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# MAJORITARIANISM REINTERPRETED: EFFECTIVE REPRESENTATION AND THE QUALITY OF WESTMINSTER DEMOCRACY

# Abstract

Comparative analyses have frequently cast the United Kingdom as a paradigm of majoritarianism, wherein a power-hoarding executive dominates parliament and policymaking. Yet, this article contends that existing studies have paid insufficient attention to the opportunities for opposition parties to affect policymaking via the legislative arena; and applies a refined version of Powell's index of effective representation to map the institutional conditions that structure policy payoffs. This analysis demonstrates that reforms to shift the balance between government and parliament have served to offset the declining vote basis of government, and have in turn ensured that Westminster remains effectively responsive to a majority of the electorate.

#### Key words

executive, legislature, oversight, policy, payoff, scrutiny

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Comparative analyses have frequently cast the United Kingdom (UK) as a paradigm of majoritarianism, in which a power-hoarding executive dominates parliament and the wider policy process (e.g. Lijphart, 2012; Powell, 2000). In turn, the House of Commons is often portrayed as an ineffective 'arena' (Polsby, 1975) which lacks the clout of its continental counterparts (e.g. Strøm, 1990; Mattson and Strøm, 1995; Siaroff, 2003); and it is argued that Westminster is 'a standout case of negative rather than constructive oppositional politics' (Andeweg, 2013, p. 99). Normatively, the exclusion of non-government actors from policymaking is justified in terms strong and responsible government, with elections equipping the largest party with the necessary legislative majority to enact its policy platform unencumbered; and there is a tactic acceptance of the governing legitimacy of plurality winners. In recent years, however, the vote basis of government has dwindled to such an extent that it is argued that the majority of the electorate is 'utterly unrepresented' (Shugart, 2001, p. 175) as governments pursue 'policies supported by only a small number of voters' (Nagel, 2000, p. 118). Indeed, the weakening of the electoral connection between voters and government has been charged with 'undermin[ing] the very fount of government authority', risking a 'a self-generated and self-perpetuating legitimation crisis' (Judge, 2004, pp. 699-700).

On the face of it, this does not augur well for Westminster's democratic credentials. Nonetheless, this article contends that the extent to which Westminster promotes unrepresentative and unresponsive government is often overstated, which stems from two inter-connected oversights. Firstly, by focusing on the dispersal of the spoils of office, many existing studies have paid insufficient attention to the opportunities for opposition parties to extract policy payoffs via the legislative arena (e.g. Lijphart, 2012). Secondly, studies that have examined the institutional conditions structuring policy payoffs have generally focused on the exercise of legislative scrutiny, which neglects the many other activities that legislatures may undertake (e.g. Powell, 2000; Strøm, 1990; Mattson and Strøm, 1995; Siaroff, 2003). A reappraisal of Westminster democracy is therefore required in order to account for the different payoffs enjoyed by parties, and the extent to which these serve to connect the supporters of government *and* non-government parties with the policy process.

To address these interconnected analytical and empirical blind spots, this article draws upon the index of effective representation developed by Powell (2000). In contrast to 'static concepts' that look at 'vote and seats alone' (Blau, 2008, p. 168), this index systematically identifies the institutional opportunities that exist for government and non-government parliamentarians to affect policymaking. Yet, whereas Powell's index focuses on the ability of the legislature to amend or propose legislation, this article adopts a broader understanding of legislative capacity and develops a series of alternative measures to provide a more nuanced analysis of the institutional conditions in which parliamentarians operate, in particular via its committees. Applied to Westminster, this refined index demonstrates that reforms to 'shift the balance' between government and parliament (HC 300, 2000) have significantly expanded the opportunities for opposition influence within the legislature, which together have offset the declining vote basis of government to ensure that Westminster remains responsive to a majority of the electorate. Nonetheless, whilst tempering the assumption that the allocation of electoral spoils is zero-sum and exclusionary, these findings suggest that both office and policy payoffs remain disproportionately dispersed, and that a significant minority of voters continue to lack an authorised connection with policymaking. In the context of democratic disengagement this disconnect clearly matters, and this analysis underlines the potential of electoral reform and institutional reform to enhance both the proportionality and quality of democratic representation.

Through its analysis, the article makes a number of important contributions. Theoretically, it offers a counterpoint to the 'parliamentary decline thesis' (see Flinders and Kelso, 2011) and to comparative studies that portray Westminster politics as inherently adversarial and elite (including Powell, 2000). Methodologically, it illuminates a number of understudied connections in the chain of delegation from voters to policymakers, whilst developing a series of measures that enable a more nuanced analysis of the capacity of legislative committees. Empirically, it provides critical insights regarding the quality of Westminster democracy and the challenges to which it remains subject. To develop these arguments, the article proceeds as follows. It commences with an overview of the existing literature, contrasting the accounts of negative adversarialism that have predominated comparative studies with evidence of a more nuanced relationship between government and parliament. Following on from this, the article explores Powell's index of effective representation, and set out several important modifications to enhance its analytical purchase. This is then applied to the UK to determine the extent to which voters are connected with the policy process. The article concludes by locating these findings within a series of methodological debates regarding the challenges of capturing voter preferences, and normative debates regarding the relationship between institutional structures and democratic satisfaction.

# 1. Westminster majoritarianism and the uneven dispersal of electoral spoils

Within the comparative literature a broad distinction is often drawn between parliamentary systems predicated upon the principles of strong and accountable government, and those that privilege inclusion and consensus. Lijphart, for example, distinguishes between 'majoritarian' and 'consensus' democracies; associating the former with the 'concentrat[ion] of political power in the hands of a bare majority' and the latter with 'broad participation in government and broad agreement on the policies that the government should pursue' (2012, p. 2). In a similar vein, Powell contrasts majoritarian and proportional 'visions' in accordance with the 'representational congruence between policymakers' positions and citizens' preferences' (2000, pp. 4-17). Elsewhere, Siaroff compares the 'polar opposite types' of 'cabinet dominance' and 'cooperative policy-making diffusion with a working parliament' (2003, p. 445). Such contrasts are underscored by the different points along the 'chain of delegation' (Strøm, 2000) at which legislative majorities are formed.

