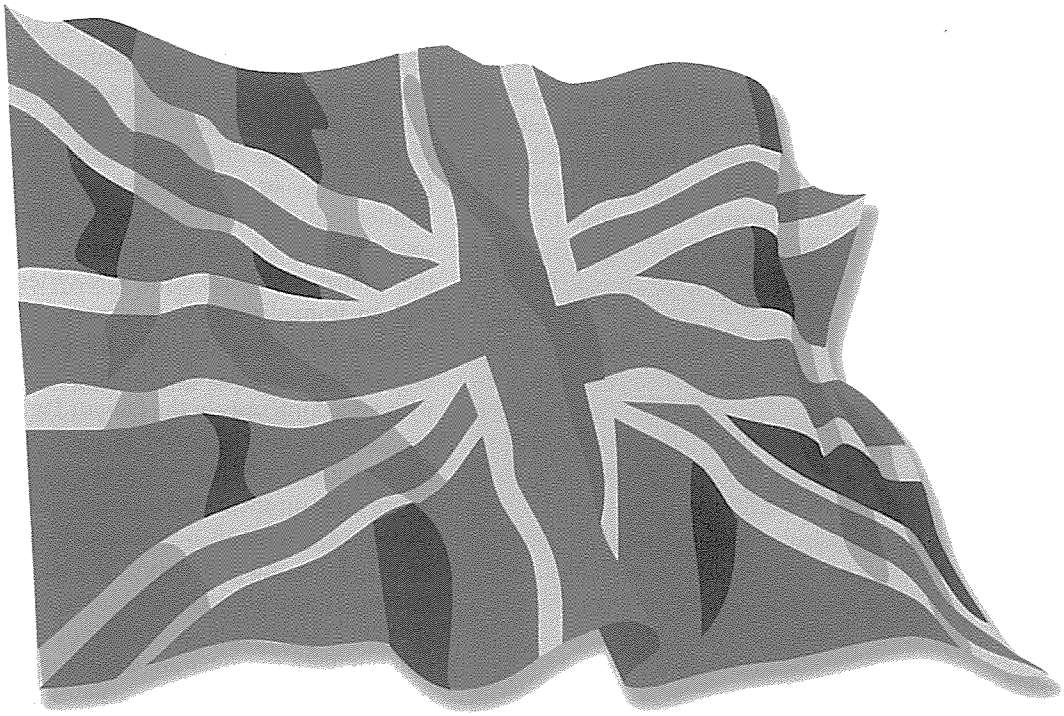

ELECTORAL REFORM in the UK

BY Alex Folkes

DEMOCRATIC RENEWAL IS A HOT ITEM ALL OVER EUROPE AT THE MOMENT AS THE ESTABLISHED DEMOCRACIES LOOK TO THE EAST AND SEE FAR MORE REPRESENTATIVE SYSTEMS BEING DEVELOPED AND OUTFLANKING THEM IN THE DEMOCRACY STAKES. IN MY TRIPS AROUND THE WORLD TO VIEW ELECTIONS, I FREQUENTLY SEE SYSTEMS AND IDEAS WHICH I THINK ARE FAR BETTER THAN THE UNITED KINGDOM WAY OF DOING THINGS. REGRETTABLY, THERE IS A CERTAIN ARROGANCE AMONG MY COUNTRYMEN THAT OUR WAY MUST BE THE RIGHT WAY AND OUR FORMER COLONIAL TERRITORIES CANNOT POSSIBLY HAVE OVERTAKEN US. BUT THE TRUTH IS THAT THEY OFTEN HAVE AND, WHILST CORRUPTION OFTEN MARS THE RESULT, THEY SHOULD BE TELLING US HOW TO RUN OUR ELECTIONS AND NOT VICE VERSA.

In an effort to catch up, countries including the UK, France and Germany have all sought to strengthen, broaden or refresh their democratic structures. This article concentrates on the developments in the UK where a whole raft of measures including changing to more proportional voting systems, making voting more convenient and taking the decision making out of the hands of politicians are being followed.

PROGRAMME FOR CONSTITUTIONAL CHANGE

Towards the end of the 18 years of Conservative Party rule from 1979 to 1997, the Labour Party decided that, to ensure they would at least share power after the next General Election, they would talk to the Liberal Democrats (Britain's third party) about a joint programme of constitutional reform, a key policy for the Lib Dems and of strong interest to many in Labour. The discussions were led by Robin Cook, who went on to become Foreign Secretary, and Robert Maclennan, who had been a Labour Minister before being one of the founding members of the SDP, a predecessor party of the Liberal Democrats. Their agreed programme called for devolution to Scotland and Wales, an independent commission to look at voting reform, proportional representation for European elections and a reformed House of Lords.

In both Scotland and Wales, devolution has led to further proposals for constitutional change. As part of the price for agreeing to a coalition, the Liberal Democrats demanded reviews of the way in which local government was elected and its powers.

In the end, Labour won an overall majority of 179 seats in Parliament and did not need the support of the Liberal Democrats for power, but still followed through with the beginning of a period of constitutional reform.

