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Does decentralisation make a difference? Comparing the democratic performance of central and regional governing systems in the United Kingdom

Abstract

Decentralisation is frequently justified in terms of representation and participation, its advocates emphasising the capacity of regional institutions to remedy the democratic deficiencies of the centre. Yet empirical examinations of the democratic performance of regional governing systems are scarce; and there is no analysis that systematically compares the operation of different tiers within the same state. This article responds to this significant lacuna. Drawing upon the tools of cross-national comparison, it develops an analytical framework that evaluates the effects of regional and national institutions on the dispersal of electoral payoffs. This is applied to the United Kingdom, to compare the Scottish Parliament and National Assembly for Wales with Westminster. Through this analysis, the article provides important empirical insights regarding the difference wrought by decentralisation; and in turn, contributes to a burgeoning body of literature that offers a more critical assessment of the relationship between decentralisation and such democratic goods.

Keywords

proportionality, representation, office payoffs and policy payoffs, devolution and regionalism, United Kingdom

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Recent decades have witnessed a ‘global trend towards devolution’ (Rodríguez-Pose and Gill 2003) as national governments throughout the world have transferred key competencies to their regional counterparts. A myriad of factors has driven this unprecedented dispersal of powers, including the growing significance of regional parties (Brancati, 2008; Toubreau, 2011) and the effects of European integration (Bache, 2007). Decentralisation is frequently accompanied by a narrative highlighting its participatory benefits (see Barber, 2013; Sorens, 2009); and several scholars have argued that a positive relationship exists between decentralisation and the realisation of democratic goods (for example Diamond, 1999; Hooghe et al., 2010; Lijphart, 2012). There is, however, no *a priori* reason to assume that decentralisation will foster a closer connection between voters and legislators; and the extent to which regional governing systems are *more* responsive to citizens’ electoral preferences remains a matter for empirical investigation. Yet, in contrast to the considerable attention devoted to national ‘patterns of democracy’ (notably Lijphart, 2012), analyses of the institutional inputs of

regional systems of government are scarce. Indeed, despite the fact that decentralisation is often justified in terms of addressing the perceived deficiencies of central government, there exists no comparative analyses of *different tiers* of government within the *same* state. This matters as decentralisation is 'not simply a phenomenon having inherent virtues' (De Vries, 2000: 195), and promises that regional governance will revitalise democracy risk raising expectations that may not be fulfilled.

This article directly addresses this lacuna, and draws upon Powell's *Elections as Instruments of Democracy* (2000) to develop an analytical framework that compares regional and national government in terms of the dispersal of electoral payoffs. In particular, and in contrast to 'static concepts' that look at 'vote and seats alone' (Blau, 2008: 168), this framework distinguishes between *office payoffs* and *policy payoffs* to examine the institutional opportunities that exist for both executive *and* non-executive legislators to affect the policy process. This framework is applied to the United Kingdom (UK) to compare the Scottish Parliament, National Assembly for Wales (NAW) and Westminster. The case of the UK merits scholarly attention, and offers an important opportunity to study the effects of 'varying types of institutions' within the 'context and rules [of] an existing democracy' (Bohrer and Krutz, 2005: 654-5). The transfer of governing competencies via the *Scotland Act 1998* and the *Government of Wales Act 1998* constituted an important watershed in the UK's majoritarian tradition, and was explicitly justified by the then Labour Government in terms of addressing the democratic deficits of Westminster majoritarianism (e.g. Cm. 3658, 1997; Cm. 3718, 1997). However, rather than realising a 'new politics', devolution was forged in the shadow of Westminster; and the existence of different modes of democracy across the UK has instead resulted in uneasy asymmetry and 'bi-constitutionality' (Flinders, 2005; Matthews and Flinders, 2017), the implications of which continue to unfold.

Through its analysis, this article makes a number of important contributions. Empirically, it provides critical insights regarding the difference wrought by regional government in terms of representation and the dispersal of electoral spoils; and by broadly controlling for factors such as political culture and governing norms, the single-country research design captures the effects of institutional variables such as electoral rules and committee systems (see Snyder, 2001). Theoretically, it contributes to a burgeoning body of literature that promotes a more nuanced understanding of the relationship between decentralisation and democratic goods (for example De Vries, 2000; Fatke, 2016; Spina, 2004); and dovetails with an important strand of work that examines whether institutional structures

can be configured to deliver an optimum 'sweet-spot' between representation and accountability (Carey and Hix, 2011; see also Kaiser et al, 2002; Aarts and Thomassen, 2008). Methodologically, it develops an analytical framework that can be applied to different sites of government simultaneously, moving beyond the 'methodological nationalism' (Jeffery, 2008; Jeffery and Wincott, 2010) that has hitherto predominated. To develop these strands, the article proceeds as follows. In the next section, it elaborates briefly on the relationship between decentralisation, representation and institutional design; and discusses the necessity of establishing these connections through inter-region and intra-state analysis. Following on from this, the analytical framework is established. The framework is then applied to the UK, and the empirical results presented and evaluated. The article concludes by locating these findings within a series of theoretical debates regarding the relationship between political preferences and party competition; and methodological debates regarding the value of a 'regionally differentiated perspective' (Snyder, 2001: 100).

