

Table 6: Are the guidelines in place relating to the differing responsibilities between list and constituency AMs adequate? 2004

	Strongly agree	Agree	Neither agree nor disagree	Disagree disagree	Strongly
	N (%)	N (%)	N (%)	N (%)	N (%)
All members	4 (13.3)	6 (20.0)	4 (13.3)	4 (13.3)	12 (40.0)
Constituency	2 (10.5)	2 (10.5)	1 (5.3)	4 (21.1)	10 (52.6)
Regional	2 (18.2)	4 (36.4)	3 (27.3)	0 (0.0)	2 (18.2)
Labour	1 (6.7)	0 (0.0)	1 (6.7)	3 (20.0)	10 (66.7)
Plaid Cymru	1 (16.7)	2 (33.3)	2 (33.3)	1 (16.7)	0 (0.0)
Conservative	1 (20.0)	1 (20.0)	1 (20.0)	0 (0.0)	2 (40.0)
Lib Democrat	1 (25.0)	3 (75.0)	0 (0.0)	0 (0.0)	0 (0.0)
n=30, constituency 19, list 11					

Conclusion

Devolution created a new set of local representatives. While there have been differences in their approaches, both constituency and regional members have sought to take an active role in representing individual constituents. Such pluralism in local representation has potential gains for the public. There has been greater competition among representatives to serve them and greater choice about which representative to approach. This obviously varies from place to place but overall, there has been a change from MP monopoly provision to a 'free market', a term used by members interviewed, with a large net gain in the constituency representation available.

This is not though without its potential problems, which include duplication of effort. MSPs and AMs may frequently waste time chasing constituent cases that are already being dealt with by other representatives. It may also waste the time of public officials, who often feel obliged to respond to all inquiries from elected members.

Competition between constituency and regional members over representing local constituencies also inevitably has had a party dimension, structured by the preponderance of Labour representatives among constituency members and other parties among regional members in both Scotland and Wales. Guidance in Scotland and rulings in Wales that have sought to bed down the new system have frequently been found inadequate by Labour members in protecting their constituency 'turfs', but opinion has moved in different ways in Scotland and Wales.

In Scotland, there are some tentative signs that MSPs may be gradually learning to live with the political realities of the system; but in Wales if anything the strong feelings of the inadequacy of Assembly rulings have become more polarised over time as a backbench issue. In Wales, the Richard Commission specifically advocated the introduction of the Single Transferable Vote (STV) electoral system for the Welsh Assembly inter alia because it did not believe relations between constituency and regional members would ever improve. The Labour Party rejected STV but agreed at its conference in 2004 to promote a legislative change to prevent candidates standing both for constituency and regional list seats at the same election, in an attempt to deter regional members from targeting constituency seats.

For the future it remains the case that the precise roles of constituency and regional members are not statutorily defined. Thus far both constituency and regional MSPs and AMs have to a large extent continued Westminster traditions in local constituency representation. Local relationships have as a result been competitive and the evidence so far is that there is a great divergence of opinion in learning to live with pluralism in this regard. Most likely constituency and regional members will continue to rub along together in a state of mutual tension. The urgency of this may diminish, but for the foreseeable future it is unlikely to give way to the state of full acceptance and mutual respect that original reformers may have hoped for.

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For more information see the Programme website at www.devolution.ac.uk or contact the Programme Director, Professor Charlie Jeffery at ESRC Devolution Programme, School of Social and Political Studies, Adam Ferguson Building, George Square, University of Edinburgh. Tel 0131 650 8489, Fax 0131 650 6546, Email charlie.jeffery@ed.ac.uk



Findings from the Economic and Research Council's Research Programme on Devolution and Constitutional Change

Devolution Briefings

Learning to Live with Pluralism? Constituency and Regional Members and Local Representation in Scotland and Wales