Majoritarianism casts elections as the 'decisive stage', with electoral rules being purposively designed to reward the winning party with an outright majority of seats and few barriers to the implementation of its agenda. The consensus or proportional vision, in contrast, focuses on the post-election negotiation of multi-party coalitions, and the accommodative bargaining that occurs throughout the policy process. A 'trade-off' or 'tension' is therefore envisaged between 'concentrated and dispersed power for policymaking and the desirable consequences of each' (Powell, 2000, p. 19).

The UK's portrayal as the prototypical power-hoarding polity is so widely accepted that the terms 'Westminster model' and 'majoritarianism' are frequently used 'interchangeably' (Lijphart, 2012, p. 9). Famously described by King as resembling a 'war game' where 'both sides play to win' (King, 1976, p. 18), Westminster's institutional structures are intended to equip an election's 'winners' with a clear parliamentary majority and to exclude entirely its 'losers' from policymaking. Normatively, this exclusive approach to policymaking reflects the priority accorded to decisiveness of action and clarity of responsibility, which in turn justifies the production of 'manufactured majorities' (Rae, 1967) as a means of ensuring government responsiveness. Yet whilst there is a pragmatic acceptance of the governing legitimacy of 'plurality' or 'near majority' winners (see Powell, 2000, pp. 77-81), the credibility of this compromise has been challenged by the steady decline in the support enjoyed by governments. In 2005, for example, the vote basis of government reached a record low as a Labour legislative majority was endorsed by a mere 35.2% of voters; and in 2015 the share of vote accorded to the two main parties plunged to 67.3%. Moreover, whilst the 2010-15 Coalition enjoyed a majority share of the popular vote (59.1%), the extent to which this constitutes a popular mandate remains moot, as the coalition that did emerge had not been presented to the electorate as a potential government during the election campaign. It should be noted that even during the 'golden age' of two-party competition of the post-war period, no party was supported by a majority, which last occurred in 1931 when the Conservatives under Stanley Baldwin won the general election with a 55% share of the popular vote. Moreover, the UK's experience is far from unusual, as comparative research suggests that single parties or pre-identified coalitions have won a majority of votes in only a fraction of elections (Powell, 2000, p. 80). Nonetheless, the breakdown of the classic model of two-party competition has prompted scepticism regarding the capacity of majoritarian systems to produce strong governments that are truly accountable to a majority of voters (e.g. Dunleavy and Margetts, 2001; Kaiser et al, 2002; Dunleavy 2005; Lundell, 2011); and it has been suggested that Westminster democracies instead constitute a 'sub-majoritarian sphere of pluralitarian systems', wherein governments 'enact policies supported by only a small number of voters' (Nagel, 2000, p. 118).

Table 1 below demonstrates the extent to which the normative ideal of majority government has been compromised, which is rendered starker in the context of declining turnout. It is clear that the government's declining vote basis is inexorably bound up with changing patterns of voting behaviour. In theory, Westminster's electoral rules should encourage two-party competition, with spatial theories of party competition anticipating that these parties will coalesce around the centre in order to maximise votes and acquire office (e.g. Downs, 1957; Rae, 1967; Cox, 1997). Yet recent elections have witnessed increasingly *multi*-party competition on the ground, as the weakening of traditional electoral cleavages and the rise in issue-based voting have increased the vote of the 'third' party (i.e. the Liberal Democrats) and allowed new parties such as the Green Party and the UK Independence Party (UKIP) to rise in prominence. Indeed, Dunleavy has argued the increasing *multi-level* character of the UK's electoral geography has resulted in 'at least five or six distinct positions involved in party politics and citizens in every part of the UK now seem to have complex and

articulated preference structures across parties' (Dunleavy, 2005, p. 530). An application of Laakso and Taagpera's (1979) index of the effective number of parties underscores this change, demonstrating a clear increase in the effective number of *electoral parties*, which peaked in 2015 at 3.87.

Although a two-party model of party competition appears to have 'receded into history beyond recall' (Dunleavy, 2005, p. 530), the combination of the diffuse support for many smaller parties and the high threshold to entry imposed by single-member districts (see Cox, 1997) has limited the impact of this competition upon the overall distribution of seats at Westminster. This was vividly illustrated by the 2015 general election, which saw UKIP emerge as the third most popular party, but receive just one MP for its 12.7% share of the vote. In contrast, despite receiving only 4.7% of the vote nationwide, the geographically concentrated strength of the Scottish National Party saw the party being returned as the third largest party in the House with 56 seats. As such there is a widening gap between the effective number of electoral parties and parliamentary parties (see Blau, 2008), and an application of Gallagher's (1991) index of disproportionality further underscores the loosening of the relationship between votes cast and seats won. Indeed, the burgeoning gap between votes and seats has weakened the vote basis of Parliament itself, and table 1 shows that since 1974 there has been a representation 'gap' averaging 19.4%, which reached a record high of 23.8% in 2015. Reflecting on such evidence, Quinn has suggested that party competition in the UK now occupies a new category of 'alternating predominance', which reflects the 'multi-partism in the electoral arena and uncompetitive two-partism in the parliamentary arena' (Quinn, 2012, p. 399).

## \*\*\*table 1 here\*\*\*

The cumulative effect of the interplay Westminster's electoral rules and changing patterns of party competition has meant that in the vast majority of instances, a single party has been fully rewarded with the spoils of government office *despite* a waning plurality of electoral support. This is made clear in table 1, which shows the significant disconnect between the effective number of electoral (and parliamentary) parties and effective number of *cabinet* parties. In focusing on the proportionality of government's vote basis and its relationship to the distribution of seats in the House, much existing scholarship has implicitly focused on the dispersal of office payoffs (for a notable exception see Blau, 2008). In turn, the interaction between the two branches of Westminster has often been portrayed in entirely adversarial terms, with Parliament being cast as an ineffective 'arena' (Polsby, 1975) that is 'either peripheral or totally irrelevant' (King and Crewe, 2013, p. 361). However, as Flinders and Kelso argue, 'the dominant public, media and academic perception of an eviscerated and sidelined parliament provides a misleading caricature of a more complex institution' (2011, p. 249); and a number of recent studies have challenged the image of parliamentarians as little more than subservient lobby fodder.

