

# Electoral reform and the constitution

What might a different voting system  
mean for the UK?



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## About this report

This report has been produced as part of the Institute for Government/Bennett Institute 'Review of the UK Constitution'. It looks at the potential implications of electoral reform for the House of Commons for the functioning of the UK Constitution.

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# Contents

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Summary	4
Introduction	8
Options for electoral reform	10
Implications for government formation	18
Implications for functioning of government	25
Implications for House of Commons	35
Implications for union and devolution	42
Implications for political culture	50
Conclusion	56
About the authors	58
References	60

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# Summary

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The system used to elect MPs to the House of Commons has long been the subject of political debate. The UK's majoritarian voting system has had a central influence on how the UK constitution has developed over centuries, and how it continues to function today.

While the arguments for or against electoral reform are well rehearsed, these typically focus on the outcomes of elections themselves. What a move away from 'first past the post' would mean for important constitutional questions such as how governments are formed once the votes are counted, and how the subsequent operation of key institutions from the House of Commons to Whitehall departments would need to change, are far less explored. These are the focus of this report.

Advocates of moving to a different voting system put forward different options – the alternative vote, the additional member system, single transferable vote and party list systems, among others. Each is different and would have varying levels of proportionality between seats won and votes cast, and so different effects on politics and policy making. There is also large variation possible within each system – from the size of constituency used or the use and type of thresholds for representation.

While certain systems may be designed with the intention of incentivising certain behaviours, such as promoting consensus or making it harder for one party to gain a majority, all are susceptible to 'gaming' by political actors. The interactions of each system with the wider political context of the day will be likely to create unpredictable or unexpected outcomes.

This report, part of the joint Institute for Government/Bennett Institute Review of the UK Constitution, draws on examples from within the UK and across the world to consider what a move to different voting systems would mean for the operation of the UK constitution; to identify the attendant risks and opportunities of such a move; and to highlight areas where further reforms or changes to practice would be made necessary as a result. It does not take a view on whether electoral reform should be pursued by this or a future government, but seeks to explore important considerations that anyone considering electoral reform for the UK must address.

## **Implications for government formation**

A more proportional electoral system would reduce the chances of one party achieving a large majority, making the outcomes of elections less clear-cut. This would increase the importance of government formation processes, as there may be multiple possible government configurations that could be negotiated between political parties, and therefore multiple candidates for prime minister. The UK system relies on political actors to resolve the question of which MP can "command the confidence of the House of Commons" to form a government, who is then formally appointed by the monarch on the advice of the outgoing prime minister. This is usually simple under FPTP, often

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happening the day after an election. However, if the outcome of negotiations were unclear, or the advice of the outgoing prime minister's controversial, this could risk putting the monarch in a difficult position, potentially 'bringing them into politics'.

While these risks exist under FPTP, they would be likely to be greater following electoral reform, and therefore clearer rules – including a process, such as a vote, by which candidates can demonstrate that they command the confidence of the House – should be introduced. The UK political system might also need to adjust to longer periods for government formation, allowing enough time for parties to negotiate a programme for government. The UK should adopt the New Zealand model for caretaker government, to provide greater clarity around government activity during the period of government formation.

### **Implications for the operation of government**

Moving away from a single majority government would have implications for how a government, once formed, operates. Supporters of FPTP argue that it creates stable majority governments who can deliver on their manifesto commitments. However, recent divisions within political parties, and a greater role for party members in choosing party leaders, have meant that the period since 2016 has been characterised by political instability for both majority and non-majority governments. But while single-party governments still have to negotiate between different interests and perspectives within their own party; in non-majority or coalition governments there is a more sustained risk that one party could simply walk away mid-term, precipitating a political crisis.

Electoral reform would require new mechanisms for managing relationships between parties to reduce the risk of a government collapse. Ministers and special advisers would be key in managing and maintaining relationships, so parties would need to carefully consider their roles when agreeing on their approach to working together; the civil service would need to support both groups in this. A further consideration is the trade-offs between collective responsibility and information sharing – the more latitude the parties give themselves to disagree, the more distance there may need to be between junior government parties and civil service decision-making processes.

Agreeing a 'programme for government' could provide clarity for civil servants on key policy aims and be a useful tool for accountability, but may mean less flexibility to adjust to changing circumstances. Minority governments, or those working to agreements that require negotiation on a case-by-case basis, may find it harder to deliver their legislative programme – though they would retain prerogative powers to enable them to respond quickly in a crisis.

### **Implications for the House of Commons**

Under the UK's majoritarian system, and current procedural arrangements, the executive has strong control of the House of Commons. It is able to dominate the agenda, and legislative scrutiny can be weak when the government commands a large majority. Electoral reform would change parliamentary dynamics, requiring the support of several parties to pass legislation and potentially increasing the opportunities for MPs to influence government bills and other activity.

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For the UK parliament to best prepare itself for a move to a multi-party system, further procedural change would be needed. This could include establishing a cross-party Commons business committee to preside over the House of Commons timetable, and changes to the allocation of select committee chairs and entitlement to speaking time in debates. Changes to the physical structure of the Commons chamber, with its government and opposition benches, might even be considered. Changing the way MPs are elected will change the operation of the Commons in fundamental and potentially unpredictable ways. It would be wise to ensure that a parliamentary committee is given responsibility for monitoring what further procedural changes may be needed.

### **Implications for devolution and the union**

Some proponents of electoral reform claim it would 'save the union'. It is true that FPTP results in 'winner-takes-all' outcomes that reward parties with a geographically concentrated support base, and as a result can exaggerate political differences between different parts of the UK. This means that important constitutional perspectives – for example that of unionists in Scotland – have limited representation at Westminster, and that *UK* governments can be formed almost exclusively of English MPs.

A more proportional system would diversify party representation in each part of the UK and ensure more representatives from the two main political parties outside England. This could have the effect of improving the representation of these interests in government (though given the small number of seats in some areas there would be limits to the changes this could bring while retaining the current number of MPs). In a system where coalitions are more likely, safeguards should be put in place to prevent agreements including parties that only represented one part of the UK from privileging that part of the union over others.

### **Implications for political culture**

Advocates of electoral reform often also make the case that it could transform UK politics, creating a more consensual and inclusive political culture. There is some evidence that proportional systems can incentivise cooperative working – but the success of this can depend as much on key actors being willing and able to form good working relationships as the type of voting system that put them into government in the first place.

Proportional representation (PR) can result in an increase in the number of smaller parties and independents, so delivering a greater plurality of distinct groupings in parliament – this has both benefits and challenges. PR systems can be designed in a way that can ensure better demographic representation, although this is not an inevitable feature of system change – it would require intention.

Ultimately systems, institutions, individuals and political culture all interact. Electoral reform alone would not transform the UK's political culture from adversarial to consensual overnight, and – if that were the aim – it would require further institutional reform to support it.

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## **The implications of electoral reform, like elections themselves, would be unpredictable**

Changing the system for electing MPs would lead to wider constitutional changes, but these are uncertain and unpredictable. Other countries' experience has shown that electoral reform can be accompanied by changes to political culture and improvements to the function of government and parliament – but there is no guarantee that predicted benefits will materialise, and not to the extent hoped for.

The strongest case for electoral reform rests on questions of democratic principle, including ideas around representation and voter choice. A change to the voting system should only be made on the basis of a clear mandate, with a firm demonstration of political and/or public support. This would be essential to ensure that such a major change would command legitimacy and be likely to endure.

Proponents should consider the implications for other parts of the constitution. They should think through what subsequent reforms to the process of forming a government (and then, operating one), as well as to parliament and management of the union, are needed should they achieve their aim, both to adapt to the new reality and to maximise its potential benefits. These should be included in any discussions around electoral reform, for which we hope this report can be of value.

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# Introduction

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The method of electing members to the House of Commons has long been a source of debate. The use of first past the post (FPTP) is closely associated with the UK. Of the 43 nations that continue to use it for legislative elections, 39 are former British colonies; among the G20 nations it is just the UK, Canada, India and the US that do. Most countries that used FPTP in the past have since changed tack: these include Ireland, Australia, Belgium, Denmark, Japan, The Netherlands, South Africa and New Zealand.

There were a number of aborted attempts to reform the UK's voting system during the 20th century. The 1917 Speaker's Conference, initiated by the Liberal government, which extended the franchise to (some) women, also recommended several changes to the UK's electoral system that were never implemented.\* Eighty years later, Labour's 1997 manifesto committed to a referendum on electoral reform, though these plans were later abandoned after some time in office.

Debate continued into the 21st century as the two-party system appeared in decline. For many this was shown most starkly in the 2010 election, where the Liberal Democrats won nearly a quarter of the vote – just four percentage points behind Labour – but less than one-tenth of the seats. This was, however, enough for them to hold the balance of power, and they agreed to enter into coalition with the Conservative Party, in part in exchange for a referendum on introducing the alternative voting (AV) system, held in 2011. The proposition was rejected by 68% of voters, on a low turnout of 42%.

For some this settled the issue, though calls for change persisted from across the political spectrum as FPTP's results continued to turn up challenging results; in 2015 for example, UKIP's 12% of the nationwide vote translated into only a single seat.

The establishment of new devolved institutions has increased the diversity of voting methods used in the UK. Scotland, Wales and Northern Ireland have embraced forms of proportional representation, implementing further reforms at both devolved and local levels. But neither of the UK's two main Westminster parties have demonstrated a desire to move away from FPTP for general elections. And in 2022, the UK government implemented reforms to replace the supplementary vote (SV) system used for mayoral and police and crime commissioner elections with FPTP.

Nonetheless, electoral reform remains on the agenda. Increasing party fragmentation has caused commentators to speculate that change may be on the horizon.<sup>1</sup> Almost all UK parliamentary parties other than Labour and the Conservatives support some form of PR, raising the prospect that electoral reform could again be a condition of parliamentary support, should, as in 2010, a future election fail to deliver a majority government.

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\* For more information see Klemperer D, Electoral Systems and Electoral Reform in the UK in Historical Perspective, The Constitutional Society, 2019, [consoc.org.uk/wp-content/uploads/2019/04/David-Klemperer-Electoral-Systems-and-Electoral-Reform-in-the-UK-in-Historical-Perspective.pdf](https://consoc.org.uk/wp-content/uploads/2019/04/David-Klemperer-Electoral-Systems-and-Electoral-Reform-in-the-UK-in-Historical-Perspective.pdf)



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There also appears to be increasing public appetite for change. The Labour party is under pressure from its members to commit to introducing PR in its next manifesto.<sup>2</sup> Key party figures, including the First Minister of Wales, Mark Drakeford, and Manchester Mayor Andy Burnham, have come out in favour of electoral reform. For the first time, the 2021 British Social Attitudes survey found a majority of the public (51%) in favour of electoral reform.<sup>3</sup>

The arguments for and against FPTP are well-rehearsed. Proponents argue that the system maintains strong local links and accountability between MPs and constituents. It produces, they say, clear election outcomes and stable majority governments, rather than coalitions put together through post-election negotiations. But while this has been the case for (85%) of the post-war period it is arguably less so now – as the experience of the 2010 and 2017 hung parliaments shows. With another election on the horizon, there is already speculation about another such result.

Proponents of electoral reform point to the disproportionality of FPTP, with almost all governments in the post-war era being formed by parties winning far less than a majority of votes. They argue that the majoritarian system leads to big policy swings and instability, and gives the government too much power over parliament. There are also many ‘safe seats’ across the UK where votes for any but the incumbent party are all but wasted. They also suggest a range of political advantages from reform, including better minority and gender balance, greater government scrutiny, and more engagement with the democratic process.

However, less studied are the broader implications for the UK constitution of a change to a more proportional representation system, whatever it may be. The institutions of the UK state have been built up over centuries to work around a single majority government with a strong sway over parliament, with a second party in opposition. A departure from FPTP would not simply be a change in how elections are fought and won but in how the wider political system operates, requiring major changes to the way the constitution functions.

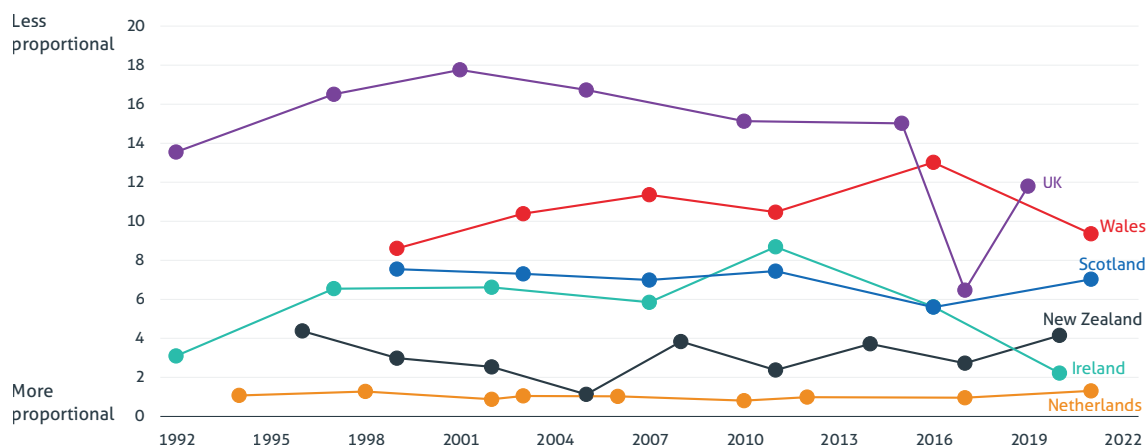
Electoral reform could also change the relationship between citizens and the state and its institutions, and between central government and the devolved nations. Any proposed change should fully consider the areas affected by such reforms, and where parallel reforms might be needed. It is therefore important to look beyond questions of how a change to the electoral system might affect the composition of parliament and which parties might stand to win or lose, and consider how it might affect the functioning of the system as a whole.

It is these important questions that this paper seeks to identify and explore, looking first at the options for more proportional voting systems used in other countries, and then, drawing on examples from the UK and across the world, considering the implications for the formation of governments; the functioning of government; the House of Commons; devolution and the union; and, finally, political culture.

# Options for electoral reform

There are many different possible electoral systems, with significant variation within them, all of which would produce different outcomes. Any thorough consideration of the constitutional implications of a reform of the UK's voting system must first start by examining the different options for such a change and the dynamics they could create.

Figure 1 **Gallagher index of election result proportionality, selected countries, 1992–2021**



Source: Institute for Government analysis of Gallagher M and Mitchell P, 'The Politics of Electoral Systems', 2023.

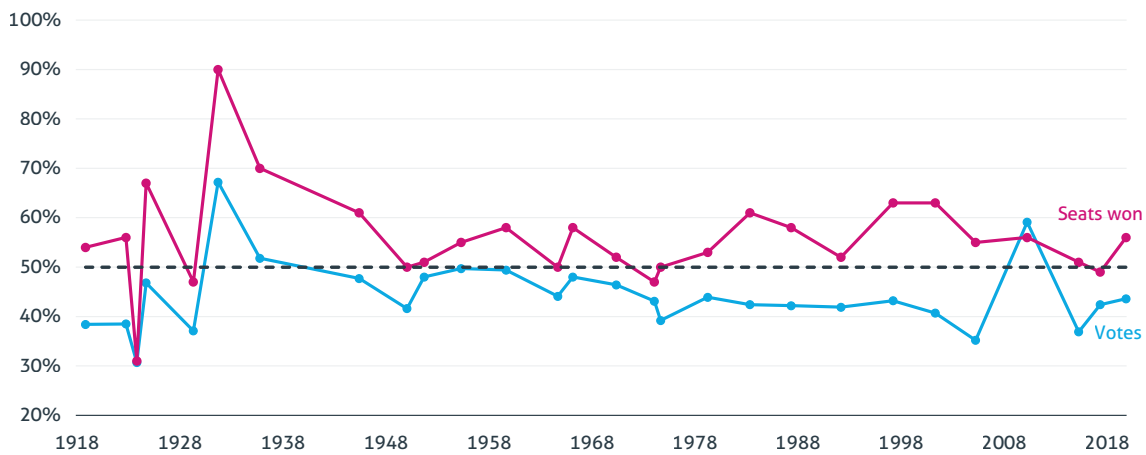
Different systems have different levels of proportionality, and therefore would have different implications for electoral outcomes. Figure 1 uses the Gallagher index, a measure of proportionality that ranks countries using the difference between percentages of votes vs seats won in elections. UK parliamentary elections rank the least proportional among G7 nations and the 16th worst worldwide. Far more proportional are Ireland (single-transferable vote, STV) and New Zealand, Scotland and Wales (which all use variations of the additional member system, AMS, or mixed-member proportional system, MMP). The Netherlands (using 'list PR') frequently ranks as one of the most proportionate voting systems in the world.

