Episode Book

EPISODE #6336

Why Election Thresholds Discard Valid Ballots

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SYNOPSIS

When thirty-eight party lists contest an election and only eleven clear the electoral bar, hundreds of thousands of valid votes end up unrepresented. This episode examines proposal tests for party registration, the mechanics of nationwide closed-list thresholds, and how discarded ballots alter seat math for qualifying parties. It compares registration practices across Australia, Mexico, and the Netherlands to evaluate whether stricter entry barriers or manifesto rules actually protect voters.

TRANSCRIPT



Corn

Throwing away six seats' worth of votes seems an extravagant way to reward people for turning up. Daniel's prompt gets at the part of political splintering that disappears behind the coalition charts, Herman. Citizens face another procession of breakaway parties, try to work out what distinguishes them, and leave feeling the process has very little to do with them.



Herman

Especially when the vote was perfectly valid. Nobody filled anything out incorrectly. Their chosen list simply failed to clear the threshold.



Corn

Daniel wants a tougher entrance requirement. Before registering, a party would need to show what distinguishes it, publish an accessible programme for government, and provide somewhere voters can respond. His suspicion is that this would have kept some of this election's vote-diluting parties off the ballot altogether. I like the disclosure part. I get nervous when somebody must certify that an idea is sufficiently original.



Herman

The distinction matters immediately. Requiring a document is an administrative test. Deciding whether it contains a worthwhile new political project gives an official power over who gets to compete.



Corn

You can already hear the rejection letter. Insufficiently unprecedented.



Herman

Tuesday's count gives us a fairly sharp way to test the proposal. We can compare the parties that would struggle with paperwork against the parties that actually absorbed substantial votes and missed out.



Herman

Thirty-eight lists contested the election. Eleven crossed the threshold. Twenty-seven did not. That happened with turnout reported at seventy-seven point seven percent, a substantial increase on the previous election.



Corn

More participation, more people discovering their participation buys no representation.



Herman

Soldier turnout was reported at nearly eighty percent, too. This wasn't an electorate collectively staying home. Yet more than two hundred and ten thousand valid votes went to lists below the threshold, roughly six seats' worth.



Corn

Worth being precise about that phrase. Six seats' worth doesn't mean we can hand six seats to one bloc and announce a different government.



Herman

No. Those voters had different preferences, and we don't know what their alternatives would have been. The latest provisional allocation has Netanyahu's bloc on fifty-three, Eisenkot's on forty-eight, and the Arab parties on nineteen. Earlier counts differed slightly. The discarded vote pool is large relative to the gap, but its hypothetical destination remains hypothetical.



Corn

Netanyahu warned right-wing voters about exactly that risk. The arithmetic doesn't become less real because your preferred party has an excellent campaign video.



Herman

Daniel's proposed registration test has no clear counterpart in the comparative material. I can't point to a democracy that requires a substantive programme for government, judged for novelty, before a party may register. The stricter systems tend to demand supporters, organisation, money, and documents.



Corn

Documents proving that a party exists, rather than documents proving that it deserves to.



Herman

Usually. We should also separate establishing a party from qualifying for a particular ballot. A country can permit political association quite freely while making an election candidacy expensive or organisationally demanding.



Corn

That distinction prevents a misleading international shopping trip. A country can have a famously difficult ballot without employing a civil servant to assess whether your housing policy is fresh.



Herman

Corn, would you actually refuse registration to a party whose entire platform duplicates an existing party's, but whose supporters distrust that party's leadership?



Corn

No. Trust is a political difference. So is believing the existing leadership will abandon its promises. I'd demand that the new party explain the disagreement, but I wouldn't require an economic theory nobody has previously encountered.



Herman

That already narrows the novelty requirement considerably. A representative party might offer familiar policies with different people, different internal rules, or a different constituency holding it accountable.



Corn

Your ideal manifesto has a bibliography. Mine names who answers the phone.



Herman

Yours would also request shorter meetings.



Corn

A policy with broad national appeal.



Herman

You would still attend the meeting about shortening them.



Corn

Only to oppose the working group.



Herman

The alienation Daniel describes has a specific mechanism. Israel elects the Knesset through nationwide closed lists. You choose a list, not an individual constituency representative. Lists below three point two five percent of valid votes receive no seats.



Corn

After the citizen has done all the work of distinguishing nearly identical names, recognising the ballot letters, and guessing whether the polling is remotely reliable.



Herman

Then the seat allocation uses the votes for qualifying lists. Votes below the threshold no longer contribute to that allocation. The surviving parties consequently receive larger shares of the seats than they would if every valid vote remained represented.



Corn

We should avoid saying your ballot literally transfers to a party you dislike. Nobody opens it and rewrites your choice.