Within the House of Commons, the increased rate of parliamentary rebellions has been cited as evidence of the loosening bonds of party discipline (e.g. Cowley, 2005). Indeed, research reveals that the 2010-15 parliament was the most rebellious since 1945 as 52% of Conservative MPs and 72% of Liberal Democrat MPs voted against the Coalition at least once (Cowley and Stuart, 2014). In any vote rebels generally constitute a small minority, and it remains relatively rare for governments

to suffer defeats in the Commons. Nonetheless, it is argued that simply focus on defeats 'discounts the impact of new levels of rebelliousness on parliamentary anticipated reactions' rendering 'the impact of retreats [as] significantly greater than the impact of defeats' (Russell and Cowley, 2016, p. 125). A similar pattern of activism has been observed in the House of Lords; and it has been argued that the House of Lords Act 1999 delivered 'a revival of bicameralism' (Russell, 2013, p. 293) where no single party dominates, and where votes are increasingly issue-based and closely fought. The Coalition, for example, suffered significant defeats on many of its key (and most controversial) policies, including the Welfare Reform Bill (2012), the Health and Social Care Bill (2012), and the Banking Reform Bill (2013). Similarly, the current Government been frustrated by the Lords in relation to contentious bills such as the Welfare Reform and Work Bill (2015), the Immigration Bill (2016), and the Higher Education and Research Bill (2017).

Other studies have focused on select committees, challenging their portrayal as toothless entities (c.f. Strøm, 1990; Mattson and Strøm, 1995) by drawing attention to their direct impact and indirect influence upon government and its legislation. Focusing on the Education and Skills Select Committee, Hindmoor et al (2009) demonstrate that whilst only a small number of its recommendations were subsequently incorporated into government bills, the Committee enjoyed indirect influence at many intervals upon a number of actors (government, parliament, the media, political parties). Elsewhere, Benton and Russell (2013) trace the recommendations of 216 select committee reports to reveal eight distinct forms of influence over government policy: direct acceptance of committee recommendations; influencing policy debate; spotlighting issues; brokering policy disputes; providing expert evidence; holding government to account; exposure; and, generating fear (Benton and Russell, 2013, pp. 778-9). In a similar vein, Thompson has sought to 'debunk' the 'myths' that surround the operation of House of Commons bill committees (Thompson, 2015), such as their supposed lack of expertise and impact. Her detailed analysis of the proceedings of 139 bill committees demonstrates that whilst 'formal changes to bills within the confines of the committee room are rare', a significant number of changes to legislation can ultimately be traced to amendments initially proposed at committee stage (Thompson, 2015, p. 10). More broadly, she argues that bill committees are 'more than simply the scrutinisers of bills', providing 'backbench and frontbench MPs alike with a valuable opportunity to debate with government ministers and with members of opposing parties in a much more intimate environment' (Thompson, 2015, p. 9).

Taken together, such scholarship reveals that Parliament matters: that on the floor of the House and along the corridors of committee rooms, non-government parliamentarians have at their disposal a range of means through which they can affect the outcomes of the legislative process. This is vividly illustrated by Russell and Cowley's analysis of over 6,000 parliamentary votes and 4,000 legislative amendments, which demonstrated the extent to which backbench and opposition parliamentarians exercise 'visible influence on the record and that occurring behind the scenes' (Russell and Cowley, 2016, p. 123). In particular, their study underlines Parliament's 'preventative influence', which encourages governments to focus on 'anticipated reactions':

Governments take constant account of parliamentary opinion, and in normal circumstances, do not put proposals to parliament that it will not accept. Commons defeats are rare and generally a sign that party managers have misjudged the situation (Russell and Cowley, 2016, p. 133).

It is therefore clear that equating responsiveness with office-holding neglects the alternative means through which non-government parliamentarians can achieve policy goals. As Strøm argues, 'government participation is not a necessary condition for payoff... [as] opposition parties may be

able to exert deliberative policy influence, particularly through efforts in the legislative arena' (Strøm, 1990, pp. 38-41). Yet by focusing on the 'responsible party' of government, the 'notion that parties might fulfil representative functions while in opposition is largely ignored' (Brandenburg and Johns, 2013). As such, a more comprehensive analysis is required to capture the extent to which supporters of government and non-government parties alike are represented in policymaking. It is to this task that the next section turns.

## 2. Measuring the institutional conditions that structure policy payoffs

In contrast to the wealth of literature devoted to capturing the congruency between votes and seats, there have been few attempts to systematically analyse the institutional opportunities for all representatives to affect policy. One notable exception is Powell (2000), whose analytical framework moves beyond a simple focus on the numerical distribution of seats in the legislature to instead direct attention to the institutional resources enjoyed by different groups of legislative actors. At the heart of this framework is a distinction between 'proportional' and 'effective' representation, which dovetails with the distinction between office payoffs and policy payoffs discussed above. Whereas 'proportional representation' focuses on the extent to which the distribution of cabinet portfolios among governing parties is in proportion to their seats in the legislature, 'effective representation' focuses on 'the extent to which the opposition is effectively represented in policymaking' (Powell, 2000, p. 100). Building on this, Powell develops an index of effective representation to capture the extent to which the supporters of government and non-government parties alike are connected with the policy process.