## FPTP allows for local connection, but is highly disproportionate

In the UK, FPTP involves elections in 650 constituencies. Each voter can cast one ballot and the candidate with the highest number of votes wins the seat. The number of constituencies mean that MPs in the UK have a close connection with constituents and are able to hold a 'surgery' in their constituencies to allow those they represent to come to them with their issues in person. This constituency link is an important part of UK political culture, and any reform to the electoral system will likely keep it in some form.

The system means that a candidate does not need, and often will not receive, a majority to win their seat. In 2015, for instance, Alasdair McDonnell of the SDLP won the Belfast South seat with only a quarter (24.5%) of the vote. This carries through to the resulting government, which will often win a majority of seats in the House of Commons without a majority of the popular vote.

Figure 2 **Votes and seats won by parties forming UK government 1918–2019**



Source: Institute for Government analysis of parliament.uk.

As Figure 2 shows, most majority governments that have been elected in the post-war period have done so without winning a majority of votes. More surprisingly, it can even lead to parties with fewer votes winning more seats than other parties. For example, in the 1951 election, Labour won 295 seats with 48.8% of the vote, but the Conservatives won a majority with 321 seats despite winning 48% of the vote. This can particularly affect smaller parties: in 2015 UKIP won 12.6% of the total vote, but only a single seat in parliament.

## There are many alternatives to first past the post

### The alternative vote and supplementary vote are the most similar forms of electoral system to FPTP

The alternative vote (AV) system has come closest to becoming the alternative for UK elections. Legislation to implement AV was even passed by the House of Commons in 1918, as part of the Representation of the People Act 1918, but was blocked by the House of Lords.<sup>4</sup> And it was AV again, in 2011, that was the subject of a referendum on changing the vote system, which was defeated 68% to 32% with a turnout of 42%.

AV is used in House of Representatives elections in Australia, for example, while the similar SV was, until recently, used for mayoral elections in the UK.

The AV system involves voters ranking candidates in a constituency in order of preference. The votes are then tallied and if no candidate has won an outright majority of first preference votes, the candidate with the fewest votes is eliminated and the second preference of each ballot cast for that candidate is counted. This repeats until one candidate wins an outright majority. The SV system is similar, but voters only mark a first and second preference. If no candidate wins an outright majority on first preferences, the top two candidates enter a runoff where voters' second ballots are counted, but only if their first preference did not make the runoff and their second preference did.

AV remedies the issue of wasted ballots under FPTP and allows voters to cast ballots for their preferred candidate even if they are unlikely to win the election. SV gives voters two options but does not guarantee that their vote will count in a runoff.

However, these are not *entirely* proportional voting systems, as parties can still win far more or fewer seats in parliament than their share of the vote. Analysis has shown that in the UK, AV could have produced even more disproportionate outcomes in the 2015 general election than FPTP.<sup>5</sup>

To solve the issue of proportionality, the Jenkins Commission, an independent commission set up by the Labour government in 1997 to examine alternatives to FPTP, recommended that a system they called AV+ be used. This would work much like the AV, but with 15–20% of seats in parliament coming from list votes. This is similar to multi member proportional (MMP) or additional member system (AMS) (discussed below), but unlike these systems the proportional and constituency elements would be counted separately, with no relationship between the seats allocated through each method.

### Multi member proportional or additional member systems balance proportionality and constituency links

MMP and Additional AMS are two names for the same voting system used in Germany, Wales, Scotland and New Zealand. This voting system is a mix of FPTP and party list (explained below).

In MMP/AMS elections, voters cast two ballots, one for a candidate in a constituency and one for a political party. The constituency vote uses FPTP, and the candidate with the most votes is elected. This means that MMP/AMS systems maintain constituency MPs who have a local connection. The list vote acts as a ‘top up’, ensuring that the overall result is more proportional to the actual votes cast. This is done by determining the total number of seats a party is eligible for based on the proportion of votes won, and then topping up the number of seats won in the constituency vote. The second vote often adds more seats for smaller parties, which tend to have less success in FPTP elections.

Table 1 **Percentage of vote and number of seats won in 2017 New Zealand General Election**

Party	% of list vote won	Total eligible seats	Constituency seats won	Total list seats won
National	44.0	56	41	15
Labour	37.9	46	29	17
NZ First	5.5	9	0	9
Green	6.9	8	0	8
Act	1.0	1	1	0

Source: Institute for Government analysis of New Zealand Electoral Commission data.

Table 1 shows the results in the 2017 New Zealand general election. From left to right, the proportion of list votes won by a party determines the number of seats that a party is eligible to win; the number of constituency seats won is then subtracted from that number to get the number of list seats won. So, although the National party won a greater proportion of the vote than Labour, because it won a greater number of constituency seats, it ended up with fewer list seats. This system also means that

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smaller parties, like the Greens, which are less likely to win constituency seats, tend to perform better in list votes. However, there is significant variation within these systems, discussed in more detail below.

This system can sometimes lead to parties winning more constituency seats than their percentage of votes won should entitle them to. This is called an 'overhang' and different countries have varied rules for these instances. In New Zealand, an additional seat is added to parliament for that session, in Germany other parties are given additional seats to ensure proportionality, and in Scotland and Wales one fewer list seat is distributed between parties.

### **Single transferable vote is more proportional, but would change the way constituencies work**

The single transferable vote (STV) system is used in Northern Ireland and the Republic of Ireland. Like with AV, voters rank a list of candidates in a constituency. With STV however, rather than just one candidate being elected from each constituency, multi-member constituencies are used. The number of members ranges from three to five members in the Republic of Ireland and is five in Northern Ireland (though constituencies are larger than under FPTP).

To gain a seat a candidate needs to receive a certain number of votes (the quota) which varies across constituencies. Usually, the quota is the number of votes divided by the number of candidates. Under STV votes any candidate that reaches the quota is elected and any surplus votes are transferred to the second preference candidate at a fractional value; the candidate with the fewest votes is eliminated and their votes transferred to the next preference candidates. The process continues until all the seats are filled.

Multi-member constituencies mean that the outcome of an election is more proportional than under AV, but also that there are multiple representatives for a single, if larger, constituency. As more than one candidate from the same party can run in a constituency, it can also lead to intra-party competition in seats.

### **List systems are most proportional, but have less support from UK campaigners**

Proportional list systems are used in many countries around the world, including Spain, the Netherlands and Israel (and, prior to Brexit, in the UK for European parliamentary elections). The Welsh government has also announced plans for electoral reforms that would move to this system for electing the Senedd Cymru.

The vote can be nationwide, as in the Netherlands and Israel, or divided into regions, as happens in Spain and as is being proposed in Wales. The more regions that a list system is divided into, the less proportionate it will be, as smaller parties can be excluded when competing for a smaller quantity of seats. The process involves a voter casting one ballot for a candidate or party. This vote can be closed list, where voters cast a ballot for a party; open list, where they cast a vote for a candidate representing a party; or semi-open, where voters can choose either a party or candidate. In all of these systems the number of seats won by a party is determined by the votes cast for

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the party itself or its candidates. Open and semi-open lists let voters have a say on which candidates from a party get seats, whereas closed list system seats are allocated from a pre-chosen preference list selected by parties.

The Gallagher Index, which measures the proportionality between votes won and seats received in the national legislature (see Figure 1), has PR list countries in nine of the top 10 most proportionate electoral systems.<sup>6</sup> However while this can be the most proportionate voting system – if it is done to maximise proportionality by using larger regional constituencies, or having a nationwide vote – it means there is little to no local link between elected candidates and voters. Most advocates for electoral reform in the UK are in favour of a system that maintains a constituency link and therefore do not advocate for this system.<sup>7</sup>

### **Variations within each system affect outcomes**

The electoral outcomes and political dynamics within each of these systems can vary a lot depending on procedural differences and design features that accompany the system. These include the number of parties, the type of candidate, how strong party control is over candidate selection, and how large constituencies are. These differences will alter the potential constitutional impacts of electoral reform greatly.

#### **List votes can be at the national or subnational level**

For systems that use list votes, such as MMP/AMS, AV+ and proportional list systems, the geographical basis for the vote can make a difference. Some, such as the New Zealand MMP system, use nationwide lists; others, such as AMS in Scotland and Wales, divide the nation into regions which each have their own list. Regional or subnational lists can give representatives a greater tie to the local region and let regional parties that lack a national base win seats; however, they are less proportional. Nationwide lists can also present opportunities for different types of representation. For example, in New Zealand some list MPs may informally choose to represent non-geographically bounded minority groups, such as the LGBT community or ethnic groups.

National level list votes are overall more proportional but mean that there will be representatives who are not tied to a geographic area. These two different approaches can also have an impact on other aspects of the system, discussed below.

#### **The threshold for list votes can affect the number of parties**

Most party list votes require a certain percentage threshold of votes to win seats. For example, in New Zealand and Germany, a party needs to win at least 5% of the list vote to qualify for seat allocation. This means that parties with low vote totals are less likely to win a list seat. A lower threshold, especially in nationwide list votes, can mean more chance of small parties winning a single seat.

Winning constituency seats is also used in some countries to qualify for list seats. In New Zealand a party that wins at least one FPTP seat can qualify for list seats, even if they do not meet the 5% threshold. In Germany, the qualification level is three seats. Germany also (along with others, such as Poland) has special provisions that mean parties that represent certain minorities, such as its South Schleswig Voters'

Association, which represents ethnic Danes, do not need to meet the same electoral threshold as other parties. Both provisions can help parties with local or minority bases to still win representation in parliament.

In Scotland and Wales there is no threshold, but as list seats are divided regionally there are a smaller number of seats available for list allocation. This means that geographical distribution of votes has a greater impact on outcomes. In a regional list system two parties could receive the same number of votes but different seat totals. For example, one party could win 2% in each of ten regions and win no seats, and another could win 20% in one region and no votes in any other regions and receive at least one seat.

### The quota and size of STV constituencies can affect proportionality

Under STV, each multi-member constituency has a quota that a candidate must reach to be elected. This can vary depending on the number of candidates elected from the seat. For example, in a three-seat constituency the quota is 25%, so if a party wins 50% of first-choice votes they be guaranteed to get two of the three seats. In a five-seat constituency a party with 50% of first-choice votes for their candidates would be guaranteed two of five seats. So, a greater number of smaller multi-member constituencies across an election may favour larger parties.

### The counting system can affect smaller parties

Even within the same electoral system, the method of counting and allocating seats can change the number of seats won by smaller parties. There are two main ways votes are allocated in list votes: the D'Hondt and the Saint-Laguë methods. The former is used in Wales, Scotland, and Northern Ireland as well as Ireland's STV system, while the latter is used in Germany and New Zealand. Each system calculates how to allocate seats while taking into account the number of seats already won. While the difference is often minor, the Saint-Laguë method is slightly more favourable to smaller parties.

Each measure divides the total vote of a party by an increasing increment depending on the number of seats already won. D'Hondt goes in increments of one, so a party that has won a single seat has its tally divided by 2, then 3 for a party with two seats, then 4 and so on. Saint-Laguë goes in increments of two, so with one seat it is divided by 3, then 5, then 7. As Table 2 shows, Saint-Laguë is advantageous to smaller parties, with the smallest party winning a seat at the expense of the second largest. Having already won seats is penalised to a greater degree.

Table 2 Hypothetical distribution of seats using D'Hondt

Party	% won	Seat 1	Seat 2	Seat 3	Seat 4	Seat 5	Total seats
Party 1	38.6	<b>38.6%</b>	19.3%	19.3%	<b>19.3%</b>	12.9%	2
Party 2	29.9	29.9%	<b>29.9%</b>	15.0%	15.0%	<b>15.0%</b>	2
Party 3	19.5	19.5%	19.5%	<b>19.5%</b>	9.8%	9.8%	1
Party 4	12.0	12.0%	12.0%	12.0%	12.0%	12.0%	0

Table 3 **Hypothetical distribution of seats using Saint-Laguë**

Party	% won	Seat 1	Seat 2	Seat 3	Seat 4	Seat 5	Total seats
Party 1	38.6	<b>38.6%</b>	12.9%	12.9%	<b>12.9%</b>	7.7%	2
Party 2	29.9	29.9%	<b>29.9%</b>	10.0%	10.0%	10.0%	1
Party 3	19.5	19.5%	19.5%	<b>19.5%</b>	6.5%	6.5%	1
Party 4	12.0	12.0%	12.0%	12.0%	12.0%	<b>12.0%</b>	1

### Parties can have varied control over candidates

Electoral systems that use list votes can give more or less control to parties over candidates. Closed list votes let parties choose all the list candidates and their order, whereas open and semi-open list systems let voters express a preference for individual candidates, which affects how highly they rank on the list. Closed lists are used in New Zealand, open lists in Scotland. Semi-open lists are used in Sweden and Denmark.

Closed lists allow for political parties to have more control over who gets elected, as they can determine the order according to which their party's candidates are elected, ensuring their preferred candidates are at the top of the list. Proposed electoral reforms in Wales would use a closed list, which proponents suggest would allow parties to implement gender parity on lists. Open lists allow voters to choose between different candidates from the same party – these are easier to implement when list votes occur on a regional basis, as the number of candidates from each party is smaller. In New Zealand, where the Labour Party had 81 list candidates and the National Party 75 in the 2020 general election, making voters choose individual candidates was more difficult.

### Electoral systems do not guarantee specific outcomes

There is a great deal of variation between and within electoral systems and the types of outcomes they can produce. These systems – however well designed – will also interact with political culture and broader politics, meaning that identical systems can lead to markedly different political configurations.

### Political parties will inevitably respond to the incentives set up by different electoral systems

One argument for electoral reform is that it could reduce or eliminate the tactical voting seen with FPTP. Tactical voting is a decision made by voters to try to get around the system and ensure that their vote is not wasted. For example, a unionist voter in Scotland may prefer Labour, but if only the Conservatives and SNP are competitive in that seat, they might vote tactically for the Conservatives to prevent the SNP candidate from winning. In a system where vote wasting is minimised, this is less likely to happen. But proportional systems are still vulnerable to electoral incentives. Political parties naturally seek to maximise their number of seats and so their probability of entering government to enact their agendas.

This can include things like mutually beneficial electoral pacts, which are commonly used under MMP/AMS or STV. Parties can agree not to run candidates in certain seats or encourage their voters to put candidates from favoured other parties as their second-



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ranked choice. For example, in Ireland Fine Gael and Labour often go into coalition together and so encourage their voters to put the other party as their second choice in ranked voting.

In STV elections, 'surplus' votes (in which the second preferences of an elected candidate distributed in the second and subsequent rounds) are only transferred at a fractional value, so parties often encourage voters in different areas of the same constituency to vote for their candidates in different orders of preference. This is because if all first-preference votes go to one candidate from their party, another candidate from the same party could lose out on a seat despite the party having enough *overall* voters to win two seats. This approach is common in legislative assembly elections in Northern Ireland.<sup>8</sup>

Under AMS, smaller parties may encourage voters for larger parties to cast their list votes for them. As AMS causes the number of constituency seats won to negatively affect the number of list seats won, smaller parties can suggest that votes for larger parties are less likely to directly translate into seats. For example, former Scottish First Minister Alex Salmond encouraged SNP voters to vote for the (also pro-independence) Alba party in the list ballot at the 2021 Scottish parliament elections to maximise the number of pro-independence MSPs.<sup>9</sup>

### **Electoral systems cannot be designed to guarantee electoral outcomes**

While there are typical tendencies of certain electoral systems, there are no guarantees of specific outcomes. While proportional systems are often said to be more likely to produce coalition governments, this is not always the case. In Scotland, the AMS system was designed with that outcome in mind, but in 2011 the SNP won 69 of 129 seats at Holyrood, enabling it to form a single-party majority. In New Zealand many observers thought that a single party majority was electorally impossible, but in 2020 Labour won 65 of 120 seats (the context of the pandemic had an effect on this).

