The impact of multi-party government on parliament-executive relations.
Examples from abroad.

Abstract:

Following the 2010 federal election that did not produce a clear majority, Julia Gillard decided to govern with a minority of seats. This was to be supported by confidence and supply agreements with the Green's only delegate in the House of Representatives and three independent MPs. Media comments and the public debate precluding and following this decision showed the electorate's uneasiness with this model of government which is more common in continental Europe. This was evident in particular by the fear of handing over power to four kingmakers who effectively represent only a very small number of citizens.

This paper deals with common concerns about multi-party and minority-governments, in particular that they are unstable, that there is no clear string of delegation, that they may facilitate a dictatorship of the smaller party, and that they limit the parliament's scope to take the executive to account. It addresses the effect multi-party government has on parliament-executive relations by looking at examples from the United Kingdom and Germany and takes account of the mechanisms used in these countries for setting up and maintaining multi-party government while analysing, how these impact on executive-parliament relations.

In Britain with its Westminster influence, parliamentarians in the devolved assemblies in Scotland and Wales have grown slowly accustomed to coalition and minority government. In contrast, Britain's current coalition government on a national level has reignited public concerns about the unsuitability of multi-party government for Westminster systems. Facilitated by a PR system, coalition governments are the norm for Germany, both on a federal and at state level. The establishment and maintenance of these coalitions is facilitated by a range of measures that secure the continuing support from the party, the party group, and the executive. These have provided stable and accountable governments over long periods of time.

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The impact of multi-party government on parliament-executive relations.
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Background and context

Following the 2010 federal election that did not produce a clear majority, Julia Gillard decided to govern with a minority of seats. Her minority government – the first one on a federal level for almost 70 years - was to be supported by confidence and supply agreements with the Green's only delegate in the House of Representatives and three independent MPs. Media comments and the public debate precluding and following this decision in some parts mirror the response to Britain's current coalition government. They show the electorate's uneasiness with this model of government. Despite the fact that all of Australia's states and territories have had a hung parliament in the last 25 years (Horne 2010), and anticipations that Australia's two-party hegemony is in slow decline (Bowe 2010), ruling without the majority of seats in many ways seems to be inadequate for Westminster-style parliaments.

The public discomfort in the UK and Australia with this model of government, which is much more common in continental Europe, was particularly palpable with regards to three issues:

- Very limited knowledge on how governments work, that require multi-party cooperation. This was evident by the various newspaper articles following the recent general elections in the UK and Australia with headlines such as "How the coalition government will work"[1], "Minority government: how it works"[2] or "Labor's minority government explained"[3].

- The fear that the smaller partner or partners exerts almost dictatorship like influence without being adequately informed or resourced. A notorious example of denouncing the four Australian kingmakers who effectively represent only a very small number of citizens is Niki Savva's opinion piece "Shackled with a few rogue fence jumpers"[4].

- Worries that there are no clear lines of responsibility and action: Despite a promising start in May 2010, Britain's coalition government between the Conservatives and the Liberal Democrats has reignited public concerns about the unsuitability of multi-party government for Westminster systems. According to an Institute for Government poll, more than two-thirds of people believe the government is "weaker, less decisive and 'confused' about what it stands for"[5].

In the following, this paper will address these three aspects by looking at how multi-party government has been managed by assemblies that have in the past more frequently dealt with multi-party coalitions or minority governments.

There is a plethora of literature on how coalitions are negotiated and formed (for example Laver & Schepsle 1996), with more recent research focusing on effective measures to control the cabinet personnel (Müller & Meyer 2010). The question how coalition-management affects the relationship between executive and the parliament, has only recently obtained more attention from parliamentary scholars, though Strøm, Müller & Smith (2010) concede that knowledge in this field remains patchy and typically limited to single-country studies .

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[1] The Guardian, 12 May 2010.

[2] The Australian, 22 August 2010.

[3] ABC News, 8 September 2010.

[4] The Australian, 7 September 2010.

[5] The Guardian, 12 May 2011.

Examples from abroad

In the following, the paper focuses on recently established German state and federal governments and on the devolved assemblies in Scotland and Wales that until May 2011 both have been governed through minority or coalition arrangements. Taking account of the formal and informal mechanisms used by these assemblies for setting up and maintaining multi-party government, the paper will discuss how these arrangements impact on the parliament-government relations.

