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A comprehensive approach to the study of electoral reform: An analysis of Chile's road to electoral reform (1989-2015)

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Chapter 2

Rethinking Electoral Reforms: Building Blocks for a More Comprehensive Understanding of Electoral Reform

In this chapter, I work out the specifics of the concept of electoral reform, mainly because academics do not often pause to define it before diving into the study of its causes and effects. Conceptual clarity is crucial for the investigation process, because a clear notion of the concept will help scholars to arrive to reliable conclusions about how reforms are generated, why they happen the way they do, when they do.

In the following chapter, I review the different existing conceptualizations of electoral reform. I emphasize their strengths and weaknesses and how each provides insight on where to build from. The objective of this review is to improve theoretical soundness and the operationalization and measurement of existing conceptualizations. The existence of too many definitions and conceptions of electoral reform produces a proliferation of unconnected studies, where electoral reform is attributed to unrelated causes. As is recommended for the development of all science, integration of investigations and basal definitions is crucial for the development of unified theories within and across disciplines. This is where I intend to make a contribution, by proposing a comprehensive definition of electoral reform that encompasses previous ones.

The chapter is structured as follows. The first section is dedicated to the conceptualization of the dependent variable. I review the existing definitions of electoral reform, with special emphasis on conceptualizations that include mentions of electoral and election rules and “major” reforms. Because I base my definition on existing ones, I review Douglas Rae and Arendt Lijphart’s definition of electoral laws and their dimensions. I discuss which aspects I incorporate and why. I incorporate other definitions and conceptualizations present in the literature, including minor and technical reforms. I then discuss at length the specific characteristics of each type of electoral reform (major, minor and technical). Upon completing the review, I proceed to develop the concept of electoral reform that will be used throughout the dissertation.

The second part of this chapter is dedicated to the study of the determinants of electoral reform. In direct relation to the multi-approach framework proposed in Chapter 1, the

section is organized into two sub-sections. The first analyses possible determinants of electoral reform from the HI approach and the second, from the RCI approach. From HI, I propose and discuss the role of each of the reforms I conceive of as enabling. From this perspective, electoral reform is a gradual process in which the institutional context where electoral reform could eventually prosper is enabled by smaller reforms. From the RCI perspective, I discuss the following determinants: (1) improvement of legislator re-election prospects, (2) improvement of party seat-share, (3) coalitional interests and (4) the role other motivations play in the quest for electoral reform.

As Chapter 1 illustrates, electoral reform is – in its specific niche – a hot topic. There is a considerable number of scholars devoted to its study. However, the amount of literature discussing the causes and consequences of electoral reform is overwhelmingly larger than the pieces which, before diving in, take a moment to reflect and define it. Although skipping the conceptualization step seems to be a tendency in electoral reform literature, there are scholars who have dedicated their efforts to this task. Because there hasn't been a prolific discussion about the concept yet, there is – as it sometimes happens in the field – a hegemonic definition of electoral reform. Although it appeared almost 25 years ago, it has only begun to be discussed in the past ten years. This newfound interest in defining electoral reform has been key in the development of both theoretical and empirical studies, which I will use as building blocks for my proposed definition of electoral reform.

2.1 Defining Electoral Reform: Ups and Downs of Previous and Current Conceptualization Approaches

Scholars use many words to refer to electoral reform. The most common of them is *change*. This word is often combined with others such as institutional, legislative and electoral and the results are frequently used synonymously with electoral reform. This has produced an unsettling number of definitions of electoral reform that actually represent different aspects of institutional change. For example, institutional change is a much broader concept than electoral reform and electoral reform is a type or form of institutional change. Similar things happen when concepts such as legislative change, electoral change or other types of change are used within electoral reform literature.

Electoral reform has also been conceptualized as a process, particularly as a process of change (Levick, 2014) or as changes in the legislation (Jacobs and Leyenaar 2011; Bowler and Donovan, 2013), as deliberate political act (Shugart and Wattenberg, 2001) and as a

by-product of political competition (Remmer, 2008). It has also been conceptualized as a process that can be defined by degree or scope (Celis *et al.*, 2011; Jacobs and Leyenaar, 2011) or by their effect on the seat share (Van der Kolk, 2007).

Scholars who focus on defining electoral reform have pointed out the importance of keeping in mind *what* is being reformed. In this sense, it matters whether scholars are referring to reforms the modification of election laws, electoral laws, election rules, electoral terms, etc. As I will argue throughout this chapter that they are not the same thing and should not be considered as such in research.

I will start with the most general of the concepts presented above: election laws. These are primarily studied in two disciplines: law and political science. Election laws have to do with who has and who doesn't have the right to vote (Blais, Massicotte and Yoshinaka, 2004) and how voting takes place (Schultz, 2013). Schultz argues, "[e]lection law comprises the rules that determine the rules of the game. The rules of election law determine who can vote, run for office, give money, speak, or even how to count (ballots)" (p. 11). Many of the items election law encompasses have little to do with the specifics of electoral systems. As discussed in Chapter 1, electoral systems are the institutions in charge of generating winners and losers out of the competing candidates. They are the institutions that distribute power to access Congress. They do not rule who gets to vote or how votes are casted. Election laws, Schultz states, rule this and other aspects of participation.

Electoral reform has also been described as changes to electoral laws. The difference between these concepts is subtle to the eye but relevant in the theory. Although they have been used by scholars as synonyms, election and electoral laws can also be conceived as completely different things. It is difficult for investigators from different disciplines to come to this realization, since these distinctions are not all discussed within the same discipline or within specialties. Most of the information on election laws can be found in law journals, showing that the field of the "laws of election" is not unified or even aware of other investigations regarding the same (or similar) objects of study. This leads to the assumption that legal scholars producing papers are actually unaware of the differences between election and electoral laws and writers of political science papers without notions of election laws (from a legal viewpoint).

Unlike election laws, electoral laws are considered “those which govern the processes by which electoral preferences are articulated as votes and by which those votes are translated into distributions of governmental authority (typically parliamentary seats) among the competing political parties” (Rae, (1967) (1975); p. 14). In other terms, this implies that electoral laws are the ones that regulate the *how* of the election laws. Electoral laws are the rules that govern how votes are translated into seats, alluding to specific elements such as electoral formula and other aspects related to it.

Ultimately, the question behind this conceptual exercise is, what are we talking about? Are we talking about an election law reform? About an electoral law reform? Electoral rule reform? Electoral system reform? It is crucial that we have a clear answer to this issue before diving into finding either causes or effects.

2.1.1 Electoral Laws as the Object of Electoral Reform

The following section is dedicated to the analysis of the concept of electoral law and how this notion has influenced definitions of electoral reform.

As established in the previous discussion, electoral law has become the prevailing concept used to define the rules that govern elections. There are two strong views that define electoral reform as changes or modifications to the electoral law. The first to appear was built on Rae’s *The Political Consequences of Electoral Laws* (1967, 1975); to him, electoral laws are an “especially important class of laws: those which govern the conduct of elections” (p. 3). The second appeared with Lijphart’s 1985 critical survey of the state of research on electoral systems, where he argued that Rae’s dimensions were crucial to the study of the effects and to some extent the causes of electoral systems. However, he stated that it was important to keep in mind that the electoral law was in fact composed of many other dimensions. Rae’s (1975) and Lijphart’s (1985, 1990, 1994) contributions to the construction of the dimensions of the electoral law are still dominant in the field. However, in the last ten years, a revisionist approach has begun to question and expand the possible dimensions of the electoral law, and with that, the dimensions of electoral reform. In the following paragraphs, I review both.

Rae’s (1975) study placed electoral laws at the core of the discussion, because of their undisputed relevance to “help to decide who writes other laws” (p. 3). He focused on

three dimensions of electoral systems: electoral formula, district magnitude and ballot structure. Even in Rae's early work, a word of warning was established. He pointed out that the variables selected "do not provide a complete description of electoral laws in all their aspects" (p. 15), mainly because the focus of his book was to analyse those aspects that affect interparty competition. With this information at hand, he divides the working of an electoral system into three "phases" which can vary: balloting, districting and electoral formulae as "key factors in the translation of votes into seats" (p. 16).

In addition to electoral formula, district magnitude and ballot structure, Lijphart (1985) suggests that the field would benefit from the incorporation of other elements (dimensions) that should be considered but tend to pass unnoticed (p. 7). He argued that in addition to Rae's three dimensions, scholars should consider (1) size of legislature, (2) suffrage restrictions and registration requirements, (3) voter access to the electoral process, (4) structure of political competition, (5) special features of ballot formal, (6) special features for translating votes into outcomes, (7) districting procedures, (8) campaign financing rules, (9) campaign timing rules, (10) number and type of offices which are subject to electoral choice and (11) the degree of bundling in elections (these are just examples; there are more, according to Lijphart) (pp. 7–8). However, scholars in the field, just as he diagnosed, focused primarily on the first three. Scholarly attention to three specific dimensions of the electoral law has had a significant impact of the conceptualization of electoral reform. Since these were the dimensions under study, then it is logical to infer that electoral reform became defined by changes in these three specific dimensions of electoral law.

