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Electoral System Change in Europe since 1945



Electoral System Change in Europe since 1945: Austria

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With thanks to:





Section 1: Overview of the Austrian] Electoral System Changes since 1945

Austria had a PR electoral system during the interwar years. This was restored in October 1945 (with alterations to disfranchise Nazis) and the restored system was first used in the elections of November 1945 (Hiscocks 1953: 41). Under the 1945 system, there were 165 seats in 25 districts, making for an average district magnitude of just under seven (Kitzinger 1958: 396). The seats were allocated according to total district population rather than voting age population, leading to significant over-representation of rural areas, where the proportion of the population below voting age is higher (Kitzinger 1958: 396-7). Seats were allocated within districts by the Droop quota, with remainder votes transferring to four regions, in which remaining seats were allocated using d'Hondt (Kitzinger 1958: 397-8). Only those parties that had won at least one lower-tier seat somewhere in Austria could participate in the upper-tier distribution (Kitzinger 1958: 400).

There have been three significant reforms since 1945. Flexible lists were introduced in 1949 and more complex packages of reforms were introduced in 1970 and 1992. The basic format of the multi-tiered PR system has, however, been maintained throughout this period.



Section 2: Relevant Electoral System changes in Austria since 1949

Table 1. Summary of Austrian Electoral Laws and Amendments since 1949

Law	Amendment	Date of enactment	Location	Relevant for the research
129/1949		27.06.1949	http://www.ris.bka.gv.at/Dokument.wxe?Abfrage=BgblPdf&Dokumentnummer=1949_129_0	Yes
391/1970		22.12.1970	http://www.ris.bka.gv.at/Dokument.wxe?Abfrage=BgblPdf&Dokumentnummer=1970_391_0	Yes
471/1992		04.08.1992	English (text as amended): http://www.ris.bka.gv.at/Dokument.wxe?Abfrage=Erv&Dokumentnummer=ERV_1992_471	Yes

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

3.1 The 1949 Electoral System

Assembly size. The assembly consists of 165 seats.

Districts and district magnitude. There were 25 lower-tier districts, grouped into 4 upper-tier districts. The average magnitude of the lower-level districts was 6.6, while the average magnitude of the upper-tier districts was just over 41.



Nature of votes that can be cast. In every district, parties file lists of regional candidates. Voters vote for one list, and have two options: either casting a list vote, or rank the eligible candidates according to their own preferences.

Party threshold. In the lower tier, the threshold is the Droop quota (in 1949, this varied between .077 and .20). In the upper tier, the only condition for competing for the remaining seats is that a party has obtained a seat in any of the 25 districts.

Allocation of seats to parties at the lower tier. All competing parties in the district obtain as many seats as they have reached natural products of the intra-district Droop quota. Any seats not filled through this procedure are transferred to the upper tier.

Allocation of seats to parties at the upper tier. All seats which were not allocated in the lower tier are transferred to four associations of electoral districts which constitute the upper tier; so are all votes which were 'wasted' in the lower tier (the surplus of any integer product of the intra-regional Droop quota). The remaining seats are then, within the upper-tier districts, distributed among the parties according to these remaining votes through LM-D'Hondt. For this purpose, each party registered a list of candidates in each region, which could consist only of candidates who were also running in a lower-tier district within that region. These lists were entirely closed.

Allocation of seats to candidates. Voters had two options: either plumping for a complete list, or ranking the candidates within this list manually (either partly or completely). In both cases, ordinary Borda count is applied: the top candidate in the list receives as many points as there are candidates on the list, and with each step lower on the list, the concerned candidate receives one point less. If a voter plumps for a list, the points are distributed through the list order as determined by the party (and presented as such on the ballot). If a voter ranks only a subset of the candidates, the remaining points are distributed through the list order. If a voter has struck out one or more names on the list, these candidates do not receive any points whatsoever. After the allocation of seats to the party, the allocated seats are, depending on the number of seats, allocated to those candidates who have obtained the most points in the Borda Count procedure.