In addition to taking account of readily available literature, documents and newspaper articles published on the parliaments in question, parts of the paper are based on interviews early 2009 with members of the National Assembly for Wales and the Scottish Parliament which were conducted as part of recent research on party group interaction in territorial assemblies.[6]

Experiences in the UK

The British devolved assemblies in Scotland and Wales were explicitly constructed as counter-drafts to the traditional Westminster model. Key principles on the establishment of the assemblies in 1999 were a mixed member proportional (MMP) system, a participative approach to legislation and policy making, all of which should lead to a different style of politics.

Facilitated by the change of electoral system, the growing impact of Liberal Democrats, the Greens, the Scottish National Party (SNP) and the Welsh national party Plaid Cymru has "confirmed the reality of multi-party politics away from Westminster" (Lynch 2007, 323). Over the course of the past 12 years, both Scotland and Wales have gained experience with multi-party and minority governments,[7] though in May 2011 both assemblies returned to single-party government. Recent research on the devolved assemblies (Steinack 2009, 2010) shows, that – after being socialized in a Westminster system - dealing with multi-party arrangements clearly required a change of mind of all stakeholders involved. The idea of entering a coalition per se initially had been quite alien to many politicians, as following quote illustrates:

> "It's been a hard road in understanding, understanding coalitions because all of the UK parties, in fact all of us come with a tradition in the first past the post elections, you come with the tradition of being, you know, the party gets a majority and it's been a very unusual circumstance when you have a coalition so for parties it's been a learning process" (AM6_Lib, 2).[8]

In contrast to the Liberal Democrats, who had governed with Labour until 2007, Plaid Cymru was an unlikely partner, out of ideological as well as strategic reasons (Osmond, 2007). Consequently, Plaid Cymru members were worried about entering the coalition with Labour as they feared a loss of political identity, as one spokesperson highlighted:

> "a number of people felt and thought well we can't do this for pragmatic reasons because Plaid Cymru, it will lose its status as the main opposition and therefore we will suffer immediately, now

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[6]   ESRC postdoctoral fellowship "The influence of party identities on opposition strategies in parliament. Policy making on a territorial level" (ESRC Grant Number PTA-026-27-1803). As part of her fellowship program the author conducted a total of 17 semi-structured interviews with MPs and clerks in the National Assembly for Wales (8) and the Scottish Parliament (9).

[7]   From 1999-2007 Scotland was governed by a Labour led coalition government with the Liberal Democrats. From 2007-2011 this was replaced by a minority government of the SNP. At the last assembly elections in May 2011 the SNP won the absolute majority of seats. Apart from short spells of Labour-minority government, Wales has been governed by a Labour led coalition government with the Liberal Democrats from 1999-2007. In 2007 this was replaced by a Labour led coalition with the nationalist Plaid Cymru before Labour managed to regain sole power in May 2011, relying on exactly 50% of seats.

[8]   This is echoed by the comment of a Labour college: "I think it took time for an understanding of coalition politics to engrain itself in the minds of the Welsh political parties because historically we weren't use to it. But, I think now, that you know people understand what coalition is all about and can work within a coalition, which is essential, given the electoral system that we have" (AM4_Lab, 3).

there, there is no reason for believing that that has happened in fact I would probably say the opposite. If anything I think we are doing better in term of getting our message across the media than we did before" (AM5_PC, 32).

However, in retrospective particularly MPs from the smaller parties – the Conservatives, the Liberals, and Plaid Cymru – highlighted the benefits multi-party government had brought them. These were in particular the promotion of a more subject-oriented debate with frequent consensus on policy issues amongst all parties, and the somewhat surprising fact that most of its coalition partner's political ideas could be accommodated without giving up any of its own integral standpoints. In Wales this had been achieved by negotiating a "One Wales" coalition agreement that identified core policy areas to be addressed over the next four years (One Wales, 2007) and that was ratified by special conferences of both parties prior to taking up government. Along with this came a "One Wales delivery plan" that provided more detailed information on how and by when policy milestones would be reached and that had been implemented by more than 90% by the end of April 2011. To limit the potential of conflict amongst the coalition partners in their collective decision making, the "One Wales" agreement (2007, pp. 39 ff.) set up various measures. Amongst others, these were:

- Collective responsibilities of the government as a whole for all decisions, announcements while at the same time guaranteeing confidentiality of all government-internal discussions.
- Autonomy of both coalition partners in nominating their personnel for previously agreed portfolios.
- Joint responsibility of the First Minister and the smaller coalition partner's Deputy First Minister for the presentation of policies.
- The establishment of a Cabinet Committee, comprising of First Minister, Deputy First Minister, Business Minister and the Business Manager of the other party to manage the day to day business of the coalition, to monitor the implementation of the delivery plan and to resolve any disagreements which may arise.
- The establishment of a joint Cabinet Committee on Finance to discuss strategic spending priorities and to control government spending.
- More detailed agreements on inter-party support from the backbenches that included frequent consultations of ministers with spokespersons of both parties.
- The acknowledgement that both parties need to maintain distinctive political identities and may express different views publicly.