Similarly, while proponents of FPTP often use the fact that it normally returns strong majority governments as a benefit, this is not always the case either. While the system has historically produced majority governments in the UK, in Canada minority governments are more common – there have been five, lasting over 11 years combined, since 2003. This also holds true across the country's federal structure, with minority governments also common at the provincial and territorial levels, which also use FPTP. This is partly due to the fact that Canada has a greater prevalence of regional parties than the UK, and provincial elections are often three-way competitions.

Politics and elections can be unpredictable, so while electoral reforms can be designed to *encourage* more coalitions, fewer majorities or the involvement of smaller parties, unexpected outcomes can result from other political and cultural factors and unforeseen events.

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# Implications for government formation

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A move to a more proportional voting system would not guarantee any particular electoral outcome, though it would reduce the *likelihood* of large parliamentary majorities. As a result, the question of who would form the next government might not be immediately clear, and a process involving negotiations between political parties would become more likely.

The UK does not have clearly formulated rules or expectations on how to deal with elections with unclear outcomes. This is partly as a result of the assumption that FPTP will usually deliver a clear election winner, and so allow the monarch to appoint a new prime minister rapidly without controversy.

But that assumption has been tested in recent decades. Since 2010, the UK has spent more time under coalition or minority government (7 years and 6 months) than single-party majority government (5 years and 7 months). But if there were a move to an electoral system that made clear majority outcomes less likely, new processes and approaches would need to evolve.

A problem particular to the UK is that its constitutional processes around government formation rely heavily on a collection of norms and conventions, as opposed to formal rules, around what to do in a potential hung parliament. Since 2010 these have been set out in the Cabinet Manual. But a change in electoral system may mean that it is no longer adequate to rely entirely on past practice. This chapter explores what might need to change.

## **The UK system is predicated on the assumption that FPTP will provide a clear result**

One central constitutional principle is that the monarch will appoint a prime minister on the basis of who is '*most likely* to be able to command confidence' in the House of Commons. If any party has a clear majority, the choice is easy – the leader of that party is asked to form a government.

Any move away from FPTP would probably increase the likelihood of more than one, or even several, parties being able, in theory, to form a government – given the potential for different coalitions or 'confidence and supply agreements', or one party thinking it could manage as a minority. That could make the current informal approach, which depends on a prior judgment of what governing arrangement could 'command confidence', unworkable in some scenarios.

In hung parliaments, the current UK approach allows the incumbent party an automatic benefit from being in place. It is, as set out in the Cabinet Manual, entitled to stay and test whether it can command the confidence of the Commons either through passing

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a King's speech\* or surviving a confidence vote in the new parliament. But either may not happen for some weeks after the election. The Cabinet Manual also says that such an incumbent government is "expected to resign if it becomes clear that it is unlikely to be able to command that confidence *and* there is a clear alternative" [emphasis added]. This makes the situation more complicated, as the decision depends on there being a 'clear' alternative, which there may not be.

### **Politicians need to resolve any uncertainty among themselves**

In the event of unclear outcomes, political parties need to resolve ambiguities about how they will form the next government themselves. The UK has some recent experience of this. In 2010 both the Conservative opposition and Labour incumbent government embarked on negotiations with the third placed Liberal Democrats to form a coalition simultaneously, with some limited official support from the civil service. Eventually, the incumbent prime minister, Gordon Brown, concluded he would not be able to form a government, and no other possible Labour leader was likely to be able to either, so he stood down before David Cameron and Nick Clegg had finalised their deal.

In 2017, on the other hand, incumbent Theresa May asserted her right to stay in government and instead negotiated a confidence and supply agreement with the Democratic Unionist Party. Edward Heath attempted the same after the 1974 election, staying on over a weekend to see if he could come to an agreement with the Liberals to stay in power before making way for a minority Labour government. The UK parliamentary system depends on politicians sorting out the aftermath of unclear electoral outcomes, with the loser being ready to make way for an alternative government. However, a more proportional system, which may result in more parties and potential government compositions, may add greater complexity.

Other democracies have had to adjust to increasingly unclear outcomes. New Zealand had not had a coalition government since 1935 when it introduced electoral reforms in 1994 – since then there has only been one majority government. With electoral reform, the proliferation of parties has meant that all governments have been formed on the basis of coalition, cooperation agreements, or confidence and supply agreements, or a combination of several of these. When there are more small parties that want to be part of the government, a single-party minority government formed from the largest party becomes less likely. The question of who forms a government comes down to who can get enough support to gain a majority. Thus, in 2017, when the National Party was the incumbent party and won 56 seats to Labour's 46, Labour was still able to form a government with the support of New Zealand First and the Green Party, taking them past the Nationals' 56.

The electoral system in Ireland results in a higher than usual number of independent Teachtaí Dála (TDs). This adds a complexity to the coalition arrangements and can sometimes mean the largest parties negotiating with individuals to persuade them to support the government (often in return for spending commitments). For example, in 1997 there were six Independent TDs who propped up the Fianna Fáil minority government. Informally, it is the leader of the largest party who has the first attempt

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\* Based on the 1924 precedent when the government resigned after failing to pass a King's speech.

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to form a coalition, although in the 1980s, when the two major parties were very close together in terms of seats and both close to a majority, the party leaders moved to form coalitions at the same time rather than wait for one first.

Even under a different UK electoral system, political parties would continue to resolve the question of who should form a government among themselves. However, the monarch remains ultimately responsible for appointing the prime minister, although a key convention is that the monarch should be kept out of political controversy. Electoral reform would bring additional complexity and therefore a greater risk of ambiguity; therefore there is a strong case for clearer rules on how governments should be formed.

### **Clearer rules on formation would reduce the risk of dragging the monarch into controversy**

The Cabinet Manual makes clear that the outgoing prime minister has some role in advising the monarch on who should form the next government. That can become complicated when they are trying to continue in office after an uncertain election result, or when their party may be able to stay in government but only with a change of leader (as appeared to be a possibility in 2010). Here the risk is that the advice that the monarch is given might itself be controversial, putting them in a difficult decision.

Constitutional scholars are not agreed on how decisive the outgoing prime minister's advice should be – but in the absence of that advice the risk is that who is asked to form a government is seen to be a personal choice of the monarch. If the monarch did not follow the prime minister's advice, this would also invite controversy. That points to the need for greater clarity in the process, even under the current electoral system, which would become even more urgent if a more proportional system meant there were several credible candidates.

To avoid forcing the Monarch to make a choice between candidates, the options are either to create stricter rules under which different candidates to form a government can be tested, or to take the role of appointing prime minister out of the hands of the monarch and place it in someone else's hands.

One option is that parliament could play a role in confirming the choice of prime minister, using the equivalent of an investiture vote, as is used in Scotland and Ireland. But this would only mean bringing forward the opportunity to test the confidence of the Commons, rather than resolving the question of who gets to try to form a government in the first place.

The alternative is that the UK could follow the model of New Zealand, where the Cabinet Manual states that there is an expectation that parties set out explicit public statements of support that show they can command confidence *before* the governor general appoints a government.<sup>10</sup> This means that parties will publicly state their intention to form a coalition or confidence and supply agreement, as well as the details

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of any such agreement, before a government is formed. This both allows for the public to see that a viable agreement has been reached and means the element of judgment on the part of the governor general – and associated controversy – would be avoided.

### **Inter-party bargaining would take time and require support**

The UK is used to immediate transitions to a new government after elections, with the new prime minister typically being appointed by lunchtime the next day. And there was some media criticism at the time taken to form the new government following the 2010 hung parliament, as the parties bargained ahead of the announcement of the Conservative–Liberal Democrat coalition. But even that five-day period was, by international standards, still short, especially when compared to countries whose elections prompted multi-party coalitions.

If inter-party bargaining became a more regular occurrence, public and media expectations would have to change. While this is not unusual in other countries, the UK is not accustomed to long government formation. After the 2010 election there was a great deal of media criticism of Gordon Brown for not stepping down as coalition negotiations progressed, and many at the time, including Liberal Democrats, felt that there was pressure on that party to accept the deal with the Conservatives.

Whereas countries with experience of coalition governments have clear views on the possible options for inter-party cooperation, the UK does not have a rich history to draw on. There are a range of options parties can agree on:

A full coalition – like the 2010 Conservative–Liberal Democrat UK government, the 1999 and 2003 Labour–Liberal Democrat Scottish governments, and the 1996 National–New Zealand First coalition.

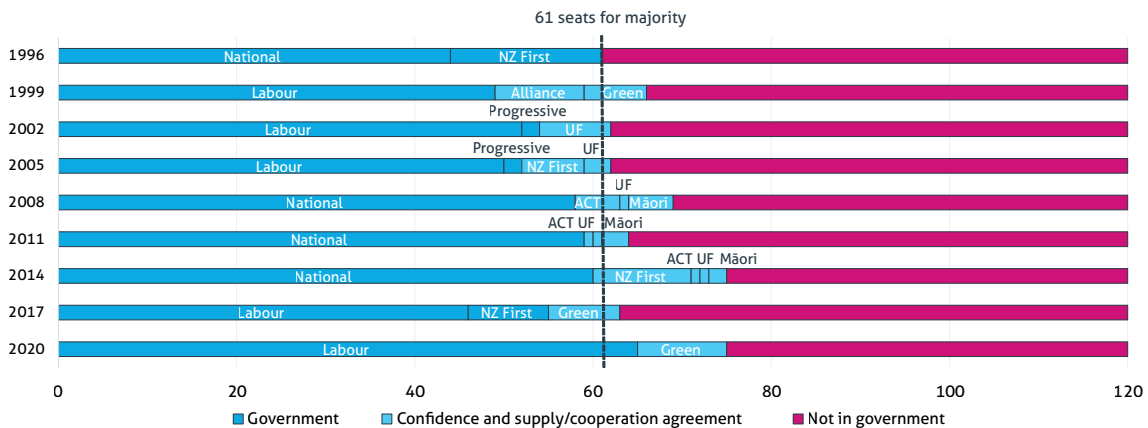
Cooperation agreement – such as the 2017 agreement between the New Zealand Labour and Green parties. These usually cover a wider range of issues than confidence and supply, but also allow parties to disagree in other areas. This model was adopted in the 2021 SNP–Green Scottish government cooperation agreement and 2021 Labour–Plaid Cymru Welsh government deal.

Confidence and supply agreement – usually limited to votes relating to budgets or without which a government would collapse, such as the 2017 Conservative–DUP agreement.

Minority government – in which the government would seek to get support for legislation and avoid difficult votes on a case-by-case basis, as the SNP did in 2007.

There is great variation within these different types of agreement, with different arrangements for the allocation of ministerial posts, collective responsibility and information sharing. In New Zealand, parties have sometimes used a combination of these agreements – entering coalition with one party, with supplementary cooperation agreements with others.

Figure 3 **Composition of governments in New Zealand, 1996–2020**



Source: Institute for government analysis of govt.nz. Note: UF = United Future.

Getting these agreements right is important for their consequent stability; parties need to ensure they have enough time to work through policy issues and working arrangements before concluding any agreement. In 2010, the Coalition Programme for Government contained sufficient detail to provide the basis for a relatively stable government over five years, including detail on where the parties in government could diverge. But it was a document pulled together quickly, with little civil service support, and there is a danger in those circumstances that such an agreement can become something of a straitjacket.

Constitutional questions regarding about how such negotiations take place are also important. Any support from officials during negotiations would need to ensure their continued impartiality. The role of the civil service in providing support during negotiations is based on precedent from 2010. The Cabinet Manual states that such support may only be organised by the cabinet secretary, on the authorisation of the prime minister. In 2010, support was offered but barely used by the Conservatives and Liberal Democrats. There was some limited factual advice from the civil service given to Labour negotiators.

If negotiations became a regular occurrence there would need to be a clear presumption that the civil service was available to support all parties if asked. This support would need to be provided in a way that did not compromise civil service impartiality: for example, being limited to factual information and practical advice on matters such as timing, capacity to implement and the need for legislation. But as with access talks – meetings between the civil service and the opposition that take place ahead of a general election – formal arrangements would be needed to temporarily absolve the civil service from the requirement to be serving the government of the day.

### **The UK should adopt caretaker governments, as in New Zealand**

A final issue with government formation is how the incumbent government operates during a period of uncertainty following an unclear election result. The UK, unlike its counterparts in New Zealand or Australia, has been reluctant to adopt caretaker government principles – actively avoiding the term. For years, the civil service has operated under restrictions on government activity during an election campaign

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– when government business is curtailed to that which is necessary, major policy announcements are restricted, appointments are put off and official resources should not be used for anything relating to the campaign. That allows the government to respond to emergencies – but avoids abuse of government resources for electoral advantage.

In 2010, such restrictions were *in part* extended to include the period of uncertainty after the election result. But there were important differences with the pre-election period. According to the Cabinet Manual, “for as long as there is significant doubt over the Government’s ability to command the confidence of the House of Commons, many of the restrictions set out ... would continue to apply”. But ‘many’ is the key word here: it does not specify which. As with many other aspects of the UK constitution, the architects opted for constructive ambiguity.

The UK’s current approach to caretaker government mirrors other Westminster systems in some respects. But the New Zealand approach goes further than the UK’s current version in specifying which rules apply when there is uncertainty after an election, before a government is appointed. By setting these out at greater length and thereby providing greater clarity but also recognising explicitly that ‘matters may arise’ which may still require decisions to be taken, the New Zealand approach also permits a degree of flexibility. This does not curtail a government’s ability to act *in extremis*, but rather provides a more explicit guide for both those actors in government and for the public observing.

New Zealand also places emphasis on the importance of a government in this position being transparent about how it will act. It states that “the government is likely to state explicitly that it is to operate as a caretaker government until the political situation is resolved”.\* Such clarity on rules would help avoid the murkiness of a period when the basis on which the government is making decisions is not clear and reduce the risk that a government might play fast and loose with convention, undertaking government activities that go beyond caretaker acts.

The other problem with the current UK approach is the phrase “for as long as there is significant doubt”. In the case of a government deciding to govern as a minority, more rules or guidance are needed around what the government can do during this potentially protracted period. In both Australia and New Zealand, caretaker conventions exist until the new government is appointed.

The major difference is that, in the UK, for all the reasons discussed above, the appointment of a prime minister by the monarch does not in itself confirm that a government has confidence in the Commons. In New Zealand, principles of government formation are set out in slightly more detail than in the UK. It still places emphasis on parties resolving any agreements among themselves, but the process

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\* Para 6.23: the government is likely to state explicitly that it is to operate as a caretaker government until the political situation is resolved.

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of the governor general ascertaining confidence “on the basis of the parties’ public statements”<sup>11</sup> means that there is greater clarity about when a new government can be regarded as formed.

Given the experience of recent years and the pressures placed on the UK’s uncodified constitution, the UK should seek to resolve the uncertainties in how governments are formed, even in the absence of any electoral reform. The current approach depends greatly on the good behaviour of political actors, risks political controversy and loss of public trust and places undue political strain on the constitutional role of the monarchy. While it might mean slower transitions on occasion, the expectation of greater public clarity about a party’s or parties’ ability to command confidence would ensure that the role of the monarch in choosing a prime minister to appoint would be less open to constitutional controversy.

If the UK moved to a different electoral system, many of the existing problems would be compounded. More complicated scenarios for government formation would, at best, mean uncertainty about how parties should act, and how the civil service should support them and the incumbent government and would be likely to make the process of government formation more complicated than it needed to be, and therefore slower still. At worst, failure to tackle these problems would risk a major constitutional crisis.