Decentralisation, representation and institutional design

In their seminal work, *The Rise of Regional Authority*, Hooghe et al. praise regional democracy for having 'the additional virtue of increasing the possibilities of communication between citizens and rulers' (2010: 62); and in doing so echoed earlier scholars such as Dahl and Tufte, who stated that 'very small units... provide a place where ordinary people can acquire the sense and the reality of... political effectiveness' (1973: 140). Such arguments are of a long tradition of political thought, encompassing Aristotle, de Tocqueville and Mill, which advocates the participatory virtues of small-scale, decentralised democratic institutions (see De Vries, 2000). Yet the extent to which decentralisation delivers these democratic goods remains 'an open question' (Fatke, 2016: 668), and in recent years several studies have offered a more nuanced assessment. Spina, for example, demonstrates that 'the substantive impacts' of decentralisation upon levels of participation are 'underwhelming' (2014: 449-454); and Fatke (2016) reveals that demographic factors remain the most important predictors of participation within regions. Other studies have considered the effect of decentralisation on party competition, in particular between regional and state-wide parties. Brancati, for example, argues that decentralisation has a 'significant impact' on regional parties in terms of electoral strength and opportunities to participate in regional government (2008: 158); and that 'their presence at this level carries over to the national level' (2008: 136). In contrast, Bäck et al suggest that 'the behaviour of political actors at the regional level is restricted by the patterns of party competition in the national sphere' (2013: 368, 382). Flowing out of this, several scholars focus on

the political incentives that drive decentralisation. Toubeau and Massetti, for example, highlight the 'blackmail' and 'coalition' potential exercised by regional parties to 'persuad[e] state-wide parties to change electoral strategies and to shift territorial policy' (2013: 304). In contrast, Sorens addresses the 'paradox of regional autonomy' by drawing attention to the 'regional-government-office-seeking' benefits which encourage central government to 'offer autonomy to peripheral regions with secessionist movements' (2009: 269).

Together, this scholarship tempers normative arguments advanced in support of decentralisation by drawing attention to the way that the behavior of voters and political actors is mediated by institutional structures. Indeed, as De Vries demonstrates, claims to 'increased efficiency', 'democratization of policy processes' and 'effectiveness' have 'been made in favour of decentralization *and* centralization' (2000: 195, emphasis in original). Yet, whilst several studies have measured scope and depth of decentralisation (notably Hooghe et al., 2010), there have been few systematic analyses of the extent to which the institutional rules and structures of regional systems of government affect their representative capacity. There are some notable exceptions. Vatter (2007), for example, compares the institutions of Switzerland's 26 cantons to reveal a positive relationship between opportunities for direct citizen involvement and broadly supported governing coalitions; and with Stadelmann-Steffen (2013) compares the 52 sub-national political systems of Switzerland, Austria and Germany to reveal the existence of largely consistent country clusters. Nonetheless, the overall dearth of sub-national scholarship is 'astonishing' (Vatter, 2007: 148), not least because '[d]isaggregating countries along territorial lines... makes it easier to construct controlled comparisons' (Snyder, 2001: 94-5). Indeed, despite the iterative nature of the relationship between central and regional government, there are no analyses that directly compares *different tiers* of government within the *same state*. This constitutes a significant lacuna, as normative claims made in favour of decentralisation are frequently cast in relational terms, and put significant store on the capacity of regional institutions to remedy the democratic deficiencies of the centre.

The scarcity of such analysis contrasts sharply with the extensive body of scholarship that compares the institutions of national political systems. These studies provide useful cues to guide inter-region and intra-state comparison. Within this literature, an important distinction is drawn between democratic 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 'patterns of democracy'; 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: 2). Similarly, Powell contrasts majoritarian and proportional 'visions' in accordance with the 'representational congruence between policymakers' positions and citizens' preferences' (2000: 4-17). Elsewhere, Siaroff compares the 'polar opposite types' of 'cabinet dominance' and 'cooperative policy-making diffusion with a working parliament' (2003: 445). Such contrasts are underscored by the different points at which legislative majorities are formed. Majoritarianism casts elections as the decisive stage in rewarding 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 legislative process.

In broad terms, the categorisation of institutional arrangements according to their correspondence with different democratic norms offers a fruitful strategy for inter-region and intra-state analysis. Yet to fully capture the extent that the institutional structures of regional government foster a closer connection between voters and legislators than their central counterparts, a number of issues need to be addressed. Firstly, there is a tendency within the comparative literature to focus on the distribution of votes, seats and portfolios. However, this engenders binary distinctions – winners versus losers, government versus opposition, consensus versus majoritarianism – which are 'too blunt to comprehend the emergence of more subtle adjustments' (Vatter et al., 2014: 908). Secondly, a focus on the relationship between votes and seats 'only provides indirect information about the distribution of power' (Blau, 2008: 170-2) and the influence that different groups of legislators may have. In particular, equating influence with office-holding overlooks the other institutional channels through which non-government parliamentarians can achieve policy goals, as 'opposition parties may be able to exert deliberative policy influence, particularly through efforts in the legislative arena' (Strøm, 1990: 38-41). Thirdly, and flowing out of this, a sole focus on office-holding does not capture the extent to which supporters of non-government parties are connected to the policy process via the ballot box. As Pitkin made clear, political representation is the product of the 'overall structure and functioning of the system, the patterns emerging from the multiple activities of many people. It is representation if the people (or a constituency) are present in government action' (1967: 222). Finally, and more generally, many of indicators used within cross-national studies do not travel the regional level or cannot accommodate central-regional comparison. For example, Lijphart's analysis of national-level patterns of democracy includes a number of institutions that have no regional

equivalent (e.g. central banks and state constitutions). Accordingly, to avoid methodological stretching and to overcome 'methodological nationalism', it is necessary to 'address the regional level in its own right, rather than [as] a scaled-down version of national politics' (Jeffery, 2008: 545). It is to this task that the next section turns.

Beyond office payoffs: opportunities for opposition influence and effective representation

In contrast to the wealth of literature focusing on the congruency between votes and seats, there have been few attempts to systematically analyse the opportunities for all representatives to affect policymaking. One important exception is Powell (2000), who focuses on the institutional resources available to different groups of legislators to determine the extent to which: a) the supporters of government *and* non-government parties are represented in policymaking; and, b) the dispersal of electoral spoils corresponds with a polity's underlying 'vision' of democracy. Powell develops a critical distinction between proportional and 'effective' representation. Whereas proportional representation focuses on the dispersal of seats and portfolios, effective representation focuses on 'the extent to which the opposition is effectively represented in policymaking' (2000: 100). To determine this, Powell develops an index of effective representation, which weights the electoral support of a party according to the institutional opportunities that exist for it to influence the policy process. Through this index, it is possible differentiate between each party's 'government share' (office payoff) and 'policymaker share' (policy payoff), providing a more nuanced analysis of the extent to which institutional structures affect the distribution of power.

