REPORT ON THE CROWN NOMINATIONS COMMISSION'S ELECTORAL PROCEDURES

Iain McLean*

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Summary

Selecting a bishop is an example of *judgment aggregation*. Each elector wants, in principle, the same thing, but electors may disagree on what choice best delivers the thing that they all want.

By contrast, many elections, including many in the Church of England, represent *interest aggregation*: electors want different things, and a fair electoral system is one which represents these things in the higher-level body in the same proportion as in the electing body.

Single Transferable Vote (STV), extensively used in the Church, is a good procedure for interest aggregation, but a bad one for judgment aggregation.

The procedures currently used by the CNC, at the end of the first meeting and again during the second meeting, are variants on a rule known in the professional literature as the Coombs Rule. The properties of the Coombs Rule make it quite suitable for judgment aggregation.

In the short term, therefore, this report recommends no change. However, there is a better judgment aggregation rule than Coombs', and future work could be commissioned to implement that rule (the Balinski-Laraki Rule). The problem of electors themselves being elected by a procedure which is (arguably) inappropriate to their task is more intractable.

* Professor of Politics, Oxford University. Vice-President for Public Policy, British Academy

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1. Preliminary: the nature of religious elections

> The second part of the election concerns how the seven electors elect their leader. Firstly, the seven electors should agree upon a certain number and upon certain names for election, as they best see fit. They should compare them with each other according to four conditions, namely, which of them best loves and knows God, which of them best loves and knows the virtues, which of them knows and hates most strongly the vices, and which is the most suitable person. (Ramon Llull, *Blanquerna* (1283), ch. 24, translated by J. London and I McLean)[1]

> The unity we seek depends on the willingness of us all to seek the truth in each other's utterances; on our being open to persuasion; and in the last resort on a willingness to recognise and accept the sense of the meeting as recorded in the minute, knowing that our dissenting views have been heard and considered. **We do not vote in our meetings, because we believe that this would emphasise the divisions between differing views and inhibit the process of seeking to know the will of God**. We must recognise, however, that a minority view may well continue to exist. When we unite with a minute offered by our clerk, we express, not a sudden agreement of everyone present with the prevailing view, but rather a confidence in our tried and tested way of seeking to recognise God's will. (*Quaker Faith and Practice: the book of Christian discipline of the Yearly Meeting of the Religious Society of Friends (Quakers) in Britain*, 3.06. At http://qfp.quaker.org.uk/chapter/3/, accessed 03.07.14. Emphasis added).

1.1. Ramon Llull (ca 1235-1315) was the first known mathematician of voting. He observed that electors to positions in the Christian church were engaged in what we now call *judgment aggregation* rather than *interest aggregation*. The story in my first epigraph is about the election of an abbess. Llull interrupts the narrative of his novel (the earliest known in Europe) to explain what he regards as the correct voting procedure for a judgment aggregation.

1.2. A judgment aggregation problem is one in which every voter has, in principle, the same objective: as it might be, to understand the will of God, or, more prosaically, to find the right person for a job.

1.3. An interest aggregation problem is one where it is recognised that there is no right answer, but where groups of voters have different interests, preferences,

[1] In I. McLean and A.B. Urken ed and transl., *Classics of Social Choice* (Ann Arbor, MI: University of Michigan Press, 1995), p. 71.

or ideologies, which should be represented in some fair way – possibly in proportion to their strength in the choosing population.

1.4. It follows that concepts of proportional representation, and the associated electoral systems, are more suited to tasks of interest aggregation than of judgment aggregation.

1.5. A well-known system of proportional representation is Single Transferable Vote (STV), which is widely used by the Church of England in internal elections. In particular, for instance:

1.5.1. 'Elections to the Committee must be carried out using the method of the Single Transferable Vote, in accordance with the STV Regulations of the General Synod' (*Briefing for Members of VIS,* 2.2.5[2]*)*;

1.5.2. Election of central members of the Crown Nominations Commission from the General Synod's House of Laity and the House of Clergy is conducted under STV;

1.5.3. Elections to the General Synod's House of Laity and House of Clergy are themselves conducted by STV by and from qualified members of Diocesan Synods.

1.6. I have reviewed General Synod's document GS 1533, GENERAL SYNOD SINGLE TRANSFERABLE VOTE REGULATIONS 1990 to 2004, referred to in *Briefing for Members of VIS,* at www.churchofengland.org/media/1307318/stv%20**regulations**.doc (accessed 03.07.14).