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# Implications for functioning of government

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Electoral reform would make non-majority forms of government – such as coalitions, minority governments, or cooperation or confidence and supply agreements – more likely. This would have implications for how a government, once in office, functions. It would shape the approach and processes required for decision-making and ultimately the outcomes ministers wanted to achieve.

One of the main arguments made by proponents of the FPTP system is that it is able to deliver strong, stable majority governments that are able to easily deliver on their manifesto pledges. Proponents of electoral reform argue instead that the need for political parties to reach agreement on key government priorities will deliver more consensus-based outcomes and prevent big policy swings between different majority party governments.

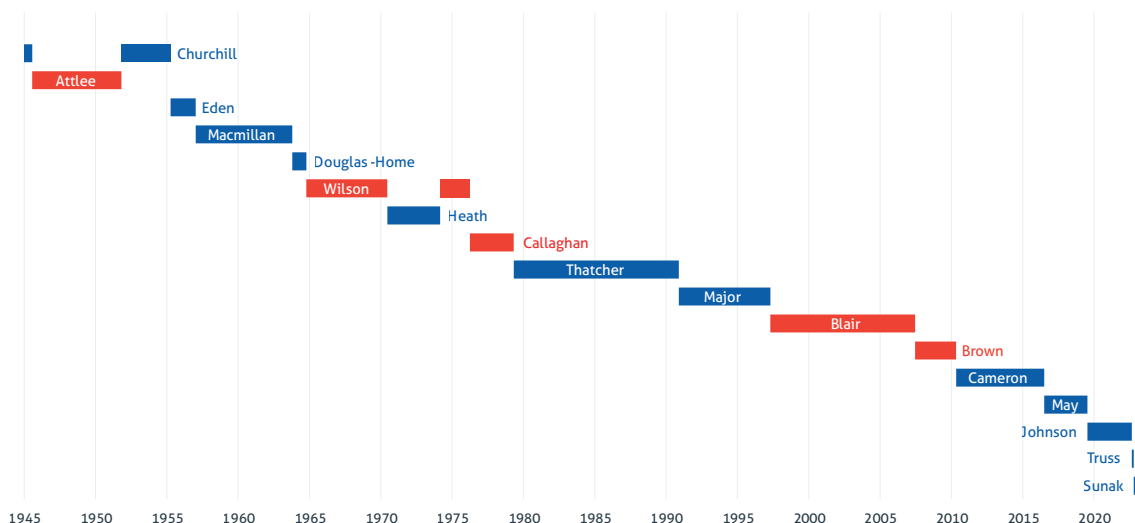
This section will consider the implications of electoral reform for the stability of governments, their ability to deliver on their priorities and the impact on policy outcomes. In this, the form of government and the details of any agreement between parties are also relevant – and the trade-offs between different types of relationship would need to be considered when parties were entering into an agreement.

## **FPTP does not necessarily deliver stable government**

The decades from 1980 to 2010 were characterised by governments with strong majorities and prime ministers with long tenures, with Margaret Thatcher in position for nearly 12 years, and Tony Blair just over 10. The Conservative–Liberal Democrat coalition maintained that stability, lasting the full parliamentary term.

However, the 1970s saw far more unstable governments, and John Major's 1990–97 administration, while lasting to full term, lost its majority. The period following the 2016 EU referendum and David Cameron's subsequent resignation has been characterised by particularly marked instability. Initially, the Conservative Party's narrow majority, and then minority, government meant that Theresa May was unable to deliver her flagship Brexit deal. However, even once the Conservative Party secured a strong parliamentary majority in the 2019 general election, the ongoing strength of party factions and a series of scandals meant that the UK had three prime ministers in short succession, Liz Truss lasting just 50 days.

Figure 4 UK Prime ministers, 1945–2023



Source: Institute for Government analysis of IfG ministers database.

FPTP can produce strong parliamentary majorities, but it also tends to create large broad church political parties that contain within them a wide spectrum of political views. While coalitions of governments formed on the basis of cooperation or confidence agreements require constant negotiations between parties to maintain stability, similarly, majority governments require consistent dialogue and negotiations between different factions within each party. A trend towards backbenchers forming 'research groups' (de facto parties-within-parties) has exacerbated this in recent years. The risk of instability is perhaps heightened by the increased involvement of political party members in the selection of leaders, meaning that prime ministers may not necessarily have the full support of their parliamentary parties.

### Non-majority government would require new mechanisms to manage intra-party disputes

It is hard to say whether coalition governments are more or less likely to collapse. More important than the fact of coalition are the wider political context and pressures at the time. But where government requires cooperation between parties, and if relationships break down between party leaders, or a policy issue breaks the political unity of the coalition, it is put under severe strain. The decision by one party to walk out of government could precipitate a breakdown.

In cases where there are multiple parties in government – for example seven of the nine governments in New Zealand since electoral reform have been composed of three or more parties in coalition or cooperation – there are even more opportunities for relationship breakdown to pull down the government.

A move away from single-party majority government would mean the need to manage disputes between, as well as within, parties, which means that new mechanisms would be needed to manage the interests of different political parties. This would mean some form of 'extra' dispute resolution process inside government. In 2010 ministers established a large Coalition Committee, but it was barely used. In practice a 'Quad' attended by the prime minister, deputy prime minister, chancellor and chief secretary

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to the Treasury was the forum for brokering and taking decisions. The Quad was supplemented by bilaterals between the prime minister and deputy prime minister, with trusted deputies like Oliver Letwin and David Laws playing a sweeper role.

Different types of government require different brokering arrangements, but all need to involve meetings between the two (or more) principals – as happened between the Labour first minister in Wales and Liberal Democrat Kirsty Williams following the 2016 Welsh general election. Williams had sacrosanct weekly meetings with the first minister to manage relationships and policy disagreements, which meant that she had more face time with the first minister than any other member of the government.

The 2010–15 UK coalition led to a renaissance of rules and process – the political inter-party dynamic required a process in which both parties had confidence. This was in some ways more comfortable for the civil service than the Blair-style large majority 'sofa government' of 1997–2007, or the chaotic Johnson decision-making of 2019–22. The coalition invigorated the Cabinet Office's brokering function and gave civil servants an important role in shepherding decisions to a conclusion.

It is likely that with more experience of coalition and minority government, political parties would learn what mechanisms work well for dispute resolution. For example, in New Zealand the first coalition government formed after electoral reform collapsed due to inter-party disputes between the National Party and New Zealand First. All subsequent coalition agreements between parties have included 'agree to disagree' clauses to allow for public disagreement on specific policy issues. If coalitions do fall under a new electoral system, there would be political incentives for parties to make them work in the future.

### **Ministers or special advisors would be key brokers – and would need to be supported in this role**

In a coalition, agreeing ministerial portfolios is more complicated and requires the principals to make decisions about how they want the government to work. The leaders of the parties need to decide between joint party representation in most or all departments, or ownership of a few areas. In the 2010 UK coalition, the Liberal Democrats as the smaller party chose to include ministers in as many departments as possible, mostly at a junior level.

That meant that the people filling these roles had a de facto responsibility to act as the 'Liberal Democrat secretary of state' and to monitor and get involved in all the policy in a department. In Ireland, the number of junior ministers has been rising because of the need in coalitions to balance departments and cover party as well as policy interest in portfolios.

Such decisions can fundamentally change the way a government operates and need to be explicitly agreed at the beginning of a government's term, recognising that the leverage and power that each party or party leader has determine how far they can win arguments over appointments.

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A full binding coalition is not the only government route for party leaders. There could be arrangements that lead to ministers from other parties joining the government. In Scotland the SNP–Green pact saw junior ministers joining government from the Greens, but the rest of the Green parliamentary party remained in opposition. Kirsty Williams, the Liberal Democrat leader in Wales, sat as a minister in the Welsh government without going formally into coalition. Also in Wales, a Labour–Plaid Cymru deal saw the latter asking for special adviser representation rather than ministers.

There are particularly important practical lessons from the UK 2010–15 coalition about how ministers are supported. The first is that whatever departmental job the leaders of the coalition parties hold, the civil service needs to recognise that they have duties beyond those in their immediate portfolio. In the current UK system, so much of government tilts towards the prime minister; for a coalition, the system needs rebalancing. This caused problems in Scotland in the early coalitions, where the civil service adopted a first minister-centric model and treated the first minister as the primary source for all government authority. That did not work, and the civil service had to change its approach – a lesson not learned in the early days of the UK 2010 coalition where Nick Clegg as deputy prime minister was under-supported for the roles he had to perform.

Junior ministers in a majority government have relatively small offices and junior private secretaries. This too needs to be reassessed for a coalition. If a junior minister in a department is also managing coalition dynamics across all departmental business, that minister needs sufficient civil service support. A junior departmental minister lacks – by design, in a majority government – equality of arms with a secretary of state, who is supported by a relatively senior principal private secretary, and with the full attention of the permanent secretary.

In a majority government, special advisers concentrate on their core jobs of policy development and media handling, with some limited parliamentary engagement where necessary. They find themselves being given additional responsibilities in a coalition, in effect becoming coalition ‘politics handlers’, as in Scotland before 2007. Coalition changes the requirements on political staff and increases the need for dedicated advisers focused on party and coalition needs. The 2010 UK coalition tried a short-lived joint policy unit in No. 10 which fell apart under political pressure. While there need to be strong institutional mechanisms for reaching agreement in a coalition, these should not be at the expense of separate trusted advice facilities for the different parties.

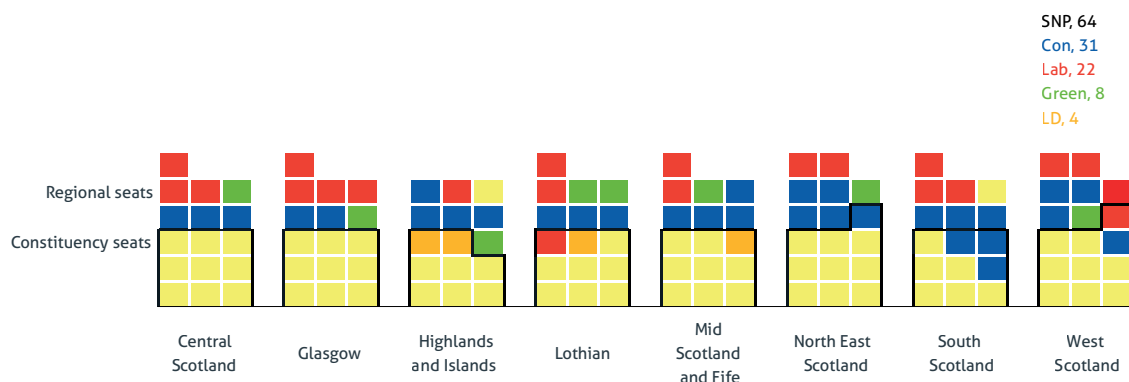
### **A different electoral system could affect ministerial appointments**

Coalition government can bring a new dynamic to ministerial appointments and reshuffles. Under recent governments, prime ministers regularly reshuffled their teams, resulting in high ministerial churn. In a coalition, such decisions are not necessarily as straightforward. The core team of ministers at the start of a joint administration needs to agree whether posts are allocated to parties or renegotiated with each shuffle, and whether one party gets consulted or has a veto over the others’ appointments. This led to substantially reduced churn in 2010–15 – with positive consequences for ministerial decision-making.

Coalitions may, in some circumstances, lead to prime ministers being more decisive about dismissing ministers for bad behaviour if pressure is applied by a coalition partner to take action. Conversely, some ministers may be so crucial to the continuation of the government that they become unsackable. The incentives are to maintain the coalition and sacrifice – or save – ministers if need be. There is no clear pattern, as can be seen in the New Zealand experience. Jacinda Ardern only made one small reshuffle in her six years as prime minister, despite having a majority from 2020. The premiership of John Key from 2008–16 saw more reshuffles, despite his government always having a confidence or cooperation agreement with at least three parties.

One theoretical benefit of ‘mixed systems’ like MMP or AMS can be that ‘list’ members, without constituencies, can be appointed to ministerial positions – allowing parties to bring in talented individuals who may lack local support. However, in practice, the use of this is limited, as successful parties receive fewer ‘list’ seats. ‘Top up’ list seats are used to correct for disproportionate outcomes in the constituency FPTP results. The greater the proportion of constituency seats a party wins, the fewer list seats they are eligible for. For example, large parties like Labour in Wales or the SNP in Scotland tend to dominate constituency votes, and thus win fewer list seats. As Figure 5 shows, in the 2021 elections, 62 of the 64 SNP MSPs were drawn from constituency seats, with just two from regional list seats.

Figure 5 **Scottish parliament seats by region, 2021 election**



Source: Institute for Government analysis of Electoral Management Board for Scotland data, 2021.

This means that the majority of MPs in the governing party are usually constituency MPs. For example, of the current Welsh government, 13 of its 14 ministers were elected in constituency seats and only one was drawn from party lists. Because Welsh Labour won 27 of 40 constituency seats, it only won three of 20 list seats. If there was a greater proportion of list seats overall, then there would be a greater spread of constituency and list seats within each party.

Big electoral swings can also result in a high level of turnover among members within the same party. In 2011 the SNP surge meant that its seat configuration flipped. Before 2011, Labour held the majority of constituency seats, but after the 2011 election the SNP took most of them. Neither party had expected this when they put their candidates forward, so both ended up with fewer experienced MSPs because they

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had put their most experienced candidates where they expected to perform best in the election, constituency or list. Such circumstances can reduce the number of experienced members a party has to draw on for ministerial positions.

### **There are trade-offs between the extent of collective responsibility and the ability to share information**

The type of arrangement that parties opt for has major implications for how government operates. It may be useful for the parties to 'agree to disagree' in some areas, but this may pose challenges for working across government.

In the 2010 UK government coalition, there was a widespread assumption that the formal mechanisms of government, such as collective agreement, cabinet committees and information sharing within and between departments, would continue as 'normal'. To some extent that is what happened, and in many policy and operational areas these conventions about how government would work held. In coalition, collective responsibility was harder to maintain in certain structural ways (though majority governments may of course face similar problems) and sometimes parties agree to disagree on divisive policy issues. This happened in the UK on a number of occasions between 2010 and 2015 – for example on the government's response to the Leveson Inquiry on press regulation, and on House of Lords reform and parliamentary boundaries.

When the parties took very different views on a policy issue and needed to differentiate themselves publicly, or when disagreement and parliamentary votes were being used as negotiating leverage, government conventions came under strain. Those strains included arguments about access to advice and information-sharing between departments. Where ministers were from different parties, new conventions needed to be established about who had access to what information. This was different from the usual majority government approach, where secretaries of state could decide who should be brought in on an issue. In a coalition, ministers had dual chains of command – to their secretary of state but also to their party leader, who could demand more access to information.

In confidence and supply arrangements the consequences for the operation of government are less about the mechanics of political and internal approvals and more about how and to what extent information is shared with a party not formally part of the government. The 2017 confidence and supply agreement between the Conservative Party and the Democratic Unionist Party made provision for a coordination committee to be chaired by a government minister. This became the formal forum for sharing material and reaching policy and financial decisions about general government policy, although most of the sensitive and important discussions, particularly about the government's approach to Brexit, happened informally and at a political level.

There are a whole range of other arrangements in between a full coalition and a minority government. For example, as part of the SNP–Green cooperation agreement in Scotland, Green Party ministers attend cabinet twice a year; New Zealand has created a new category of 'ministers outside cabinet' who are only bound by collective

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responsibility on their ministerial portfolios. If the UK introduced electoral reform, the operation of government would likely need to adjust to unfamiliar, bespoke political arrangements.

Similarly, in past minority UK governments the formal processes of government have continued largely as at present, but with ad hoc agreement about information sharing and involvement of other political parties as issues demand it. This could be confusing for civil servants, so some clear protocols would need to be established about when and how the government machine could engage with political parties not in government. The assumption could be that this must only happen with the agreement of the prime minister.