Table 2: Allocation of seats at district level in [year]

Electoral district	Provincial constituency	District magnitude	
Wien Innen-Ost	Wien	6	
Wien Innen-West		4	
Wien Nordwest		5	
Wien Nordost		8	
Wien Südwest		7	
Wien Südost		8	
Wien West		8	
Viertel oberm Wienerwald	Nieder-österreich	9	
Viertel unterm Wienerwald		12	
Viertel oberm Manhartsberg		7	
Viertel unterm Manhartsberg		8	
Linz und Umgebung	Ober-österreich, Salzburgerland, Tirol, Vorarlberg	4	
Innviertel		4	
Hausruckviertel		5	
Traunviertel		6	
Mühlviertel		4	
Salzburg		6	
Tirol		8	
Vorarlberg		4	
Graz und Umgebung		Kärnten, Steiermark, Burgenland	6
Mittel- und Untersteier			5
Oststeier	5		



Obersteier	Kärnten, Steiermark, Burgenland	8
Kärnten		10
Burgenland		8
TOTAL		165

(mutations are included in the appendix)

3.2 The 1970 Electoral Reform

Reform enacted by the SPÖ minority government which was for a short period in power after the elections of 1970. The reform was enacted under pressure of the FPÖ, which deemed the old electoral system as working against it and whose support the SPÖ needed to pursue its wider objectives. The FPÖ gave such support, but this was conditional upon an electoral reform that would enhance FPÖ representation (Barker 1973: 261). In consequence of the reform, whereas in the 1959 election, “the OeVP needed 24,406 votes to obtain a seat, the SPOe 25,050 and the FPOe 41,014”, in 1971, the equivalent numbers were 24,784 votes for the ÖVP, 24,771 for the SPÖ, and 24,847 for the FPÖ (Kohn 1971: 167-8).

Assembly size. Extended from 165 to 183 seats. The 183 seats are by Hare quota distributed over 9 electoral districts.

Districts and district magnitude. The 25 former lower-tier districts are merged into 9 districts, each district embodying an Austrian province; the mean district magnitude lies just above 20. The four former upper-tier districts are merged into 2 districts.

Nature of votes that can be cast. In all districts, parties can file lists. Every voter votes for one list, and has the additional right, but not the obligation, to express a preference for one of the candidates on that particular list.

Party threshold. In the lower tier, the threshold is the intra-regional Hare quota (varying between .024 and .16). In the upper tier, only parties that obtained at least one seat in the lower tier compete for votes.

Allocation of seats to parties at the lower tier. In every district, parties receive as many seats as times they reach the Hare quota. If not all seats are filled via this mechanism, the remainder seats are transferred to the upper tier. Also, remainder votes (those who were not utilized to reach a product of the Hare quota) are transferred to the upper tier.

Allocation of seats to parties at the upper tier. The votes not yet utilized within the lower tier are put together, and through LM-D’Hondt, determine the distribution of the seats transferred to the upper tier. The number of upper-tier districts is reduced from four to two; the upper-tier districts thus became substantially larger. Parties continued to put up upper-tier lists, which continued to consist only of candidates running in the districts within the region. These lists remained entirely closed.



Allocation of seats to candidates. Any candidate that manages to get at least as many votes as the intra-regional Hare quota is instantly elected. Any seats not filled through this mechanism are distributed through list order.

Table 3: Allocation of seats at district [and provincial] level in [year]

Electoral district	Provincial constituency	District magnitude
Burgenland	First district	7
Nieder-österreich		36
Wien		42
Kärnten	Second district	13
Ober-österreich		29
Salzburgerland		9
Steiermark		29
Tirol		12
Vorarlberg		6
TOTAL		183

(mutations are included in the appendix)

3.3 The 1992 Electoral Reform.

This reform “was meant to strengthen the accountability of MPs while maintaining roughly the current level of proportionality” (Müller 2005: 400). This was pursued mostly through the introduction of a new, local tier of seat allocation, such that district magnitudes were substantially reduced. The weight of preference votes in determining list order was also increased.

Assembly size. Remains unchanged at 183 seats.

Districts and district magnitude. The 183 seats are distributed to 43 regional electoral districts by LR-Hare; these districts have an average district magnitude of about 4.25. The 9 provincial districts remain, but do now form the intermediate tier. The two upper-tier district are abolished in favour of a district at-large.

Nature of votes that can be cast. In each regional district, parties can present lists of candidates. To cast a valid vote, a voter has to indicate which list he/she supports. Additionally, a voter can support one of the candidates on the regional list, as well as write in a candidate (from the same party, within the same province) to cast a preferential vote on the provincial level (the second tier).

Party threshold. To obtain a seat at the regional level, a party must, within the region, obtain a number of votes at least equal to the *provincial* Hare quota (the number of valid votes cast in the province, divided by the total number of seats allocated to the province). To compete for votes at the provincial level (intermediate tier), or national level (upper tier), a party must have obtained either at least one seat in the lower tier, or at least four per cent of the votes nationwide.



Allocation of seats to parties at the lower tier. At the level of the province, the intra-provincial Hare quota is calculated. Then, in every region, parties obtain as many seats as times they have completely fulfilled the intra-provincial Hare quota with votes cast within that region.