SCOTLAND AND WALES

Referendums were held in Scotland and Wales on devolution and both were passed, although Wales voted only very narrowly in favour. Elections to both were then held in 1999 by the AMS system. Not surprisingly, given that it is a proportional voting system, no party won an overall majority in either election. In Scotland the Labour Party, some way short of having a majority, but comfortably the largest party, immediately opened negotiations with the Liberal Democrats on a joint programme. This has led to a relatively stable coalition and the Liberal Democrats are able to point to a number of key policy successes which mean that Scotland has diverged from the UK. In Wales, Labour were within a seat of an overall majority and so chose to govern alone. However, they found that they were not accomplishing all that they might have wished and so, in October 2000, they too entered coalition with the Liberal Democrats.

In both Scotland and Wales, devolution has led to further proposals for constitutional change. As part of the price for agreeing to a coalition, the Liberal Democrats demanded reviews of the way in which local government was elected and its powers. The subsequent McIntosh Commission in Scotland backed a move to proportional representation in Scotland, a long-term key aim of the Liberal Democrats. But they stopped short of backing a particular system and so the Scottish Executive set up the Kerley Working Group which backed the single transferable vote (STV) system. Further progress on this issue is stalled at the present as the next elections are due and the parties do not want to give anything away until they know the outcome but, with no party likely to win an overall majority again, it seems probable that the Liberal Democrats will demand the full implementation of the Kerley report as their price for rejoining the coalition. First Minister Jack McConnell seems to have accepted this and, to the horror of many councillors within his own party, looks set to announce a deal.

In Wales, a similar path has been followed, but lessons have been learned from the Scottish experience. One key difference exists, however. Whilst the voting system used for local elections in Scotland is a power devolved to the Scottish Parliament, no similar provision exists for Wales and so a proposal for change must be agreed by both the Welsh Assembly and then by the UK Parliament in Westminster. The Sunderland Commission, established soon after the Liberal Democrats joined the cabinet, also backed the STV system and an immediate period of consultation was announced to allow the public and others to react. Predictably, those with vested interests in the Labour Party have been wholly opposed to plans for change and they have pinned their hopes both on the minority view issued by two of the nine Commission members and on the possibility of Labour gaining an overall majority in the 2003 elections. Such a possibility is not certain but, with the apparent drop in support for the main opposition party, Plaid Cymru, it is a very real prospect. So here too, we wait for the elections to decide.

VOTING AGE

One key area which neither Kerley nor Sunderland were given in their remit, but both chose to make reference to, is the matter of the voting age. Britain's voting age was lowered from 21 to 18 in 1969, but there are growing calls for a further drop to 16. A campaign coalition has, in fact, been formed to press for this very change and includes a number of large children's charities, as well as youth led pressure groups, political parties and others, including the Electoral Reform Society. Such moves have come as a reaction to the drop in turnout in elections, particularly among

Britain's voting age was lowered from 21 to 18 in 1969, but there are growing calls for a further drop to 16.

young people. Whilst the 59% turnout in the 2001 General Election was the lowest ever, just 39% of 18-24 year olds cast a ballot. The view of the Votes at 16 coalition is that younger people need to be reconnected to politics and the best way to do this is to show them that their views count and they are regarded as proper citizens by allowing them to have a vote. This view is aided by the introduction onto the national curriculum of citizenship education. From the ages of five to sixteen, young people will be taught all about the British political structure, how elections work and will discuss key issues. Allowing them to vote at the end of this process could be seen as a natural progression.

The Electoral Commission, another change brought about since the Labour Government came to power, has pledged to review the voting age and the age of candidature (currently 21) next year and the Government has promised to seriously consider any proposal for change which comes from the Commission.

It has not, however, been plain sailing for the administrations in Scotland and Wales. It is particularly the case in Scotland that there is some tension between those Members of the Scottish Parliament (MSPs) elected in constituencies and those elected from the top-up lists. Constituency MSPs are overwhelmingly Labour and are undertaking much of the type of work that other constituency representatives do – helping constituents with problems, attending large numbers of meetings and so on. They feel that their list MSP colleagues, largely from the Conservative and Scottish National parties, are free to spend all their time sniping and scoring political points without ever having to do any 'real' work.

Most recently, the system has thrown up a problem with regard to selecting candidates for next year's elections. List candidates are nominated by the parties in regions and all parties give their members votes on who comes where on their list. Because the lists are 'closed' the order cannot be affected by voters and so the person at the top of a major opposition party list is virtually guaranteed a seat as that party is unlikely to win many constituencies. The Conservative Party in Glasgow, with only around 800 members, have suddenly found that a prospective candidate has recruited over a hundred new members. If they all turn out to vote for him, it will be very difficult for him not to end up being elected.