### **An agreed programme for government can provide more clarity, but less flexibility, than the current system**

Parties entering into an agreement with each other usually develop a programme for government to set out their joint objectives and aims. The Coalition Programme for Government agreed in the UK Conservative–Liberal Democrat deal was formulated in two phases – a very high-level coalition agreement, without much official involvement, and a more detailed programme several weeks later that built in initial official advice. These documents enabled the prime minister and deputy prime minister to set out a clear and relatively resilient programme, to get all ministers signed up to it, and to involve the civil service at an appropriate level of detail to develop (mostly – but not always) workable plans.

It also gave the electorate a clear way to check progress – the government was held more accountable for the coalition agreement than for either of the parties' manifesto promises. Such formal agreements can also give the civil service a 'marksheet' from which to assess progress of delivery. Near the end of the second Scottish Parliament (2003–07) the civil service commissioned an audit of performance against the programme for government; just over 90% of it had been delivered before Christmas 2006.<sup>12</sup>

During the UK coalition government, civil servants also knew that the priorities set out in the agreement were policies that the government actually wanted to implement, not lines included for electoral benefit in a manifesto. That perhaps had troubling democratic implications, as the programme for government was not explicitly endorsed by the electorate, but was helpful for the administration of government.

The agreement was not without flaws – it was too ambitious on some complex programmes, notably Universal Credit, while others had gaps, including over the actual objectives for the government's health reforms. Other policies were rapidly abandoned – like all-postal primaries to select prospective parliamentary candidates in some constituencies. But overall, the innovation of a coalition agreement was needed to make the coalition government work. Single-party majority governments would also do well to adopt a programme for government.

That said, too-rapid or mistaken adoption of a programme for government means that commitments can become an albatross for ministers. Once something is agreed

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across the coalition it can be both more embarrassing to drop a pledge that becomes unworkable or unwanted, like postal primaries for candidate selection, as noted above, and more difficult to avoid any amendments to the programme becoming a zero-sum win/lose game for coalition partners. A dated or inappropriate programme for government under a coalition takes more political will and capital to amend than an informal policy programme. Policy development becomes an internal negotiation, which can overlook parliamentary or implementation problems, or changes in circumstances like an economic downturn – as in Wales when the financial crash hit after the 2007 agreement had been reached.

There is also a question about the appropriate level of detail for such an agreement. On this there is no clear-cut answer: the first programme for government in New Zealand following electoral reform was over 70 pages long but since then such programmes have never exceeded 12 pages; in Ireland the trend is going in the opposite direction, and the published 2020 programme for government came in at 128 pages. If the UK were to adopt electoral reform and such agreement were more commonplace, successive government should learn from past practice as to what form of agreement works best for ministers and civil servants.

Should electoral reform result in more coalitions, parties would likely run their electoral campaigns with the possibility of needing to strike a coalition agreement in mind. Both larger and smaller parties would have an incentive to let voters know which parties they might seek to go into coalition with, and what manifesto commitments would be non-negotiable.

### **Minority governments could struggle to deliver their legislative programmes**

There would be much more need for parliamentary focus, resource and expertise inside government during a minority administration. Nothing that required legislation could be done without a successful strategy for handling parliament, which would need to be front and centre of all policy discussions. All departments, not just the centre of government, would need to invest heavily in their parliamentary capability.

The nature of any confidence and supply arrangement would be key – for example, in Ireland, the Fine Gael and Fianna Fáil agreement in 2016 only covered budgets and confidence votes; everything else had to be negotiated individually. That caused a legislative backlog, slowing down the operation of government.

In some respects, a coalition changes the time spent in government on parliamentary handling. In 2010–15 solutions to novel parliamentary problems were normally ad hoc and based on the political imperative of the time rather than on principle or precedent. In future coalitions, governments would need to devote more resource – intellectual and practical – into parliamentary management and navigating new parliamentary dynamics. While the coalition itself might be stable, there would be quirks and unusual developments to which a majoritarian system would need to adapt, such as how disagreements would be handled, what statements from the government despatch box would imply when given by different party representatives and how committees and others would be constituted.



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## **Non-majority governments would still retain the ability to respond to crises**

Any non-majority government, of whatever form, would still enjoy all the prerogative powers currently exercised by government. Important powers to respond to terrorist attacks or other crises, to declare war or to take action to deal with an all-consuming external event like the covid-19 pandemic would continue to exist. For as long as a prime minister is in office as the person most likely to command confidence of the House of Commons, they have the authority to take action and the core function of the state continues. That applies even during caretaker periods where it is not clear that the prime minister has the full confidence of the Commons.

There is no evidence that coalitions or minority governments perform worse in crises. It may of course be more difficult to pass legislation through parliament where the government lacks a majority; for example, the health protection measures introduced during the pandemic would not have passed in a minority government if the opposition chose to withdraw support. However, it is common for political parties to strive for political consensus in times of crisis; for example, in 2019 the New Zealand Parliament passed legislation to change the country's gun laws almost unanimously in response to the Christchurch shooting.<sup>13</sup>

## **It is not clear how changing the voting system would affect policy outcomes**

Of more long-term importance for the country are the changes to the policies that governments elected by different voting systems might pursue. Of course, it is impossible to predict how a more proportional system might directly translate into policy choices.\* But different systems would change the incentives operating on government.

Preferential voting systems, such as AV or STV, by encouraging prospective MPs to campaign for second and third, and so on, preferences might incentivise parties, and governments, to pursue policies that appeal to the broadest range of the electorate. A party that – through one mechanism or another – needed to gain the approval of more than 50% of voters might pursue different policy strategies to one that needed only around 40%.

As discussed in the chapter on political culture, the increased likelihood of needing to find coalition partners under a proportional system means that government policy agendas would be tailored to areas of agreement between the parties. However, ultimately any policy changes that would result from a change to the electoral system are unpredictable, and would depend – as discussed throughout this paper – on the dynamic mix of electoral, cultural and institutional factors that make up government policymaking.

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\* There have been some attempts to study its effects; for example, Salomon Orellana, 'How Electoral Systems Can Influence Policy Innovation', *Policy Studies Journal*, 4 October 2010, vol 38, issue 4, pp. 613–28, but the literature on this topic is limited.

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An increase in non-majority governments may have the most significant implications for constitutional policy. As argued by Professor Tim Bale, political parties often pursue constitutional reform for partisan benefit, rather than on a point of principle.<sup>14</sup> The UK constitution also allows, with remarkable ease, majority governments to enact often far-reaching constitutional change.

On one hand, electoral reform may act as a constraining factor, preventing one political party from changing the constitution without support from another. For example, the recent introduction by the Conservative government of voter ID was opposed by all the other political parties and may well not have gone ahead had it required support from another political party. On the other hand, coalition agreement or cooperation deals may enable constitutional changes with limited political and public support, for example, the fixed terms parliament act passed by the coalition government, driven by the Liberal Democrats; this change was later reversed.

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# Implications for House of Commons

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The effects of changing the UK's electoral system would most immediately and obviously be seen in the House of Commons, the membership of which comprises those candidates returned by voters at general elections. Proponents often claim that it would have a positive impact on how – and how well – the Commons works. But while changing the electoral system might change the membership of the Commons, and its culture, it would not automatically lead to changes in the mixture of rules and conventions that determine the lower house's working practices. These, then, may need to be reviewed to support such a change.

What electoral reform would do, however, is begin to unpick the assumptions that underpin the way that the Commons works. The House's rules, as set out in its Standing Orders, have been shaped by the outcomes of FPTP, which usually returns a single-party majority government, with the other main political party as the official opposition. The conventions and practices that have developed over time, as set out in Erskine May, the guide to parliamentary procedure, have also been shaped by the FPTP system.

In this chapter, we consider the effects of the current FPTP system on the Commons' working practices, the challenges and benefits that this brings, and how a different electoral system might change how the Commons does its job.

## **Under the current system, the government can exercise strong control of Parliament**

Because FPTP encourages the dominance of two main parties, the Commons operates on the basis of a government and an 'official opposition', which acts as a 'government in waiting' and a check on government – scrutinising the work of ministers, who know that they can be replaced at the next election.

The rules and procedures of the Commons, as well as its culture, have flowed from this electoral system – and the kind of two-party politics that it has sustained. Time, access to different procedural mechanisms, non-ministerial positions of influence in the Commons and even parliamentary funding are largely carved up between the two main parties, with smaller parties receiving far fewer benefits. Some of these practices are set out formally in the Commons' rules, but others are worked out more informally, through the 'usual channels' – discussions between party whips – which mean the smaller parties are often cut out.

Generally, this system gives the government considerable power in the Commons. It also affords the official Opposition – with its constitutional role of a government-in-waiting – considerable rights in comparison to smaller parties. For some, this is the best way of ensuring that the elected government can get its business through. But

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others, most famously the former Lord Chancellor Lord Hailsham, have characterised this system as an 'elected dictatorship' in which there is little real opportunity for meaningful scrutiny of the executive.

### **The government controls parliamentary business**

The government has considerable control of the Commons agenda, underpinned by Standing Order no. 14, which states that "government business shall have precedence at every sitting."<sup>15</sup> Practically, this means that the governing party controls the Order Paper, deciding what the Commons will debate and vote on, and when and how long they will have to do so. MPs from other parties do have the ability to initiate debates – such as opposition days – propose legislation or otherwise change the agenda, but these are severely limited. There are also limits on what MPs can do with the small amounts of time they receive – in most cases private members' bills rarely progress without with government support. The cases of backbenchers legislating to constrain government seen during Brexit were notable for being exceptional.

The government is also normally able to prevent the Commons reforming its own procedures. For example, despite strong support for the reforms to the private member's bill process recommended by the Procedure Committee, successive governments have refused to table a motion to give effect to them, preventing these reforms from going ahead.<sup>16</sup>

### **Opportunities for parliament to substantially influence government legislation are limited**

Under the current system, a government with a majority is usually able to pass legislation through the House of Commons with limited opposition. While this allows the government to deliver on its legislative programme, this can sometimes be at the expense of meaningful parliamentary scrutiny.

The biggest barrier to meaningful scrutiny is a government's majority itself. A majority government is rarely defeated in parliamentary votes, and so faces limited challenge from the House of Commons. The opposition, conscious of its inability to outvote the government, may focus its efforts on demonstrating opposition, for example tabling amendments to get a response from the government rather than with the intention of changing legislation. There are also procedural barriers, with the government able to control key scrutiny mechanisms, such as public bill committees.<sup>17</sup>

This is not to say that parliament beyond the executive has little influence. A single-party government generally needs to be conscious of addressing the concerns of its own backbenchers and preventing party rebellions. However, any government with a healthy Commons majority has little incentive to take on board points raised by other parties or to accept amendments. This means that the ability of MPs from other parties to meaningfully influence legislation is limited.

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## **Electoral reform could increase the opportunities for parliamentary influence**

A more proportional voting system would make it less likely that single-party governments would continue to command large majorities in the House of Commons. If a government were unable to rely on its numerical advantage to pass bills, it might need to work more closely with MPs, including from other political parties – or risk defeat.

The government–parliament dynamic would depend in part on the arrangements in place to form a government – the subject of the previous chapter. As noted there, this might be on a case-by-case basis, in a minority government or via a confidence and supply arrangement, or more formal arrangements, as in the 2010–15 coalition government.

But party leaders would still need to be able to keep their own parliamentary party colleagues onside – if not more so than now. There is some evidence that MPs from governing parties are more willing to rebel during coalition governments. Analysis from the first year of the Conservative–Liberal Democrat coalition found that “out of the first 110 divisions in the Commons since Parliament resumed, there have been rebellions by government MPs in 59”.<sup>18</sup> It found that Conservatives were more likely to rebel on constitutional issues and Liberal Democrats on social issues, suggesting a level of discomfort among MPs for elements of the coalition programme led by the other party.

The greater risk of rebellions under coalition or minority government could increase the influence of backbench MPs, as party leaders may want to stave off potential defeats. For example, the risk of a Conservative rebellion over the coalition’s planned House of Lords reforms caused the government to drop the legislation. However, this is not guaranteed where there is a clear agreement between parties and strong party discipline, and coalitions may lead to even larger government majorities than single-party governments. And as party leaders may well be reluctant to reopen post-election agreements, the scope for backbenchers to persuade them to change course on particular policies may be further reduced.

## **The effects on electoral reform will depend on whether it is accompanied by procedural change**

Proponents of electoral reform argue that it would increase the power of parliament, improve scrutiny and ultimately result in better legislation. Those we interviewed in Japan and New Zealand pointed to improved scrutiny of government as an outcome of their reforms. However, in anticipation of MMP, New Zealand made several changes to parliamentary procedure. Similarly, in 2016, Ireland implemented a series of procedural reforms as a result of the first minority government, followed by the establishment of a reforms committee.

The extent to which electoral reform could lead to a more powerful parliament might depend on whether similar proposals were pursued. After all, a coalition government may be just as keen as a majority government to maintain power over the commons to prevent ‘wedge’ issues threatening its stability. There are a number of reforms the

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Commons could make to the current system – as we have set out in previous work – irrespective of whether the broader electoral process is reformed, but which may be deemed more urgent if changing the voting system was motivated by a desire to move away from strong majoritarian government.<sup>19</sup>

### **Reforms to reduce the government’s control of the agenda**

To adjust to a reality in which large parliamentary and government majorities were less common, changes to the process by which decisions about parliamentary business are made might be needed. As part of its parliamentary reforms, New Zealand established a Business Committee, which sets the order of business and decides on the allocation of time for certain stages of the legislative process. The committee has membership from all parties and works on the basis of unanimity (or near-unanimity). Ireland similarly established its Business Committee in 2016, which has representatives from all party groups.

### **Changes to the way select committee members and chairs are allocated**

Under FPTP the number of Commons select committee chairs allocated to each party – as well as the membership of select committees – are proportionate to the makeup of the Commons as a whole. Practically, this means almost all committees are chaired by MPs from either the governing party or the official opposition, with the third main party currently chairing just two. In terms of membership, government always has a majority on committees, and the official opposition significant representation – the smallest parties do not have members on every committee. This naturally limits their ability to conduct scrutiny and to increase the visibility of their members.

In the Irish Dáil, the cross-party Business Committee has been given the role of allocating TDs to committees (where previously this had been done by the government), though a party needs at least seven TDs to be eligible to chair a committee, which restricts opportunities for smaller parties. An alternative model is that adopted by New Zealand, which does not limit the size of its committees to ensure that they are fully proportional. While the New Zealand government is able to work with other parties through cooperation or confidence and supply agreements to ensure that its votes pass, it does not have a majority based on government MPs alone – incentivising it to take other parties’ views into account.

### **Changes to the allocation of non-governmental parliamentary time and speaking rights**

Currently in Westminster the official opposition enjoys special rights and privileges, including an allocation of Opposition Days and oral questions – key mechanisms for holding ministers to account. It is only relatively recently, as third parties have grown in size in the Commons, that changes have been made to ensure that they are also granted Opposition Days. Opportunities may also be granted for smaller parties, but this is at the discretion of the government.

Similarly, third parties have been granted some speaking rights – the leader of the current third-largest party, the SNP, for example, is allotted two questions at Prime Ministers’ Questions (compared to the Leader of the Opposition’s six) and is usually called for closing debates.

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Moving away from FPTP could mean a greater plurality of parties, and decrease the dominance of the two main parties, making the concept of an 'official' opposition less relevant. Reforms may be needed to reflect this – such as to expand the entitlements to parliamentary time and speaking. But there is a balance to be struck; several interviewees suggested that the decision in the Dáil to lower the threshold for speaking rights to groups of five or more encouraged larger groups to fragment, and caused complaints that less time was available for government backbenchers.

New Zealand also changed its procedures around the allocation of questions to deal with its reformed electoral system. Its cross-party Business Committee makes decisions about the allocation and order of oral questions, allowing parties to decide among themselves about how much time they should each receive.

Equally, these procedures would need revision to address the greater chance of multi-party governments. Previously, the UK Parliament has adopted relatively ad hoc procedures to deal with rare periods of coalition government. In 2010, for example, Conservative and Liberal Democrat MPs were allowed to make Commons statements setting out opposing views on the issue of media regulation, despite the fact that they were both in government. Arrangements like this would benefit from greater formality and permanence in the event of electoral reform.