Allocation of seats to parties at the intermediate tier. In every province, parties receive as many seats as times they have fulfilled the intra-provincial Hare quota (with all votes cast for that party in the province). Any seats obtained within the lower tier in this province are subtracted from the number of seats as thus allotted. Remainders are disregarded.

Allocation of seats to parties in the upper tier. Nation-wide, all votes are cumulated, and then distributed over the parties through LM-D'Hondt. Seats already received at the lower or intermediate tier are subtracted from the total number of seats a party is entitled to. In case a party has obtained more seats at the lower and intermediate level than that party is entitled to within the upper tier, the party keeps its overhang, which is subtracted from the number of seats other parties are entitled to. As had been the case with the upper tier in the previous systems, parties posted a distinct list of candidates for this national tier of allocation and the list was entirely closed. Unlike the upper tier under the previous systems, candidacy on this list was not restricted to candidates also running in lower-tier districts.

Allocation of seats to candidates. First, at the regional level, all candidates who have either received a number of preferential votes at least equal to half of the intra-provincial Hare quota, or who have received a number of preferential votes at least one sixth of the total number of valid votes cast for that party within the regional district, are pre-selected. These candidates will be awarded seats on the number of preferential votes they have received (starting, of course, with the candidate with the highest number of preferential votes). Any seats not filled through this procedure are filled on the basis of list order. At the provincial level, all candidates who have received, province-wide, a number of preferential votes at least equal to the intra-province Hare quota, are awarded a seat. Any remaining seats are awarded by list order; ignoring those candidates who have already been elected in the lower tier.

Table [insert number]: Allocation of seats at district [and provincial] level in [year]

Electoral district	Provincial constituency	District magnitude
Burgenland Nord	Burgenland	3
Burgenland Süd		4
Klagenfurt	Kärnten	3
Villach		3
Kärnten West		3
Kärnten Ost		4
Weinviertel		6
Waldviertel	Nieder-österreich	5
Mostviertel		6
Niederösterreich Mitte		5
Niederösterreich Süd	Nieder-österreich	4
Wien-Umgebung		5
Niederösterreich Süd-Ost		4



Linz und Umgebung	Ober-österreich	7
Innviertel		5
Hausruckviertel		8
Traunviertel		6
Mühlviertel		6
Salzburg Stadt	Salzburgerland	3
Flachgau/Tennengau		4
Lungau/Pinzgau/Pongau		4
Graz	Steiermark	5
Steiermark Mitte		4
Steiermark Süd		3
Steiermark Süd-Ost		3
Steiermark Ost		4
Steiermark Nord		3
Steiermark Nord-West		4
Steiermark West		3
Innsbruck	Tirol	3
Innsbruck-Land		5
Unterland		3
Oberland		3
Osttirol		1
Vorarlberg-Nord	Vorarlberg	4
Vorarlberg-Süd		3
Wien Innen-Süd	Wien	4
Wien Innen-West		3
Wien Innen-Ost		3
Wien Süd		7
Wien Süd-West		6
Wien Nord-West		6
Wien Nord		5
TOTAL		183

(mutations are included in the appendix)

Appendix

References

- Barker, Elisabeth (1973). *Austria 1918–1972*. London: Macmillan.
- Hiscocks, Richard (1953). *The Rebirth of Austria*. London: Oxford University Press.
- Kitzinger, U. W. (1958). "The Austrian Electoral System", *Parliamentary Affairs*, 12:3, 392–404.
- Kohn, Walter S. G. (1971). "The Austrian Parliamentary Elections of 1971", *Parliamentary Affairs*, 25:2, 163–77.



Müller, Wolfgang C. (1984). "Direktwahl und Parteiensystem", in Andreas Khol and Alfred Stirnemann (eds.), *Österreichisches Jahrbuch für Politik 1983*. Munich: R. Oldenbourg.

Müller, Wolfgang C. (2003). "Austria: Imperfect Parliamentarism but Fully-Fledged Party Democracy", in Kaare Strøm, Wolfgang C. Müller, and Torbjörn Bergman (eds), *Delegation and Accountability in Parliamentary Democracies*. Oxford: Oxford University Press, 221–52.

Müller, Wolfgang C. (2005). "Austria: A Complex Electoral System with Subtle Effects", in Michael Gallagher and Paul Mitchell (eds.), *The Politics of Electoral Systems*. Oxford: Oxford University Press, 397–415.

Müller, Wolfgang C. (2009a). "The Snap Election in Austria, September 2008", *Electoral Studies*, 28:3, 514–17.

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