

How majoritarianism endures in the structures of the UK's devolved institutions



Scotland and Wales' devolved political institutions, elected under proportional Additional Member electoral systems, were intended to produce a more consensual political culture. However, writes Felicity Matthews, although their electoral rules have increased the proportionality of representation, the structures of the Scottish Parliament and National Assembly for Wales have meant that a more consensual approach to policy-making has been more limited than might have been expected.

This year, the Scotland Act 1998 and the Government of Wales Act 1998 celebrate their twentieth anniversary. Few would disagree that the passage of these acts, which established the Scottish Parliament and National Assembly for Wales, was an important watershed in the United Kingdom's majoritarian tradition. This milestone anniversary provides a timely opportunity to reflect on the extent to which devolution has delivered the 'new politics' that was widely anticipated; and in [my recently published article](#) in *The British Journal of Politics and International Relations*, I examine the extent to which devolution has 'made a difference' by systematically comparing the institutional architecture of the Scottish Parliament and National Assembly for Wales with that of Westminster.

When the first elections to the Scottish Parliament and National Assembly for Wales were held, hopes were high. Indeed, a number of observers hailed devolution as part of a '[full-blooded constitutional revolution](#)', which would '[drag... the political system away from an extreme version of majoritarian democracy towards a more institutionally consensual model](#)'. Such optimism was perhaps unsurprising, as devolution had been presented to the people of Scotland and Wales as addressing the democratic deficits of Westminster majoritarianism. Devolution, the government declared, would 'strengthen democratic control and make government more accountable to the people of Scotland' (Cm 3658 1997: vii) and would 'liberate the energy of the Welsh people to make a real difference [via] a modern, progressive and inclusive democratic institution' (Cm 3718, 1997: 10, 24).

Yet despite these normative claims, there is no automatic reason to assume that devolution forges a closer connection between voters and legislators. Recognising this, [my article](#) examines the institutional inputs that structure these connections, and compares the extent to which factors such as electoral rules and committee systems have facilitated a more proportional dispersal of electoral payoffs. To do so, the article first focuses *office payoffs* and applies a series of measures to capture the proportionality of representation in terms of votes cast, seats won and offices held. The article then focuses on the alternative means through which non-government parliamentarians can achieve *policy payoffs*, and develops a series of measures to gauge the capacity of each parliament to affect policymaking via its committees and plenary session.

By distinguishing between *office payoffs* and *policy payoffs*, my analysis paints a more nuanced picture of the extent to which devolution has made a difference. In terms of *office payoffs*, the Additional Member electoral systems used in Scotland and Wales have ensured a closer congruence between party competition and the dispersal of seats, closing the gap between the effective number of electoral parties and effective number of parliamentary parties. However, a more proportional electoral system has not fostered a more collegial approach to the sharing of executive power, and on several occasions, plurality-winning parties have demonstrated a clear preference for governing alone, often eschewing coalition for minority government. This suggests that '[a Westminster culture and frame of reference](#)' has limited the effect of increased legislative proportionality on subsequent patterns of government formation. Indeed, across the three domains the average difference in the effective number of cabinet parties is negligible.

Yet in terms of policy payoffs, evidence suggests that the more proportional dispersal of parliamentary seats in the Scottish Parliament and National Assembly for Wales has created the conditions for non-government parties to exert influence, particularly in times of minority government. This contrasts sharply with Westminster where the (in general) domination of the House of Commons by majority governments has limited the leverage of non-government parties on the floor of the House. Nonetheless, my analysis also shows that Westminster's committee system provides a relatively important vehicle for opposition influence, and that successive reforms in recent years have bolstered the capacity of select committees. This is underlined by the increasingly willingness of select committees to move beyond their traditional ['police patrol' mode of executive oversight](#), sounding 'fire alarms' on issues including child sexual exploitation, phone-hacking and tax evasion. Indeed, the capacity of Westminster's committees compares favourably with their Scottish and Welsh counterparts, which have been subject to a number of institutional constraints.



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Taken together, [these findings](#) reveal that in terms of *electoral payoffs* (that is, office *and* policy payoffs), the systems of devolved government in Scotland and Wales have departed from the norms of majoritarianism, but to a more modest degree than the rhetoric of 'new politics' would imply. This relatively small shift not only underlines the extent to which the architecture of devolution has been constrained by a centrally designed framework derived from Westminster practice but also is suggestive of the way in which the culture of majoritarianism has continued to imbue governing practice, particularly with regard to patterns of government formation. Nonetheless, the introduction of a more proportional electoral system for the Scottish Parliament and National Assembly for Wales has had a clear effect in terms of closing the gap between votes cast and seats won, and despite limitations to the structures of opposition influence (notably the committee system), the increased vote basis of the legislature has ensured that a more substantial majority of voters are 'present' in the policy process. Indeed, by simulating the outcomes of the elections to the Scottish Parliament and National Assembly for Wales under Westminster's electoral rules (and vice versa), the seemingly modest changes wrought by two regional systems of government are made plain.

As the Scottish Parliament and National Assembly for Wales enter their twentieth year, these findings are both salient and timely. [My analysis](#) has isolated the effects of specific institutional structures on the dispersal of electoral payoffs, which underlines the potential of a multi-dimensional reform agenda for improving proportionality (i.e. electoral reform) and enhancing the conditions for opposition influence (i.e. legislative committee reform). Moreover, the Scotland Act 2016 and Wales Act 2017 have transferred important powers relating to electoral rules, constituency boundaries and legislative structures. The devolved governments now have their disposal key constitutional levers, which if used effectively could deliver the elusive 'sweet-spot' between representation and accountability. However, whether such a constitutional entrepreneur will emerge remains an open question, and while institutional reform can support a more consensual approach to policymaking, a genuine shift in political culture demands commitment and will, both of which appear to be in short supply.

This article first appeared on [Democratic Audit](#), and it represents the views of the authors and not those of LSE Brexit.

*It draws on the author's article '[Does decentralisation make a difference? Comparing the democratic performance of central and regional governing systems in the United Kingdom](#)', published in *The British Journal of Politics and International Relations*.*