At the beginning of the chapter, I discussed institutional change through different perspectives, one of which is their frequency. The question was, is electoral reform a likely, frequent or scarce event? Since changes from one type of electoral system to another are large scale, not-so-frequent events, electoral reform became – by definition – a scarce episode. This became a mantra in the electoral reform field, and as such, electoral reforms were studied as "major" events, unlikely to happen unless some massive change or crisis occurred.

Are there other conceptualizations, other dimensions of the electoral law that modified in a different degree (non-major) could constitute electoral reform? The last ten years have been crucial in the development of different answers to this question and defining what

is and what is not electoral reform has become paramount. New perspectives advocate for the inclusion of all possible dimensions of electoral law to be included as subject of reform, therefore making electoral reform a much more likely event, of much smaller scope.

Under this logic, to some scholars “[r]eforming rules on participation do constitute electoral reform but not in the same sense as a ‘big’ change in electoral system from an SMD to a PR system” (Bowler and Donovan, 2008, p. 107). In addition, research shows that sometimes “big” change effects show that “seemingly important change turned out not to be so important after all. Conversely, changes in candidate access to the ballot may seem very minor compared to a change in electoral system, but can have enormous consequences for the number of parties running in an election as third party candidates in the US in each election cycle” (idem). This experience is what has motivated the development of a new approach towards a more comprehensive definition of electoral reform.

The second, less-dominant view of electoral reform is more in tune with a broader conception of electoral laws. I call these approaches *comprehensive* ones. These conceptions consider reform beyond the initial dimensions. These perspectives see electoral reform as involving changes in things other than the “algorithm that translates votes into seats” (Idem, p. 106). A comprehensive definition considers changes in several different attributes of both elections and election law (considering also electoral law), such as term limits, redistricting or campaign financing much like Lijphart critically suggested 1985. From this viewpoint, electoral reform is more than just changing the electoral system. Bowler and Donovan (2008) suggest that if electoral reform was as *major* as it was implied to be, then the US would be a case of *non-reform* because its electoral system has remained unchanged, even though there has been constant change in the electoral law. The authors even go as far as suggesting that scholars should use similar arguments and frameworks for the study of changes in the electoral systems and in electoral laws, because of their close relationship and kin nature (p. 97). In their own words, “[a]lthough questions of electoral reform are a tiny share of the total number of roll calls and, in particular, of the bills voted on [...], it would seem that electoral reform efforts of various kinds are voted on in Congress – and pass- once every couple of years” (p. 103).

In the next section, I review the literature on electoral reforms and discuss in detail the traditional conceptions of electoral reform as major changes in three (maximum four, considering Lijphart 1994) dimensions of the electoral law.

2.1.2 Traditional Approaches to the Definition and Study of *Major* Reforms

Traditional approaches (based on Rae's and Lijphart's contributions) consider all electoral reform to be major, in the sense that most of them end up changing the type of electoral system as a result. As proposed earlier, the conception of electoral reform as a massive enterprise contributed to the development of theories of stability and continuity of electoral systems.

As discussed in Chapter 1, the first cycle of democratization had a direct impact on original electoral systems. Most European electoral systems underwent some kind of change; however, those that attracted scholarly attention were transitions from one type to another (from single member plurality (SMP) to either proportional representation (PR) or mixed systems). Scarce, significant transitions from one type of electoral system to another became the objects of studies.

Traditional definitions of electoral reform have been crucial in the development of the field. They have been at the centre of almost every investigation that considers reform in a *major* sense. Although widely used and accepted, they weren't revised until the early 1990s.

One of the leading definitions of this period has been the one provided by Lijphart in 1994, made years after his critical review of the field in 1985 (see above). Lijphart's (1994) contribution systematized studies of major changes in electoral systems under one dominant definition of electoral reform, not replacing Rae's (1975) but contributing to it. Despite the fact that major reforms were considered isolated events, they could be explained – at least partially – by this conceptualization of electoral reform. His definition provided fundamental building blocks in the field. Evidence found in electoral reform literature show that there was – among scholars – a general undisputed acceptance of the validity of the concept and a hegemonic use of it.

However useful Lijphart's definition has been to the development of electoral reform research, recently, more and more scholars have found it limited at times. In order to

improve existing conceptualizations, scholars have developed over recent years an important number of investigations dedicated to the reconceptualization and the study of the implications a more comprehensive definition has on the study of electoral reform processes.

Electoral reforms are far more common today than twenty or thirty years ago. This has raised academic interest, which led to the proliferation of new studies of electoral reform. There have been innovations in different aspects. This chapter portrays the development of the field in terms of conceptualization.

Recent investigations have led scholars to identify changes in the electoral law that “fall off the radar” with traditional conceptualizations of electoral reform. A definition that incorporates these *new* types of changes as electoral reforms necessarily demands a broader definition of the phenomenon. A more comprehensive conceptualization of electoral reform acknowledges the existence of electoral reforms other than major ones. This has facilitated the recognition and study of minor and technical reforms, which represent smaller scale changes to the electoral law.

One of the first things that comes to mind as possible deterrents of a comprehensive definition has to do with the disturbance of what some scholars consider a perfectly good concept. It is true that the traditional definition has its own validity. It has been praised as “clear and transparent” but also criticized for its focus on “national levels and its narrow scope” (Jacobs and Leyenaar, 2011, p. 496). For the first part, it still defines and represents a type of electoral reform and constitutes the foundation for all other new conceptualizations recently developed in the field.

There are benefits and costs associated with redefining electoral reform in a more complex manner. The most important improvement consists in acknowledging changes that for a long time passed unnoticed. Bowler and Donovan (2008) provide an interesting example. The case of the US illustrates this point. Because the US did not implement any major reforms (in the strict sense of the concept), scholars have focused their attention on explaining the “apparent” lack of electoral system change and institutional stasis. The authors conclude that one should not equate the lack of electoral system change with the lack of electoral system reform (p. 90), and a more comprehensive definition of what is an electoral reform helps to clarify one from the other.

A more comprehensive concept helps case differentiation and improves case selection, making it more accurate (Jacobs and Leyenaar, 2011, p. 495). In some cases, it provides an increase in the number of observations, which is relevant for quantitative and comparative reasons. Increasing the number of cases and observations proves less crucial for qualitative studies, since the focus is not on Large-N comparisons but on in-depth analysis of specific cases. The gain for qualitative research lies in the possibility of the study of the causes and effects non-major reforms may have.

Another valuable characteristic is the possibility of identifying new causes and effects of electoral reforms. Because there are new changes being identified and studied, there is a strong possibility that they are caused by different factors or a different combination of traditional factors. A similar notion applies to the possible appearance of new effects. This modification could provide new insights about the volume and nature of electoral reforms, how likely each type of reform is to happen, what causes each type of reform, what effects each type of reform has and so many other issues. This is crucial because it considers minor and technical reforms as possible explanatory causes to effects that could have mistakenly been attributed to major reforms or other explanatory factors.

Addressing the conceptualization issue is fundamental in order to improve theory building, not only in order to review previous knowledge but also to reassess what is known about their causes and effects. This dissertation is particularly concerned with how existing definitions have limited the identification and theorization of the causes of electoral reform.

Since the 2000s, the issue of the conceptualization of electoral reform has become relevant to the academic agenda (Leyenaar and Hazan, 2011, p. 438). Scholars have made important contributions to the reconceptualization of electoral reform (Leyenaar, 2011; Leyenaar and Hazan, 2011; Jacobs and Leyenaar, 2011). One of the most salient characteristics of these efforts of conceptualization is the identification of different dimensions of electoral reforms, which broadens Rae's (1975) and Lijphart's (1994) major reform-centric conception.

2.1.3 Tracing the Development of the Concept of Electoral Reform: From Exclusively Major to Comprehensive Conceptualizations

This section is dedicated to tracing the path of electoral reform as concept. I will review the existing definitions and analyse how they impacted the development of more recent conceptualizations and the one presented in this dissertation.

2.1.3.1 The Founding Conceptualizations of Electoral Reform: Douglas Rae and Arendt Lijphart

The next paragraphs are dedicated to the most prominent definitions of electoral reform. As established throughout the dissertation, the founding definition stems from Rae (1975). Although modified in some of its key dimensions, this definition inspired Lijphart's (1994), which rapidly became standard in the field.

Rae (1975) studied the political consequences of electoral laws. His is considered one of the most important contributions to the definition of electoral laws. Although it was not his objective, his depiction of electoral laws provided a characterization of what can be changed in the process of electoral reform. Since then, electoral reform has been considered as changes in specific dimensions of the electoral law. The specific dimensions he described were electoral formula, district magnitude, and ballot structure. These represent three of the many dimensions of the electoral law; they are still considered the most relevant and are emphasized as such by many scholars (Lijphart, 1985, p. 7). Although he focused on three, which he selected for their relevance in intraparty politics (p. 15), he early noted his awareness that they “did not provide a complete description of electoral laws in all their aspects” (idem).

In a similar vein, Lijphart (1985) argued that it was fundamental to take other dimensions of electoral law into account. Although he introduced many other possible dimensions of electoral law,⁴ he developed a definition based on four specific dimensions, which did not all coincide with those proposed by Rae.