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Key Points

- Since 1999 all constituency members in the devolved legislatures in Scotland and Wales have adopted the conventional roles of local representation developed by Westminster MPs, as have a majority of regional members.
- This has resulted in a change in local constituency representation from MP monopoly provision to a 'free market', with a large net gain in the constituency representation available. This is not though without its potential problems.
- There is much evidence of a competitive nature of relationships between constituency and regional members over local representation, although this varies according to party and type of member
- In Scotland a majority of Constituency MSPs, predominantly Labour, judge the guidance on the local roles of members to be inadequate. Nevertheless, there appears to have been a shift towards an acceptance of the guidance by most regional members and some constituency members.
- In Wales, a majority of constituency AMs, predominantly Labour, judge the presiding officer's rulings on the local roles of members to be inadequate. While regional members support these rulings, the urgency with which Labour backbench criticism has been expressed has increased since the 2003 election.
- In both Scotland and Wales there is a great divergence of opinion among MSPs and AMs in learning to live with pluralism at the local level. The urgency of tensions may diminish, but for the foreseeable future it is unlikely to give way to the state of full acceptance and mutual respect that original reformers may have hoped for.

Introduction

The Scottish Parliament and Welsh Assembly have both employed additional member electoral systems. In Scotland, 73 constituency members (MSPs) are elected on a simple plurality basis for single member constituencies, and 56 regional list members are elected from 8 regions using the D'hondt formula allocation. In Wales, 40 constituency Assembly members (AMs) are elected from single member constituencies, and 20 regional list members are elected from 5 regions also via the D'hondt method.

Given that the Labour Party were expected to win a majority of constituencies in both Scotland and Wales the addition of regional members was designed in both cases to guarantee a broader representation of the parties. Under the simple plurality system used for Westminster elections, MPs had developed a strong tradition of local constituency representation. An obvious question that arose, therefore, was whether the local constituency role would also prove important within the devolved institutions, and what sorts of relationships constituency and regional MSPs/AMs would develop with each other: Would the roles of the two types of members be perceived as complementary or competitive at the local level? If they were competitive what would be the implications?

Our research has involved postal surveys of all MSPs and AMs in 2002 and 2004 followed on each occasion by a number of interviews with representatives.¹ A key finding is that since 1999 all constituency members have adopted the conventional local roles developed by Westminster MPs, as have a majority of regional members.

There are differences in the extent and the types of local representation conducted by constituency and regional members, but both are engaged in traditional constituency 'casework'. In 2004 over 95% of constituency AMs and MSPs said that helping solve constituents' problems was a 'very important' part of their role, as did three quarters of Scottish list members and all list members in Wales. A strong British tradition has built up of members engaging in such work both at Parliamentary and local government levels and both constituency and list members in the new institutions are also following this approach. In both countries our 2004 survey found little difference in the time spent on casework by the two types of member. Additionally most AMs and MSPs have been prepared to pursue any constituency problem, whether it relates to a devolved, local government or Westminster matter – thus potentially cutting across the representative role of MPs.

A second key set of findings relates to relationships between constituency and regional members. In Scotland, in 1999, expectations that party competition between Labour constituency members and Scottish National Party regional members would become intertwined with conflicts over local representation led to official intervention from the start by the parliamentary authorities.

The Presiding Officer established a principle of equality of status between constituency and regional members but nevertheless drew up guidance that prescribed behaviour. In essence, inside the Parliament all members are equal but outside differences are recognised in the workload and allowances of constituency and regional MSPs. Members were to properly identify themselves as constituency or regional members, and regional members, aside from the first one for each party in a region, were to receive reduced allowances. In addition regional members were required to prove that they offered local representation in more than two constituencies.

In Wales, there were similar expectations of tense relations between constituency members, who were again predominantly Labour, and regional members, overwhelmingly (and exclusively, after 2003) drawn from the other parties. But here the Presiding Officer simply asserted a ruling that all members were equal.

In practice, as one might expect, we have found that constituency and regional members from the same parties have enjoyed co-operative relationships in local representation. Equally though, there has been evidence of strained relations between constituency and regional members when they have been from different parties.

Different views on the nature of regional member representation have emerged. Many regional members would contend that they have a duty to be available to constituents, and the large areas they represent mean that they may travel many thousands of miles a year to provide this service. In contrast, constituency members see the local representative role as primarily theirs and many allege that regional members 'cherry pick' cases, focus on local media work, and in certain cases target their activities on a constituency which they intend to contest at the next election. Our research confirms the competitive nature of local relationships over providing representation. There have, nevertheless, been some changes in views between the first and second terms of the devolved institutions.