Despite the fact that Labour and Plaid Cymru initially were seen as very unlikely partners to enter a coalition, their partnership endured over the full four year period.

In Scotland, the SNP minority government depended on cooperation with the two Green MPs. In the agreement set up between the partners, the Greens committed to electing SNP's leader, Alex Salmond, as Scottish First Minister. In return, the SNP nominated a Green MP to convene one of the parliament's subject committees. Both parties also agreed to work constructively together on policy areas where there was common ground.[9]

In addition, and in order to limit the potential damage of government defeats, the SNP leader publicly announced that while his government might be defeated from time to time, this would not necessarily considered a matter of confidence (Paun & Hazel 2010, 218). Using this tactic safeguarded a potential deadly blow to the government in early 2009 when it did not get its

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[9]   SNP and Greens Publish Cooperation Agreement. *SNP News*, 11.05.2007, http://www.snp.org/node/7169.

budget through: Potentially, this could have brought the government down.[10] However, none of the parties was keen on new elections, and with the joint effort of all parties the decision was swiftly rectified, as one of the parliament's clerks remembered:

> "The way our Parliamentary procedures are set out, decisions are always taken at 5 o'clock (...) so when this budget was going through, at ten to five it still wasn't clear if the Government had enough support and the Green Party members were still discussing between themselves, whether they were supporting or not, as late as five minutes to go, and when the vote came through it was tied and, with a tied vote, the presenting officer has a casting vote but he's obliged to cast on the status quo. So he cast his vote against the budget and the budget fell, so that was a big blow for the Government, but overall the Parties … it could have become a matter of confidence in the Government. The opposition Parties weren't opposed to the budget for the sole reason of bringing the Government down. They could have pursued that but they weren't. They were all trying to secure their own priorities and get more out of the Government and, in the minute the bill fell, they all were very quick to state that they wanted to work with the Government and get a budget through as soon as possible, so from what could have been an absolute disaster at 5 o'clock on the Wednesday, by the Thursday morning it was clear that they were all going to sort it out and we were able to put the budget through the next week, so it wasn't a case of attacking the Government just for the sake of attacking the Government, and they did all manage to get something out of the process which allowed them to vote for the budget and we all moved forward on that one" (MSP6_clerk, 4).

Interviews conducted with Scottish MPs show that minority government in Holyrood overall strengthened parliament's role towards the executive as the SNP government had to open up to the other parties in order to gain support for its policies. At the same time, it minority government has increased the other parties' responsibilities to be more realistic in their policy demands, as a conservative MP explains:

> [Minority government] obviously made life an awful lot more exciting for us because (…) we have an input which we formerly did not have. For the Labour Party's perspective, clearly this has resulted in devastation because they operated the basis of the divine right to rule Scotland and this doesn't happen anymore and they simply have not adapted – even some of them have realised that they have not adapted to the role of opposition. And particularly to the challenging role that opposition now provides in that you cannot just go into that chamber now and part out the party line and go on a frolic of your own (…) As a result, I think, this is making for now better governance of Scotland and I think it is making for a better democratic set up." (MSP2_Con, 2)

The experiences gained with multi-party government in Scotland and Wales reflect how a previously Westminster-oriented party system and electorate slowly becomes accustomed to multi-party government. However, the fact that both states returned to single party government after the last elections in May 2011 (with Labour in power in Wales, the SNP in power in Scotland) indicates, that societal adaption to the multi-party opportunities that the PR system can provide may be a long process.

Experiences in Germany

Facilitated by a PR system, multi-party governments are the norm for Germany, both on a federal and at *Länder* level, though there have been significant periods of minority government in some of Germany's 16 states. The establishment and maintenance of these coalitions is facilitated by various measures securing the continuing support from the party, the party group, and the executive. They have provided stable and accountable governments over long periods of time.

Lodge and Wegrich (2007, p.32), have described the way coalition government is managed in Germany as "marriage evaluation conducted by the wider public in the presence of potential new

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[10] "Alex Salmond threatens to call election after Scottish parliament rejects SNP's budget. SNP's minority government suffers serious setback after MSPs reject the 2009-10 budget bill", The Guardian. 28.01.2009, URL: http://www.guardian.co.uk/politics/2009/jan/28/scotland-snp retrieved on 26.09.2011.

mating partners". This situation of constant public scrutiny requires both a sound preparation for multi-party government from everyone involved and good maintenance agreements throughout the course of government. Incentives are each party's willingness to share power, and the fear that – if the government of the day does not perform well – the coalescing parties may lose votes in the next elections.