To determine the degree of connection, the index of effective representation applies a series of scores to qualify the electoral support of a party relative to its likely influence, as detailed in table 2 below. The index assumes that the supporters of government parties have a guaranteed connection with policymaking, and applies a score of 1.0 to these parties' share of the vote. In contrast, the index assumes that the degree of connection for the supporters of non-government parties depends upon the 'opportunities for opposition influence' that exist within the legislature. This is comprised of two aspects. Firstly, the index focuses on 'opportunities for bargaining with government' within the plenary, and qualifies the support received by non-government parties relative to their relationship the executive. Any party recognised as officially supporting the government receives a score 0.75, which reflects their 'probability of having influence greater than of parties outside the government' (Powell, 2000, p. 102). Parties wholly outside government receive the following scores: 0.1 - opposition facing majority government; 0.2 - opposition facing supported minority government; 0.5 - opposition facing minority government. Secondly, the index focuses on the opportunities for influence provided by 'legislative committee structures', and assigns the following scores: 0.25 – strong committees with chairs equally shared amongst all large parties; and, 0.125 – either strong committees chaired by government parties or weak committees with shared chairs. Taking these two aspects together, the 'probable influence' of an opposition party therefore ranges from a theoretical 0.1 (opposition parties facing majority government and the absence of legislative committees) to 0.75 (opposition parties facing minority government and the presence of strong legislative committees) (Powell, 2000, pp. 103-9). Once the appropriate score has been applied to each party's share of the vote, the qualified support for all government and non-government parties can then be aggregated to determine the 'total conditions for effective representation'.

#### \*\*\*table 2 here\*\*\*

Powell's framework has gained significant traction (e.g. Mair and Thomassen, 2010; Costello et al, 2012); and has been praised as offering a 'plausible approximation of government and opposition legislative power' (Blau, 2008, p. 173). Yet, in Powell's own analysis, the UK emerges as an exemplar of executive dominance in which 'the conditions for effective authorized representation are certainly poorly met' (2000, p. 111), which stands in contrast with the scholarship discussed in the preceding section. Two inter-connected factors explain this divergence. Firstly, Powell's analysis predominantly encompasses the elections of the early 1980s, and therefore predates important changes that have since shifted the balance between government and parliament (see below). Secondly, by associating committee strength with 'the ability of a committee to modify legislation, perhaps even introduce legislation of its own' (Powell, 2000, p. 33), the framework does not account for the many different ways in which committees can exert influence upon the actions of government. Indeed, in Powell's analysis, the UK receives a score of zero for its 'weak, rubberstamp committees' (Powell, 2000, p. 106)! It is therefore clear that the parsimony of these categories is at the expense of a more nuanced analysis. More comprehensive schemas are developed elsewhere. Schellknecht (1984, cited in Mattson and Strøm, 1995, pp. 258-9), for example, distinguishes between ten types of committee system according to permanency, specialisation and responsibility; and Strøm (1990) develops a five-point index that enumerates key structural features such as the number of committees and dispersal of chairs. Again, however, this scholarship privileges the function of legislative scrutiny; and in doing so has portrayed Westminster's committee system as 'more centralized and less deliberative' (Strøm, 1990, p. 70), even constituting a 'deviant case' for having 'no permanent committees with legislative functions' (Mattson and Strøm, 1995, p. 260). Certainly, Westminster is comparatively unusual for dividing the functions of legislative scrutiny and executive oversight between two discrete sets of committees (Benton and Russell, 2013, p. 772). Yet since their creation in 1979, select committees have become an 'entrenched part of our constitutional arrangements as never before' (HC 300, 2000); and in recent years have been bolstered by critical reforms such as the introduction of 'core tasks' in 2002 and elected chairs in 2010. Appropriate indices are therefore necessary to systematically gauge the opportunities for opposition influence that select committees provide.

The five-point index by Strøm (1990) provides a useful starting point, identifying the broad structural features that affect a committee system's operation: the number of standing committees; fixed areas of specialisation; specialisation that corresponds with ministerial departments; restrictions on the number of committee assignments per legislator; and, the proportional distribution of committee chairs. Yet whilst this provides a systematic means of assessing the 'structural constraints on opposition influence' (Strøm, 1990, p. 74), it does not 'travel' to the select committee system. The first three indicators, for example, become tautological as the fact that select committee engage in executive oversight by shadowing ministerial departments both determines their number and encourages expertise. Similarly, whilst the distribution of chairs is an important indicator of the balance between government and opposition, a simple focus on proportionality is unable to account for the inter- and intra-party dynamics that affect this distribution, and in turn the capacity of a chair to effectively fulfil their 'cross-party' role. It also fails to account for the wider partisan balance of a committee's membership, which is crucial to understanding how a committee undertakes its responsibilities. On this latter point, indicators focusing on the actual responsibilities of a committee

are absent, which reflects the implicit assumption that a committee's main function is legislative scrutiny.

In response, this article presents the following additive score comprised of five key elements, with each receiving a score of 0.05. The first element is simply the presence of legislative committees, as even a minimal or weak committee system provides a platform for some degree of opposition influence than would otherwise be the case. Nonetheless, ad hoc or irregular committees will always suffer from structural limitations, and recognising this the second element awards an additional score for a systematic committee structure that corresponds with the functions of the executive. Attention then turns to the composition of the committees. Whilst the distribution of chairs is an important indicator of the balance between government and opposition, focusing on chairs alones does not capture wider partisan balance of a committee's membership. The proportionality of membership matters, so the third element focuses on the distribution of chairs and members. However, the 'added-value' of a proportional membership will be limited if those on a committee owe their positions to party patronage; and the fourth element awards a score for the existence of independent selection procedures. Finally, it is necessary to consider the extent that the powers of legislative committees are formalised, as without a clear set of functions, committees' activities risk being ineffective. The fifth element accordingly awards a score for the existence of clearly defined and commonly accepted responsibilities. The maximum score that a committee system can receive is 0.25, which corresponds with the maximum proposed by Powell, and therefore preserves the balance between the two aspects of opposition influence. modifications enable a more nuanced analysis of the quality of Westminster democracy that not only moves beyond binary distinctions between 'government' and 'opposition, but also acknowledges the importance of executive oversight as a form of opposition influence. The next section puts this into effect.