### **Changes to the physical structure of the Commons**

Even the layout of the commons is a product of the two-party, adversarial style political system. Generally, other legislatures with more proportional systems have chambers that are shaped like horseshoes, or in semi-circles – including in Wales, Scotland, Northern Ireland, the Republic of Ireland and New Zealand. The current long-term plans for the Restoration and Renewal of the Palace of Westminster do not encompass any changes to the layout of the chambers. But in the context of planning for a change in electoral system, there could be an opportunity to rethink these assumptions.

Given parliament's poor track record of changes to its physical environment – which have tended to be slow and contested – the question of potential changes to the chamber would require considerable thought if electoral reform were seriously being considered.

### **The constituency link could be maintained**

Currently, a core part of the role of MPs is to represent their constituents – giving their (on average) around 70,000 voters a direct link to Parliament.<sup>20,\*</sup> Constituency work is a crucial part of MPs' role, with the Commons' sitting days even structured to allow MPs time in their constituencies. Anecdotal evidence from MPs and staff also indicates that it is becoming an increasingly large part of MPs' jobs, as they field more and more casework from their local area.

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\* There is currently significant variation between constituencies, but the 2023 boundary review aims to equalise this. All recommended constituencies in England have no fewer than 69,724 and no more than 77,062 electors. Boundary Commission for England, '2023 Review: Final Report and recommendations', accessed 3 July 2023, <https://boundarycommissionforengland.independent.gov.uk/2023-review/>.

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Much is often made of the value of the constituency link for proceedings in parliament, and the potential negative implications of it being lost through electoral reform. It is possible that, as in many other legislatures with proportional systems, some kind of constituency link could be maintained. For example, in Scotland, New Zealand and Wales, there is a mixture of constituency and regional or list members. This means that voters effectively have two different layers of representation. By contrast, the STV system of the Irish Dáil means that each constituency has 3–5 TDs, though they are all tied to the constituency rather than originating via a list system.

But different systems would have different implications for exactly how the constituency link would work – and therefore what the effects might be on MPs' workload – which would need to be carefully considered. For example, in the Scottish parliament and the Senedd Cymru, constituency MSPs and MSs are generally understood to deal with more casework than those elected via the regional lists. Currently, expenses allowed to MPs in the UK Parliament are broadly the same for all members. But if a different electoral system were to be adopted, it would raise important questions about the resources – including expenses for staff costs – allotted to different members. These questions would be especially urgent given the increasing rates of casework that MPs have already reported in recent years.

The implications for constituents, and their ability to see local issues raised in the Commons, would also require thought. Again, this would depend on the specific type of electoral reform adopted, but generally, the experience of other legislatures indicates that the ability of voters in local areas to raise issues does not suffer. In Ireland, because each constituency has multiple TDs, voters have options about whom they wish to approach. And the nature of the system, whereby TDs compete in a region sometimes with members of the same party, incentivises them to focus on cultivating their local links. This practice of localism can prove an electoral advantage and may well benefit constituents. However, disruptive localism can be a problem if TDs focus on hyper-local issues rather than supporting policies that could benefit the country more widely.

In Wales and Scotland, while constituency representatives tend to be the first choice for casework, voters do also have the option of approaching list representatives – giving voters a choice of different personalities or parties. And while there is a sense that list members may be able to focus more on raising their profile than on casework, they still need to be seen to be across local issues, and responsive to constituents. In Scotland, regional MSPs may also informally split a region between them, allowing them to focus on a particular area.

### **Parliament would have to prepare for the unexpected**

Any new electoral system would need time to bed in – for voters, representatives, broader civil society, and for the Commons as an institution. Unexpected issues may arise, or things may not work as expected, potentially requiring further changes down the line.



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Some of these effects may be political, rather than institutional: for example, in New Zealand, 13 of 99 MPs switched parties between 1993 and 1996 in anticipation of electoral reform coming into effect – and a further 22 defected in the two parliaments following the reform. It is unclear whether this would happen in the Commons, and if anything similar did then its consequences for the work of the chamber would be minimal. But it serves as a reminder that reform may have unanticipated effects – both in advance of and following the reform.

Equally, there may be some more practical effects that emerge over time. For example, some legislatures have had to make changes to address unanticipated issues emerging from their electoral systems. The Welsh Senedd has plans to expand in size in part because of the workload pressures on its members, especially constituency MSs, as outlined above. In the Irish Dáil, the constitutional requirement that there is one TD per every 20–30,000 people means that the legislature often increases in size, something that will soon come into conflict with the ban on constituencies having more than five seats, meaning legal changes will be required. And in New Zealand, the way seats are calculated – and the possibility of ‘overhang’ votes – means that the size of the parliament can actually fluctuate from election to election.

The likelihood of further changes to the Commons’ practices being required as any new electoral system beds in would require parties, and the Commons authorities, to take a more flexible approach to change than has perhaps historically been the case. To ensure that electoral reform’s impacts on the Commons are fully understood, some form of monitoring system should be employed by a body with cross-party representation, such as the Commons Procedure Committee. This monitoring role should assess how reform is unfolding in the Commons, its effects, and whether it is working as intended or having unanticipated consequences. The body playing this role should also have the ability to raise any issues before the House for debate and, where necessary, take decisions about procedures and working practices.

Changing the voting system for the House of Commons may also have implications for the House of Lords. The appointment process may need to reflect a more pluralistic primary chamber where a greater number of parties are represented, and procedural adjustments to reflect different types of governments may also be necessary. Electoral reform may also have a bearing on debates about reforming the House of Lords, although it is not clear in what ways. On one hand, a proportional system may satisfy calls for greater democratisation of parliament, while on the other hand it may pave the way for further democratic reforms. In either case, the second chamber should also be prepared to adjust.

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# Implications for union and devolution

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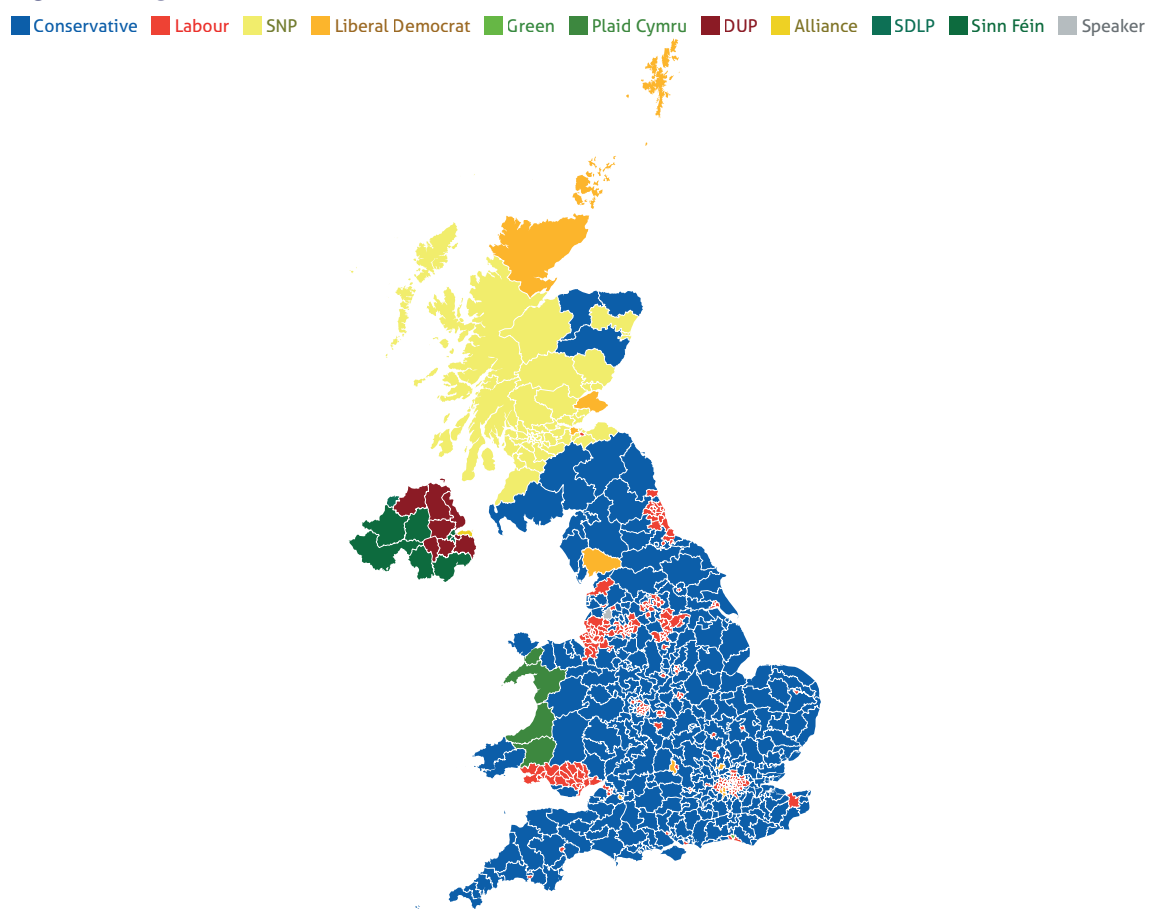
Some advocates of electoral reform have made the case for changing the voting system on the basis that it would strengthen the union of the UK. The campaign group Labour for a New Democracy argues that the current FPTP system acts as a “centrifugal force in British politics, pitting the politically diverse nations against unrepresentative and overbearing Westminster governments”;<sup>21</sup> the first minister of Wales, Mark Drakeford, has gone further, claiming that FPTP “will only feed further the fissures which threaten to prise the United Kingdom apart”.<sup>22</sup>

In this section we consider the impact of the current voting system on political representation across the UK, the problems this can create and to what extent electoral reform might address these.

## FPTP can distort geographical political differences

The majoritarian voting system exaggerates divergent political trends in different parts of the UK. The 2019 general election result laid bare this effect, returning very different outcomes in each of the devolved nations.

Figure 6 **UK general election results, 2019**

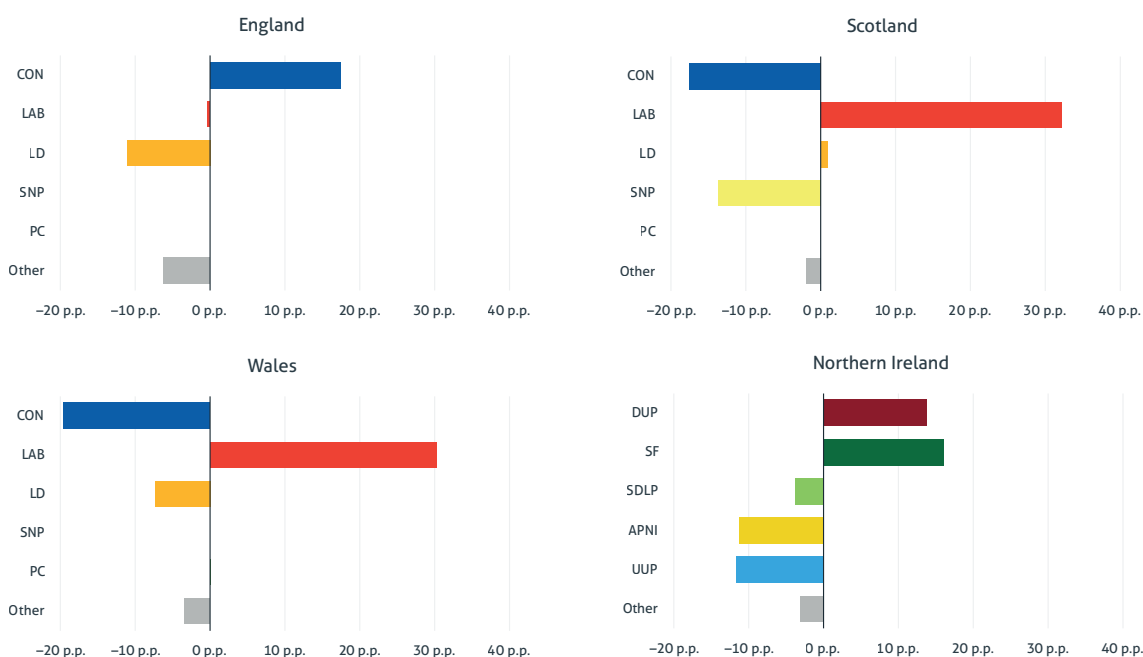


Source: Institute for Government analysis of general election results, 2019.

The Conservative Party won 65% of the seats in England on 47% of the vote, Labour maintained its majority in Wales with 55% of seats on 40% of the vote, and the SNP won more than 80% of seats in Scotland despite winning less than half (45%) of the voters. In Northern Ireland, representation is confined to parties who do not contest elections in the rest of the UK (though they may have links to other mainland parties). As Figure 7 demonstrates, in each part of the UK the largest party (or parties, in Northern Ireland) was significantly over-represented in the percentage of seats they won when compared to vote share.

FPTP privileges parties which concentrate their support geographically, which the nationalist and Northern Ireland parties do. The system is detrimental to other parties – such as UKIP or the Greens, who often achieve a much bigger vote share nationwide but spread it thinly geographically and so achieve minimal Westminster representation.

Figure 7 **Percentage point difference between seats and vote share in 2019 general election, by nation**



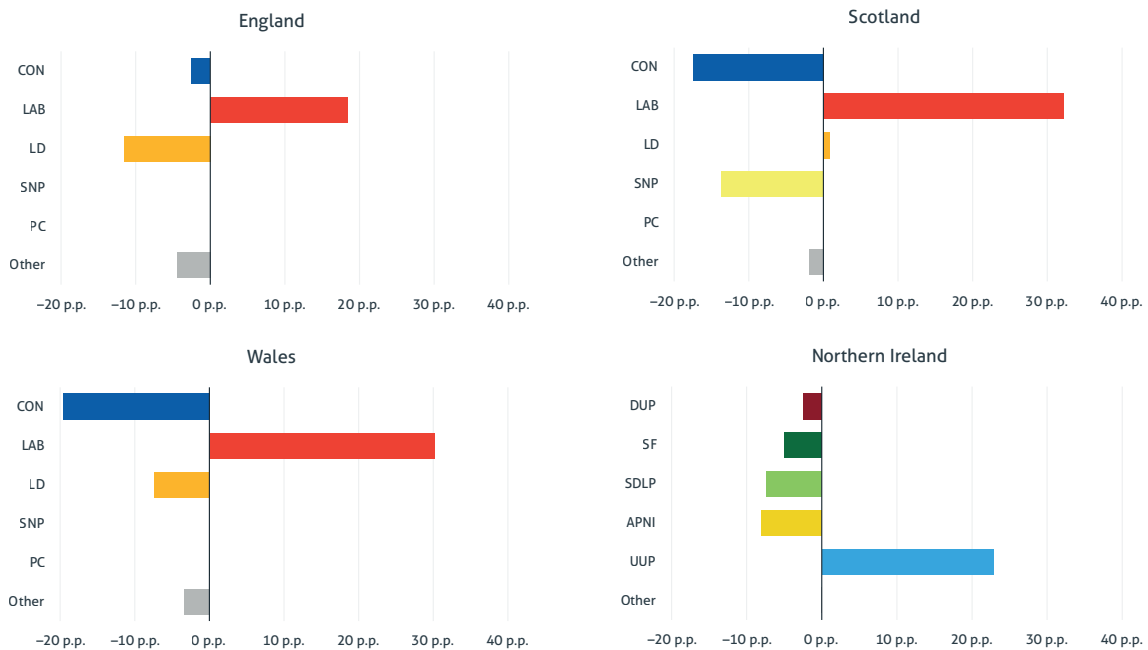
Source: Institute for Government analysis of general election results, 2019.

Notes: LD = Liberal Democrats, SNP= Scottish National Party, PC = Plaid Cymru, DUP = Democratic Unionist Party, SF = Sinn Féin, SDLP = Social Democratic and Labour Party, APNI = Alliance Party of Northern Ireland, UUP = Ulster Unionist Party.