To determine the degree of connection, Powell's index of effective representation applies a series of scores to qualify the legislative strength of a party, as detailed in figure 1 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, it 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, and weights their support in relation to 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 with the executive. Any party recognised as officially supporting the government receives a score of 0.75. 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 provided by ‘legislative committee structures’, assigning 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. The overall ‘probable influence’ of an opposition party thus ranges from 0.1 (facing majority government and the absence of legislative committees) to 0.75 (facing minority government and the presence of strong legislative committees) (Powell, 2000: 103-9). To ensure the validity of these weights, Powell triangulates his schema with several other key studies that explore the significance attached to various aspects of legislative influence (e.g. Laver and Hunt, 1992; Strøm, 1990). 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 be aggregated to determine the ‘total conditions for effective representation’. The final stage of Powell’s framework evaluates a polity’s overall correspondence with the majoritarian and proportional ‘visions of democracy’ (Powell, 2000: 136-42). The majoritarianism vision anticipates that the largest party should win ‘100 percent control of government and policymaking’, whereas proportional vision requires a close correlation between popular support and the dispersal of authority (Powell, 2000: 137).

Figure 1 here

To some extent, Powell’s two visions resonate with the majoritarian and consensus ‘patterns of democracy’ developed by Lijphart (2012). Yet whereas Lijphart focuses on the underlying norms of constitutional design (and, indeed, is animated by a stated preference for consensus), Powell focuses on the institutional pathways to achieving such principles. As such, his ‘framework is more conducive to institutional engineering’ (Achen et al, 2011: 862; see also Taagpera, 2003: 2). Indeed, Powell’s framework has been utilised by comparative scholars working in a range of national-level contexts (for example Costello, et al 2012; Mair and Thomassen, 2010); and has been praised as offering a ‘plausible approximation of government and opposition legislative power’ (Blau, 2008: 173). Nonetheless, whilst Powell’s framework accounts for the critical distinction between office and policy payoffs, several indicators do not travel to the regional level. In common with other comparative studies (for example Mattson and Strøm, 1995), Powell associates committee strength with ‘the ability of a committee to modify legislation, perhaps even introduce legislation of its own’ (2000: 33). However existing scholarship makes clear that legislative scrutiny is just one of several functions of a committee system (see Benton and Russell, 2013; Kaiser, 2008); and in the context of decentralisation, where

regional governments enjoy varying degrees of self-rule (Elazar, 1991), such a narrow focus risks neglecting or misrepresenting the multi-dimensionality of their influence. Secondly, Powell suggests that a strong committee system has 'over ten standing committees corresponding to government departments' (2000: 35). Yet in the context of decentralisation, this threshold is arbitrary, as there is significant variation in the number of policy areas for which regional government is responsible (see Hooghe et al., 2010); and whilst this variation offers an important insight into the degree of self-rule enjoyed by a region, the strength of a committee system lies in the extent to which there is a clear alignment between a committee's terms of reference and a government department's responsibilities.

To overcome these limitations, this article draws on the work of scholars such as Kaiser (2008) and Benton and Russell (2013) to replace Powell's original categories of 'legislative committee structures' with the following additive criteria (see figure 1 above). 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. Nonetheless, ad hoc or irregular committees will suffer from structural limitations, and the *second* element awards a score for a systematic committee structure that corresponds with the functions of the executive. Attention then turns to committee composition. Whilst the distribution of chairs is an important indicator of the balance between government and opposition, focusing on chairs alone does not capture the 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, the powers of legislative committees should be 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. Each element receives a score of 0.05. The minimum score a committee system can receive is zero (i.e. that the legislature does not have a committee system), and the maximum score is 0.25. This corresponds with the maximum score proposed (and validated) by Powell, and therefore preserves the balance between the two aspects of opposition influence. The next section puts this into effect.

Proportional and effective representation across the United Kingdom

In the popular referenda of September 1997, a majority of those voting in Scotland and Wales agreed that their region should have a devolved assembly, as proposed by the newly elected Labour Government. In advocating devolution, the Government's support was frequently couched in terms of addressing Westminster's deficits. Devolution, the Government declared, would 'strengthen democratic control and make government more accountable to the people of Scotland' (Cm. 3658 1997: vii); and would 'liberate the energy of the Welsh people to make a real difference [via] a modern, progressive and inclusive democratic institution' (Cm. 3718, 1997: 10, 24). Of course, such rhetoric belies a complex web of top-down motivations and bottom-up pressures (see Sorens, 2009; Toubeau, 2011), not least the Labour Party's desire to see 'the threat of separatism removed' (Labour Party, 1997). Nonetheless, a number of observers hailed devolution as part of a 'full-blooded constitutional revolution', which would 'drag... the political system away from an extreme version of majoritarian democracy towards a more institutionally consensual model' (Mair, 2000: 34). Yet despite such optimism, a question mark hangs over the extent to which the devolved systems of government were calibrated to realise such ideals. Whilst the introduction of hybrid 'additional member' electoral systems in both regions did represent a departure from Westminster tradition, devolution was enacted within a framework that was designed by the centre and imbued with a number of majoritarian assumptions regarding the role of government and the division of legislature-executive relationships (Arter, 2004; Cairney and Wildfeldt, 2015; McAllister and Stirbu, 2007; Mitchell, 2000). By applying the analytical framework developed above, the remainder of this section will therefore systematically ascertain the extent to which the institutional architecture of devolution has promoted an alternative 'vision' of democracy.