## 3. Opposition influence and the effective representation of an electoral majority

To calculate the total conditions for effective representation at Westminster, each parliament since 1945 is first scored in accordance with the (revised) criteria detailed above. These scores are presented in table 3. In terms of 'bargaining with government', the scores in table 3 reflect the near-total domination of majority governments, wherein the only exceptions have been the shortlived Lib-Lab Pact of 1977-8 and the brief period towards the end of the 1992-7 parliament when John Major's Conservative Government lost its majority. Powell argues that 'if a government has a clear majority, however achieved, the probability of influence is low' (Powell, 2000, p. 105 emphasis added), and the prevailing score 0.1 suggests that capacity of non-government parliamentarians to exert influence on the floor of the House is limited. A score of 0.1 also corresponds with Powell's own analysis, when he concluded that a 'solid government majority' rendered Parliament as little more than a 'forum' for opposition members 'to take their case to the public' (2000, p. 106). Powell's analysis predominantly focuses on the 1980s; and in light of contemporary evidence, such findings may appear surprising. After all, it was shown above that the last parliament was the most rebellious on record! Recent years have also witnessed several reforms to parliamentary procedures, including the rationalisation of Prime Minister's Questions (1997); the utilisation of Westminster Hall as an ancillary debating chamber (2000); the modernisation of House sitting hours (2005, 2012); and, the creation of the Backbench Business Committee to schedule backbench business time (2010). However, many of these reforms have

focused on matters of 'efficiency' rather than 'effectiveness' (Kelso, 2009); and should be understood as 'cosmetic' or 'moderate', rather than 'fundamental' (Flinders, 2007; BLINDED, 2016).

# \*\*\*table 3 here\*\*\*

In terms of 'legislative committee structures', the scores in table 3 underline two distinct phases of select committee development. The most significant event was the creation of a systematic system of select committees corresponding to ministerial departments in 1979. By mirroring the departmental structure, select committees were intended to function as 'police patrols' (McCubbins and Schwartz, 1984), becoming 'the "eyes and ears" of the House' by drawing attention 'to matters which require further political consideration'; whilst also 'mak[ing] the decisions of Parliament and Government more responsive to the wishes of the electorate.' (HC 588-I, 1978, p. viii). The introduction of the modern select committee system was therefore a critical juncture; and reflecting on its impact after 20 years, the Liaison Committee stated that:

It has enabled the questioning of Ministers and civil servants, and has forced them to explain policies... Its very existence has been a constant reminder to Ministers and officials, and many others in positions of power and influence, of the spotlight that may swing their way when least welcome... It has also shown the House of Commons at its best: working on the basis of fact, not supposition or prejudice; and with constructive co-operation rather than routine disagreement (HC 300, 2000, paras. 4-5—emphasis added).

The capacity of select committees to fulfil this 'cross-party' mode (which King (1976) had previously argued was antithetical to British parliamentary practice) was underpinned by the largely proportional dispersal of both chairs and members. However, whilst membership mirrored that of the House as far as arithmetic would allow, and whilst powers of appointment formally lay with the Committee of Selection, party managers effectively controlled the process as recommendations emerged from private inter-party negotiations. Moreover, the perceived lack of esteem attached to the task of oversight and the lack of clearly defined responsibilities for committees was seen as contributing to their inconsistent impact: for government being 'too ready - and [finding] it too easy - to thwart a committee's legitimate purpose' (HC 300, 2000, para. 6).

A second phase of development has therefore entailed reforms relating to the resources enjoyed by select committees. Recognising that 'ministerial office has a powerful attraction' (HC 300, 2000, para. 29), the Liaison Committee recommended that executive oversight be repositioned as an 'alternative career', recognised by an additional salary for chairs. This was echoed by the Modernisation Committee, which argued that '[a]s long as Government office is the principal Parliamentary role to be recognised by additional payment, it need not be surprising that the role of scrutiny should be regarded by the world as inferior' (HC 224, 2002, para. 41). In 2002, the House agreed to this additional payment. There remained, however, concerns regarding the independence of appointments; and in 2009 the Wright Committee proposed the election of chairs by the whole House, and the election of members by secret ballot within each political party 'using transparent and democratic means, with the outcome... endorsed by the House' (HC 1117, 2009, para. 80). The election of chairs was agreed by the House in May 2010, and secret ballots followed in June 2010. The House stopped short in implementing proposals pertaining to members, and instead conceded to 'endorse the principle' of transparent elections within parties (HC Deb, 4 March 2010, c1095). Further reforms have focused on select committees' responsibilities. In 2002, the Liaison Committee proposed a series of ten core tasks to 'provide an assurance to the House, and to the public, that departments are more fully exposed to the searchlight of scrutiny' (HC 558, 2002, para. 15). These

core tasks were subsequently adopted by resolution of the House, and focused on the broad areas of departmental policy, expenditure and administration. A decade later, the Liaison Committee revisited these tasks, instigating several changes intended to improve committees' effectiveness (HC 697, 2012). Together, these reforms have bolstered the capacity of select committees; and whilst structures alone cannot determine behaviour, it is clear that they have contributed to a 'new confidence and authority' (Institute for Government, 2015, p. 2). The introduction of chair elections in particular has been seen as critical for 'giv[ing] those chosen a greater degree of authority in their role in the House, their relationship with ministers and their standing in the wider community' (HC 954, 2015, para. 8). Indeed committees have been increasingly willing to move beyond their traditional 'police patrol' (McCubbins and Schwartz, 1984) mode of executive oversight, sounding 'fire alarms' on issues including child sexual exploitation, phone hacking and tax evasion. In this context, it is little wonder that the Liaison Committee concluded that '[o]ur overall impression is that government departments are taking committees seriously and engaging positively with them' (HC 954, 2015, para. 16).

