

#SP2021 – how does the election system work in Scotland?

How do we elect Members of the Scottish Parliament?

The Scottish Parliamentary Election 2021 is almost upon us. Most people understand that the election is determined by two votes – a vote for a constituency candidate and then the regional or “list” vote.

But what are these votes and how exactly do they work?

There are 129 Members of the Scottish Parliament (MSPs) to be elected on Thursday 6 May 2021. To achieve a majority in parliament, a party needs to elect 65 MSPs.

Of the 129 members elected, 73 are elected as constituency MSPs, one for each of the 73 constituencies, and 56 MSPs are elected on the list or regional system, which is seven list MSPs for each of the eight electoral regions in Scotland.

In Edinburgh we have six constituencies and are also part of the Lothian region which includes a total of nine constituencies, including Midlothian North and Musselburgh,

Linlithgow and Almond Valley.

The constituency election uses the first past the post voting system, the same as that used to elect MPs to the UK Parliament. In the constituency part of the election, candidates represent political parties, or they may be independents. Voters put a single cross on the lilac ballot paper next to their choice and the candidate who gets the most votes is elected.

A feature of the first past the post system is that the elected candidate does not need to get more than 50% of the votes to be elected. For example, if there are three candidates in the constituency and ten voters, then assuming that every voter does cast his ballot, the candidate that gets the most votes gets the seat. Say, for example, Alice gets 4 votes, Bob gets 3 votes, and Claire gets 3 votes – Alice gets elected with just 40% of the votes.

The first past the post system has worked well in countries where there are just two major parties. Indeed, it worked well in the UK when the dominant parties were just Conservatives and Labour. With the emergence of smaller parties such as the Liberal Democrats and the Greens however, it has been argued that the first past the post system does not favour election of their candidates.

If there are more candidates in the constituency – then the situation can be even more exaggerated. Say we have five candidates and they are almost equally popular, a candidate could be elected with just over 20% of the votes. This is often cited as the major criticism of the “first past the post” system.

Regardless of the challenges of the first past the post system, the candidate who gets the most votes wins, and becomes the MSP for that constituency and on 6 May 73 MSPs will be elected this way.

The Regional or List vote

In order to “balance out” the election of MSPs and essentially prevent a “super majority” for one party, the regional vote is used to give a form of proportional representation.

For the regional vote, Scotland is divided into eight regions, and each region elects 7 list MSPs (a total of 56 regional MSPs).

Voters are given choices of political parties, or independents to vote for, and these are listed in alphabetical order on the peach coloured ballot paper. The parties submit lists of candidates in a priority order, and the person at the top of the list will be the one chosen first for that party, should the party receive the requisite number of list votes. The candidate names are not listed on the peach-coloured regional ballot paper – the voter is essentially voting for the party of their choice.

A candidate can stand both on the constituency and on the list. If they are elected for the constituency, then they are eliminated from the list so that they cannot be “elected” twice.

In order to balance out the votes and give smaller parties a chance, the arithmetic does not favour the parties who have candidates elected to constituency seats. The total votes received by a party on the regional list is **divided** by the number of candidates elected for the party at a constituency level (plus one).

This reduces the **effective** votes the party has at the regional level.

The best way to illustrate this is by an example. In the Lothian region there are 9 constituency MSPs to be elected one from each of the following constituencies:

- Almond Valley
- Edinburgh Central
- Edinburgh Eastern
- Edinburgh Northern and Leith
- Edinburgh Pentlands
- Edinburgh Southern
- Edinburgh Western
- Linlithgow
- Midlothian North and Musselburgh

Here we look at what happened in the 2016 election.

SNP had six MSPs returned to the constituencies in Lothian region, and Conservatives, Labour and the Liberal Democrats each had one MSP elected to constituency seats. (This is where the number 6 arises.)

There were 118,546 votes cast for SNP on the Lothian regional list – by far the highest number for any party.

The effective votes they received on the list is 118,546 divided by 6 plus 1 – so 118,546 divided by 7 which results in an effective vote of 16,935.

This severely curtailed the SNP's performance on the Lothian list, and resulted in **none** of the SNP regional candidates being elected.

The Conservative party on the other hand did extremely well on the Lothian list. Having elected just one candidate, Ruth Davidson, to Edinburgh Central, 74,972 votes were cast for the Conservatives on the list.

Their list vote was 74,972 divided by 1 plus 1, resulting in an effective vote of 37,486. This was the highest number of votes after the first round of calculations on the regional list, and the lead party candidate, Miles Briggs, was elected.

After this initial round the Conservatives had two further MSPs elected. Their effective vote for the second round was then reduced further as 74,972 was divided by 2 plus 1, resulting in an effective vote of 24,991.

On the second round of calculations, the Scottish Green Party had the highest list votes with 34,551 votes, and so Alison Johnstone was elected as a list MSP for the Greens. This process of recalculating the votes continued until all 7 Lothian list MSPs were elected.

- 
Miles Briggs Conservative
- 
Alison Johnstone, Green Party Photo © 2021, Martin P. McAdam
- 
Jeremy Balfour Scottish Conservatives
- 
Kezia Dugdale Labour
- 
Gordon Lindhurst Conservative PHOTO – Andrew Cowan/Scottish Parliament
- 
Neil Findlay Labour
- 
Andy Wightman Scottish Greens

In 2016 this resulted in the following MSPs being elected:

- Miles Briggs, Scottish Conservative and Unionist Party
- Alison Johnstone, Scottish Green Party
- Kezia Dugdale, Scottish Labour Party
- Gordon Lindhurst, Scottish Conservative and Unionist Party
- Neil Findlay, Scottish Labour Party

- Jeremy Balfour, Scottish Conservative and Unionist Party
- Andy Wightman, Scottish Green Party

With the Alba party now running candidates on most Scottish lists, including Lothian it will be interesting to see if they can disrupt the results from 2016 and we will explore that in a separate article.

The count will not be held in the same way this year. Instead there will be two days of counting beginning at 9.30am on 7 May. On Friday the three constituencies to be counted will be Edinburgh Central, Edinburgh Southern and Edinburgh Western. On Saturday 8 May votes will be counted for Edinburgh Eastern, Edinburgh Northern and Leith and Edinburgh Pentland.

It will probably be late Saturday afternoon before the results of the constituency vote is announced. On social media the hashtag will be #SPE21RESULT.