Herman

Yes... its exclusion increases the relative weight of qualifying votes. It can benefit parties you oppose as well as parties you prefer. That is frustrating enough without describing a transfer that never occurred.



Corn

The voter intended support. The system records absence.



Herman

There is another detail we need to untangle. A percentage threshold moves with the final valid-vote total. More valid votes means a larger absolute number needed to qualify.



Corn

Some of the figures circulating don't fit together. There's a pre-election estimate around a hundred and sixty-six thousand, and a partial-count threshold around a hundred and thirty thousand. Those cannot demonstrate that higher turnout lowered the bar.



Herman

They don't. The partial count contains only the ballots counted so far. You can't compare it directly with a forecast for a completed election. At any fixed percentage, adding valid ballots raises the absolute threshold. That remains true regardless of which estimate someone published beforehand.



Corn

Good. Otherwise we were about to prosecute multiplication.



Herman

There is still a real uncertainty for voters. The final number needed depends on the final valid-vote total, while their decision happens beforehand. A small party can attract more supporters than last time and still fail if the electorate grows faster.



Corn

Although that isn't automatically unfair. Larger parties also need more votes to maintain the same share. The particularly harsh part is the cliff. Just below the line, you receive nothing. Just above it, you enter with roughly four seats.



Herman

Would you retain that cliff if it reliably reduced coalition fragmentation?



Corn

I'd accept some threshold. I wouldn't treat every unrepresented voter as evidence that it worked brilliantly. We need to compare the governing benefit with the representation lost. Otherwise the rule gets praised simply for doing what the rule says.



Herman

Coverage rarely performs that comparison. The immediate story is whether somebody can assemble a government. Failed parties become cautionary tales, successful parties become negotiating partners, and the voters themselves drop out of the picture.



Corn

Winners don't urgently request a recount of their legitimacy.



Herman

Failed parties have their own reasons to insist that next time will be different. Sometimes it will. Political organisation takes time, especially without an established politician at its head. A first failure doesn't establish that a constituency is imaginary.



Corn

That matters to the comparison Daniel wants. An aggressive registration rule can make the ballot tidier by stopping people from organising early enough to become viable.



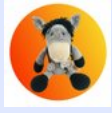
Herman

Internationally, the tougher requirements mostly try to establish a minimum body of support. Signatures, founding members, deposits, fees, constitutions, named officers, and public registration notices. Sometimes territorial spread matters, not merely a pile of names concentrated in one place.



Corn

Mexico is closer to the aggressive end on organisation, then. Demonstrating a national organisation is a different undertaking from gathering people in one room.



Herman

Yes. Mexico's national-party recognition process demands a geographically distributed membership and assembly structure. Australia places substantial emphasis on verifiable membership for parties without parliamentary representation. Poland uses supporting signatures. Those are different ways to demand evidence that the organisation has supporters beyond its founder.



Corn

None tells the founder that somebody else already proposed cheaper groceries.



Herman

Requirements can still be exclusionary. Gathering support costs time. Deposits favour people who can raise money. Geographic requirements can disadvantage a concentrated minority. An objective rule can be burdensome even when officials never inspect an ideology.



Corn

You're about to fall in love with a beautifully administered form.



Herman

I was about to say the form can conceal a political choice.



Corn

I withdraw half the allegation.



Herman

Keep the other half. A clean register is useful. It establishes responsibility for money, leadership, and compliance. The mistake is treating administrative cleanliness as evidence of public value.



Corn

A party can have impeccable accounts and nothing to say.



Herman

The Netherlands offers a useful limiting case. Registration isn't compulsory in the sense of needing state permission to establish a political party. Formalities still matter for participating under a registered name and accessing elections. Freedom to organise and entitlement to a particular ballot presentation are distinct.



Corn

Which explains why a comparative table can mention Dutch registration requirements while another account says registration isn't obligatory. They may be describing different things.



Herman

The Venice Commission's guidelines ask that support requirements be clear and proportionate, and resist restrictions that unnecessarily undermine political pluralism. That doesn't prohibit every demanding rule. It does put the burden on the state to explain what the restriction achieves.



Corn

With novelty, the explanation becomes difficult. A registrar would need to decide whether a new faction represents an actual disagreement or merely an ambitious politician.



Herman

Personal ambition and public purpose coexist quite comfortably. You cannot reliably inspect one and subtract the other.



Corn

Parliament would be considerably emptier if you could.



Herman

A manifesto publication requirement avoids some of that discretion if the test is simply whether a document exists. But then we must ask what it filters. A readable document can help voters without proving the party is serious, viable, or sincere.



Corn

The feedback channel has the same split. Requiring an address is easy. Requiring politicians to hear unwelcome answers is a much larger constitutional project.