Having delineated the institutional opportunities for opposition influence, it is now possible to determine the extent to which these structures have bridged the gap between the electorate with policymaking. Table 4 below calculates the total conditions for effective representation at As discussed above, the ongoing erosion of the vote basis of government has rendered the dispersal of office payoffs as increasing disproportional, which has prompted critical questions about the governing legitimacy of single party executives comprised of bare plurality winners (e.g. Nagel, 2000; Dunleavy and Margetts, 2001; Judge, 2004). However, when structural opportunities for non-government parties to achieve policy payoffs are taken into account, table 4 reveals that in the majority of instances, the conditions have existed for a majority of voters to be effectively represented in the policy process. The greatest contribution to the total conditions for effective representation has been made the second aspect of opposition influence, the legislative committee structure. Table 4 demonstrates the way in which the strengthening of the institutional basis of select committees has been critical in offsetting the weakening of governments' vote basis, in turn providing partial redress to the disproportionality of office shares. Indeed, the way in which governments have responded to demands for reform made by Liaison Committee and Modernisation Committee runs counter to 'majoritarian premise', which anticipates that if 'powers and assignments were to systematically thwart the majority's will, then the majority should not, rationally, adopt them' (Mattson and Strøm, 1995, p. 253). By applying the modified scoring criteria detailed above, these results challenges existing comparative analyses in which select committees have emerged as 'weak' (Powell, 2000, p. 106) and 'deviant' (Mattson and Strøm, 1995, p. 260); and instead dovetail with scholarship that has demonstrated the ways in which select committees serve as critical channel for non-government parliamentarians to exercise direct impact and indirect influence (e.g. Hindmoor et al 2009; Benton and Russell, 2013).

#### \*\*\*table 4 here\*\*\*

The opportunities for influence provided by the plenary session have also contributed to the total conditions for effective representation, albeit to a lesser degree. The capacity of the plenary to exert influence has been most evident in times of minority or supported government, as illustrated by the scores applied to the periods 1974-9 and 1992-7. As suggested above, Powell is sceptical about the capacity for opposition bargaining in times of majority government, assigning a score of 'only' 0.1 to 'remind us that the opposition can use the legislative forum to try to shape the government's action

by rousing public opinion' (Powell, 2000, p. 105). Nonetheless, this still improves on the zero-sum dispersal of office shares typically associated with majoritarianism, suggesting a greater possibility than non-government parliamentarians can achieve policy payoffs than a relegation to mere opposition would imply (c.f. Lijphart, 2012). Moreover, whilst the plenary session may provide opposition parties with few *formal* opportunities to affect policy, evidence in the previous section demonstrates that Parliament exerts a both a 'reactive' and 'preventative' influence (Blondel, 1970, pp. 78, 82) which is often more indirect and less visible. Of course, the extent to which this, or indeed any, scoring system is able to fully capture these less visible forms of power is open to debate (an issue discussed in the conclusion). However, by systematically identifying the structural opportunities for opposition parties to bargain with the government, the results in table 4 do qualify the assertion that at Westminster 'a large minority is excluded from power and condemned to the role of opposition' (Lijphart, 2012, p. 11) whose role is 'simply to criticize' (Strøm, 1990, p. 42).

Together, these findings moderate the (implicitly negative) portrayal of Westminster as an exemplar of majoritarianism. Comparative scholarship has cast Westminster's government as exclusionary and its parliament as feeble, lacking teeth to affect the activities of the executive. However, the primacy given to the function of legislative scrutiny has resulted in an inherent misunderstanding of Parliament's role as a chamber of executive oversight, which in turn neglects the ways in which the structures of Westminster have been configured to realise this function. These findings also challenge the assumption that the election is the 'decisive stage' in majority formation, as it is clear that these structures provide the conditions for ongoing negotiation and trade-off between the two branches of government: features typically associated with the 'consensus' vision of democracy. Contrary to the dichotomous division between 'winners' and 'losers' implied by majoritarianism, non-government parliamentarians have an increasing range of powers at their disposal through which they can affect the policy process. Indeed, whilst 1974 is often regarded as the watershed for the demise of two-party politics and the ascent of 'elective dictatorship' (see Dunleavy, 2005), the average of the total conditions for effective representation is 53.5 for both 1945-74 and 1974-2015! More recently, for the period 1997-2015 the average conditions for effective representation is 54.8. It is important not to overstate these findings. Whilst Powell does not offer a criterion to assess the quality of effective representation, he does suggest that 'scores in the high 60s and low 70s' provide 'good conditions for meaningful authorized representation' (Powell, 2000, p. 111). In the UK, the only period to achieve such a score was the 2010-15 period of coalition government, and as table 4 shows, the score of 70.5 is predominantly comprised of government's majority vote basis. Nonetheless, Powell does suggest that scores around the 'midpoint' are 'plausible' (Powell, 2000, p. 111); and by distinguishing between office payoff and policy payoff, the findings of this article challenges arguments that the majority of voters 'utterly unrepresented' (Shugart, 2001, p. 175) or that governments pursue 'policies supported by only a small number of voters' (Nagel, 2000, p. 118). Moreover, by focusing on the overall conditions for effective representation, the seemingly mutual exclusivity of the modes of representation associated with the majoritarian and consensus visions of democracy becomes less certain (see Kaiser et al, 2002), which admits the possibility of a 'sweetspot' (Carey and Hix, 2011) between representation and accountability.

#### 4. Conclusion: Understanding the quality of Westminster democracy

By focusing on the dispersal of policy payoffs, this article has challenged crude portrayals of Westminster democracy as adversarial, zero-sum and elitist. As Strøm and Mattson argue, 'legislative organisation matters. Institutional structures, procedures, and rules are assumed to affect the distribution of legislative power and ultimately public policy' (1995, p. 256); and this

article has demonstrated a quantifiable shift towards the legislature, which has provided the institutional conditions for Parliament to exert influence over government. By developing a systematic means of identifying the structural aspects of opposition influence, this article therefore offers an important counterpoint to arguments that Westminster is 'a standout case of negative rather than constructive oppositional politics' (Andeweg, 2013, p. 99) in which all non-government actors are excluded from the process of policymaking. A number of important studies have clearly demonstrated the myriad of ways in which Parliament has affected the behaviour of government and its legislative outputs (e.g. Hindmoor, 2009; Benton and Russell, 2013; Russell et al, 2015; Russell and Cowley, 2016); and this article complements this literature by identifying the structural conditions that enable opposition parties to achieve policy payoffs. Whilst previous analyses have privileged the function of legislative scrutiny (e.g. Strøm, 1990; Mattson and Strøm, 1995), the indicators developed in this article have enabled the function of executive oversight to be subject to the same degree of systematisation. Free of inherently normative assumptions about the 'proper' role of legislative actors, this article's analytical framework is innovative and has significant comparative potential, enabling comparison between different regime types and legislative cultures. Indeed, the alternative index of committee influence can also be used to conduct within-case comparative analysis, focusing on the capacity of different types of committee within the same polity.