A few years after that critical review of the field Lijphart published an article about the political consequences of electoral laws. In it, he analyses Rae's contribution:

⁴ Electoral formula, district magnitude, ballot structure, size of legislature, suffrage restrictions and registration requirements, ease of voter access to the electoral process, structure of political competition, special features of ballot format, special features for translating votes into outcomes, districting procedures, campaign finance rules, campaign timing rules, number and type of offices which are subject to electoral choice, degree of ‘bundling’ of elections (Lijphart, 1985, p. 8).

As the first systematic broadly comparative study of electoral systems and as a powerful stimulus to subsequent research, it clearly deserves its reputation as a classic in the field. On the other hand, it has been accorded this status without sufficient critical attention. In the preface to the second edition, Rae (1971, vii) himself chides “the over-gentle colleagues who reviewed the original edition” (p. 481).

Building from his 1985 article, Lijphart published the 1990 article and later a book (1994) on electoral and party systems, analysing twenty-seven democracies. For the book, he constructed a definition of electoral systems (not electoral laws) in terms of what he deemed the four most basic properties of electoral systems: electoral formula, district magnitude, electoral thresholds (p. 1), and size of the representative body (p. 13). It is important to keep some things in mind and avoid over-criticism of each author’s selection of electoral law (system) dimensions. First, both agree on the existence of other dimensions (Lijphart refers to some of them as other minor dimensions, 1994: p. 14). Second, both authors justify their selection based on their book’s objectives: (1) Rae (1975) argues that his three serve the study of intraparty competition and (2) Lijphart (1994) claims that the four dimensions selected provide the needed framework to describe and classify the seventy types of electoral systems identified (p. 14).

Before advancing any further, I present Lijphart’s (1994) definition below in order to discuss its dimensions:

As already stated in the previous chapter, I define an electoral system as a set of essentially unchanged election rules under which one or more successive elections are conducted in a particular democracy. This definition can now be refined by stating it in terms of the four major dimensions of electoral systems: if there is a significant change on one or more of the four dimensions, this means that a new electoral system must be distinguished. A further refinement is needed in order to define precisely what counts as significant change. The electoral formula is a discrete variable; hence any change in the formula can be recognized easily and will be regarded as a significant change. In two-tier districting systems, the criterion will be a change in formula at what I shall define later as the decisive tier. However, since the other three dimensions are continuous variables, exact cut-off points have to be specified.

For all three, I propose a 20 percent criterion: 20 percent or greater in district magnitude (in two-tiered districting systems, the magnitude at the more important upper level will be counted), 20 percent or more change in the national legal threshold (or the adoption of such a

threshold were none existed before), and 20 percent or greater change in assembly size (Lijphart, 1994, p. 13).

Lijphart's definition is considered parsimonious and operationalizable by many. His threshold-bound definition conceives of *major* electoral reforms as changes in the electoral system that modify any of the four dimensions over a 20% threshold. He argues that this criterion could easily vary from 10% to 25%, and it would still be reasonable and legitimate. His selection of what he considers a "relatively high value of 20%" (p. 13) is cautiously selected to avoid inflating the number of distinct electoral systems.

Despite its relative success among scholars, some have become very critical of this definition. Because it remained highly unquestioned and widely used, some scholars to describe Lijphart's (1994) definition as a "stultified mantra" in "long need of review" (Leyenaar and Hazan, 2011, p. 449). Notwithstanding any critiques this dissertation has of Lijphart's definition, it has been an unquestionable contribution to the field. Studying major reforms expanded the field for others to begin examining similar phenomena that did not qualify as major reforms but still represented some degree of change of the electoral law. Lijphart provided a definition for others to build from.

This section reviewed how Rae's and Lijphart's definition created the primary building blocks from which electoral reform conceptualizations and studies have built upon. The next segment is dedicated to the study of how new definitions emanated from these founding ones.

2.1.3.2 Other Conceptualizations of Electoral Reform

Although Rae's and Lijphart's definition dominated in the field, there were other ways in which electoral reform was defined. The paragraphs below review these contributions.

Shugart (1992) suggested that electoral reforms occur when "relations among party leaders, rank and file, and constituents become skewed to the detriment of governmental accountability and ability to address serious policy problems" (p. 21). Remmer (2008) defines them as a normal by-product of political competition, "operationalized as legal changes affecting presidential run-off formulae, the concurrence of presidential and legislative elections and representative formulae (including district magnitude, size of legislative body, seat allocation formulae and electoral thresholds) [...] subsequent to democratic transition." (pp. 11-12). Jacobs and Leyenaar (2011) refer to it as "a change

in the legislation (versus practice) that regulates the process of voting, which includes who gets to vote, what he or she is allowed to do in the voting booth (e.g. a vote for a party or a person), what he or she votes for (e.g. national, provincial, local, executive, recall ... elections) and how these votes are afterwards turned into seats” (p. 500). Following Goertz (2006), they conceive electoral reform as a two-level concept. The basic level compasses changes to the legislation in the electoral process. The second level allows differentiation among cases on any of the following five dimensions: (1) proportionality of the electoral system, (2) election levels, (3) inclusiveness, (4) ballot structure, and (5) electoral procedures. These dimensions help distinguish between major, minor, and technical reforms depending on the scope and degree of reform (Jacobs and Leyenaar, 2011).

In tune with this dissertation, Levick (2014) suggests that a reconceptualization effort is needed to improve the quality of the studies on electoral reform. Her approach considers electoral reform in gradational terms, “a process with a series of more distinct outcomes” (2014: 7). She proposes a categorical instead of a binary typology, as it offers a more accurate way of analysing the distinct characteristics of electoral reform as a process. This less-restrictive conceptualization offers a richer pool of cases for comparative studies and more robust theory building. Levick’s (2014) analysis reveals how much information is lost when attempting to analyse reforms in a binary manner. Under traditional approaches, cases of reform in the UK, France, and US would all be categorized as non-successful reforms. A gradual categorization of all three cases cited above would show significant differences between them.

Recent literature has developed several viewpoints from which to look at electoral reform. One of them is their degree or scope. To Jacobs and Leyenaar (2011), “[w]hether a reform is major, minor or technical is based on a primarily qualitative assessment of the content and—when possible—on a quantitative measurement of the degree of reform” (p. 496). It is very important to consider that specific reforms can only be identified as such if scholars include non-major types of changes to electoral laws, as electoral reforms. In this sense, degree—which leads to the acceptance of the existence of minor and technical reforms—is paramount. Traditional definitions leave out current electoral reforms. This issue is discussed by Celis *et al.* (2011), who discuss the problems traditional definitions have when analysing a specific dimension of reform of the electoral law: gender quotas. Evidently, they cannot be studied under the traditional concept of major reform, so the

authors argue that in order for there to be a proper concept able to study reforms such as gender quotas, there must be a concept that manages to include other types of modifications to the electoral law. To them, new definitions of electoral reform should consider an expanded definition of traditional conceptualizations of electoral reform and the existence of multiple—more varied—set of actors, motivations, and strategies.

Other perspectives define electoral reform based on the effects and consequences they have on seat shares (Van der Kolk, 2007). Finally, one of the most common mechanisms in electoral reform studies has been country expert categorization. An example of this approach is Gallagher and Mitchell's edited volume (2005), where each country and case expert proposes what a significant reform is (Jacobs and Leyenaar, 2011). The experts conducting the research will define electoral reform according to their level of knowledge of the case studied.

The previous paragraphs review how scholars have targeted the task of defining electoral reform. I now return to Katz's (2005) diversification of electoral reform into the three commonly known types of electoral reform: major, minor, and technical. They are discussed below.

2.1.3.3 Richard Katz and the Identification of Minor and Technical Reforms

An important part of the research on electoral reform conceptualization stems from Richard Katz's first approach. After Lijphart's mention of "minor dimensions," Katz is one of the first scholars to contemplate and acknowledge the existence of three different types of electoral reform: (1) major, (2) minor, and (3) technical. While going over the cases of major reforms, he reflects over the rarity of the phenomenon, arguing that there have only been fourteen cases of electoral reform in the past fifty years (p. 60). He realizes that electoral systems experience changes that are not in the "major" realm. Pondering Lijphart's (1994) definition, he states that "[o]nce attention shifts to minor reforms, it is apparent that short lists of dimensions, for example Lijphart's list (1994: 10-12) of four dimensions—formula, district magnitude, legal threshold, and assembly size—are inadequate to encompass all the aspects of elections [...]" (Katz, 2005, pp. 69-70).

His objective was to show that if one views electoral reform from a more expansive perspective, then reform to electoral laws (systems) are far more common than suggested:

If, however, one takes a slightly more expansive view of electoral reform, then reform of national electoral systems are far more common. Within the general category of proportional representation, there have been changes in the specific method/formula employed; introduction or modification of statutory thresholds (*Sparklauserln*); reapportionments of seats in ways that do (or do not) significantly affect district magnitudes; introduction or modification of multitiered methods of seat distribution; modification of systems of intraparty preference voting. While changes in formula or magnitude are impossible while staying within the category of SMP systems, redistricting decisions—as well as changes in the way in which those decisions are made—can have an impact on elections that is as profound as any of those listed in the previous sentence (p. 59).