The most important tool developed by German parties to facilitate multi-party government is a detailed **coalition agreement** that sets the agenda across all departments over the period in office. With the thought in mind that conflict can be best prevented by putting as much as possible in writing, these agreements have become more and more detailed over the past 30 years. Recent coalition agreements in Germany reach from a little over 42.000 words for the federal level (CDU & CSU & FDP, 2009) to an epic length of almost 58.000 words for the Green lead coalition government (with the SPD as the junior partner) in Baden-Württemberg (Bündnis 90/Die Grünen & SPD, 2011). Apart from providing specific guidelines on the policies that the coalition wants to achieve over the course of its life, coalition agreements normally conclude with a brief overview of how portfolios are distributed and some general guidelines on coalition behaviour. As a minimum, these request that no coalition member votes with changing majorities and that none of the governing parties may introduce legislation without seeking the partner's prior consent to do so.

For each party involved, the agreements are approved by a special party conference to ensure the party base's backup for the plans. In addition, they require the consent of the party group within the assembly. With these steps, the parties formally acknowledge the need to compromise if they want to govern together. To be accepted by party base and parliamentary party, the compromise needs to be a balanced one that will not allow one party to dictate over the other.

While the policies the partners want to achieve, normally try to reconcile differing points of view are implemented as the coalition's policies, the management of ministries is down to the individual parties – i.e. it's in the party's responsibility to name their minister for a particular portfolio. The independence of ministers is also highlighted in the constitution as concept of "departmental principle" (Ressortprinzip). The minister's "power to propose, to negotiate and to formulate" (Manow 1996, 100) makes it very clear who is to blame if particular policies aren't implemented very well. This is all the more important as coalitions in Germany rarely resort to appointing "watchdog" junior ministers (Thies 2001). Instead, the minister's actions would be scrutinized through a corresponding subject specific committee chaired by either an opposition MP or an MP from the other coalition party (Kim & Loewenberg 2005).

In addition to the detailed coalition agreements, coalition governments in Germany have developed a dense system of informal structures that help keeping all parties involved (Schreckenberger 1994, Kranenpohl 1999). At the top normally stands a **coalition (steering) group** with the head of government, the informal vice-chancellor[11] the party leaders, the parliamentary groups' chairpersons and whips as main participants. Consisting of an equal number of representatives of each of the coalition partners involved (Rudzio 2008, 12), the group meets on a monthly, or even weekly basis. In those meetings it sets the agenda for forthcoming weeks and reaches consensus on contested issues. The day to day business of multi-party government is managed by the whips who remain in constant contact. At committee level, the network is complemented by **coalition working groups** that help the coalescing parliamentary parties to find common grounds at an early stage. Often the experts' pride to solve a complex issue without escalating it to the top level forces them to find an early compromise, as Kranenpohl reports from interviews conducted with FDP members:

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[11] It is custom that the leader amongst the junior coalition partner's ministers will act in lieu of the chancellor if she is not available.

> "Everyone who beliefs to be an expert in their area is normally so full of distrust with regards to the accidental results of the 'meetings of the elephants' – just by looking at how they work! So they try to keep them out. This is their joint interest. And it is also something that you can't use as a threat toward others because everyone knows that the other one does not want to escalate it to the coalition round" (Kranenpohl 1999, 290; own translation).

At the same time dealing with topics at this level ensures that only very few issues boil to the top and reach the potential to actually damage the coalition. As a result, past coalitions have managed to implement well above 70% of policies promised in their coalition agreement, thus allowing both partners to claim success.[12] In cases where disputes can't be resolved, issues may be postponed – if necessary into the next legislative period.

While smaller coalitions with a minimum of seats offer backbenchers of the governing parties more opportunities in making their voice heard, research on Germany's two grand coalitions on a federal level (1966-68, 2005-09) indicates that having an over-big majority does not necessarily reduce the influence of the parliamentary party. In the case of the more recent grand coalition, led by chancellor Merkel, various factions within the SPD forced the coalition to make substantial changes to its planned federalism reform. And though the influence of individuals (as opposed to factions) may be slightly smaller, this is compensated by the grand coalition's convenient majority which can more easily deal with abstentions from its own members than a tight-cut minimal coalition (Gast & Krahnenpohl 2008, 23).