EUROPEAN ELECTIONS

Labour also moved swiftly to implement their pledge on the European elections and introduced a Bill to vote by the closed regional list system in the 1999 poll. However, this ran into flak from both the Conservatives, who were initially determined to resist all forms of PR, and proponents of reform who disliked a system which gave all power to parties and denied choice to individual voters. The system divided England into nine regions, each electing between three and twelve Members of the European Parliaments (MEPs). In addition, Scotland and Wales were also electoral regions. Each party put forward a list of candidates and voters got to choose which list to support, but could not alter its order. In Northern Ireland, three MEPs continue to be elected by the STV system.

The proposal of a closed regional list system resulted in an unholy alliance of Liberal Democrats and Conservatives in the House of Lords, who together could defeat Labour. They continually rejected the will of the Labour-dominated House of Commons and tried to alter the proposal to one where voters could have some say over the order of names on the ballot paper. Eventually, the Liberal Democrats in the Lords had to give way as further delay would have meant the 1999 election would have been under the old First-Past-the-Post system and they would have been likely to win far fewer seats.

One of the concessions offered by Labour during the debate was to hold a full and open review of the system immediately after the election. This was taken at face value by the Liberal Democrats but did not make it into the final Act due to a technicality. Lib Dem MP Paul Tyler, who had led the case for a more open system, was shocked when he asked for news as to when the review would be held to be told that an internal review had already been held, found no problems and no change was therefore envisaged. This is no doubt a battle that will be revisited.



HOUSE OF LORDS

On the reform of the House of Lords, the Government has met real opposition from within its own ranks and outside. They chose to move by two

distinct stages, first getting rid of the hereditary peers and second deciding how the new house should be structured. Cynics felt that a mid-stage second chamber was actually what Tony Blair secretly wanted as all members would have been appointed by him either to represent the Labour Party or on the recommendation of the leaders of the opposition parties. Such a situation had been dubbed 'Tony's cronies' by opponents.

During discussions on the first stage, it became apparent that Conservative and Cross-Bench (independent) peers would delay legislation abolishing their right to sit unless the second stage of reform was detailed first. A compromise has meant that 92 of their number remain until the second stage is completed.

Since then, a commission of the great and the good, led by Lord Wakeham, known as a great 'fixer', but since embroiled in the Enron scandal, reported and set out three possible models for reform. They said that there could be anything from 65 to 195 directly elected members of the reformed chamber (although the total number of members was left somewhat vague). This has created a huge schism with most reformers arguing that all, or at least the vast majority, of the new chamber should be directly elected and others suggesting that yet another tier of elected officials are not necessary and the chamber should be wholly appointed. On this the Conservative Party appears to have outflanked the Government as they switched from their position of outright opposition to reform to backing a wholly elected chamber. As a compromise, the Government has set up a joint committee of both houses of Parliament to come up with alternatives which they will then consider. In the meantime, the 'Halfway House' remains in place.

ELECTING THE HOUSE OF COMMONS

The final outstanding issue from Labour's 1997 manifesto is that of the voting system for the House of Commons. They fulfilled the first part of their pledge by establishing the Independent Commission on the Voting System, under the chairmanship of Lord Jenkins of Hillhead, who, as plain Roy Jenkins, had been Labour Chancellor of the Exchequer and Home Secretary before being one of the 'Gang of Four' who left Labour and established the SDP in 1981.

With every other election in the UK either being conducted under PR or being considered for change, proponents argue that it is only a matter of time before Westminster elections appear isolated and anachronistic and are forced to change.

The Jenkins Commission recommended a new system called the Alternative Vote Plus (AV+), a mixed system in a similar mould to AMS, but allowing voters to additional chance to vote preferentially in constituencies and in open, rather than closed, top-up lists.

Despite the high hopes of reformers when the report was published in 1998, it really does appear to have been kicked into the long grass. The second part of Labour's manifesto pledge – to hold a referendum on the voting system – has not been fulfilled, although reformers did manage to raise the issue with sufficient vigour that, when the manifesto for the 2001 election was being written, Labour was forced to concede a review of the way that MPs are elected. It is anticipated that this review will be held after the 2003 elections to the Scottish Parliament and Welsh Assembly and may even be delayed until after the 2004 European elections.

Thus changing the way MPs are elected is likely to be delayed until at least the General Election after next and reformers are now becoming more keen on a domino theory of sorts. With every other election in the UK either being conducted under PR or being considered for change, proponents argue that it is only a matter of time before Westminster elections appear isolated and anachronistic and are forced to change.

CONCLUSION

At no time in the history of the United Kingdom, even at the time of the 1848 Reform Act or the extension of the suffrage to women in 1918, has the constitution been subject to such prolonged change. The profundity and long-term effect of these reforms can only begin to be guessed at, however. Certainly the spirit of devolution to Scotland and Wales, and perhaps to the regions of England in due course, is one which appears to have become embedded. But the crucial reforms which tie up the package – to the House of Lords and to the method of electing MPs – are still missing and appear to have slipped so far down the agenda as to be in danger of disappearing, for all that they occasionally merit a blast in the newspapers. To reformers, it feels like a pause for breath in the middle of a marathon. The fear, however, is that the organisers may choose to cut the race short.

Alex Folkes is the Press and Campaigns Officer for the Electoral Reform Society, United Kingdom