His claim of the existence of other types of electoral reforms was pivotal for the development of new (broader) conceptualizations of electoral reform. It is important, however, to note that although he introduced the concepts of minor and technical reform, he did not define them. In the following segment, I present and discuss how literature has defined each of the identified types of electoral reforms.

2.1.4 Major Reforms: The ‘Big’ Type of Electoral Reforms

Rae’s and Lijphart’s first approach presented the building blocks for the definition of what scholars have traditionally conceived of as major reforms. As their name indicates, they are associated to changes that involve probable shifts from one system to another (e.g. shifts from SMP systems to PR or mixed systems of representation). This means that major reforms occur mainly at a national level (I will discuss this point further along the chapter).

This type electoral reforms are scarce; hence, electoral reform in its major form is still considered by many a rare event (Nohlen, 1984; Norris, 1995). Despite their scarcity, major reforms drew abundant scholarly attention, and shifts in systems quickly became a popular topic in the field.

In general, this conception of electoral reforms made it relatively simple for scholars to distinguish what is from what is not a major electoral reform. This is in many ways a positive account, since it allowed scholars to select and study within and across cases the causes and effects of major electoral reforms. On the downside, I argue that this definition might have produced some detrimental effects on the study of other types of changes to the dimensions of the electoral law. First, it might have made changes in other dimensions

pass unnoticed, concealing reform that actually occurred. Second, it might have affected the assignment of causes and effects to dimensions that may have not produced them. Third, it might have affected case selection (based on reform and non-reform).

In order to improve these possible unfavourable effects, literature in the field has implied that the identification of other types of alteration to the electoral law might help correct these shortcomings. Below I present the definitions of minor and technical reforms that started to appear in early 2000s. Because the field is relatively new, there is only a limited amount of academic research on the matter.

2.1.5 Minor and Technical Reforms: The Smaller, Less Visible Type of Electoral Reforms

There is very little written about minor and technical reforms in comparison to the work developed on major ones. Similarly, there is still only a small number of investigations that have applied these new conceptualizations on case studies. Katz's 2005 chapter in Gallagher and Mitchell's book is one of the first attempts to identify other types of electoral reform.

2.1.5.1 Minor Reforms: Modifying Within the Electoral Formula

Introduced as such by Katz (2005), the concept of minor reform is wide ranging. In general, he considers minor reforms as changes that do not cause a shift to another category of electoral system. Similarly, Jacobs and Leyenaar (2011) describe minor reforms as those that imply changes within the category of electoral formula.

Because one of the most criticized aspects of Lijphart's (1994) definition of major reforms was its unaltered focus on national levels (Jacobs and Leyenaar, 2011, p. 496), new approaches suggest that minor ones may act on a subnational level. Farrell (2011) suggested this for reforms in the UK, as did Bowler and Donovan (2008) for the US. According to Jacobs and Leyenaar (2011), "[f]ocusing only on the national levels [...] underestimates the actual extent of electoral reform" (p. 496).

Inspired by the 20% criteria set by Lijphart (1994), common expressions of minor reform include assembly size, district magnitude and effective threshold change that represent a higher than 1% and less than 20% change in these dimensions. Changes in the range of these percentages that include redistricting, introduction of non-national public figures and of a new layers of the electorate, expansion of the electorate, the nature of registration

and voting, ballot structure, quotas and candidate selection procedures, are also considered minor reforms (Jacobs and Leyenaar, 2011).

Table 1: Conceptualization of Minor Electoral Reforms

Dimension	Minor
1. Proportionality	Change within category of electoral formula Average district magnitude, effective threshold: $1\% < X < 20\%$ change Redistricting: affecting $X > 1\%$ of inhabitants
2. Election Levels	Introduction direct election non-national public figures for $X > 1\%$ of the electorate Introduction new layer for $X > 1\%$ of the electorate
3. Inclusiveness	Expansion of the electorate: $1\% < X < 20\%$ change Registration: (a) Cost: free or not / (b) Individual or state Compulsory voting: change in actual enforcement: yes or no
4. Ballot Structure	Ballot choice: (a) Number of votes: $X > 20\%$ change / (b) Impact of votes $X > 20\%$ changes Candidate choice: (a) Change in quota: $X > 20\%$ change / (b) Introduction quota $1\% < X < 20\%$ Party choice: Change in requirements: $1\% < X < 20\%$ of parties
5. Electoral Procedures	Change between EMB category

Source: Based on Jacobs and Leyenaar (2011), Table 1, p. 497.

2.1.5.1 Technical Reforms: The Smallest Type of Electoral Reform

Identified in conjunction to minor reforms, technical reforms have been considered as smaller than minor reforms. They represent change to the electoral law in its smallest degree. Originally, Katz (2005) suggested that there was no clear division between minor and technical reforms (he also suggested there was one between major and minor). However, Jacobs and Leyenaar (2011) describe them as those that change elements of proportionality such as assembly size, district magnitude, effective threshold and redistricting in less than 1% of the territory, and changes in election levels such as introduction of non-national public figures and new layer of the electorate in less than 1%. In terms of inclusiveness, they consider technical any reform that expands the electorate in less than 1% and lowers the cost of registration. Changes in the nature of compulsory voting (while remaining compulsory) are also technical. As for ballot

structure, any reform that changes up to 20% of the number of votes, impact of votes, and candidate choice counts. Finally, all changes in how and when elections are organized are also considered technical reforms (*idem*).

Table 2: Conceptualization of Technical Electoral Reforms

Dimension	Technical
1. Proportionality	Average district magnitude, effective threshold: $X < 1\%$ change Redistricting: affecting $X < 1\%$ of inhabitants
2. Election Levels	Introduction direct election non-national public figures for $X < 1\%$ of the electorate Introduction new layer for $X < 1\%$ of the electorate
3. Inclusiveness	Expansion of the electorate: $1\% < X$ change Registration: (a) Cost: lowering cost / (b) Role Individual: lowering burden for individual Compulsory voting: other changes
4. Ballot Structure	Ballot choice: (a) Number of votes: $X < 20\%$ change / (b) Impact of votes $X < 20\%$ change Candidate choice: (a) Change in quota: $X < 20\%$ change / (b) Introduction quota $X < 1\%$ Party choice: Change in requirements: $X < 1\%$ of parties
5. Electoral Procedures	All other changes in how and when elections are organized[?]

Source: Based on Jacob and Leyenaar (2011), Table 1, p. 497.

2.1.6 Moving Forward: A (more) Comprehensive Definition of Electoral Reform

Following several studies cited here, I propose that the concept of electoral reform should move past “major” conceptualizations and national level considerations. As the effects approach reveals, sometimes the smallest and most technical modifications have the largest impact on electoral systems (Jacobs and Leyenaar, 2011); so, why rule them out as electoral reforms right away?

Pursuing a more comprehensive definition of electoral reform implies considering not just major, but also minor and technical reforms. This definition is inspired by the need to establish electoral reform as a two-level concept: (1) by dimension, which unifies all the selected cases by identifying reform as a change in any of the identified dimensions

of the electoral law; and (2) by degree, which allows for differentiation between major, minor and technical reforms.

Considering the above, I define electoral reform as change in any of the dimensions that compose the electoral law. This definition considers as an electoral reform any modification in the dimensions one could attribute to the electoral law. It does not establish a specific degree or magnitude, which in turn, allows for typification of reforms into major, minor, or technical depending on the degree of reform in at least one of the identified dimensions of the electoral law.

I present a set of dimensions that have been consistent within the reviewed literature. Which dimensions comprise the electoral law is for each scholar to decide and discuss. Scholars may choose to do as Rae and Lijphart did in the selection of some dimensions of the electoral: choose those dimensions related to the objective of their research. However, choosing a specific set does not negate the existence of others. It is up to scholars to make this an even more comprehensive account or reduce the number of dimensions under study, if it serves their purpose of investigation.

In an attempt to make it easier on the eye, I have organized into categories the electoral law dimensions identified in this dissertation. By category, I group dimensions according to either formula, size, ballot, level, procedure, quotas, participation rules and campaigning principles. For each category there is one or more dimensions in which electoral reform can occur. This table was executed in order to avoid a long listing of possible dimensions. Alterations and improvements are welcome. Having said this, electoral reform thus comprises any change in the following (or more) dimensions of the electoral law:

Table 3: Identified Dimensions of the Electoral Law

Category	Dimension
1. Formula	Electoral Formula
2. Size	District Magnitude Assembly Size Apportionment (district size) Minimal party size (effective thresholds) District boundaries
3. Ballot	Access Inclusiveness
4. Levels	National/ Subnational Direct/Indirect
5. Procedures	When elections take place How elections take place
6. Gender quotas	Nominations Seats
7. Participation rules	Requirements for candidates Requirements for voters Primaries
8. Campaigning	Finance Rules

Source: Author's own, based on Jacobs and Leyenaar (2011), Table 1, p. 497.

In the following paragraphs, I review the details of the organization process of each of the dimensions considered. It is important to note that the dimensions identified are only a handful of all the possibilities regarding the electoral law. This dissertation provides a more extensive—yet limited—account of the possible dimensions in which reform can take place. In addition, it suggests a first approach criterion to distinguish the type of electoral reform.