The proportionality of electoral outcomes and the dispersal of office payoffs

A series of measures are applied to gauge the proportionality of election outcomes across the three polities (see table 1, online). In many respects, Westminster's status as a 'negative template' (Mitchell, 2000) of adversarial majoritarianism is reinforced. Single-party governments predominate despite lacking the support of a majority of voters (the Coalition of 2010-15 being the exception on both counts), which suggests that Westminster inhabits a 'sub-majoritarian sphere of pluralitarian systems' (Nagel, 2000: 118). The declining vote basis of government is inexorably bound up with the changing nature of party competition, which between 1997-2015 had become increasingly multi-party in terms of votes cast, despite the (theoretical) disincentives posed by Westminster's electoral rules.

Yet the diffuse support for many smaller parties and the high thresholds imposed by single-member districts limited the impact upon the distribution of seats, resulting in a widening gap between the effective number of *electoral* parties and *parliamentary* parties (Laakso and Taagepera 1979), and Gallagher's index of disproportionality (1991) further underscores the loosening of this relationship. Indeed, the burgeoning gap between votes and seats had weakened the vote basis of Parliament itself, and table 1 shows that the representation 'gap' (i.e. the difference between votes cast and the vote basis of the legislature) reached a record high of 24.0% in 2015. It should be noted that the outcome of the snap general election of 2017 runs counter to these longer-term trends. At 82.3%, the share of the vote accorded to Labour and the Conservatives was the highest won by the two main parties since 1970, which increased the vote basis of the government and legislature, whilst the decline of popular support for 'other' parties served to close the gap between the effective number of electoral and parliamentary parties. Indeed, at 6.46, the Gallagher score for the 2017 Westminster election was the lowest since 1970, and amongst the lowest of all the elections observed in this study. Nonetheless, whilst the confidence-and-supply arrangement between the Conservatives and the Democratic Unionist Party has afforded the latter greater policy leverage, the Prime Minister immediately ruled out a formal power-sharing coalition; and her determination to govern as a minority can be regarded as evidence of the enduring influence of the norms of majoritarianism.

The transfer of competencies to the Scottish Parliament and NAW in 1999 constituted a critical juncture in terms of the scope and depth of self-rule.¹ Yet, the extent to which the structures of regional government support the democratic ideals of 'new politics' (Mitchell, 2000) is less clear. In each region, a multi-party system has developed, with elections being fought along the 'centre-periphery cleavage' (Lipset and Rokkan, 1967), reflecting the relative electoral strength of non-statewide parties at the regional level (see Brancati, 2008). Moreover, the additional member system has ensured a closer congruence between party competition and the dispersal of seats within each legislature, which is further reiterated by the significantly lower scores that each region receives on Gallagher's index of disproportionality. Nonetheless, a more proportional electoral system has not fostered a more collegial approach to the sharing of executive power, and on several occasions, plurality-winning parties have demonstrated a clear preference for governing alone. In Scotland, the Labour-Liberal Democrat coalitions of 1999-2003 and 2003-7 were described as 'the closest thing possible in Scotland to majoritarian government in a government-versus-opposition atmosphere' owing to tightly-whipped discipline and voting cohesion (Cairney and Wildfeldt, 2015: 9). Moreover, since 2007 Scottish National Party (SNP) has been the sole party of government; and despite failing to

secure a majority of seats in 2007 and 2016, has eschewed formal power sharing arrangements with allies such as the Scottish Greens. In Wales, the Labour Party governed as a minority for the duration of the 2003-7 Assembly; and the coalitions formed with the Liberal Democrats (2000 and 2016) and Plaid Cymru (2007) have been regarded as pragmatic expedience (Palmer, 2011: 277). Together, this suggests that ‘a Westminster culture and frame of reference’ (Cairney and Widfeldt, 2015: 15) has limited the effect of increased legislative proportionality on subsequent patterns of government formation; and as shown in table 1, the average difference in the effective number of *cabinet* parties across the three domains is negligible.

Qualifying the conditions for opposition influence

However, to fully capture the extent that institutional structures connect the electorate with the policy process, it is also necessary to account for the extent to which each governing system provides opportunities for opposition legislators to achieve policy payoffs. Each polity is scored according to two aspects of opposition influence detailed above (see table, 2 online). In terms of the first aspect, bargaining with the government, the domination of Westminster’s House of Commons by majority governments had limited the leverage of non-government parties on the floor of the House; and whilst the increased rate of parliamentary rebellions has been cited as evidence of the loosening bonds of party discipline (e.g. Cowley, 2005), it remains relatively rare for governments to suffer defeats in the Commons. Once again, though, the outcome of the 2017 election is a point of departure. The loss of their parliamentary majority has rendered the minority Conservative Government as highly dependent upon Northern Ireland’s Democratic Unionist Party, whose support in key votes was secured in exchange for an additional £1bn of public expenditure in the Province; and with such a slender working majority, the Government is extremely vulnerable to both opposition and backbench challenge at a time when the agenda is dominated by Britain’s withdrawal from the European Union. The current parliament therefore provides the ideal conditions for the House of Commons to shed its reputation as a mere ‘forum’ (Powell, 2000: 106) or ineffective ‘arena’ (Polsby, 1975).

In contrast, the relative frequency of minority government in Scotland and Wales has created the conditions for non-government parties to exert influence over their respective executives. This is illustrated by two incidents. In Wales, the NAW divided in 2016 as Leanne Wood, leader of Plaid Cymru, sought to block Labour leader Carwyn Jones’ reappointment as first minister; and the deadlock ended only once Jones conceded to discussions with Plaid Cymru about ‘areas of common ground that

we can work on' (Jones, 2016). Whilst Jones stressed that such discussions 'won't constitute coalition talks', this does underline the opportunities that minority government provides opposition parties to extract policy payoffs. In Scotland, the SNP minority government of 2007-2011 relied upon the formal support of the Scottish Greens, committing to a number of environmental policies in exchange for 'votes for the first minister and ministerial appointments' (SNP and Scottish Greens, 2007). In addition, throughout the 2007-11 parliament, the SNP relied heavily on the support of the Conservatives to pass its four annual budgets, which was given in exchange for concessions on issues including business rates and town centre redevelopment.

