 23 of the 3,382 members of the House of Representatives broke the ordering of the list set by parties (Dewachter, 2003).

The system adopted in 1899 remained intact until the early 1990s. The only evolutions were the adaptation of the size of the assembly and of the distribution of seats among electoral districts. The size of the Chamber grew at every election in line with the demographic evolution of the country (from 152 MPs in 1899 to 212 in 1949). In 1971 the Constitution was amended to set the number of MPs to 212 (it was actually the number of MPs since 1949) and to cancel the adaptation of the number of seats to the size of the Belgian population. Only the adaptation of the allocation of seats among districts every 10 years was maintained. The 1993 Constitutional reform that introduced the direct election of regional assemblies reduced the size of the Chamber of Representatives to 150.

Further than these changes, the electoral law for the Chamber of Representatives has been amended in three respects. First, district boundaries have been changed, merging them into larger constituencies with higher district magnitudes on two occasions, before the 1995 (30 districts to 20) and 2003 (20 districts to 11) elections. The 2003 redistricting also abolished the



two-tier system of seats allocation for all districts except Brussels-Halle-Vilvoorde, Leuven and Nivelles.

Secondly, several changes have been adopted to increase the importance of preference votes. First, since 1995 voters are no longer restricted to one single preference vote but are allowed to cast as many preference votes as there are seats to be filled. Preference votes have to be contained within one single list: panachage is not allowed. Second, in 2003 it was decided to reduce the distribution of list votes. Only half of the list votes are distributed to candidates following the rank ordering of candidates set by the parties.

Thirdly, a 5 per cent electoral threshold calculated at district-level was introduced for the 2003 elections.

The situation for the 2010 federal elections is the following. Elections are organized under list PR (D'Hondt) for the election of 150 members of the Chamber of Representatives. MPs are elected in eleven districts sending between 3 and 24 MPs to the lower chamber, subject to a 5 per cent threshold at district-level. The allocation of seats within lists works under the semi-open list system. Once it is known how many seats each list has obtained, an eligibility threshold is calculated. It equals the number of votes for the party divided by its number of seats plus one. Candidates reaching the eligibility threshold on basis of their preferential votes are directly elected. For the remaining seats, list votes are transferred to the candidate occupying the first position on the list until (s)he reaches the eligibility threshold. If there are still list votes remaining, they are transferred to the second candidate on the list and so on. When half of the list votes have been transferred and if there are still seats to be allocated the remaining candidates compete on the basis of their scores in preferential votes only.

Finally, for the act of voting itself, voters are allowed to opt either for a list vote by marking their ballot at the top of the list or for a candidate vote (preference vote) with a maximum of votes equal to the number of seats to be filled.

The Constitution of Belgium contains several elements for the organization of elections but most of them relate to voting rights, compulsory voting and voting secrecy.

For the variables under consideration for the ESCE project the only relevant article is article 62 that states that elections are held under proportional representation for which the details are set by the Law.

Article 63 also states that the Chamber of Representatives shall be composed of 150 elected members (adopted in 1993) and that their distribution among electoral constituencies has to be proportional to the number of voters in each constituency. The allocation of seats among districts is to be revised every 10 years.



Section 2: Relevant Electoral System changes in Belgium since 1945

Table 1. Summary of Belgian Electoral Laws and Amendments since 1945

Law	Amendment	Date of enactment	Location	Relevant for the research
Constitution of Belgium	15 October 1921 (last amendment before 1945)	7 February 1831	missing	Yes but pre-1945
Electoral law		12 April 1894	missing	Yes but pre-1945
Law on proportional representation		28 December 1899	missing	Yes but pre-1945
Electoral law	11 August 1928 and 26 April 1929 (last amendments before 1945)		missing	Yes but pre-1945
Law reallocating seats among districts		3 April 1965	Scan on file (list of districts with magnitude in appendix)	Non significant
Law reallocation seats among districts		1974	Missing (list of districts with magnitude in appendix)	Non significant
Law reallocation seats among		1985	Missing (list of districts with magnitude in	Non significant



districts		appendix)	
Law modifying the two-tier system of seats allocation of the Province of Brabant	13 April 1987	Scan on file	Yes
Royal order modifying the allocation of seats among districts following the federalization of Belgium	15 October 1993	Scan on file	Yes
Constitution of Belgium	Coordinated 17 February 1994	Pdf file	Yes
Law allowing voters to cast multiple preference votes	5 April 1995	Scan on file	Yes
Law dividing by two the number of list votes to be allocated to candidates	27 December 2000	Pdf file	Yes



Law modifying several elements of the Belgian electoral system (threshold, redistricting)	13 December 2002	Pdf file	Yes
Royal order reallocating seats among districts	22 January 2003	Pdf file	Yes
Electoral law	Coordinated 1st May 2004	Pdf file	Yes

Section 3: Details of previous electoral systems and electoral system changes.