Table 1 shows the views of constituency MSPs/AMs about competition from regional members over local representation. This suggests that in Scotland these tensions may have softened somewhat between 2002 and 2004. In contrast perceptions that relations were very competitive may have hardened in Wales.

There were differences of view between the parties on this matter. All SNP and Plaid Cymru members indicated that relations with regional members from other parties were fairly co-operative. Conservative constituency members in Scotland in 2004 sometimes viewed relations as co-operative, sometimes competitive and Liberal Democrat members varied similarly (though in each case the numbers concerned are small). All of these parties are strongly represented on the regional lists, and thus should perhaps be expected to be relatively tolerant of regional members.

In contrast Labour dominated constituency representation in both Scotland and Wales, and had very few regional members. It may therefore come as no surprise that perceptions of competitive relations by Labour constituency members were high especially where they faced electoral competition from an existing regional member. In Scotland two thirds of Labour constituency members who responded to our surveys in both 2002 and 2004 reported competitive relations with regional members from other parties.

In Wales this figure grew from two thirds to three quarters of survey respondents, suggesting a similar view among Labour AMs (though, again, caution is required given the small numbers surveyed). It would be no comfort to such constituency members to learn that regional members' perceptions of competitive relations was actually rather lower (see table 2).

¹ The response rates by year, country and type of member were as follows (with percentage of members in brackets):-

	2002	2004		2002	2004
Scotland			Wales		
All MSPs	47 (36.4)	60 (46.5)	All AMs	35 (58.3)	30 (50.0)
Constituency	17 (23.3)	29 (39.7)	Constituency	24 (60.0)	19 (47.5)
Regional	30 (53.6)	31 (55.4)	Regional	11 (55.0)	11 (55.0)

Table 1: How co-operative/competitive do constituency MSPs/AMs feel their relationship is with regional list MSPs/AMs from other parties?

	2002 N (%)	2004 N (%)
Scotland		
Very co-operative	0 (0.0)	0 (0.0)
Fairly co-operative	2 (12.5)	3 (11.5)
Sometimes co-operative/ sometimes competitive	4 (25.0)	8 (30.8)
Fairly competitive	4 (25.0)	10 (38.5)
Very competitive	6 (37.5)	5 (19.2)
Wales		
Very co-operative	1 (4.5)	0 (0.0)
Fairly co-operative	2 (9.1)	4 (23.5)
Sometimes co-operative/ sometimes competitive	8 (36.3)	3 (17.6)
Fairly competitive	4 (18.2)	2 (11.8)
Very competitive	7 (31.8)	8 (47.1)
2002: Scotland, n=16, Wales, n=22' 2004: Scotland, n= 26, Wales, n=17		

Table 2 How co-operative/competitive do regional list MSPs/AMs feel their relationship is with constituency MSPs/AMs from other parties in 2004?

	Very co-operative N (%)	Fairly co-operative N (%)	Sometimes co-operative Sometimes competitive N (%)	Fairly competitive N (%)	Very competitive N (%)
Scotland	0 (0.0)	8 (27.6)	12 (41.4)	6 (20.7)	3 (13.3)
Wales	0 (0.0)	0 (0.0)	5 (50.0)	3 (30.0)	2 (20.0)
Scotland n= 29, Wales n= 10					

Opinion over the guidance seeking to inform relationships at the local level has also seen some change over time. Table 3 shows that in Scotland in 2002 many regional members were opposed to the guidance and interviews indicated that they simply resented what some deemed as unenforceable regulations. On the other hand, constituency MSPs, mainly Labour and Liberal Democrats, did not believe the guidance to be strong enough. Table 4 shows, that in 2004 a clear majority of Constituency MSP respondents, predominantly Labour members, still judged the guidance inadequate. However, very few regional members now viewed it negatively, and a larger minority of constituency MSPs, including some Labour members, had become reconciled to it. Thus whilst there did remain significant differences of opinion, there also appeared to have been some shift towards an acceptance of existing arrangements between 2002 and 2004.