In terms of the second aspect, the scores in table 2 suggest that Westminster's committee system provides a relatively important vehicle for opposition influence. A formal system of select committees corresponding to ministerial departments was introduced in 1979, and was later praised for 'show[ing] the House of Commons at its best... with constructive co-operation rather than routine disagreement' (HC 300, 2000: 5). Nonetheless, the lack of esteem attached to the task of oversight and the lack of clearly defined committee responsibilities was seen to undermine their impact (HC 300, 2000: 6). In response, several reforms relating to the resources enjoyed by select committees have been enacted. Recognising the 'powerful attraction' of ministerial office, the Liaison Committee recommended that executive oversight be repositioned as an 'alternative career', recognised by additional salary for chairs (HC 300, 2000: 29; see also HC 224, 2002: 41). In 2002, Parliament 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 House, and the election of members by secret ballot within each political party (HC 1117, 2009: 80). The election of chairs was agreed to in May 2010, and secret ballots followed in June 2010. Parliament 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 focused on select committees' responsibilities. In 2002, the ten 'core tasks' developed by the Liaison Committee were adopted by resolution of the House; and in 2012, the Committee revisited these tasks, instigating several changes to enhance effectiveness (HC 697 2012). Together, these reforms have bolstered the capacity of select committees, contributing to a 'new confidence and authority' (Institute for Government, 2015: 2). Indeed, recent evidence suggests that committees have become increasingly willing to move beyond their traditional 'police patrol' (Matthews and Flinders, 2015; McCubbins and Schwartz, 1984) mode of executive oversight, sounding 'fire alarms' on issues including child sexual exploitation, phone hacking and tax evasion.

The scores awarded to the devolved legislatures' committee systems are lower, reflecting a number of institutional constraints. The NAW's committee system was initially inhibited by the terms of *Government of Wales Act 1998*. This established the NAW as a single body corporate with an executive committee exercising only those responsibilities delegated to it by the Assembly. Subject committees mapped onto these functions, and reflecting the fusion of legislative and executive responsibilities, the Act required the relevant member of the executive committee to also be a member of that subject committee (s. 57.4). The Act did require the politically-balanced distribution of chairs *and* members, stating that members would be elected by the Assembly and chairs selected by a panel (s. 57.5-8), but neither the Act nor the Assembly's standing orders specified the means by which elections would be held. The standing orders also delineated a set of common responsibilities, encompassing policy development, legislative scrutiny, financial audit and performance monitoring (NAW, 1999: 9.7-8). Yet the capacity of committees to undertake these functions was 'clearly restricted, reflecting the constraints of the original settlement' (McAllister and Stirbu, 2007: 295). The *Government of Wales Act 2006* formally separated the legislature and executive, abolishing the requirement for members of the executive to sit on their relevant subject committee. The Act also required committee membership to be approved by an extraordinary majority of the Assembly (s. 29), although responsibility for electing chairs was transferred to committees themselves (NAW, 2007: 10.18). Yet the Act afforded the Assembly greater flexibility in the creation of committees; and since 2007 there has been a much looser relationship between the remit of scrutiny committees and the responsibilities of individual ministers. Moreover, the frequent reorganisation of ministerial portfolios has resulted in a rapid redrawing of committees, with implications for institutional memory and the accrual of expertise (McAllister and Stirbu, 2007: 297-8); and the standing orders of the 2007 NAW were silent on the specific tasks of scrutiny committees. Subsequent reforms have sought to address these limitations. In 2011, specific committee tasks were re-introduced with an explicit focus on scrutiny (NAW, 2011: para. 16.1); and control over chair appointments was returned to Assembly via the Business Committee (NAW, 2011: 17.4). Furthermore, since 2016 committee chairs have been directly elected by the Assembly using secret ballots (NAW, 2016: 17.2-4). Nonetheless, the relatively small size of the NAW has meant that concerns persist regarding committee capacity, with the Electoral Reform Society Cymru warning of 'an over-mighty Executive with too few AMs to hold it to account effectively' (2013: 13).

In contrast, the structures of the Scottish Parliament's committee system have remained constant. Compared to the NAW, the Scottish Parliament was subject to less central constraint and the *Scotland Act 1998* simply required its standing orders to provide for a committee system with politically-balanced membership. The Parliament's standing orders specify a number of mandatory committees and allow Parliament to establish any subject committee that 'it thinks fit' (Scottish Parliament, 1999: 6.1). Yet whilst the standing orders enshrine a series of committee functions (6.2), subject committees are not obliged to correspond with ministerial portfolios. This has led to great variation in the extent to which committees map onto the functions of the executive. Some provide direct scrutiny of a specific portfolio, others span two or three, and some are thematic. In terms of committee membership, the standing orders invest authority in the Parliamentary Bureau to determine both the general membership and the allocation of chairs. The Bureau is required to 'have regard to the balance of political parties in the Parliament' (6.3), with similar rules governing chair appointments (12.1). However, whilst Parliament must approve the membership proposed by the Bureau, there are few opportunities for parliamentarians to directly influence selection. Moreover, committee chairs are elected by a committee from within its ranks, which means that there is no opportunity for any other individual to put themselves forward (12.1).

Effective representation and the potential for policy payoffs

Having delineated the institutional opportunities for opposition influence, it is now possible to calculate the total conditions for effective representation within each polity,² and in turn determine the extent to which its institutions connect the electorate with policymaking. Whilst few governments have enjoyed majority support, figure 2 reveals that the institutional structures of all three polities have provided sufficient opportunities for a majority of voters to be effectively represented. Moreover, the average scores span a range of just 5.7, running from 56.4 at Westminster to 62.1 in Scotland, which tempers the sharp distinctions often drawn between 'adversarial' Westminster and the 'new politics' of devolution.