FPTP can also amplify relatively small variations in voting trends in different parts of the UK. In the current political circumstances, the representation of each constituent part of the UK in the UK parliament emphasises the differences and disguises the similarities in voting patterns across the UK. Looking at the 2019 electoral map, one might assume little support for the three main GB-wide parties in Scotland, but between them, they achieved over half of the vote (53.2%), which translated into just 11 seats (just 18.7% of those available). This distortion has at times been taken to the extreme – in 2015 the SNP won all but three Westminster seats in Scotland, with just 50% of the vote.

However, it is not always the case the FPTP reinforces divisions. Under different political circumstances, it can exaggerate consistency between the different parts of the UK and disguise underlying nuance in political support. For example, in the 1997 election the Labour party was over-represented in Scotland and Wales (see Figure 8), as it was in England.

Figure 8 **Percentage point difference between seats and vote share in 1997 general election, by nation**



Source: Institute for Government analysis of UK general election results, 1997.

Notes: LD = Liberal Democrats, SNP= Scottish National Party, PC = Plaid Cymru, DUP = Democratic Unionist Party, SF = Sinn Féin, SDLP = Social Democratic and Labour Party, APNI = Alliance Party of Northern Ireland, UUP = Ulster Unionist Party.

In this scenario, it can also make it difficult for other parties to get a foothold in the smaller parts of the UK. Between 1997 and 2001 the Conservative Party had no MPs in Scotland or Wales, despite receiving 20% of the vote in Wales and 18% in Scotland.

While political trends rather than the voting system are the primary determinant in changing voting patterns, one could argue that by emphasising them, FPTP can give a false impression of political divisions between the constituent parts of the UK.

## The majoritarian system has created several problems for the union

There are several problems that flow from the electoral distortions that the voting system creates.

### Important constitutional perspectives in each part of the UK have little or no representation in the UK parliament

Prior to 2015, there was limited representation for Scottish nationalists, despite the support of around a fifth of the vote share. Then, after 2015, there was little representation for Scottish unionists despite around half the electorate supporting this position. This meant that in both parliaments large portions of Scotland's citizens were under-represented in Westminster debates.

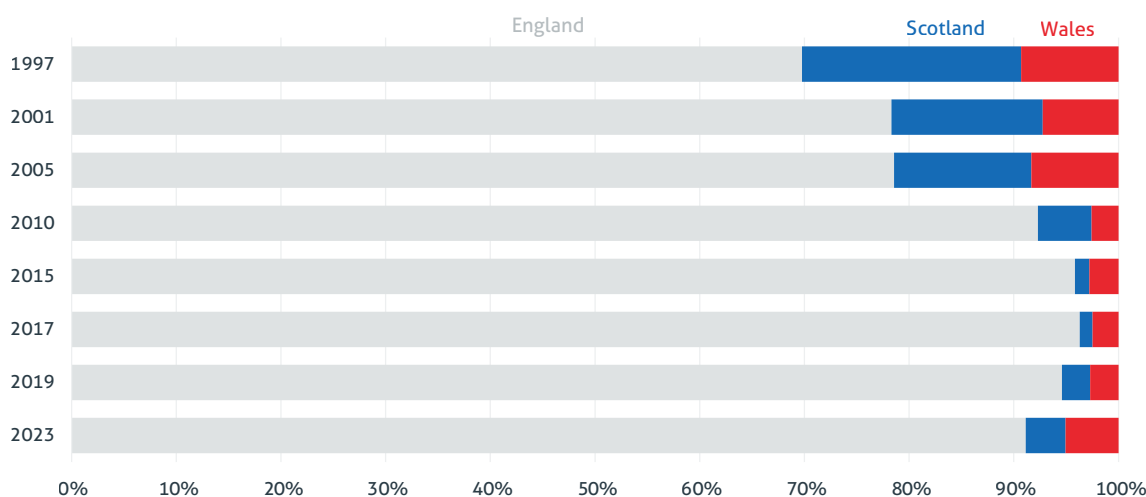
Similarly, the over-representation of the DUP and Sinn Féin in the 2017 general election coupled with the latter’s abstentionist policy (its MPs refuse to take their seats at Westminster) meant there was no representation at all for Northern Ireland’s nationalist or non-aligned parties in the UK parliament during the Brexit process.<sup>23</sup> This meant that debate on the consequences of EU exit for Northern Ireland – which as the only part of the UK to share a land border with the EU was particularly acutely affected by Brexit – was dominated by a party, the DUP, that only represented one part of one community there.

### The government can be dominated by English representatives

The combination of the voting system and England’s far larger population means that governments can be, and are, formed without the support of representatives across the UK. In the 2019 parliament, 95% of government MPs represented English constituencies. As a consequence, most ministers – who are drawn from this pool – also represent English constituencies. Currently, there are just three cabinet members representing non-English constituencies, but this includes both the secretaries of state for Scotland and Wales. (The same is true for the current composition of the shadow cabinet.)

Looking at ministerial positions as a whole (including junior ministers) the number of ministers from Scotland and Wales has varied significantly across different governments (as Figure 9 demonstrates). In 1997, Scottish and Welsh ministers were over-represented, making up 30% of ministers compared to 25% of the population.<sup>24</sup> In 2017, under the Conservative government, just 4% of ministers represented Scottish or Welsh constituencies.

Figure 9 **UK government ministerial positions by nation of minister’s constituency, 1997–2023**



Source: Institute for Government analysis of IfG ministers database.

Notes: Ministerial positions are assessed following the final post-election appointment in the relevant year, except 2023, where data is at April 2023.

## Territorial imbalances reinforce the perception that government only represents English interests

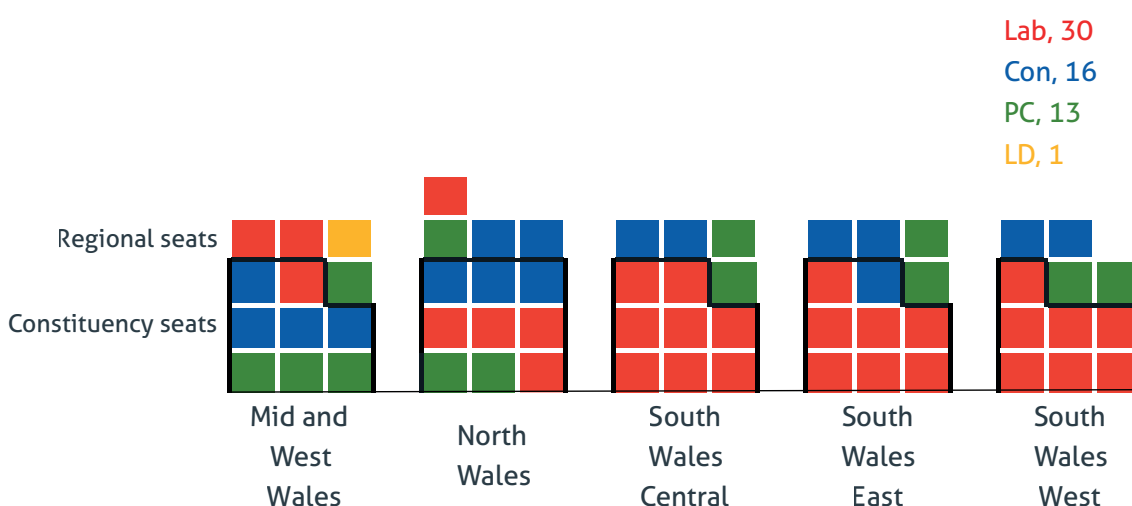
Governments that are formed of political parties with few representatives from outside England are vulnerable to accusations that they are unable to effectively – or even legitimately – govern those areas. This can be reinforced by FPTP’s noted habit of failing to translate political support outside of England into seats, creating a perception that governments have been imposed on other parts of the UK (even if substantial minorities did support them).

Governments may claim they can govern in the interests of the whole of the UK regardless of the geographical distribution of their seats. However, there are a number of factors that could – perhaps unintentionally or unconsciously – make that more difficult if a party has a narrow rather than broad territorial support base. One of the key ways in which parliament can influence the government is through backbench MPs exerting pressure on ministers from their own party. The fewer MPs who represent the interests of Scotland and Wales, the less influence of this kind they are likely to have. There is also a question of electoral incentives. If even substantial percentages of the vote in certain areas are unlikely to translate into seats, political parties may not have the incentive to design policies that appeal to voters in those parts of the country.

## A more proportional system would diversify party representation in each constituent part of the UK

Electoral reform could ensure that parties with a smaller percentage of the vote share in each region are represented. AMS is designed to do just this. For example, as Figure 10 shows, in Wales, AMS ensures representation from the Conservatives and Plaid Cymru in South Wales constituencies that would otherwise be dominated by Labour.

Figure 10 **Senedd Cymru/Welsh parliament seats by region, 2021 election**



Source: Institute for Government analysis of Senedd Research election data, 2021.

Likewise, in the Scottish parliament, constituency seats are dominated by the SNP, but the list component ensures representation from other parties. Of 73 constituency seats in the 2021 election, 62 were won by the SNP, with regional lists seats providing the majority of opposition MP seats.

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In the Northern Ireland assembly, due to its political history, STV was chosen as the system for the Northern Ireland Assembly, established by the Good Friday Agreement, to ensure that a range of political parties and a plurality of voices were represented. In the context of the increased dominance of the DUP and Sinn Féin, a more proportional system for UK elections would create more space for moderate and non-aligned voices that represent a large part of Northern Ireland society.

However, for Westminster elections the relatively small number of seats in each part of the UK outside England – 59 in Scotland, 40 in Wales and 18 in Northern Ireland, against 533 in England – would limit how proportional the outcome in each region could be. Rather than drastically changing the electoral map, a system like AMS or MMP would likely result in the addition of a handful of members from parties not currently represented at Westminster. Increasing the number of seats, for example by creating top-up party list seats in addition to (rather than instead of) existing constituency seats would create greater opportunities for a more diverse range of representatives but would significantly increase the size of the House of Commons overall.

### **Reform would create opportunities for the UK government to be more representative, but parties would need to take these up**

Increasing the number of representatives that the main political parties have from outside England could have several benefits for the union – not least that the government would be able to draw upon a wider and more geographically representative pool of MPs when making cabinet appointments. If a system with a list element were introduced, parties could ensure that talented individuals from Scotland and Wales were at the top of their national or regional lists with a view to appointing them to government positions to ensure representation from the whole of the UK. This would remain a choice for leaders of political parties, so there is no guarantee that such electoral reform would automatically result in such benefits.

Increasing the number of MPs from Scotland, Wales and Northern Ireland in a parliamentary party may allow them to better influence government policy, ensuring that the distinct interests of each part of the UK are considered. Nevertheless, they would still be considerably outnumbered by their English counterparts due to disparities in population size.

The possibility of picking up transfers under STV (or similar systems), or a 'split' vote under AMS, may mean that political parties have a greater incentive to appeal to voters in different parts of the UK – and design policies to reflect this – and to ensure they have broad appeal. Some have also claimed that this could improve intergovernmental relations, as it would require the UK government to appeal to the more pro-devolution electorate in Scotland and Wales. However, this may depend on electoral incentives, and increased competition between the parties in Scotland and Wales may encourage political parties to differentiate themselves and take a combative approach to devolved governments led by other the parties.

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## **Coalition or cooperation agreements risk unfair outcomes for different parts of the UK, so require safeguards**

Coalitions and cooperation agreements, as likely outcomes of a move away from FPTP and majoritarian governments, could also have implications for the union.

One concern is that the largest party could go into coalition with a party that only represented the interests of one part of the UK – giving that part special treatment or privileged access to the government, giving it sway over policies or spending decisions that disproportionality benefit one part of the UK. However, even under the current system this is possible, and happened as recently as 2017, with Theresa May’s Conservative–DUP confidence and supply agreement that saw £1 billion of funding passed to the Northern Ireland executive in return for supporting May’s minority government.<sup>25</sup>

The UK government said that the money would not be subject to the Barnett formula – the process for determining the block grant for the devolved governments, which is taken as a percentage of the UK government spend for England – which meant that the Scottish and Welsh governments would not receive additional funding as a result. The Scottish and Welsh governments were highly critical of this approach, launching a formal dispute under the dispute resolution mechanism for intergovernmental relations, which the UK government dismissed.<sup>26</sup>

To prevent future disputes arising, the UK government could create enhanced financial safeguards and accountability mechanisms to prevent financial commitments made in or associated with a coalition or cooperation agreement that benefit only one part of the UK. These could include strengthening the accounting officer role of permanent secretaries who are required to ensure that government spending activities meet the standards of “regularity, propriety, value for money and feasibility”.<sup>27</sup>

There is a risk that coalition agreements lead to governments in different parts of the UK bypassing formal intergovernmental structures, instead negotiating via their parties. Where the same party is the government in another part of the UK this could lead to less transparency and potentially disadvantage other devolved governments who may be engaged later when the representatives of that party had agreed on a policy.

For example, an SNP–Labour cooperation agreement might seek to address some of the Scottish government’s concerns over the UK Internal Market Act rather than via a more formal intergovernmental agreement, meaning that the governments in Northern Ireland and Wales, though directly affected by the policy, would have fewer opportunities to influence it.

If, on the other hand, the party leading a devolved government differs from the UK government’s coalition partner – for example, if Labour were in power in Wales but the Conservatives entered into a cooperation agreement with Plaid Cymru in the UK parliament – this could create problems of dual or conflicting mandates regarding who speaks for that part of the UK.



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There may be a concern, too, that a party representing another part of the UK is given undue influence on policy that only affects England. This might happen if, for example, a governing party relies on votes from Scotland, Wales or Northern Ireland to pass legislation related to health, education, the environment or other devolved matters. Again, this has happened in recent parliaments. The Higher Education Act 2004, which increased university tuition fees, passed the House of Commons by 316 votes to 311 – but the votes for included 46 Scottish Labour MPs, despite the fact that the Act did not apply to Scotland.<sup>28</sup>

Such a scenario could be even more controversial if UK government policy for England were supported by a separate nationalist party, or if the government had a majority in the UK overall but not in England and was therefore required to regularly rely on Scottish and Welsh votes to pass flagship policies.\* The English votes for English Laws procedure, in place 2015 to 2021, was intended to address this risk by requiring a majority of England MPs to pass legislation that only affected England. This has since been repealed.

More broadly, there is a risk that a coalition partner may seek to influence policy on non-devolved matters and there would be nothing to prevent, for example, an SNP minister being the UK government minister for health (a devolved policy area), although such a scenario would appear politically unlikely. This would likely be seen as being illegitimate and risk resentment amongst English voters, causing further tension in the union. To avoid this scenario, parties could ensure that coalition or cooperation agreements are limited to non-devolved matters where one partner only represents one part of the UK.

As many of the examples above outline, the risks to the union associated with coalition or cooperation agreements are not unique to more proportional systems. And how likely the scenario is in which the UK government is dependent on the support of a political party that only represents one part of the UK will depend on a number of political and electoral factors. A move away from FPTP may reduce the chances of this occurring by reducing the numerical strength of parties with narrow but concentrated support.

Governments would also likely face political or electoral consequences for engaging in behaviour that could be seen as unfair or that might privilege one part of the union over the other. In a world where the risks outlined above are more likely, the boundaries of what is and isn't acceptable would emerge through practice and precedent. Nonetheless, it would be prudent to establish new rules and/or conventions around devolution and coalition and cooperation agreements.

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\* There was concern that the 2010 election would deliver such an outcome; see Guy Lodge, 'A hung parliament will provoke a constitutional crisis over England', 30 April 2010, <https://www.opendemocracy.net/en/opendemocracyuk/hung-parliament-will-provoke-constitutional-crisis-over-england/>.

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# Implications for political culture

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Political culture is an important element of any democratic system. This refers to the values, norms and attitudes of people within the political system and how these shape their behaviour, the way they interact with each other and decision-making. There are various elements of an electoral system that can influence political culture, but the evidence on the impact of electoral reform on political culture is mixed. Many factors outside of the voting system, or the change thereof, can play a part in shaping attitudes and behaviour, including political cleavages and institutional design.