A further important element of multi-party government in Germany is a public awareness and tolerance of conflict between coalescing parties. It is, for example, not uncommon, for ministers to publicly criticize colleagues if they believe their particular policies do not meet the coalition's expectations. One recent example is the critique German's foreign minister, Westerwelle, had to endure following his abstention in the UN Security Council's decision for a mandate against Lybia. Apart from triggering calls for his resignation both from the opposition and senior high-ranking FDP members, Westerwelle was severely criticised by his cabinet colleague, defence minister De Maizìere, who publicly declared that the government had taken at least three wrong decisions in dealing with Lybia.[13] The public's principal openness for critique and compromise goes along with the understanding that the chancellor's role is more to facilitate political decisions than to enforce her party's particular agenda. In the German constitution, this has been adequately labelled as *chancellor's 'guidelines competence*' – i.e. the chancellor makes sure that her ship sails in the right direction, but she does not micro-manage the minister's portfolios.[14]

Multi-party government's effect on the executive-parliament relations

Looking at Germany and the devolved assemblies in Scotland and Wales, multi-party government and the management of coalitions has various effects on the way parliament and the executive government interact:

For minority government

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[12] According to Miller & Müller (2010, 337 with further references) 73% of the policies discussed in the agreements for Germany's red-green coalition on a federal level (1998-2002) have been implemented. Henssler (2011, 105) confirms an implementation rate of 71,2 % for North-Rhine Westphalia's red-green coalition (2000-2005). This success rate slightly exceeds the 70% found by Rallings (1987) for parliaments in Canada and the UK between 1945 and 1979 and is not extensively far of the 88% Bara (2005) found for the majority led British House of Common in the period 1987-2005.

[13] "De Maizière räumt Fehler in deutscher Lybien-Politik ein", *Financial Times Deutschland*, 26.08.2011.

[14] In comparison to their Australian colleagues, German ministers seem to have much more autonomy and independence in presenting their ministry's policies, plans and achievements and they would normally do so without the chancellor's support. In contrast, in the Australian television it's regularly the prime minister doing the talking while the minister in charge of his portfolio only gets to play a supporting act.

➔ An opening in principle toward policy influence and input from MPs of other parties as the needed by the government to forge compromises and support its legislative agenda.

For coalition government

➔ The permanent interlocking of the executive and parliament as each party needs to find understanding and support in its own ranks for the compromises the joint policies with the partner may require. This is achieved by a fluid multi-level network of informal contacts amongst coalition partners.

➔ A strengthening of coalition working groups and the subject experts amongst the MPs who are essential in reaching consensus amongst coalition partners when preparing committee decisions on coalition policies. While the more complex decision making process does not always allow for quick and easy fixes and policy u-turns, it does provide parliament with ample opportunities to exert influence on how policy agreements are actually implemented.

For both (as a consequence of the above)

➔ A timely manner of communication between the executive and the coalition's MPs which is essential to secure their support.

➔ A cross-party insight into the need to compromise – but also the opportunity to learn from each other and to take ownership of policies that might initially stand somewhat in contrast to your own political ideals.

➔ A stronger part of committees as places for coalition MPs work on joint solutions. Both German and Scottish committees have the power to re-draft government bills; the Scottish committees may even initiate legislation, though they rarely use this privilege (Arter 2004, Carman & Shepard 2009). The extensive discussion of legislation in the committes gives both coalition and opposition MPs the opportunity to amend and alter ministerial policy drafts and to leave parliament's mark.

➔ A reduced role of the head of government who, by moderating competing interests, takes up the position of a "strolling arbitration panel" as Merkel's predecessor in managing a Grand Coalition, chancellor Kiesinger, once has famously been dubbed (Niclauß 1988, 90)

Conclusion

This paper has looked at how multi-party governments are managed by coalition and minority governments in Germany and the devolved assemblies in Scotland in Wales. While detailed coalition agreements provide a policy agenda over the whole period of government, a multi-level network of informal steering and working groups ensures the ongoing support of all members of the coalition's parliamentary parties for the implementation of the coalition agreement. The example of Germany shows that multi-party government have successfully managed societal problems over a long period of time. A precondition of this are well established measures of managing the different expectations of all partners involved – both within government and within parliament – and the general acknowledgement that democracy more often than not is about compromising. The Scottish example of minority government shows how this can be achieved on a much simpler, less complex level, by actively involving all parties when taking decisions on particular policies. At the same time the fact that both Scotland and Wales returned to single-party government after 12 years of multi-party experience highlights that multi-party government is not a panacea and that adjusting to this particular style of politics may take time.

Acknowledgements

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