Figure 2 here

Although these averages are broadly similar, significant variation exists in dispersal of opportunities for opposition influence. At Westminster, the most important aspect is the legislative committee

structure, which has been critical in providing partial redress to the disproportionality of office payoffs. Indeed, the way that governments have responded to demands for reform runs counter to ‘majoritarian premise’ (Mattson and Strøm, 1995: 253). These results therefore challenge existing comparative analyses that cast select committees as ‘weak’ (Powell, 2000: 106) and ‘deviant’ (Mattson and Strøm, 1995: 260); and in doing so moderates the claim that Westminster is ‘a standout case of negative rather than constructive oppositional politics’ (Andeweg, 2013: 99) in which non-government actors are wholly excluded from policymaking. In Scotland and Wales, the greatest contribution to the total conditions for effective representation comes from ‘opportunities for opposition bargaining’. In both regions, the highest scores achieved are in instances of minority government, which have provided the conditions for opposition parliamentarians to exercise what Sartori (1976) famously described as ‘blackmail potential’. This is illustrated by the score of 76.2 assigned to Holyrood in 2016 following the return of an unsupported SNP minority; and the score of 72.1 assigned to the NAW in 2011 following the return of an unsupported Labour minority.³ In contrast, one of the lowest scores is assigned to the NAW in 2003, when the combination of a (bare) Labour Party majority government with a vote basis of just 38.3% and the structural weaknesses of the body corporate’s committee system results in a score of just 50.7. In Scotland too, the lowest score is assigned to the sole period of single party majority government in 2011 (although at 56.3, this still contrasts favourably with Westminster and – to a lesser extent – the NAW). In this respect, whilst the electoral rules of the devolved assemblies have not always led to the ‘broad participation in government’ often associated with consensus democracies (Lijphart, 2012: 2), the prevalence of minority governments has enhanced the conditions for ‘cooperative policy-making diffusion with a working parliament’ (Siaroff, 2003: 445).

Correspondence with democratic norms

Powell does not offer a benchmark to assess the quality of effective representation, although he does suggest that scores for total conditions for effective representation ‘in the high 60s and low 70s’ provide ‘good conditions for meaningful authorized representation’, with scores around the ‘midpoint’ being ‘plausible’ (Powell, 2000: 111). With average scores ranging from 56.4 to 62.1, it is evident whilst the institutional conditions in each polity have connected a majority of voters with the policy process, a significant minority remains excluded. Indeed, in all three polities the plurality winners’ average government share (i.e. office payoff) and policymaker share (i.e. policy payoff) has significantly exceed their share of the popular vote, whereas all runners-up have been consistently

under-rewarded on both counts. The extent to which this is a cause for concern depends on the criteria adopted, that is, whether a polity is being judged against the standards of majoritarianism or proportionality. As detailed above, majoritarianism assumes that the plurality winner should enjoy full control of government and policymaking, whereas proportionality demands a close correlation between popular support and the dispersal of electoral payoffs (Powell, 2000: 137). Accordingly, figures 3a and 3b below compare the dispersal of government shares and policymaker shares against the standards of majoritarianism and proportionality.⁴ In terms of government shares, figure 3a shows that the election outcomes in all polities correspond most closely to the majoritarian norm; and of the fifteen individual elections observed, the initial outcomes of eleven (including NAW 1999 and NAW 2007) correspond exactly. Whilst this suggests the limitations of ‘new politics’ in Scotland and Wales in terms of the sharing of executive power, it should be noted that instances of coalition have lessened the distance from the norm of proportionality; and for two periods of coalition (SP 2003 and NAW 2007), there is a closer correspondence with this norm than with majoritarianism.

Figure 3a here

In terms of policymaker shares, figure 3b, a slightly different story emerges. On average, the dispersal of policymaker shares in Scotland and Wales corresponds more closely to the proportional influence norm; and in only two individual instances has this dispersal been in closer accordance with the majoritarian norm. It is important not to overstate the significance of these results, as in each region the extent to which the dispersal of policymaker shares display a closer correspondence to the proportional norm than to the majoritarian norm are relatively small (6.2 and 6.5 in Scotland and Wales respectively). Moreover, whilst the dispersal of policymaker shares within the Scottish Parliament and NAW corresponds more closely to proportional norm than the dispersal of policymaker shares at Westminster, the differences are again relatively small (5.0 and 4.8 respectively). Notwithstanding these caveats, though, the case remains that once opportunities for policy payoffs are taken into account, the institutional structures of the Scottish Parliament and NAW have functioned in closer accordance with the proportional norm; whereas the structures of Westminster have displayed a closer congruence with the majoritarian norm in terms of both office *and* policy payoffs.

Figure 3b here

Taken together, these results show the systems of regional governments in Scotland and Wales have departed from the norms of majoritarianism, albeit to more modest degree than the rhetoric of ‘new politics’ would imply. This relatively small shift not only underlines the extent to which the architecture of devolution has been constrained by a centrally-designed framework derived from Westminster practice, but also is suggestive of the way in which the culture of majoritarianism has continued to imbue governing practice, particularly with regards to pattern of government formation (an issue further discussed in the conclusion). Nonetheless, the introduction of a more proportional electoral system for the Scottish Parliament and NAW has had a clear effect in terms of closing the gap between votes cast and seats won; and despite limitations to the structures of opposition influence (notably the committee system), the increased vote basis of the legislature has ensured that a more substantial majority of voters are ‘present’ in the policy process. Indeed, by simulating the outcomes of the elections to the Scottish Parliament and NAW under Westminster’s electoral rules (and vice-versa), the seemingly modest changes wrought by two regional systems of government are made plain (see table 5, online).⁵ Under Westminster’s electoral rules, the average vote basis of the Scottish and Welsh legislatures would be diminished, whilst the share of the seats accorded to the plurality winning party would be further exaggerated; and the gap between the effective number of parliamentary and electoral parties would widen, loosening the relationship between votes cast and seats won. Conversely, if conducted under the electoral rules of either the Scottish Parliament or the NAW, voters in Westminster elections would enjoy a much closer connection with policymaking, as evidenced by the increased vote basis of the legislature and closer correspondence between votes cast and seats won.