1.7. I confirm that GS 1533 gives a mathematically justifiable algorithm for the operation of STV.

1.8. But the larger question of principle is: *for what class of elections is STV an appropriate election procedure?*

1.9. The motivation for using STV may itself be the product of a more general concern for fairness and microcosmic representation. See for instance *'[T]he [V-I-S] Committee is encouraged to consider the need for a balance of interests and representation*

[2] Archbishops' Secretary for Appointments, *Briefing for Members of Vacancy in See Committees*, December 2013

(clergy/lay; male/female; urban/rural; ethnic minority communities; churchmanship etc) amongst the representatives.' (*Briefing for Members of VIS*, p.9)

1.10. The concept of voting by houses may also be driven by the theory of microcosmic representation, first expounded by the Comte de Mirabeau in 1789[3]. Houses of Clergy and Laity existed in the Estates-General of pre-revolutionary France. The ruling idea, as perhaps in the Church of England, was that clergy and laity had separate interests which were to be represented separately. The rejection of the estates system by the *Tiers-état* (commoners) in June 1789 was one of the precipitating steps to the Revolution.

1.11. Microcosmic representation refers to the wish that, as closely as possible, an elected body should be a microcosm of its electors. This can never be fully achieved. But in STV, where there are M places to fill, then each group of electors who comprise at least a proportion $(1/(M + 1))$ of the electoral body is guaranteed a place: for instance, one-sixth of the electors to a five-member seat. Proportions smaller than $1/(M + 1)$ may be represented, and frequently are, if towards the end of an election there is a body of non-transferable votes where the preferences expressed have been exhausted by all candidates on the voter's ballot paper being either elected or eliminated.

1.12. This process guarantees that any group of sufficient size representing an interest whose members may wish to identify themselves, as it might be by rural/urban, ethnicity, or churchmanship status, can be confident of being represented on the higher-level body being chosen.

1.13. However, as STV is a device to achieve microcosmic representation, it follows that it is not an appropriate electoral procedure when there is only one place to fill. A bishop cannot be rural and urban, male and female, Catholic and Evangelical … in the same proportion as his electors because there is only one of him. When there is only one place to fill, STV degenerates to what in the UK is called Alternative Vote (AV; otherwise known as preferential voting (Australia); instant runoff (USA); and rank-order voting). If there are arguments in favour of AV, they cannot be based on the concept of microcosmic proportionality that motivates STV.

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[3] I. McLean, 'Forms of Representation and Systems of Voting' in D. Held ed., *Political Theory Today* (Cambridge: Polity Press 1991), pp. 172-96.

2. The CNC's choice rules

2.1. I reviewed a sample note to CNC members headed 'Vacancy in the See of XXXX: Voting Arrangements at the end of the first meeting', dated November 2013, and kindly supplied by the Archbishop's Secretary for Appointments (ASA). I also had the benefit of email and face-to-face discussions with her in March-April 2014.

2.2. The key passage in the November 2013 document runs:

> Thus it would be proposed to ask voting members to list in secret ballot the 12 names (then 11, then 10, then 9, then 8, then 7, then 6, then 5, then 4) on paper they wish to continue considering. The Secretaries will conduct a count after each vote and the Chair will advise the Commission of the result. This produces a result very similar to that of STV without [its] complexity…. It also means that there is transparency at every stage. If it is decided to interview 4 candidates, then the 5th candidate will automatically be the reserve. In the event of a tie between candidates a preference vote will need to be taken between them.

2.3. It follows from the arguments in Section 1 of this report that STV is not an appropriate comparator. However, there is a name for this procedure in the professional literature. It is a multi-round application of the *Coombs Rule*.[4]

2.4. The Coombs Rule differs from the better-known AV as follows. Both rules start by establishing whether a candidate has more than half of the first places. If (as is normal with a large number of candidates) no candidate has more than half of the first places, AV eliminates the candidate with *fewest first* places. Coombs eliminates the candidate with *most last* places. Both proceed sequentially until the target number of candidates is still in play.

2.5. For a judgment aggregation procedure, the Coombs Rule is better than AV. AV may eliminate a candidate who is ranked first by few, but second by many. Such a candidate may be, in many electors' judgment, one of those who should be considered further. By contrast, the candidate ranked last on the most ballots is the candidate whom the largest number of electors judge to be unsuitable for the post.

2.6. The properties of the Coombs Rule are further explored at http://userpages.umbc.edu/~nmiller/RESEARCH/AVvsFPTP.REV5.pdf. This

[4] Bernard Grofman and Scott L. Feld, 'If you like the alternative vote (a.k.a. the instant runoff), then you ought to know about the Coombs rule,' *Electoral Studies* 23 (2004): 641-59.

article shows that the Coombs Rule produces an even stronger bias towards the 'centre' than does Alternative Vote. In a judgment aggregation, 'centre' should be interpreted as 'acceptable to the largest number of the electors'. The Coombs Rule is therefore an appropriate rule to use at this stage.