3.1 The 1946 Electoral System

In 1946 the first post-WWII elections were organized under the rules established before the conflict. For most part the rules adopted in 1899 remained unchanged.

Assembly size. The Chamber of representations was composed of 202 elected members.

Districts and district magnitude. The Belgian territory was divided into 30 electoral districts in which a first tier of seats allocation was organized. These 30 districts were then merged at the provincial level (9 provinces) for the second tier of seats allocation (see table 2).

Nature of votes that can be cast: Voters vote for one list and within the list they have the choice between voting on the top of the list (list vote) or casting one preference vote for one candidate.

Party threshold. No threshold at the district level. To enter the second-tier of seat allocation (provinces), a party should have obtained in at least one of the first-tier districts of the province two thirds of a direct seat.



Allocation of seats to parties at the lower tier. Hare quota is used for the allocation of direct seats.

Allocation of seats to parties at the upper tier. After the allocation of direct seats at district-level remainder seats and votes are aggregated at provincial level. At this level seats are allocated between parties using D'Hondt. Once each party knows how many seats it has obtained at provincial levels they have to be allocated to the list of the party in each of the sub-provincial districts. For each list in each district the number of votes received is divided by the number of seats already received plus one. The quotas obtained for each list in each district are compared and the first second-tier seat goes to the list with the highest district quota, and the same procedure applies until all seats are allocated in each of the sub-provincial districts.

Allocation of seats to candidates. Semi-open list system combining list votes and preference votes.

A list vote is a vote at the top of the list (above the list and not for the first candidate). The Electoral Law explicitly states that a list vote is a vote by which the voter confirms that he/she accepts the ordering of candidates set by the party (article 144).

Once each list knows how many seats it has received an eligibility quota is calculated by dividing the number of votes by the list by the number of seats received plus one. Any candidate who has received a number of preference votes equal to or greater than the eligibility quota is elected.¹ If there are remaining seats list votes are distributed to the first candidate on the list for him/her to reach the eligibility quota to be elected. If there are seats and list votes remaining, they are allocated to the second candidate on the list. When all list votes have been transferred to candidates following the ordering of the list, remaining seats are allocated to the remaining candidates with most preference votes.

Table 2: Allocation of seats at district and provincial level in 1946

Electoral district	Provincial constituency	District magnitude
Aalst	East-Flanders	6
Oudenaarde		3
Gent-Eeklo		12
Sint-Niklaas		4
Dendermonde		4
Arlon-Marche-Bastogne	Luxemburg	3
Neufchâteau-Virton		3

¹ If there are more candidates over the eligibility quota than the number of seats of the list those with most preference votes are elected.



Namur	Namur	5
Dinant-Philippeville		4
Brussels-Halle-Vilvoorde	Brabant	30
Nivelles		5
Leuven		7
Charleroi	Hainaut	11
Mons		7
Soignies		4
Thuin		4
Tournai-Ath		6
Huy-Waremme	Liège	4
Liège		14
Verviers		6
Antwerpen	Antwerpen	18
Mechelen		6
Turnhout		5
Brugge	West-Flanders	4
Kortrijk		6
Veurne-Diksmuide-Oostende		5
Roeselaere-Tielt		4
leper		3
Hasselt	Limburg	4
Tongeren-Maaseik		5
TOTAL		202



3.2 The 1949 Electoral Reform

The size of the assembly was increased to 212 because of the growth of the Belgian population.

Assembly size. Increased from 202 to 212.

Districts and district magnitude. The allocation of seats among the 30 electoral districts was adapted accordingly (see table 3).

No other change

Table 3: Allocation of seats at district and provincial level in 1949

Electoral district	Provincial constituency	District magnitude
Aalst	East-Flanders	6
Oudenaarde		3
Gent-Eeklo		13
Sint-Niklaas		4
Dendermonde		4
Arlon-Marche-Bastogne	Luxemburg	3
Neufchâteau-Virton		3
Namur	Namur	5
Dinant-Philippeville		4
Brussels-Halle-Vilvoorde	Brabant	32
Nivelles		5
Leuven		7
Charleroi	Hainaut	11
Mons		7
Soignies		4
Thuin		4
Tournai-Ath		6
Huy-Waremme	Liège	4
Liège		14
Verviers		6
Antwerpen	Antwerpen	20
Mechelen		6
Turnhout		6
Brugge	West-Flanders	5
Kortrijk		6
Veurne-Diksmuide-Oostende		5
Roeselaere-Tielt		5
Ieper		3
Hasselt	Limburg	5
Tongeren-Maaseik		6
TOTAL		212