Concluding comments and future research

Despite the normative claims of its proponents, there is no *a priori* reason to assume that decentralisation forges a closer connection between voters and legislators. In recognition, this article has examined the institutional inputs (i.e. electoral rules and legislative committee systems) that structure these connections, focusing on the national and regional systems of UK government. It has revealed a broadly similar pattern of electoral payoffs across the three polities, whereby the majoritarian allocation of the spoils of office has been partially offset by institutional opportunities for opposition parties to secure policy payoffs; and that the aggregation of institutional inputs in each polity has provided the conditions to connect a majority of voters with the policy process. In doing so, it has demonstrated that dichotomous contrasts between the elite, adversarial majoritarianism of

Westminster and the more inclusive, consensual exercise of power within the devolved parliaments are exaggerated. At the same time, it has isolated the effects of specific institutional structures on the dispersal of payoffs, which underlines the potential of a multi-dimensional reform agenda for improving proportionality (i.e. electoral reform) and enhancing the conditions for opposition influence (i.e. legislative committee reform). These findings are timely. The *Scotland Act 2016* and *Wales Act 2017* have transferred important powers relating to electoral rules, constituency boundaries and legislative structures. The devolved governments now have their disposal key constitutional levers, which if used effectively could deliver the elusive 'sweet spot' between representation and accountability (Carey and Hix, 2011). However, whether such a constitutional entrepreneur will emerge remains an open question. The SNP, for example has faced repeated charges of sidelining Holyrood, with politicians from all quarters accusing the Scottish government of 'treating the Parliament with contempt' (see Davidson, 2008). Moreover, evidence from Wales suggests that the capacity of non-government AMs to effectively fulfil their legislative responsibilities has been hampered by the comparatively small size of the plenary, with Welsh democracy being described as 'under-powered, over-stretched and under strain' (Electoral Reform Society Cymru, 2013: 32). As this suggests, whilst institutional reform can support a more consensual approach to policymaking, a genuine shift in political culture demands commitment and will, both of which appear to be in short supply.

This empirical examination has been facilitated by an analytical framework that enables the representative capacity of central and regional systems of government to be compared on an equivalent basis, and in this respect the article makes an important methodological contribution to the wider pool of comparative scholarship. Comparative studies of regional government are scarce, and no studies exist which systematically compare different levels of government within the same polity. This lacuna is significant as an 'era of regionalisation' has 'opened up a new field for comparative enquiry: the regional election' (Hooghe et al, 2010: 61-2). By refining the tools of cross-national institutional analysis, this article has developed an analytical framework that can be applied to different tiers of government simultaneously, thus allowing for a 'political analysis better attuned to the *multi-scale* quality of contemporary political life' (Jeffery and Wincott, 2010: 170, emphasis in original). The scope therefore exists for future scholarship to extend the research presented in this article by applying it to a wider range of cases, which would provide valuable comparative information and would facilitate intra- and inter-polity benchmarking. The refinements to Powell's original framework have also allowed for a political analysis better attuned to the multi-dimensionality of the

institutional dynamics of opposition politics (see Kaiser, 2008). 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: 256). This approach therefore has important practical benefits: whereas 'output indices can only be observed; input indices [can be] subject to purposeful institutional design' (Taagepera, 2003: p. 2). In the pervading climate of democratic dissatisfaction (Norris, 2011), the potential for institutional engineering to improve the representativeness and inclusivity of policymaking is therefore an attractive strategy, albeit one that requires 'supreme altruism' (Judge, 1993) on the part of those holding the levers of reform.

Yet, in terms of the extent to which regional government fosters a closer connection between voters and legislators, an important 'so what' question remains: 'does the type of... regional democracy make a difference for public policies?' (Vatter and Stadelmann-Steffen, 2013: 88). Whilst this article has focused on what could be termed the 'polity dimension' (i.e. the input legitimacy of a system of government), future research should also seek to illuminate the 'politics dimension' (i.e. the output legitimacy of policy decisions taken). This important research agenda is beginning to receive attention (for example Cairney et al., 2016), but further research is required to systematically explore whether policy outputs are more reflective of popular preferences at the national or regional level. To develop this agenda fully, future research will need to isolate the policy preferences of a given polity's electorate by focusing the alignment between parties and voters, and the extent to which regional systems of government encourage greater responsiveness in terms of the median voter and the diversity of party competition. In turn, future research should also seek to capture the extent to which voters' policy preferences are multi-level, and whether there is variance in voting behaviour in elections to central and regional government. This would dovetail with extant scholarship that has identified the co-existence of multiple systems of party competition across the UK (for example, Lynch, 2007; Quinn, 2012), and would yield important insights regarding the that regional government provides opportunities for voters to express a different policy preferences. However, whilst there are several data sources pertaining to national-level politics – such as Eurobarometer, the Comparative Study of Electoral Systems, and the Comparative Manifesto Project – there remains a dearth of comparable information for other tiers of government. Whilst nascent steps in this direction have been taken (see, for example, Bäck et al., 2013; Pogorelis et al., 2005), the emphasis has been upon the connection between parties' policy platforms and policy outputs, rather than the alignment between party platforms and the policy preferences of the electorate. In order to address this, the accrual of data relating to the policy preferences of voters in regional elections is vital. As Jeffery and

Wincott have made clear, a meaningful turn away from methodological nationalism demands the acquisition of 'appropriate, and new, data sources and analytical methods' (2010: 177). The transformative potential of this ambitious research agenda justifies the investment of scholarly time and resource.

¹ The 'index of regional authority' developed by Hooghe et al (2010) reveals that the capacity for self-rule in Scotland and Wales increased at one fell swoop from a mere 1/15 in each domain to 13/15 and 8/15 respectively.

² Table 3, available online, details in full the underlying calculations for the total conditions for effective representation.