Below I present a general description of the different dimensions identified and suggest an initial approach towards their identification and typification:

Formula: This category encompasses a dimension of the electoral law related to how votes are translated into seats.

1. Electoral Formula: This comprises the formulas designed to allocate seats to parties, as well as seats to specific candidates within parties (Carey and Shugart, 1995, p. 417). There are two principles of political representation: (1) majoritarian representation and (2) proportional representation. The majoritarian principle is based on the notion that its main objective is to produce stable majorities (single party or coalitional) for government. The representation principle, on the other hand, intends to reproduce in the legislature as faithfully as possible the social forces and existing political groups of society (Nohlen, 2007). These principles inspired the development of three types of electoral formulas: SMP, PR and mixed. Each one of these may experience some variation, making the existence of subtypes common (Lijphart, 1994).

Since Rae (1975) and Lijphart (1994), this has become the most salient of the dimensions of the electoral law. Studies have mostly focused on analysing how electoral formula (and changes in it) can affect parties, competition, and design strategy. Scholars also agree on the fact that the focus electoral system literature has placed on formula has led to place “primary attention to political parties and their motivations for supporting or opposing reform” (Celis *et al.*, 2011, p. 514).

Electoral formula can be modified without passing from one category to another. As discussed in the sections dedicated to minor reforms, there are times when reform produces shifts from one type of formula to another; however, there are others in which modifications to the electoral formula do not mean changes in the type of formula but minor modifications within it (Jacobs and Leyenaar, 2011).

In brief, changes to the electoral law that make systems shift from one formula to another constitute major reform. Changes to the electoral law that maintain the original formula can be either minor or technical depending on their specifics and degree.

Size: This category contains the dimensions that affect assembly size and district magnitude. It also contains reapportionment and electoral threshold reforms because each

modifies either the size or distribution of the district drawing or the minimal size of the party needed to enter electoral competition.

1. **District Magnitude:** This is defined as the “number of representatives elected in a district (constituency)” (Lijphart, 1994, p. 10). This dimension is subject to degree analysis. It is considered, like formula, one of the most relevant aspects of the electoral law. Both Rae and Lijphart coincided in the fact that this dimension was fundamental in the study of the political effects of electoral laws. Inspired by Lijphart’s (1994) 20% criteria, Jacobs and Leyenaar (2011) suggest that change above the 20% cut-off point in district magnitude constitutes a major reform. Similarly, changes in district magnitude that represent less than 20% and more than 1% of the previous arrangement, will be considered as minor reforms. Finally, changes that modify in less than 1% said total, will be considered as technical reforms.
2. **Assembly Size:** This dimension was first incorporated as a crucial one by Lijphart in 1994. Assembly size represents the total number of seats in the legislature. Lijphart (1994) states that “if electoral systems are defined as methods of translating votes into seats, the total number of seats available for this translation appears to be an integral part and legitimate part of the systems of translation” (p. 12).

Again, based on Lijphart (1994) and Jacob and Leyenaar’s (2011) work, I establish that changes of over 20% of assembly size are to be considered as major reforms. Similarly, changes lower than 20% and higher than 1% are to be considered as minor reforms; and less than 1% of changes to the size of assembly is to be considered as technical reforms.

3. **Effective Thresholds:** These are defined by Lijphart (1994) as the minimum levels of support that a party needs to obtain in order to be represented (Lijphart, 1994, p. 11). These may apply at the national, district, or regional level, and “the minimum may be defined in terms of a certain number of votes, a percentage of votes, or some other criterion such as the winning of at least one seat in a lower-level district in order to be eligible for seats in the higher-level district” (p. 12).

The adoption (if there were none) and/or repeal of electoral thresholds represent major electoral reform. In addition, any modification of 20% or more of the electoral

thresholds is be considered major reform. Changes in the registration requirements between 1% and 20% are minor, and modifications below 1% effective threshold are regarded as technical.

4. Reappointment of Seats: Changes over 20% of the redistribution of representation in a legislative body are considered major reforms. Changes under 20% but over 1% of the distribution of seats are considered minor, and changes that represent less than 1% are classified as technical.
5. District Boundaries: Changes in the drawing of the electoral boundaries that affect over 20% of the inhabitants are regarded as major reforms. Changes that affect from 20% to 1% are to be considered minor, and less than 1% affected are considered as technical reforms.

Ballot: This category considers all dimensions related to ballot access and structure.

1. Ballot Access: This dimension represents the ability of citizens to access the right to vote. It is generally associated with the expansion of the electorate, under the premise of universal suffrage.

Any changes over 20% in the expansion of electorate are considered major reforms. Changes in expansion between 20% and 1% are classified as minor, and changes in expansion that represent less than 1% are considered technical (e.g., lowering vote age or enfranchising foreigners or citizens living abroad (Jacobs and Leyenaar, 2011))⁵.

2. Inclusiveness

- a. Registration and Type of Vote: Modifications to either of these will be in the realm of minor reforms. Regarding registration, Jacobs and Leyenaar (2011) consider this dimension to be composed of two sub-dimensions. The first determines *who* is in charge of the process: the state or the individual. The second sub-dimension regulates the specifics regarding the costs attached to the registration process: if it is free or not. Changes from one type to another

⁵The limits between minor and technical differences regarding other changes to vote type remain to be determined (Jacobs and Leyenaar, 2011).

also constitute minor reform. If a reform modifies elements of registration procedures, it is considered technical.

Regarding type of vote, some electoral systems may choose to make voting compulsory and others may choose to make it a voluntary affair. Changes in the type of vote from one category to another are considered major reforms.

- b. Ballot Structure:** This is defined by Jacobs and Leyenaar (2011) as the dimension that “includes all changes in the degree and nature of a voter’s choice” (p. 502). There are four identified types of ballots: candidate ballots, preference ballots, dual ballots, and party ballots (Norris, 2002). Changes that involve moving from one type of ballot to another are regarded as major reform. If changes are effected within the category, it can be considered either minor or technical depending on the percentage of change generated in each of the possible areas. The similar 20% to 1% and less than 1% thresholds would apply.

Election Levels: This category considers change in two possible dimensions. The first contemplates the national or subnational character of reform, referred to as *layers* (national, local, provincial, regional, etc.). The distinction was first drawn by Lijphart (1994), who included changes only at the national level. The second dimension constitutes changes in the direct or indirect nature of the election in national and subnational levels.

1. **Layers:** Changes to the electoral law that occur at the national level will almost always be considered major reforms (Lijphart, 1994; Jacobs and Leyenaar, 2011). Introduction of new legislation to the electoral law at the national level is also considered a major reform. Introduction of new legislation in non-national levels will be considered minor or technical, depending on the percentage of population they affect, based on the less than 1% for technical and less than 20% but more than 1% criteria used in all of the assessments (Jacobs and Leyenaar, 2011).
2. **Direct/Indirect Levels:** Modifications of the type of election of a public figure at the national level constitutes a major reform, whilst modifications at any non-national level will considered as minor. Differentiation between minor and technical reform

will depend on the percentage of people affected by reform. All those below 1% will be technical.

Electoral Procedures: This category contains two dimensions that represent aspects of *when* and *how* elections are organized. They can be either minor or technical depending on the degree of change. Some examples of these dimensions are changes in the monitoring of elections and in the supervision of redistricting (Jacobs and Leyenaar, 2011). For more see Massicotte *et al.* (2004).

Quotas: This category considers two possible dimensions of the electoral law. The first has to do with candidate nominations; the second, the number of seats.

1. Candidate Nomination: This dimension considers the possibility of changing *who* can be nominated. Usually, it requires the selection of a specific percentage of female/minority candidates. If legislation is introduced, the reform constitutes a major one. If regulation modifies more than 20% of the nominations, it is also considered a major reform. Changes that modify candidate nominations less than 20% but more than 1% are minor reforms. If the new legislation modifies them less than 1%, then they are considered technical.
2. Number of Seats: This dimension considers the number of seats the electoral law safeguards for minority groups (women in the case of gender quotas). Introduction of legislation on number of seats is considered a major reform. Modification of over 20% of the total number of seats also constitutes major reform. Changes that modify the number of saved seats under 20% and over 1% are minor reforms, while those that modify them in less than 1% will be technical.

Participation Rules: The dimensions composing this category are candidate and vote requirements, along with rules that govern primaries.

1. Candidate Requirements: Legislation that modifies candidate requirements is classified as major reform if it alters more than 20% of the existing requirements. If legislation modifies candidate requirements over 1% and under 20%, it constitutes minor reform. It is considered technical if it represents changes of less than 1% to the existing requirements.

2. **Vote Requirements:** Similar as candidate requirements, changes that modify standing requirements over 20% will be considered major, minor if they vary from 1% to 20%, and technical if they represent changes of less than 1% of the requirements.

Campaigning: This category groups campaign financing and campaign rules.

1. **Financing:** Introduction of new legislation regarding campaign financing is considered major reform. Modification of more than 20% of the legislation regulating campaign financing are also considered major reforms. Changes under 20% and over 1% are minor reforms, and those that modify less than 1% of the campaign finance legislation constitute technical reforms.
2. **Rules:** Introduction of new legislation of the rules of campaigning are considered major reforms. Modification of more than 20% of the existing rules are also considered major reforms. Changes that represent changes under 20% and over 1% of the rules of campaigning are considered minor, and those that represent change below 1% are technical.