3.3 The 1987 Electoral Reform: apparentement BHV-Louvain-Nivelles

In 1987 it was decided to change the two-tier system for one province: the bilingual province of Brabant. Before 1987 the second-tier of seats allocation grouped the three districts of the province: Brussels-Halle-Vilvoorde (bilingual), Leuven (Dutch-speaking) and Nivelles (French-speaking). In 1987 it was decided that French-speaking parties would group their lists in Brussels-Halle-Vilvoorde and Nivelles, and that Dutch-speaking parties would group their lists in Brussels-Halle-Vilvoorde and Leuven.

No other change

3.4 The 1993 Electoral Reform

In 1993 the Belgian State was profoundly reformed with the official introduction of federalism in the Belgian Constitution and the introduction of directly elected assemblies for the three regions (Flanders, Wallonia and Brussels) and for the assembly of the German-speaking community. On this occasion the electoral system for the federal Chamber of Representatives was also amended in several of its aspects. First the size of the assembly was reduced to 150 in order to compensate for the newly directly elected regional assemblies. In order to maintain proportionality the number of districts was reduced from 30 to 22.

Assembly size. The size of the Chamber of Representatives was reduced from 212 to 150 (article 63, §1 of the Belgian Constitution).

Districts and district magnitude. With 150 seats some of the existing 30 first-tier districts would have been too small and would have had only one MP. The number of districts was reduced to 22 (the districts used before 1993 for the Senate) and district magnitude was adapted accordingly (see table 4).

Nature of votes that can be cast. Voters vote for one list and within the list they have the choice between voting on the top of the list (list vote) or casting preference votes for candidates within one list. For the latter option they can decide to cast between one and as many preference votes as there are seats to be filled.

Party threshold. No threshold at the district level. For accessing the second-tier of seats allocation (provinces) a party should have obtained in at least one of the first-tier districts of the province one third of a direct seat.

Allocation of seats to parties at the lower tier. For provinces that are not divided into subprovincial districts D'Hondt is used.

For the other subprovincial districts the two-tier system is maintained (see 1946 electoral system)

Allocation of seats to parties at the upper tier. No change

Allocation of seats to candidates. No change



Table 4: Allocation of seats at district and provincial level in 1995

Electoral district	Provincial constituency	District magnitude
Aalst-Oudenaarde	East-Flanders	6
Gent-Eeklo		9
Sint-Niklaas-Dendermonde		6
Luxemburg	Luxemburg	3
Namur	Namur	6
Brussels-Halle-Vilvoorde	Brabant	22
Nivelles		5
Leuven		7
Charleroi-Thuin	Hainaut	9
Mons-Soignies		6
Tournai-Ath-Mouscron		4
Huy-Waremme	Liège	2
Liège		9
Verviers		4
Antwerpen	Antwerpen	14
Mechelen-Turnhout		10
Brugge	West-Flanders	4
Kortrijk-Roeselaere-Tielt		8
Veurne-Diksmuide-Oostende-leper		5
Limburg	Limburg	11
TOTAL		150

3.4 The 1995 Electoral Reform

In 1995, plural preference voting is introduced.

Assembly size. No change.

Districts and district magnitude. No change

Nature of votes that can be cast. Voters are allowed to cast as many votes as there are seats to be filled within the list they have decided to support. The list vote option remains.

For the allocation of seats between lists, each ballot is counted once. Whether the ballot is marked by one list vote, one preference vote, or several preference votes within one list, each ballot is counted as one vote for the list supported. Preference and list votes are only taken into account for the allocation of seats within lists.

Party threshold. No change

Allocation of seats to parties at the lower tier. No change

Allocation of seats to parties at the upper tier. No change



Allocation of seats to candidates. No change

3.5 The 2003 Electoral Reform

A reform package was adapted including the shift to provincial districts for all districts, the reduction of the influence of list votes in the allocation of seats within lists and the introduction of a 5pc threshold at district-level.

Assembly size. No change

Districts and district magnitude. Subprovincial districts were abolished except for the former province of Brabant (Brussels-Halle-Vilvoorde, Nivelles and Leuven). The number of districts was thereby reduced from 22 to 11. District magnitude was adapted accordingly (see table 5).

Table 5: Allocation of seats at district and provincial level in 2003

Electoral district	Provincial constituency	District magnitude
East Flanders	East-Flanders	20
Luxemburg	Luxemburg	4
Namur	Namur	6
Brussels-Halle-Vilvoorde	Brabant	22
Nivelles		5
Leuven		7
Hainaut	Hainaut	19
Liège	Liège	15
Antwerpen	Antwerpen	24
West Flanders	West Flanders	16
Limburg	Limburg	12
TOTAL		150

Nature of votes that can be cast. No change

Party threshold. 5 pc threshold at the district level.