³ The appointment of Labour's Rosemary Butler as the Assembly's Presiding Officer following the election effectively reduced Labour's seats from 30 to 29.

⁴ Table 4, available online, details in full dataset for the overall electoral responsiveness according to majoritarian and proportional norms, 1997-2017.

⁵ The simulation is achieved by calculating the ratio between the average percentage of votes and the average percentage of seats for the plurality winner, 2nd, 3rd, and 4th+ parties under one set of electoral rules, and applying this to the outcomes of the elections in another domain. It does not simulate the vote basis of government, as this is a matter of political negotiation rather than an automatic product of electoral rules.

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Figure 1: Scoring scheme for the index of effective representation

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

Figure 2: Total conditions for effective representation, 1999-2007

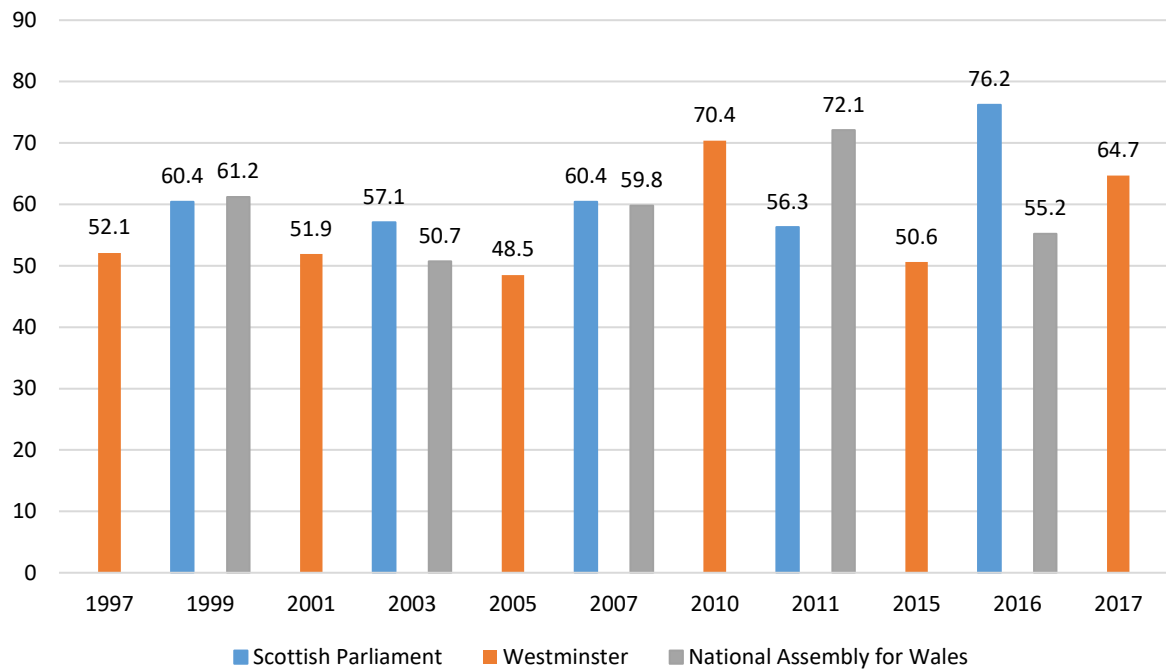
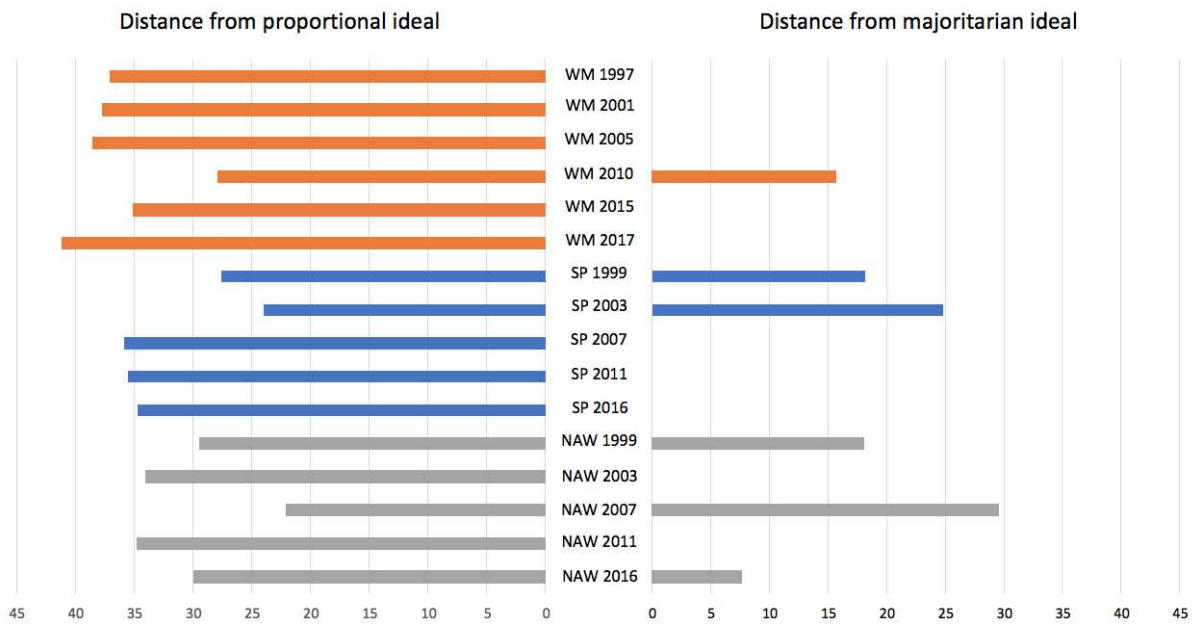


Figure 3a: Overall electoral performance in terms of government shares, 1999-2007



Note: where there is no bar, the value is 0 (zero).

Figure 3b: Overall electoral performance in terms of policy shares, 1999-2007