Herman

We want to hear whether a splintered ballot or an unrepresented vote has made the process feel divorced from reality. Leave us a voicemail. Doug sent one about the proposed manifesto requirement.

D

Doug

Hi Corn and Herman, this is Doug calling from the cab of my truck, I'm just parked outside the Tim Hortons on Highway six in Guelph, Ontario, having a coffee before my next load, and I wanted to say I really liked the episode about the splintered parties and the threshold.

D

Doug

You were talking about raising the bar for registering a new party, and I mostly agree, but my question is, if a party has to publish a full platform before it can even register, who actually reads it, and would that have stopped any of those twenty seven lists, or would they just have written something down anyway, because I once helped my cousin write a business plan just to get a small loan and it was three pages of nothing, and he still got the money, so I wonder if a manifesto is really the filter you think it is, thanks.



Corn

Doug's distinction is useful. Publication gives citizens something to inspect. It doesn't make the contents credible.



Herman

The election's failed lists illustrate that. At the tiny end, the provisional table gives a list called Blue and White four votes, and Ahi Movement thirty-nine.



Corn

Four votes. Even the candidate list appears unconvinced.



Herman

The name Blue and White once belonged to a party that won thirty-five seats in the first election of twenty nineteen. A familiar label clearly tells a voter very little about present support.



Corn

There's the confusion Daniel means. A name can preserve its recognition after losing practically everything recognition was attached to.



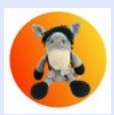
Herman

Israel First, associated with Sharen Haskel, recorded seven hundred and forty votes in that table. Other lists received a few hundred. These results look like an obvious argument for a stricter entry requirement.



Corn

Until you add them up and discover you have mainly prevented a very small number of people expressing themselves.



Herman

Even that prevention isn't guaranteed. A four-vote list could publish a manifesto. We shouldn't assume obscure parties are incapable of producing documents. What we can say is that excluding the tiny tail would barely change the overall wasted-vote problem.



Corn

The manifesto might have more readers than voters.



Herman

The consequential case is the Reservists–Economic Party, led by Yoaz Hendel and Yaron Zelekha. Its provisional total was a hundred and five thousand, eight hundred and fifty-one votes. That put it around twenty-four thousand short of the threshold on that count.



Corn

Close enough to sound viable beforehand. Far enough away that wishing doesn't repair it.



Herman

It had substantive proposals on the cost of living, concentrated economic power, and universal service. Zelekha had a published economic programme. Daniel's basic programme requirement would have had something substantial to assess.



Corn

I'd expect that party to pass. Unless the registrar quietly changes the test from having policies to having enough predicted votes.



Herman

Then the state begins using uncertain forecasts to determine whether citizens may offer an alternative. Polling would acquire a power it absolutely should not have.



Corn

A bad poll could kill a party before election day.



Herman

Ofer Winter's People of Israel received around sixty-six thousand votes. Its support was not evenly spread. In Kibbutz Alumim it reached about fifteen percent.



Corn

That concentration matters. Nationally marginal can still mean locally meaningful. Telling those voters that their concern wasn't sufficiently original would deepen the alienation we're trying to reduce.



Herman

I wouldn't assume Winter's party clears every imaginable programme test. Its platform could certainly be challenged for detail. But a formal publication requirement is something a politically connected organisation can satisfy.



Corn

We can reject the claim that a manifesto bar would stop the consequential spoilers without pretending every manifesto is equally substantial.



Herman

Corn, what would you make compulsory if you could write only a disclosure rule, with no power to judge the ideas?



Corn

A stable public page with the current platform, named leadership, candidate selection rules, and a working contact channel. Date the revisions. Make it possible to distinguish a promise from an abandoned promise. I'd want that from established parties too.



Herman

You wouldn't demand a complete programme covering every ministry?



Corn

No. A narrow party should say it's narrow. If it exists to change conscription policy, make that legible. Requiring it to improvise a fisheries policy adds words, not accountability.



Herman

There is a stronger version of feedback than an unattended inbox. Publish how submissions are handled, whether members can propose changes, and who decides. Still, requiring a response to every citizen could consume a small party before it campaigns.



Corn

Your meeting instinct has escaped again.



Herman

You asked for accountability.



Corn

I asked who answers the phone. You've established a submissions secretariat.



Herman

A small one.



Corn

They always begin small.



Herman

The bigger filter operated outside registration altogether. Likud's campaign chief met Moti Leitner of Charedi Public to press him to withdraw, reportedly with a government post on offer. Netanyahu subsequently met him personally. He stayed in.



Corn

A public warned about wasted votes while a prospective appointment became part of the effort to prevent them. That is much harder for an ordinary voter to scrutinise than a published requirement.