In Brussels-Halle-Vilvoorde, Leuven and Nivelles, the threshold for acceding to the second-tier of seats allocation is maintained.

Allocation of seats to parties at the lower tier. For provinces that are not divided into subprovincial districts D'Hondt is used.

For Brussels-Halle-Vilvoorde, Leuven and Nivelles the two-tier system is maintained (see 1987 electoral system)

Allocation of seats to parties at the upper tier. No change

Allocation of seats to candidates. Semi-open list system combining list votes and preference votes.



A list vote is a vote at the top of the list (above the list and not for the first candidate). Once each list knows how many seats it has received an eligibility quota is calculated by dividing the number of votes for the list by the number of seats received plus one. Any candidate who has received a number of preference votes equal to or greater than the eligibility quota is elected.² If there are remaining seats the total number of list votes for the list is divided by two. The remaining half is distributed to the first candidate on the list for him/her to reach the eligibility quota to be elected. If there are seats and list votes remaining, they are allocated to the second candidate on the list. When half of the list votes have been transferred to candidates following the ordering of the list, remaining seats are allocated to the remaining candidates with most preference votes.

² If there are more candidates over the eligibility quota than the number of seats of the list those with most preference votes are elected.



Appendix

Table 6: Allocation of seats at district and provincial level in 1965 (population census of 1961)

Electoral district	Provincial constituency	District magnitude
Aalst	East-Flanders	6
Oudenaarde		3
Gent-Eeklo		13
Sint-Niklaas		4
Dendermonde		4
Arlon-Marche-Bastogne	Luxemburg	3
Neufchâteau-Virton		2
Namur	Namur	5
Dinant-Philippeville		3
Brussels-Halle-Vilvoorde	Brabant	33
Nivelles		5
Leuven		8
Charleroi	Hainaut	11
Mons		6
Soignies		4
Thuin		3
Tournai-Ath-Mouscron		7
Huy-Waremme	Liège	4
Liège		14
Verviers		5
Antwerpen	Antwerpen	20
Mechelen		6



Turnhout		7
Brugge	West-Flanders	5
Kortrijk		6
Veurne-Diksmuide-Oostende		5
Roeselaere-Tielt		5
leper		2
Hasselt	Limburg	6
Tongeren-Maaseik		7
TOTAL		212



Table 7: Allocation of seats at district and provincial level in 1974 (population census of 1971)

Electoral district	Provincial constituency	District magnitude
Aalst	East-Flanders	6
Oudenaarde		3
Gent-Eeklo		12
Sint-Niklaas		4
Dendermonde		4
Arlon-Marche-Bastogne	Luxemburg	3
Neufchâteau-Virton		2
Namur	Namur	5
Dinant-Philippeville		3
Brussels-Halle-Vilvoorde	Brabant	34
Nivelles		5
Leuven		9
Charleroi	Hainaut	10
Mons		6
Soignies		4
Thuin		3
Tournai-Ath-Mouscron		7
Huy-Waremme	Liège	3
Liège		14
Verviers		5
Antwerpen	Antwerpen	20
Mechelen		6
Turnhout		7
Brugge	West-Flanders	5



Kortrijk		6
Veurne-Diksmuide-Oostende		5
Roeselaere-Tielt		5
leper		2
Hasselt	Limburg	7
Tongeren-Maaseik		7
TOTAL		212



Table 8: Allocation of seats at district and provincial level in 1985 (population census of 1981)

Electoral district	Provincial constituency	District magnitude
Aalst	East-Flanders	6
Oudenaarde		2
Gent-Eeklo		12
Sint-Niklaas		4
Dendermonde		4
Arlon-Marche-Bastogne	Luxemburg	3
Neufchâteau-Virton		2
Namur	Namur	6
Dinant-Philippeville		3
Brussels-Halle-Vilvoorde	Brabant	33
Nivelles		6
Leuven		9
Charleroi		10
Mons	Hainaut	5
Soignies		4
Thuin		3
Tournai-Ath-Mouscron		6
Huy-Waremme	Liège	3
Liège		13
Verviers		5
Antwerpen	Antwerpen	20
Mechelen		6
Turnhout		8



Brugge	West-Flanders	5
Kortrijk		6
Veurne-Diksmuide-Oostende		5
Roeselaere-Tielt		5
Ieper		2
Hasselt	Limburg	8
Tongeren-Maaseik		8
TOTAL		212

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