Proponents of reform point to the current electoral system as a factor in creating an adversarial political culture, as the 'winner takes all' outcome of FPTP minimises the incentives to work cooperatively and find common ground. The outcome is criticised as 'two sides just shouting at each other' and leads to an adversarial culture rather than a consensual one.<sup>29</sup>

While it may be more common for parties outside of government to work together to maximise their influence, it is relatively unusual for opposition parties and the party of government to work together. Fundamentally, there is very little incentive for a majority government to seek the input or support of others, and in the FPTP system, where the opposition represents an alternative government, opposition parties are conscious about being seen to work too closely with government.

Arguments for reform draw out two possibly beneficial outcomes for political culture. The first is that proportional systems encourage a less oppositional working culture, as the electoral system and its outcomes incentivise consensus building, for the reasons examined elsewhere in this report. The second is that PR systems are by their nature more representative of the population at large, offering opportunities for better 'descriptive representation' (to more accurately reflect the diversity of the population in terms of gender, ethnicity, socioeconomic status and other characteristics). These systems can bring in a wider range of interests into the parliament, through smaller parties and independents.

## **Proportional systems can incentivise cooperative working**

Proponents of electoral reform argue that it results in "a different kind of politics from the adversarial two-party politics" that FPTP produces,<sup>30</sup> as PR systems are more likely to facilitate the formation of coalitions. The possibility that parties could form a government through a coalition can incentivise cooperation, both before and after an election. As discussed elsewhere in this paper, not all elections under PR systems result in coalitions but they will usually involve a negotiation, either through confidence and supply arrangements, or on a case-by-case basis as a minority government attempts to pass legislation. Some systems, such as STV in Ireland, incentivise pre-election cooperation. Here parties can explicitly state their alignment through election transfer pacts or implicitly align their policies with another party, resulting in a less hostile election campaign between them, in the hope of winning lower preference votes.

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Electoral systems that produce results that ensure a greater plurality of parties in the legislature can promote a climate of collaboration and consensus-building. This incentivises political actors in government to be more open about their decision-making, as they have to consider a range of perspectives. But cooperation can come at a price. Working with another party in coalition does not always result in an equal share of the electoral gains for the work done. Junior coalition partners, in particular, can find it difficult to communicate what they have done while in government and keep their own political identity. In the 1960s in Ireland, Labour occasionally pursued an anti-coalition agenda after electoral losses following a Fine Gael coalition.<sup>31</sup> In other cases, a party has introduced extra checks on coalition arrangements to ensure buy-in from the parliamentary, and party, members.<sup>32</sup> The price of cooperation in government can be resistance to working together in future.

Good personal relationships among members and across parties can also be key in smoothing the process of forming a government and creating a more cooperative political culture. This is particularly true in smaller parliaments, where members will have had more opportunities to work together. In Wales, good personal relationships between first ministers and coalition partner ministers, born from having worked beside each other in a small parliament of only 60 members, are cited as a key factor in the success of coalition governments and the smooth working of the parliament.

While the UK parliament does not have a reputation for particularly good cooperative working, the coalition government did manage to build good working relationships, as Oliver Letwin said of the time: “there was a lot of constructive negotiation about a whole series of things”.<sup>33</sup> This is in part because the two leaders – Cameron and Clegg – built a good relationship. While proportional systems can incentivise joint working, whether cooperation works will ultimately depend on individual actors and their personalities.

### **PR systems can increase the range of political parties represented**

Under FPTP, candidates from smaller parties rarely meet the threshold to make it into the UK parliament. In 2019, the Green party, which increased its vote share by 1.1% to 2.7%, did not add to their single seat in Brighton Pavilion. This does not necessarily mean smaller parties have no influence under the current system. During the coalition government, even though UKIP did not return any MPs, the threat of Conservative MPs defecting to the party over a possible Brexit referendum presented a genuine risk to the government’s majority. At the subsequent 2015 election, the worry for the Conservatives became that if enough voters turned to UKIP in marginal seats the Conservatives would lose a lot of MPs, a function of the FPTP system. This influenced the party’s stance on key issues – including EU membership.

A more proportional system would likely increase the diversity of political parties officially represented in parliament and so able to influence it from the inside. This was the case after electoral reform in New Zealand: there was an immediate increase in the number of parties in parliament and the number remains high.\* This can have the benefit of increasing the diversity of voices in parliament, bringing a greater range

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\* The number of seats also increased from 99 to 120, providing more opportunities for smaller parties.

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of perspectives, but can also create the risk that more extreme parties can have an increased presence. The nationalist-populist party New Zealand First became the first coalition partner with the National Party only three years after it was founded.

The performance of smaller parties can vary, and while barriers to entering the parliament would potentially be lower after electoral reform it could be hard for small parties to gain traction and maintain political support. New Zealand First has been relatively successful – gaining between seven and 17 seats in most elections since 1993 – its support has fluctuated and at two elections it did not win any seats at all. In Wales, UKIP won seven (regional) seats in 2016, in an election held just before the Brexit referendum, but subsequently lost all of them. Similar fates have befallen smaller parties in Scotland and Ireland.

Not all parties that gain from opportunities under PR are entirely new. Some ‘new’ parties that appear are the result of splits from larger parties, and members may have long standing experience of working in the parliament, or even in government. This was the case with the Progressive Democrats in Ireland, formed by members from Fianna Fáil and Fine Gael and led by Desmond O’Malley, a former government minister. Electoral reform in the UK could encourage new parties to form in the UK parliament this manner.

The UK under the FPTP system has also experienced party splits. Even if electoral incentives don’t often lead politicians to leave and form their own parties, the party system has come under increasing strain. Brexit in particular has triggered deep cleavages within the parties as well as between parties and their voters.<sup>34</sup> Under FPTP, the survival of these parties rests on them selling themselves as broad church parties that can be home to voters and members across these divides.

At the same time, membership of political parties has become more skewed, and less representative of the population or even voters of that party. This can leave parties open to greater influence from a smaller faction of voters. Under a more proportional system the electoral incentives would shift and these internal party factions may be more likely to result in splinter parties, bringing both greater choice to voters and reducing the influence of unrepresentative membership on parties.

### **Better demographic and issue-based representation can be designed into the system**

There are greater opportunities for different types of representation under more proportional systems. This can go one of two ways – representing broad groups in society, or even more localised areas. For example, in New Zealand, some individuals have taken the opportunity as list members without a constituency to take on the representation of social groups, such as certain ethnic groups or disabled people. On the other hand, STV in Ireland retains a link to the constituency, with several members representing a region. Under this system, independents have carved out a space for themselves and are a large feature of Irish politics (12% of TDs in 2020). Independents can cultivate a strong local vote and they are often tied to single issues or specific local issues, such as keeping a local hospital open or representing rural communities. These are a mixture of people who entered as independents and those who split

from their party and carry with them a mix of experience and political views. These independent members can hold a lot of sway in the right political circumstance. When Bertie Ahern's minority government needed extra votes, it brokered a deal with five independent members, offering favours for their constituencies in return, including a new road and a bridge.<sup>35</sup>

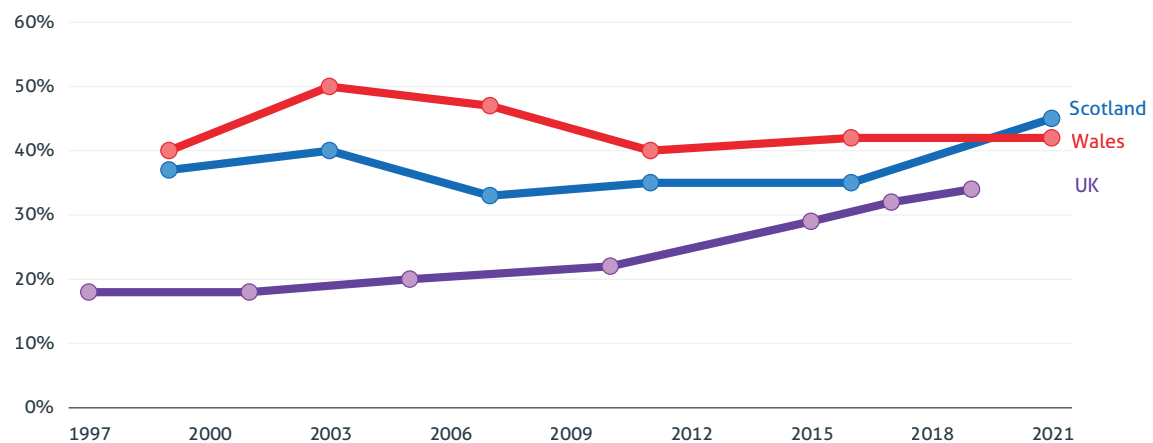
Proportional electoral systems also offer more opportunities to redress imbalances of representation among descriptively under-represented groups. Proportional representation electoral systems have higher legislative representation for women than majoritarian single-member district systems, and under open systems where voters are given even more choice, women candidates do better.<sup>36</sup> The effects of the electoral system can be bolstered by introducing formal mechanisms or quotas for improving descriptive representation. These can be built more easily into a PR system. For example, under closed list systems the 'zipper list' works to elect men and women alternately on the party list.

In 2003, the Welsh Assembly was the first legislature in the world to have an equal proportion of male and female members elected. At the last FPTP election in New Zealand, only 20% of MPs elected were women; in the latest election (under MMP) the proportion had risen to almost 50%, although it is difficult to disentangle the effects of the voting system and changing societal attitudes.

But some of these successes cannot be attributed purely to proportional systems - they could also be attributed to party interventions. In Wales, Welsh Labour used internal quotas – all-women shortlists – for their constituency seats. Because of AMS, Labour usually wins a higher proportion of constituency seats, so the shortlists resulted in a much higher proportion of women being elected.

However, the evidence of a link between more women and a different way of doing things in a parliament is weak. Where there are measurable effects – for example, evidence that women's style is different from men's (more emotional, less aggressive) – this is decreasing over time.<sup>37</sup>

Figure 11 **Women elected to the UK, Scottish and Welsh parliaments, 1997–2021**



Source: Institute for Government analysis of House of Commons Library, 'UK Election Statistics 1918–2022'.

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An idea advanced by supporters of PR is that greater choice and better outcomes in terms of representation might help alleviate citizen disenchantment, particularly in places where one party has dominated in a constituency. Past research has posited that the gap between votes and seats under FPTP impresses on voters the feeling that their vote doesn't matter, and as such they are less likely to engage with the system and vote.

The evidence on the impact of proportional electoral systems on turnout, which can be used as a measure for engagement and efficacy, is mixed. Turnout is higher in countries with PR systems in advanced industrialised democracies, but this is much less consistent when cases are expanded to new and developing democracies.<sup>38</sup> The causal relationship between PR systems and higher turnout is not consistent. While there may be a small boost after electoral reform, the impact of the institutional setting may be overstated, with political culture and the accessibility of elections also having an impact.<sup>39</sup>

### **Electoral reform can only do so much – institutional reform is also needed**

Electoral reform can only achieve so much. In cases where new electoral systems have been introduced, some of the outcomes have been unintended, while in others, opportunities for change have been underutilised. Proponents emphasise two key benefits: less adversarial political culture and greater diversity. But the evidence for both these claims is mixed. In New Zealand, for example, which has experienced many changes resulting from electoral reform (more parties, better conventions for maintaining coalitions, new and different forms of representation) the fundamental confrontational style of a Westminster parliament has continued.

Closer to home, examples suggest that political culture may be driven by more than electoral system. Parliaments in both Wales and Scotland were designed in 1999 to encourage more cooperation and better political culture. This was no small challenge given that the main reference point in the UK was the oppositional style of Westminster. In Wales, this has largely been successful. However, in Scotland, where the major political and constitutional cleavage of independence has driven a wedge between two sides, the same is not true. Despite early signs of promise, the Scottish parliament has reverted to the oppositional style of politics more familiar in Westminster.

The electoral system can incentivise cooperation, but coalitions, especially with a high proportion of the seats, can still act in a similar way to a current single-party majority government: a high degree of executive control and little cooperation with the opposition. In 2011 in Ireland Fine Gael and Labour together held 68% of the seats in the Dáil. As two parties with a history of cooperation in coalitions the government exercised a lot of control over the legislative agenda.

While electoral reform can have an impact on political culture, there is no guarantee it will have such effects. Changing the culture of politics depends also on wider factors – including broader political cleavages – and political actors. This would suggest that institutional reforms are needed alongside electoral reform to realise

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and entrench any benefits. Some of the changes outlined in previous chapters in the way programmes for government are negotiated, or signed off, or the way that parliamentary time or speaking rights are allocated could be implemented to capitalise on the impact of electoral reform on political culture. These are also reforms that could occur under the current system, but successive UK governments have resisted them. It may be that, while not necessary, changing the electoral system may make wider reforms more likely to change the way UK institutions operate.

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# Conclusion

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Anyone considering electoral reform to the voting system for the UK parliament should fully explore the knock-on implications of such a move. Such a major change would also be accompanied by a period of political disruption, as ministers, MPs, commentators and the public adjusted to the changes in electoral dynamics. This fact is not an argument against reform, but would mean that such a transition would need to be carefully managed and planned. Governments should also consider the delivery of a new electoral system, including plans to ensure that the public knows about and understands a new system and any subsequent changes to electoral law that might be needed.

As this paper has set out, further changes to the process of government formation, the operation of government and the House of Commons would be needed to enable the UK's institutions – built for a majoritarian system – to adjust to different electoral circumstances. And other reforms would be necessary if proponents of reform aim to promote a more pluralist and consensus-based political democracy. Institutional change alone is not guaranteed to change political culture, and not necessarily to the extent that advocates might expect or desire.

Political actors should resist changing the voting system for partisan gain, not least as the implications for political parties and their relative strengths are ultimately unknowable.

## **Proponents of the reform would need to ensure that any change could command legitimacy**

Proponents of electoral reform should also consider the process through which electoral reform would be delivered and ensure that the new arrangements could command widespread political and public support.

Advocates remain divided over their preferred electoral system, and as we have set out in this paper, the implications of different systems can be significant. A government looking to pursue change should think carefully about the mechanism for choosing a particular system. Past governments have established cross-party commissions (most recently the 1998 Jenkins Commission established by the Labour government made recommendations for change), but such exercises have so far been unable to command widespread buy-in.

Several other countries have involved citizens in such decisions. British Columbia, Canada held a citizens' assembly which put forward recommendations to replace FPTP with a form of STV. This proposal was supported by a clear majority (57.7%) in a referendum, but it failed to meet the 60% threshold that was placed on the vote. New Zealand held a two-stage multi-option referendum, allowing voters to choose their preferred option out of four options in the first non-binding vote, and then in the second binding vote to choose between the existing system and the most popular option.



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Electoral reform would need a clear mandate; a key question is whether a referendum would be required. In the UK there is a precedent, set by the 2011 AV referendum, that issues of related to electoral reform should be put to a public vote. Some might argue that the 2011 poll demonstrated clear support for maintaining the existing system, albeit on a low turnout, and that such a decision should only be overridden by a further expression of popular will.

There might be pragmatic reasons, too, why those pursuing reform may seek a clear expression of public support as a way to entrench such a decision: it would make it more difficult for successive governments to reverse. In New Zealand, less than 20 years after the public voted to replace FPTP with MMP, the National Party government held a referendum to try to change the voting system back to FPTP – a proposal that the electorate rejected.

The precedent on when a referendum should be held in the UK is mixed, and several changes to the systems for electing local councillors, metropolitan mayors and the Welsh Senedd have been made (or will be made) without reference to the electorate. Therefore, it could equally be argued that a clear manifesto commitment or commitments from political parties commanding the majority of the vote may be sufficient to give such a decision legitimacy. But introducing such a major change on the basis of a manifesto commitment of a junior coalition partner, and without a further democratic process, risks that the voting system will remain a contested issue and vulnerable to further change.

Whatever method is used, proponents of electoral reform should ensure that there is a robust process for considering the options for a new voting system, the implications of the new voting system for the government, parliament and devolution – and that the mandate for that change is clear.

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# About the authors

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