2.7. The second stage procedure is governed by Standing Order 122: *No name shall be submitted to the Prime Minister unless it has received the support of at least two-thirds of the total number of the voting members of the Commission (without discrimination in respect of Orders) in a secret ballot. The Commission shall indicate a preference between the two names submitted to the Prime Minister, determined by a vote conducted by a secret ballot: provided that … in the event of an equality of votes in …, the person presiding at the meeting shall have a second or casting vote* [omitting details of special procedure for Canterbury or York].

2.8. The ASA has further explained that

> 2.8.1. "Out of the four candidates the 14 voting members indicate up to three people they would like to keep in the pool for consideration. The one with the least votes is eliminated. Out of the three remaining candidates the 14 voting members indicate up to two people they would like to keep in the pool for consideration . The one with the least votes is eliminated.
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> 2.8.2. Out of the two remaining candidates the 14 voting members indicate one (or none) they would like to keep in the pool for consideration . If no one candidate has a 2/3 majority (10 votes) then the Chair of the Commission will advise the Commission and they may i) vote again ii) have a discussion iii) may need to consider whether to restart the appointment."

2.9. This is again a sequential Coombs procedure, because the candidate with the fewest votes to stay in the pool is in effect the same as the candidate with the most last places (not the candidate with the fewest first places). It is consistent with the Coombs procedure used at the end of the first meeting and may be commended for the same reason.

2.10. The two-thirds requirement has an ancient pedigree in church elections. It has been used for papal elections since 1179 and the modern version of the

conclave essentially dates to the papacy of Celestine V in 1294[5]. Celestine resigned and returned to his former life as a hermit after securing the rules.

2.11. As early as 1294, those involved in drafting the rules for papal elections understood the trade-off between speed and unanimity. In theory, election of a pope is a judgment as to the will of God, and should therefore be conducted by unanimity (as in the modern Quaker decision procedure, see second epigraph above). But a blocking faction of even one voter could then prevent any election at all, and vacancies of up to two years became common. To concentrate the minds of the electing cardinals, Celestine's rules prescribe a regime of increasing stringency, with the electors confined to a locked room with a gradually decreasing diet. In medieval times, the risk of contagious disease was a powerful spur to discernment.

2.12. As all the votes in this election stage are of equal weight, discernment assisted by the 2/3 rule should ensure that the needs of the diocese and of the wider church are both given consideration. Although there are more central than diocesan members on a panel, there are fewer than 10 in either class.

3. Issues for further discernment

3.1. It follows from the analysis above that I recommend no change to the CNC rules or practice at either the first stage or the second stage of election.

3.2. In the longer run, however, the Church may wish to consider introducing choice rules that are more appropriate for aggregation of judgments, rather than of interests. The two issues highlighted in this report are:

3.2.1. the possible inappropriateness of electing electors by (perhaps multi-stage) STV;

3.2.2. whether the Coombs Rule can be improved on.

3.3. The problem at 3.2.1 is profound and no easy solution comes to mind. The problem at 3.2.2 is more tractable. In the medium term, I recommend replacing the Coombs Rule by the Balinski-Laraki procedure[6].

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[5] J. M. Colomer and I. McLean, 'Electing popes: approval balloting and qualified-majority rule' in R. I. Rotberg ed., *Politics and Political change: a* Journal of Interdisciplinary History *Reader* (Cambridge, MA: MIT Press 2001): 47-68.

3.4. A fuller report can be provided, but in brief, the Balinski-Laraki rule is explicitly a *grading* rather than a *ranking* procedure. Often, as in the present case, both grades and ranks are required. A grade is an absolute description (such as Excellent/Good/Acceptable/Unacceptable). A rank is a relative, ordered position from 1st downwards.

3.5. The distinction may be illustrated through an experiment that Balinski and Laraki conducted during the French Presidential election of 2007. They asked respondents leaving a polling station to grade the candidates using the following statement about each candidate in turn: *To be president of France, after having taken every consideration into account, I judge in conscience that this candidate would be: Excellent / Very Good / Good / Acceptable / Poor / To reject.*

3.6. Respondents reported enjoying the task, and finding it more congenial and more appropriate to the choice they faced, than the actual Presidential election procedure they had just used (which is similar to a sequential AV election).

3.7. Balinski and Laraki's use of the phrase *in conscience* serves to remind the voter that this is a judgment aggregation, rather than an interest aggregation, procedure.

3.8. A version of the Balinski-Laraki rule is used by the Sections of the British Academy for electing candidates to its fellowship.

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[6] M. Balinski and R. Laraki, *Majority Judgment: measuring, ranking, and electing*. Cambridge, MA: MIT Press 2011.