This article also illuminates a number of areas for further research. Whilst this article has focused on the structural 'inputs' of parliamentary influence, rather than 'outputs' of legislature behaviour or policy impact, it is clear that institutional structures have affective properties. This has been illustrated by the confidence and assertiveness that has characterised select committee chairs since the introduction of popular elections. At present, the causal connection between these inputs and the subsequent outputs remains understudied, and future research should interrogate this to enhance our understanding of their relationship and to provide insights regarding the extent to which legislative institutions can be engineered to improve the representativeness of policymaking. Future research should also consider the extent to which opposition members utilise nonparliamentary means to exert influence upon government, for example through the media or through popular campaigns. It is clear that the vote basis of many smaller parties belies their capacity to extract policy payoffs, most clearly evidenced by the way in which the Conservative Party and Labour have responded to the electoral threat posed by UKIP. However, by weighting the power and influence of parties relative to their share of the vote, measures such as the effective number of parties and the index of effective representation do not capture the political context in which opposition influence is exercised; and any extended scoring scheme should therefore seek to account for such factors (see Blau, 2008).

Finally, future research should focus on the alignment between parties and voters to determine the extent to which parties, and in turn policymakers, are truly responsive to the preferences of the electorate. In developing the index of effective representation, this article has focused on votes as a proxy for policy preferences, a methodological simplification that has been necessary to capture the direction and degree of change over the sixty-year period. Nonetheless, it should not be assumed that the electorate's preferences can be ascertained from their voting behaviour. A number of studies have drawn attention to the increasingly narrow ideological space occupied by mainstream parties (e.g. Dunleavy and Margetts, 2001), and it has been argued that 'vote-seeking parties have left the British party system less representative of the ideological diversity in the electorate' (Brandenburg and Johns, 2013, p. 704). In turn, a focus on voting behaviour is unidimensional and fails to account for the complexity of an individual voter's preference structure, particularly in terms of preference ranking and the relative acceptability of different electoral outcomes (Dunleavy 2005).

To further develop the concept of effective representation, future research should therefore seek to capture the congruency between party positions and voter preferences, the effect on electoral rules on patterns of party competition, and the extent to which such factors interact to condition voting behaviour and preference structures.

In the context of declining turnout and general democratic malaise, the implications of the burgeoning disconnect between voters and policymakers are stark, and research suggests that the way in which voters have become 'ideologically disenfranchised' has 'taken its toll on democratic satisfaction' (Brandenburg and Johns, 2013, p. 705). Indeed, when turnout is taken into account, the net effect of the 2015 general election was that nearly half of all voters lacked an authorised voice to represent their interests. It has been argued that declining turnout represents 'a rational response by voters to a primitive Commons electoral system that renders irrelevant so many deeply felt votes' (Dunleavy, 2005, p. 530). Indeed, the Hansard Society's recent Audit of Political Engagement (2016) reveals that although 73% agree that Parliament 'is essential to our democracy', only 33% agree that the system by which Britain is governed works well; only 32% are satisfied with the way Parliament works; and only 28% believe that Parliament encourages public involvement in politics. Yet as this article has demonstrated, portrayals of Westminster government as unresponsive and unrepresentative have often neglected the capacity of the legislature to achieve policy payoffs; and it has been argued that such 'crude assumptions' have 'contributed to the erosion of public support for politics' (Flinders and Kelso, 2011, p. 249). Yet, as Brandenburg and Johns have demonstrated, satisfaction with democracy can be derived 'from finding some close representation of their policy preferences in parliament, whether from the opposition or the governing party. (2013, p. 710). The language used to describe political institutions therefore matters, and deployed effectively can be used to foster greater public understanding and engagement. Used carelessly, however, and the risk exists that dissatisfaction will deepen - as vividly illustrated by the widespread public disappointment in New Zealand following electoral reform (see Nagel, 2000). In the context of democratic disengagement, academics therefore play a vital role in promoting popular understanding of political institutions; and in addressing assumptions that have been allowed to remain unchecked.

Table 1: Proportionality of representation at Westminster, 1945-2015

General election	Turnout (%)	As percentage of votes cast		As percentag	ge of electorate				
		Vote basis of the legislature (opposition and government) (%) <sup>1</sup>	Vote basis of government (%)	Vote basis of the legislature (opposition and government) (%) <sup>1</sup>	Vote basis of government (%)	Effective number of parliamentary parties <sup>2</sup>	Effective number of electoral parties <sup>3</sup>	Effective number of cabinet parties <sup>4</sup>	Gallagher index of disproportion ality
1945	72.8	86.2	47.7	62.3	34.7	2.11	2.71	1.0	11.61
1950	83.9	90.0	46.1	75.5	38.7	2.43	2.88	1.0	6.59
1951	82.6	95.9	44.3*	79.2	36.6*	2.19	2.29	1.0	2.43
1955	76.8	95.0	49.7	73.0	47.2	2.16	2.00	1.0	5.04
1959	78.7	91.5	49.4	72.0	45.2	2.28	1.99	1.0	7.28
1964	77.1	88.9	44.1	68.5	39.2	2.53	2.06	1.0	8.93
1966	75.8	90.2	48.0	68.4	43.3	2.41	2.02	1.0	8.49
1970	72.0	91.3	46.4	65.7	42.4	2.33	2.07	1.0	6.28
1974 (F)	78.8	79.7	37.2*	62.8	29.6*	2.25	3.12	1.0	15.46
1974 (O)	72.8	80.1	39.2	58.3	28.5	2.25	3.16	1.0	15.01
1979	76.0	84.5	43.9	64.2	33.4	2.15	2.87	1.0	11.58
1983	72.7	76.8	42.4	55.8	30.8	2.09	3.12	1.0	20.58
1987	75.3	79.4	42.2	59.8	31.8	2.17	3.07	1.0	17.75
1992	77.7	82.1	41.9	64.4	32.6	2.27	3.06	1.0	13.55
1997	71.3	78.7	43.2	56.1	30.8	2.13	3.22	1.0	16.51
2001	59.4	78.1	40.7	46.6	24.2	2.17	3.33	1.0	17.76
2005	61.4	79.7	35.2	48.9	21.6	2.47	3.59	1.0	16.68
2010	65.1	91.6	59.1	59.6	38.8	2.58	3.72	1.52	15.08
2015	66.4	76.2	36.9	50.6	24.5	2.54	3.87	1.0	14.89