The dimensions discussed above are only a handful of the possibilities that could be identified in electoral law. The criteria based on the 20% to 1% threshold serves as an initial approach to the identification and typification of electoral reforms. However, further analysis of each dimension is needed in order to establish an either quantitative or qualitative measure of the degree and scope of the dimension in question (Jacobs and Leyenaar, 2011).

This section has been dedicated to the construction and analysis of the dependent variable, electoral reform. The following segment is dedicated to the study of the determinants of electoral reform.

2.2 Determinants of Electoral Reform: The Inherent and Contingent Causes of Electoral Reform

In this section, I study a set of possible determinants of electoral reform. In accordance with the framework proposed in this dissertation, the search for the causes of electoral reform from an ahistorical point of view is unadvised, mainly because these processes do not occur in a vacuum (Taagepera and Shugart, 1989). As introduced in Chapter 1, electoral reform is produced by a mixture of inherent and contingent factors that present

themselves differently for each case under study. Electoral reform is a real-life event. As such, it occurs in particular places and times, the product of case-specific factors. Identifying the causal factors able to explain electoral reform is thus a crucial part of the investigation. Because this dissertation is based on a multiple approach framework, the explanatory causes that arise differ from each of the approaches used. Different explanatory factors appear from the HI and the RCI approach, confirming the initial notion that different theoretical lenses focus on different levels which leads to the study of different factors. This dissertation advances the idea that each theoretical approach relies on factors that can either build on inherent or contingent level.

In the paragraphs below, I present the explanatory factors this dissertation considers necessary and sufficient to account for the Chilean electoral reform of the binominal system in 2015.

This section of the chapter is divided into two segments. The first introduces electoral reform determinants from the HI perspective and the second, from the RCI approach. Chapters 3 and 4 will then study how each of them contributed in the causation of the 2015 electoral reform, through case studies pertinent to each theoretical perspective, in order to achieve complementary conclusions on why the Chilean electoral reform happened when it did, the way it did.

2.2.1 Electoral Reform Determinants in Light of the Theoretical Framework

The framework introduced in Chapter 1 allows us to theorize about the probable causes of electoral reform within the parameters of the definition proposed above. In accordance with it, electoral reform is likely to be produced by variables located in two distinct levels of analysis. This characteristic has raised the issue of how to study processes of electoral reform. My approach, inspired in the notion of contingent and inherent factors (Eckstein, 1980; Shugart, 2008) argues that electoral reform is produced by a complex combination of causes that lie in inherent and contingent levels. The foundational premise is that even if there is a certain accumulation of inherent causes, electoral reform is unable to occur unless it is triggered by some combination of other contingent variables. While HI seeks to analyse the inherent causes of electoral reform, RCI intends to do the same for the contingent factors. As stated, electoral reform does not happen in a vacuum (Taagepera and Shugart, 1989): historical, social and political antecedents matter, in the form of

inherent conditions, as does contingency, which serves as the trigger of these complex political processes.

There is no simple road to uncovering the causes of electoral reform. This is one of the main premises of this dissertation. Chapter 1 argues that the most pertinent approach to uncover the inherent factors of electoral reform is the HI approach, as is the RCI approach to the contingent factors. Tools provided by the first will allow this dissertation to uncover the case-specific chain of events that generated the antecedent conditions in which reform *could* occur, if and when combined with other contingent case-specific factors, provided by the second.

2.2.2 Determinants of Electoral Reform: Insights from HI

Seen from the HI perspective, electoral reform can be produced by diverse factors, which can be in the realm of either structure or agency. Although the primary focus of the approach has been set on the first, HI has always been alert to the role of the individuals in the process of institutional change.

Some of the most discussed factors of electoral reform in HI literature have been presented and reviewed in the state of research in Chapter 1. Among the most relevant, scholars have examined the effect factors such as the universalization of enfranchisement, rise in the number of parties, appearance and inclusion of new (socialist) parties, uncertainty, volatility, and other, normative issues have on electoral reform. Although these have shed light on important cases, this dissertation proposes another set of possible determinants that, in conjunction with factors identified from the RCI approach, contributed to causing Chile's 2015 electoral reform. The main objective of this exercise is to broaden the theoretical lens that allows us scholars to search for possible causes of electoral reform.

In the paragraphs below, I propose a set of determinants of electoral reform for the case of Chile. Although this dissertation focuses on accounting for one specific case of electoral reform, the theoretical framework can travel to other cases, provided they complement their research with case-specific inherent and contingent factors. The framework constructed does not provide specific set and combination of independent variables, but a theoretical framework of how to approach their study.

2.2.2.1 Enabling Reforms: The Gradual Construction of the Inherent Conditions for Electoral Reform

The argument behind this factor is the notion that in some cases, the desired electoral reform is, from the initial-stand point, impossible to achieve with the current electoral law. Enabling reforms are key because their existence implies that reformers are conscious of these limitations and, in order to achieve the desired electoral reform, the strategically plan to create a legal scenario where that reform is possible. This is why I have used the concept of *enabling*. This implies that there are political actors with long-term motivations and long-term strategies doing the “enabling.”

Enabling reforms are reforms that make other reforms possible. Each of them are reforms in their own right; however, they are not the outcome under study and they are not necessarily electoral reforms.⁶ They are necessary building blocks that make up the conditions in which the electoral reform under study is able to occur. Each can be considered a successful case of reform; however, it does not imply that because they were, the electoral reform under study will also be. This exemplifies the very nature of the inherent and contingent framework. Just because there are certain inherent factors (enabling reforms), does not mean that reform can or will take place. There are certain contingent factors that must appear in order to trigger reform. For example, I will argue that in the Chilean case, there were several inherent conditions that accumulated over time that were crucial factors for the final “activation” of the 2015 reform. Some of them are the formal reforms that enabled Congress to vote with more achievable quorums. Others, such as the abolition of designated and life senators in 2005 altered, for the first time in years, the status quo in Congress, shifting the distribution of majorities, and thus allowed the coalescence of pro-reform majorities in both chambers.

I conceive of enabling reforms strictly as formal ones. I consider five enabling reforms that took place from 1989 to 2014: (1) the increase of the total number of senators from 26 to 38, (2) the reduction of the quorum required to modify constitutional organic laws, (3) the elimination of life and designated senators, (4) the elimination of the number reference “13” that fixed the total number of Senators in accordance to the 13 regions, from Article 45° of the 1980 Constitution and (5) the elimination of the number reference

⁶ Some of them, in the Chilean case, are constitutional reforms.

“120” from Article 43° of the 1980 Constitution. (For details of each see Chapter 3, Section 3.3).

In the paragraphs above, I introduced what I consider to be the inherent factors that contributed to the production of electoral reform. Because they are seen through the HI lens, they are historically-bound factors, linked to specific characteristics of the case under study. This does not mean that similar factors cannot also be present as inherent conditions for other electoral reforms; what it implies is that among the wide array of possible determinants, these are the ones considered as necessary (in conjunction with the ones presented in the next section) to produce the outcome of electoral reform for this particular case.

The next section is dedicated to the examination of the determinants of electoral reform from the RCI perspective. It is important to recall that this dissertation considers determinants from each approach as incomplete on their own, and sufficient in conjunction, as they provide the required inherent and contingent factors necessary to produce electoral reform. RCI provides a theoretical lens that analyses contingency and the role of individual actors.

2.2.3 Determinants of Electoral Reform: Insights from RCI

This section is dedicated to the discussion of the factors that contributed, through contingency, to trigger the final stage of electoral reform, with already favourable inherent conditions. It does so with insights from RCI.

In this section I review the following determinants: (1) improvement of legislator re-election prospects, (2) improvement of party seat share and coalition prospects, and (3) other non-instrumental motivations for legislators, parties, and coalitions in light of a specific set of events that marked the social and political context at the time: (a) social unrest during the Piñera administration (2010-2014), (b) internal conflict within the ruling Alianza, (c) the 2013 legislative elections, (d) President Bachelet’s accession to government, and (e) the New Majority’s honeymoon effect.

In accordance to this dissertation’s theoretical framework, RCI allows scholars to see electoral reform as a product of different factors than those presented from the HI perspective. Abstracting from reality, this theoretical lens is able to model and predict legislator behaviour (towards electoral reform) from a particular set of possible

determinants. RCI's most well-known motives for reform lie at the heart of the individual. This is why RCI focuses on finding what makes individuals act a certain way in a particular place and time.

The RCI approach has been introduced to the framework with a specific task: to provide a set of possible factors that contribute to the causation of electoral reform. As discussed in Chapter 1, contingency is crucial, since it is the trigger to activate the process of reform, and this is where RCI comes in.

Legislators are not only constrained by electoral institutions. They are also constrained and motivated by their notions of self-interest, values, and ideology (Bowler, Donovan and Karp, 2006; Zucco, 2009). This makes motivations complex features that are unlikely to be thoroughly understood. However, they provide a roadmap of possibilities, and it is up to us to reconstruct and explain why—in accordance with our theory—legislators acted the way they did.