Herman

Technical alliances also changed the field. Religious Zionism and Zehut agreed a bloc at the beginning of September as Winter's entry threatened the electoral space around them.



Corn

Shared ballot, preserved differences. Splintering can be managed without making everybody claim to agree.



Herman

Sometimes. Days later, the Zionist Home–Reservists alliance collapsed. Hili Tropper moved to Yashar, and Hendel joined Zelekha's economic party. Leaders were rearranging viable vehicles before the submission deadline.



Corn

That is where entry to meaningful competition gets negotiated. Registration permits the party to exist. Other politicians can help determine whether it has a survivable route to seats.



Herman

Those negotiations can prevent wasted votes and still leave citizens feeling remote from the decision. The programme they considered may end up attached to a different list, different partners, and a different leadership order.



Corn

A novelty test would give the state another lever while leaving those deals largely untouched.



Herman

Threshold reform addresses a different part of the problem. Lowering the percentage reduces the cliff for smaller parties but admits more negotiating partners. A fixed numerical threshold makes the target clearer but changes its proportional significance as the electorate grows.



Corn

Neither is a free improvement. A fixed number shouldn't become a trick for permanently favouring whichever electorate size suited the lawmakers.



Herman

A compensatory or transferable arrangement could preserve more voter intent, but it would require specifying exactly how secondary preferences affect allocation. You cannot simply give near-miss parties seats without taking those seats from somewhere.



Corn

I'd rather discuss that visible cost than pretend a downloadable manifesto recovers a ballot.



Herman

Voters also need the final alliance before deciding whether the platform matters to them. A beautifully disclosed policy attached to an alliance that disappears is incomplete information.



Hilbert

Herman, could a proposed party publish a platform saying it will withdraw as soon as one particular driveway is resurfaced, without promising anything else? I rang my neighbour Avi while you were explaining the distinction between registration and the ballot. He has been talking about standing over the shared access behind his building.



Herman

It could state that aim. Whether it could register or contest a particular election would depend on the applicable rules. Publishing the sentence wouldn't settle that.



Hilbert

He wanted help writing a proper programme. I sent him one sentence. Resurface the shared driveway and leave the pedestrian entrance open during the work. He sent back a paragraph about national renewal. I deleted it. There are six households using that entrance. Nobody has asked him to renew the nation.



Corn

National renewal would delay the driveway.



Hilbert

He thought he needed positions on everything. Your fisheries remark helped, Corn. I told him he could stop after the entrance. He has now sent the sentence to the other households. I asked him not to put his portrait above it. He used a photograph of himself standing in the damaged section. You can barely see the damage.



Herman

The photograph changes what they're being asked to respond to.



Hilbert

They responded anyway. One neighbour offered to ring the contractor. Another said the work had already been quoted, but nobody had told the ground-floor tenant when the entrance would close. Avi is speaking to her now. I still want to know whether he could keep the withdrawal promise in the programme. He hasn't asked me to remove it.



Corn

He'd have to explain what happens if the driveway is finished before nominations.



Hilbert

He can explain that himself. The people downstairs need to be able to get out.



Herman

...A narrow platform can be completely intelligible. The difficult electoral question is how voters express that preference without having to gamble their entire parliamentary representation on it.



Corn

That's why I'd separate Daniel's transparency proposal from the admission test. Let citizens inspect the platform and the organisation. Don't pretend inspection can establish likely electoral survival.



Herman

One adjacent distinction worth preserving is between party recognition and ballot access. An organisation can continue building support between elections even if it doesn't qualify to contest a particular one. Combining the two permissions makes a failed application much more consequential.



Corn

It also makes the supposedly tidy register a poor measure of democratic health. People can organise meaningfully without every organisation appearing on the next national ballot.



Herman

Results are scheduled for confirmation on the fourth of November. The seat arithmetic may move, but the question to watch is whether reform makes the final choice clearer before voting begins. A published sentence can reveal what people actually want. It cannot tell them whether their list will survive, or which alliance its leaders will ultimately accept.



Corn

My answer to Daniel is to require usable disclosure, including a real contact route, but not official approval of political originality. The consequential failed lists could produce policies. Their voters lost representation at the threshold, while the strongest practical filtering happened through leadership deals.



Herman

Thanks to Hilbert Flumingtop for producing the show.



Corn

If you want more of this, try episode eighteen sixty-one, Emergency Prep You Can Sing To; episode one forty-eight, Why Can’t You Fire Your Local Politician; and episode ninety-one, The Story Behind the Show. This has been My Weird Prompts.



Herman

If you enjoy these conversations, a review helps other listeners find us.



Corn

See you tomorrow.

SOURCES

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