<sup>\*</sup> plurality losers returned with largest number of seats

<sup>1.</sup> The percentage of votes won by each of the parties in government, plus the *lower* of the percentage of votes or seats won by each opposition party (see Powell, 2000, pp. 95-7).

<sup>2. &#</sup>x27;Effective number of parties' applied to seats won.

<sup>3. &#</sup>x27;Effective number of parties' applied to votes cast.

<sup>4. &#</sup>x27;Effective number of parties' applied to seats in cabinet (see Blau, 2008).

 Table 2: Scoring scheme for the index of effective representation

Bargaining with the government (all parties)	Legislative committee structure (opposition parties) – Powell's original criteria	Legislative committee structure (opposition parties) – Revised criteria
1.0 – government party	0.25 – strong committees with chairs equally shared amongst	0.05 – Existence of committees
0.75 – official support party	all large parties  0.125 – either strong	0.05 – Correspondence with ministerial portfolios
0.5 – opposition party facing minority government	committees chaired by government parties <i>or</i> weak committees with shared chairs	0.05 – Proportional membership
0.2 – opposition party facing supported minority government		0.05 – Independent selection procedures
0.1 – opposition party facing majority government		0.05 – Defined and accepted tasks

Table 3: Opportunities for influence at Westminster, 1945-2015

Parliament	Bargaining with the government (supporting parties)	Bargaining with the government (opposition parties)	Legislative committee structure (opposition parties)
1945-50	-	0.1	0.05
1950-51	-	0.1	0.05
1951-55	-	0.1	0.05
1955-59	-	0.1	0.05
1959-64	-	0.1	0.05
1964-66	-	0.1	0.05
1966-70	-	0.1	0.05
1970-74	-	0.1	0.05
1974 (F)	-	0.1	0.05
1974 (0)-79*	0.75 (33.3%)	0.2 (33.3%) 0.5 (66.6%)	0.05
1979-83	-	0.1	0.15
1983-87	-	0.1	0.15
1987-92	-	0.1	0.15
1992-97**	-	0.1 (91.8%) 0.5 (8.2%)	0.15
1997-2001	-	0.1	0.15
2001-05	-	0.1	0.20
2005-10	-	0.1	0.20
2010-15	-	0.1	0.25
2015-20	-	0.1	0.25

<sup>\*</sup>Lib-Lab Pact, which lasted from March 1977 until September 1978. It was therefore in existence for 18 months of the 54-month parliament, i.e. 33.3%.

<sup>\*\*</sup> John Major's Conservative Government lost its majority in December 1996. It was therefore a minority government for 5 months of the 61-month parliament, i.e. 8.2%

Table 4: Effective representation at Westminster, 1945-2015

Parliament	Voters who voted for parties now in government (%)	Voters who voted for parties supporting government (%)	Voters who voted for parties now in opposition					
			Opposition representation <sup>1</sup>	х	Probable influence	=	Opposition Effective Representation	Total conditions for effective representation
1945-50	47.7	-	(38.5	Х	0.150)	=	5.8	53.5
1950-51	46.1	-	(43.9	Х	0.150)	=	6.6	52.7
1951-55	44.3	-	(51.9	Х	0.150)	=	7.8	51.1
1955-59	49.7	-	(45.3	Х	0.150)	=	6.8	56.6
1959-64	49.4	-	(42.1	Х	0.150)	=	6.3	55.7
1964-66	44.1	-	(44.8	Х	0.150)	=	6.7	50.8
1966-70	48.0	-	(42.2	Х	0.150)	=	6.3	54.3
1970-74	46.4	-	(44.9	Х	0.150)	=	6.7	53.1
1974 (F)	37.2	-	(42.5	Х	0.150)	=	6.4	43.6
1974 (0) -79*	39.2	(18.3 x 0.75 x 33.3%) = 6.3	(40.9 (22.6	X AND X	0.55 X 66.6%) 0.25 X 33.3%)	=	16.9	62.4
1979-83	43.9	-	(40.6	Х	0.250)	=	10.2	54.1
1983-87	42.4	-	(34.4	Х	0.250)	=	8.6	51.0
1987-92	42.2	-	(37.2	Х	0.250)	=	9.3	51.1
1992-97**	41.9	-	(40.2 (40.2	X AND X	0.25 x 91.8%) 0.55 X 8.2%)	=	11.0	52.9
1997-2001	43.2	-	(35.5	Х	0.250)	=	8.9	52.1
2001-05	40.7	-	(37.4	Х	0.300)	=	11.2	51.9
2005-10	35.2	-	(44.5	Х	0.300)	=	13.4	48.6
2010-15	59.1	-	(32.5	Х	0.350)	=	11.4	70.5
2015-20	36.9	-	(39.3	Х	0.350)	=	13.8	50.7

<sup>1.</sup> The *lower* of the percentage of votes *or* seats won by each opposition party (see Powell, 2000, p. 110).

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