Legislators rarely operate exclusively driven by one factor. Simplifying legislator behaviour to one motive has been considered by scholars as reductionist and unreal. Self-interest cannot be the only driver for legislator behaviour. I agree with those critiques and have discussed them at in length in Chapter 1. What I—and most scholars using RCI—argue is that a more nuanced approach to legislator motivations should be taken. A more nuanced view allows scholars to construct a more complex set of motivations for legislators. Of course, self-interest plays an important role in this construct, but so do values (towards democracy), ideology, and culture, among many others. Moreover, legislators are not only motivated, but also constrained by a set of specific electoral rules and party and coalitional ties. All these factors weigh in when legislators are faced with making a choice for or against electoral reform.

For the purposes of this dissertation, I consider legislators as having more than just one goal (Renwick, 2010; Aldrich, 1995), which can be competing or conflicting (see Strøm and Müller, 1999; André, Depauw and Shugart, 2014). Arguments from this perspective hold that legislators may have goals with respect to themselves, to their party, or even the coalition their party belongs to.

As some of the most prominent examples of RCI studies of electoral reform, Boix (1999), Bueno de Mesquita (2000), and Benoit (2004, 2007), considered individual (or party) motivations as operating each individually. They modelled behaviour based on one

specific set of motivations, sketching unrealistic yet parsimonious scenarios. Although the rational choice model acknowledges the diversity of motivations, it does not necessarily consider that they are all operating at the same time in different levels. This shortcoming is what scholars (Kitschelt, 1992) have intended to correct, or at least qualify, through more complex views of legislator and party goals.

The existence of more than one goal legislators seek to achieve implies that they are bound to have complementing—or perhaps competing—preferences and thus, goals (See Smith, 2007; Fenno, 1973). As Lehoucq (1995) notes, legislators inhabit multiple arenas at the same time. Complementing our point, he argues that most of the time, rational choice models operate under the notion that legislators decide based on only one of these arenas, when the reality shows that they operate motivated by different aspects present in different ones (p. 27). Making matters even more complex, it is also possible to state that one specific action may be motivated by more than one factor—and those actions may serve more than just one purpose. Questioning the single goal approach used by some RCI scholars, a more complex view of motivations and goals has developed arguing that there is wide and complex range of motivations behind legislator behaviour (Strøm and Müller, 1999).

Because of the existence of multiple goals, one must consider the possibility of them being impossible or difficult to attain. Efforts to achieve one may distance the political actor from the other. As Strøm and Müller (1999) explain, “[t]he same behavior that maximizes one of their objectives (party leaders) may not lead to the best possible outcome with respect to the others” (p. 9). On the other hand, sometimes they concur, and one helps or increases the chances of gaining another. One could argue that the three most common rational choice gains or motivations could represent the argument. In the office-vote-policy debate, on many occasions policy is indeed subject to whether or not the candidate makes it to office, through the minimum count of votes needed.

In Chapter 1 I discuss the institutional and non-institutional constraints legislators face. In order to discover legislator’s motivations to either pursue or oppose instances of reform, it is necessary to consider how existing constraints contribute to their motivations and goals. Are they seeking to replace a failing system? Are they seeking to increase their party’s seat share? Are they seeking to increase representation? The questions guiding

this section of the investigation are: What are they trying to accomplish? And why are they trying to accomplish it? The first states the goal; the second, motivation.

Provided below are the highlights of the discussion presented in Chapter 1 regarding constraints, goals and motivations.

Self-interest is often considered one of the most relevant factors. It can take different forms, depending on what individuals consider as desirable. As argued in Chapter 1, self-interest behaviour refers to the strategic and calculated maximization of a specific goal, which in electoral reform literature has been systematized as power, seats, votes, office, or policy.

Notions of self-interest have been at the centre of almost all RCI-inspired investigations. What differs is the degree to which are presented as the exclusive drivers of behaviour. This dissertation considers self-interest motivations as crucial components of a larger and more complex set of motivations. Scholars have found that self-interest is often moderated by other factors such as ideology or values (Blais and Massicotte, 1997; Rahat, 2004; Sakamoto, 1999). It is also possible that legislators do in fact care about and seek to improve democracy and enhance democratic values such as representation. Political actors may be drawn to maximizing their power interests and seek what they consider to be a wider good (Renwick, 2010, p. 27).

Multiplicity of motivations and goals show that legislators are not always engaged in power-maximizing behaviour. If they are in fact just operating with power-maximizing motives, “at least they feel the need to justify election rules in terms of normative goals that might resonate with the public” (Bowler and Donovan, 2013, p. 27). In contrast, sometimes they are genuinely motivated by principles or ideology (Lehoucq, 1995; Zucco, 2009). At times, this can be personal or at other times, it can be influenced by the need to represent the opinions of their vote base (Bowler, Donovan and Karp, 2002, p. 733). However, most RCI scholars would agree with Kellner (1995) when he states that despite the true nature of values motivating legislators, “[i]n politics, when principles collide with self-interest, principle tends to retreat with a bloody nose” (p. 23).⁷

⁷ Quote used by Jacobs, K. in Paper for ECPR JS workshop 20. Populists and Public Office: “So do they empower the people? Populism, electoral reform and direct democracy in Austria, Belgium, and the Netherlands”, p. 3.

Things become more complex when I add parties to the mix. Legislators who belong to a party will not only have their individual goals, but their party's goals in mind. As discussed in Chapter 1, attitudes towards party goals may vary, and they will be influenced by aspects such as discipline and cohesion, as well as the nature of the electoral law. As Carey and Shugart (1995) demonstrate, the nature of electoral institutions (ballot structure, formula, district magnitude) and of the electoral law (candidacy requirements, voter registration, party and campaigning regulations) frequently strains the relationship between the interests of the party and those of the individual legislator (in André, Depauw and Shugart, 2014).

Different scenarios may appear. The ideal would be that legislators' goals and motivations coincide with those of their party. This would mean that there is no tension between individual legislators and their parties. A less than perfect scenario would be any case where legislators' goals do not match their parties. This situation could either cause insubordination from the legislator or command from the party to the legislator. Not only goals but motivations behind them can also clash.

Relationships between legislators and their parties are a crucial element in the study of the determinants of electoral reform. There are several issues that may trouble the relationship between the two. And conflict between the two may mean that reform is either passed without the approval or support of one or that reform does not go through because of the conflict.

With this discussion in mind, I now discuss the determinants of electoral reform that have appeared as crucial for the case of Chile's 2015 electoral reform.

2.2.3.1 Improvement of Re-election Prospects: A Motive for Individual Legislators, Parties and Coalitions

The paragraphs above describe how individual motivations are constrained by electoral law and electoral institutions and by other collectivities such as parties and coalitions. In most cases, legislators belong to parties and in some cases parties belong to coalitions.

Previous discussions lead to the conclusion that for most cases, legislators will be—at least in part—motivated to improve their electoral prospects. Improvement of electoral prospects can take form of pursuing an electoral reform that, to their knowledge, improves them or blocking a reform that, according to their calculus and expectations, worsens their electoral prospects. Either of these choices will be constrained by the nature of the

relationship individual legislators have with their parties and the relationship parties have within their respective coalitions, if any. This calculus is expected to be made at the individual level, and the outcome will be influenced by the constraints and goals discussed above.

i) Improvement of Individual Legislator Re-election Prospects

At the individual level, legislators are likely to be motivated to improve or maintain their electoral status considering the institutional and non-institutional constraints they face. They are expected to pursue electoral reforms that enhance their re-election chances and oppose those that are expected to be detrimental.

As one of the most important dimensions of the electoral law (Rae 1975, Lijphart 1994), district magnitude (DM) is one of the features that is expected to influence legislator behaviour, since it directly affects legislator re-election prospects. DM comes into focus as a dimension of the electoral law that, by increase (or modification), might improve an incumbent's chance at re-election. What I seek to investigate in the Chilean case is whether or not increasing magnitude is an incentive for legislators to vote for reform. The premise I will work with is that legislators, motivated to improve (or maintain) their re-election prospects, vote to increase DM under the expectation that by increasing it, they are also increasing their chances of re-election, thus protecting by reform the status quo.

Usually, the increase of DM must be applied with some revision of the current standing of districts. If electoral reform does not comprise DM augmentation, it could still aim to produce a re-drawing of the current district boundaries. This dissertation's case study will consider both scenarios, since the electoral reform under study considered both increasing DM and the re-drawing of district boundaries. In accordance to RCI principles, if legislators thought increasing DM and re-drawing current electoral boundaries might improve their electoral status, then it is likely to expect that they would favour and pursue this modification of the electoral law.

Although at the end of the day, it is only legislators who can cast a vote on reform, they are not solitary actors influenced exclusively by their aspirations. First, they are constrained by the electoral law and the country's institutional framework. Second, they are individuals motivated not only by maximization of re-election prospects, but by other notions of what is good and just. In addition, they are also part of other collective factions that may affect their motivations and may or not have a say in their choices. As I have

suggested above, their calculus is not performed in a vacuum; rather, it occurs in a specific institutional and political context.

i) Improvement of Party Seat Share Prospects

Although representation occurs through individual candidates, they usually belong to a political party (Swindle, 2002, p. 279). As Fiorina (1980, p. 26) states, “the only way collective responsibility has ever existed, and can exist, given our institutions, is through the agency of the political party [...]” (in Aldrich, 1995). However, parties have no direct way of voting for or against the modification of specific aspects of the electoral law. What they can do is influence a legislator’s vote in service of the party’s interest. This determinant will prove relevant when the legislators are actually constrained by it.

If, for example, legislators have free range to act without consulting the party, it is possible that when a legislator is faced with the dilemma of enhancing their chances at the cost of their party, they will choose themselves. However, if legislators are part of cohesive and disciplined parties, then their motivations are expected to be in service of improving the party’s expected seat share and not just their own. From this viewpoint, their self-interest lies not only in their own re-election, but in improving the party’s total number of elected seats.

The structure of the electoral institutions and the nature of the electoral law will generate diverse incentives that will affect legislator behaviour. These incentives will produce either discipline and cohesion or the opposite. An important part of party strategy and calculus depends on the party’s ability to coordinate internally and from there try to pursue electoral reforms that will benefit them (in this case, increasing or maintaining the party’s seat share) through the agency of their legislators. For the purposes of this dissertation, I will assume—under the umbrella of the RCI approach—that parties seek to maximize their seat share as a primary objective and, additionally, pursue reforms that connect with other goals (e.g., normative, ideology, etc.). In order to achieve this, parties rely on internal discipline and cohesion in order to coordinate legislator behaviour with party objectives.

Modification of specific dimensions of the electoral law may give rise to conflict between legislators within a party and may generate conflict between legislators and their leaders. It is common to see partisan divisions over matters of electoral rules among incumbents (Bowler and Donovan, 2013, p. 30). For the authors, no issue too small to generate

divisions amongst electoral officials. This leaves theoretical “room” for discussions and divisions to happen over minor or even technical reforms.

The outcome will depend on how parties resolve their internal conflicts and manage to create coordination. If they succeed, then electoral reform will be pursued in order to accomplish the party’s objectives. If they do not, and legislators do not manage to act under the notions of cohesion and discipline, it is likely that they will support electoral reform as a function of their individual goals.

ii) Improvement of Coalition Status: Constructing a Winning Coalition

Coalitions are crucial factors in electoral reform processes because of three main reasons: (a) they influence party and legislator behaviour, (b) they stand to gain or lose from said processes and (c) they are needed to actually pass reform.

Coalitions contribute to shaping incentives and constraints parties and legislators have on their behaviour. Legislators are influenced by their own agendas, by that of their party, and the agenda of the coalition, if their party belongs to one. However, a coalition’s effect on legislators and parties may vary from case to case, depending on the nature and tradition of their political and electoral systems. In some cases, coalitions play a crucial role in policy making, particularly when the coalition created has the absolute power to approve or block legislation.

In presidential democracies, coalitions are considered convenient to governance but not composing government (Altman, 2000; Morgenstern, 2004). Coalitions can take the form of electoral alliances, parliamentary style executive cabinets, or legislative policy coalitions (Morgenstern, 2004, p. 141). Chile has long tradition of political coalitions. They have been crucial as electoral alliances and as policy coalitions. However, there is one reform that no long-standing coalition in Chile had been able to pass since the return to democracy: reform of the binominal system. After many years and reform attempts, no coalition able to pass electoral reform coalesced until 2014. Previously, legislators had been unable to construct a coalition sufficient to approve electoral reform, a minimal winning coalition (MWC). A coalition does not necessarily have to be stable or longstanding: it just needs to get the minimum number of votes to reach the required quorums of reform.

It is unlikely that legislators will have the chance to pass their “ideal” reform, but it is probable that they will try to intercede in the process. The outcome will be a negotiated version of each legislator’s ideal electoral reform. Once there is agreement on what is to be reformed, there needs to be an undisputed majority to pass it (Riker, 1962). In order for reform to be approved, a minimum number of individual votes required. Parties are aware of this, and this is where minimal winning coalitions come into sight.

The procurement of the required number of votes willing to enact reform is part of the 2014-2015 contingency. Although the 2013 legislative elections left a favourable scenario for reform, the required majorities had not yet been achieved. Something changed between 2013 and 2014, because during this period, the MWC formed. What happened? Why, after so many failed attempts, were politicians able to agree on a path of reform to vote with the minimal needed support? How was this support achieved? Who was part of this coalition? Chapter Four is designed to answer these questions, illuminated by the RCI approach.

The paragraphs above discuss how legislators, parties, and coalitions influence preference formation towards electoral reform.

Although political actors are constrained and motivated by narrow interests (individual, party- and/or coalition-given), they do not exclusively decide based on power-maximizing and self-interest motivations. Below I review other motivations legislators, parties and coalitions may have when faced with the possibility of electoral reform.

2.2.3.2 Culture, Values, Experiences and Ideologies as Other Motivations for Legislators

Legislators are individuals with a set of specific experiences, culture, values, and ideologies. They are also elected officials in charge of representing their constituencies in Congress. It is expected of them to be receptive to their constituencies’ goals and interests, as representatives. In some cases, legislators must also consider their party’s goals as their own, and act in accordance to their party’s agreements with their coalition partners, if their party belongs to one.

In sum, legislators are influenced and constrained by more than just their own notions of self-interest. A more nuanced view of their motivations is useful, one that contemplates not only what motivates them, but how they articulate their motivations with those of their constituencies, parties, and coalitions.

Legislators are expected to behave rationally regarding their positions. To most of them, it is crucial to remain in office or access it, for whatever reasons literature may suggest (rent, power, policy, etc.), since it is from office where they can legislate in accordance to other interests such as values and ideology. Although legislators act from office-seeking motivations, it does not mean they do not care and are not simultaneously motivated by other issues. These issues have been discussed earlier in section 2.2.3. With these ideas at hand, how can Chile's 2015 electoral reform be explained from a different set of individual legislator motivations? Were legislators influenced by their constituencies? By their parties? By their pacts with coalition partners?

2.2.3.3 Parties: Values and Ideology as Motives (For or Against Reform)

Just as legislators might be motivated by issues other than self-interest, parties may be motivated by goals other than seat-maximizing. And even seat-maximizing behaviour might be in service of other values. More seats in Congress means that they have better chance of implementing policies that reflect their party's core values and ideology. A significant number of seats allows parties more control over the agenda and policy and thus carry out their objectives as a party.

In sum, parties do not vote. Legislators committed to parties do. Parties are represented through their elected members, so it is vital for them to gain seats in order to affect policy. As discussed in section 2.2.3, parties influence legislator preferences and behaviour, but how party interests and objectives are converted into policies will depend on the nature of the relationship between party leaders and legislators. In the case under study, the discussion translates into questions such as: did legislators vote for electoral reform according to individual preference or their party's? If legislators voted according to party preference, what were the party's motivation and goals?

2.2.3.4 Coalitions and Non-Instrumental Motivations

In a similar manner described above for legislators and parties, these collective entities may share and act from motivations different from pure self-interest.

The Chilean case furnishes a very good example of this. Its most longstanding coalition, the "Concertación de Partidos por la Democracia," was created to demand and later ensure Chile's transition to democracy, a motive different from self-interest. In 2014, year in which the electoral reform under study began, the coalition created to pass reform built

their arguments on issues like the improvement of representation and vote equality, the elimination of a system considered unfair and illegitimate, and the improvement and promotion of competition. What role did these motivations play in the process of the electoral reform? How do these motivations relate to other instrumental ones?

Final Remarks

The chapter discussed and constructed the dependent variable and introduced the inherent and contingent factors that will help explain the how, when, and why of the 2015 electoral reform.

The first task this chapter undertook was the reconceptualising electoral reform. With Rae's and Lijphart's contribution as building blocks, I continue to build on a more recent conceptualization provided by the academic community, which places focus on the scope of the concept of electoral reform. I propose a more comprehensive concept of electoral reform that understands it as any change in any of the dimensions of the electoral law. As a result, I incorporate the categories of major, minor, and technical reform. The second task was to construct a set of determinants that incorporated factors from both of the theoretical approaches of the proposed framework. Recapitulating, from the HI approach, electoral reform is conceived of as a gradual process, in which the institutional context where electoral reform could eventually prosper is enabled by enabling reforms. I propose that the inherent conditions necessary for electoral reform were created by five enabling reforms that took place from 1989 to 2014. The reforms under consideration developed during three distinct periods: 1989, 2005 and 2014. Two of the five take place in 1989: (1) the increase of the total number of elected senators from 26 to 38 and (2) the reduction of the quorum required to modify constitutional organic laws, from 3/5 to 4/7. Two took place as part of the 2005 constitutional reform: (1) the elimination of designated and life senators, (2) the elimination of the number '13' from Article 45° of the Constitution, which defined the fixed number of regions that would elect two senators. Finally, in 2014 the last of the enabling reforms took place with the elimination of the number reference '120' from Article 43° of the Constitution, which had established the total number deputies.

From the RCI perspective, the chapter discusses (1) improvement of legislator re-election prospects, (2) improvement of party seat-share, (3) coalitional interests, and (4) the role

other motivations play in the quest for electoral reform as contingent factors that contribute to the generation of the 2015 electoral reform. Chapters Three and Four analyse how the factors outlined played out.