Table 3: Are the guidelines in place relating to the differing responsibilities between list and constituency MSPs adequate? (2002)

	Strongly agree N (%)	Agree N (%)	Neither agree nor disagree N (%)	Disagree N (%)	Strongly disagree N (%)
All members	1 (2.2)	13 (28.3)	8 (17.4)	13 (28.3)	11 (23.9)
Constituency	0 (0.0)	2 (11.8)	2 (11.8)	7 (41.2)	6 (35.2)
Regional	1 (3.4)	11 (37.9)	6 (20.7)	6 (20.7)	5 (17.2)
Conservative	0 (0.0)	5 (55.5)	1 (11.1)	0.0	3 (33.3)
Labour	0 (0.0)	2 (14.3)	2 (14.3)	7 (50.0)	3 (21.4)
Lib Democrats	0 (0.0)	1 (25.0)	0 (0.0)	1 (25.0)	2 (50.0)
SNP	1 (5.9)	4 (23.5)	5 (29.4)	4 (23.5)	3 (17.6)
Others	0 (0.0)	2 (50.0)	0 (0.0)	2 (50.0)	0 (0.0)
n=46, constituency 17, list 29					

Table 4: Are the guidelines in place relating to the differing responsibilities between list and constituency MSPs adequate? (2004)

	Strongly agree N (%)	Agree N (%)	Neither agree nor disagree N (%)	Disagree N (%)	Strongly disagree N (%)
All members	5 (8.5)	22 (37.3)	10 (16.9)	13 (22.0)	9 (15.3)
Constituency	2 (6.9)	7 (24.1)	0 (0.0)	12 (41.4)	8 (27.6)
Regional	3 (10.0)	15 (50.0)	10 (33.3)	1 (3.3)	1 (3.3)
Conservative	1 (9.1)	6 (54.6)	2 (18.2)	1 (9.1)	1 (9.1)
Labour	1 (5.0)	4 (20.0)	1 (5.0)	9 (45.0)	5 (25.0)
Lib Democrats	2 (33.3)	1 (18.7)	0 (0.0)	1 (18.7)	2 (33.3)
SNP	0 (0.0)	5 (45.5)	4 (36.4)	1 (9.1)	1 (9.1)
Others	1 (9.1)	6 (54.6)	3 (27.3)	1 (9.1)	0 (0.0)
n=59, constituency 29, list 30					

Opinion in Wales, where there has been no guidance other than the simple ruling that all members are equal, has also seen some change between the first and second terms. Here again, as tables 5 and 6 show, between 2002 and 2004 regional members appear to have moved away from any criticism of the simple equality principle (though the numbers concerned are small).

On the other hand constituency members were, and remain, unhappy: disagreement with the Presiding Officer's position was strong among Labour members who responded to our survey in 2002 and remained so in 2004. Moreover, interview evidence suggested that the urgency with which Labour backbench criticism has been expressed actually increased after 2003. This appears to be partly a reflection of the fact that Labour had no regional list members at all after the 2003 election, and thus AMs felt freer to criticise them as 'second class' members. This was a far cry from the position in 1999 when their only list member was in fact their leader, Alun Michael.

Equally, the 2003 election threw up what became known as the 'Clwyd West question': was it democratic that three defeated candidates in the constituency were all returned as regional list members? This particularly aggravated Labour, who held the seat. Labour AMs have subsequently called for Scottish style guidance to be introduced in Cardiff Bay, although evidence of how Labour constituency MSPs have viewed the operation of such guidance in practice may give them cause for further reflection.

Table 5: Are the guidelines in place relating to the differing responsibilities between list and constituency AMs adequate? 2002

	Strongly agree N (%)	Agree N (%)	Neither agree nor disagree N (%)	Disagree N (%)	Strongly disagree N (%)
All members	1 (2.9)	6 (17.1)	8 (22.9)	9 (25.9)	11 (31.4)
Constituency	0 (0.0)	3 (12.5)	7 (29.2)	5 (20.8)	9 (37.5)
Regional	1 (9.1)	3 (27.3)	1 (9.1)	4 (36.4)	2 (18.2)
Labour	0 (0.0)	1 (6.3)	2 (12.5)	6 (37.5)	7 (43.8)
Plaid Cymru	0 (0.0)	3 (27.3)	5 (45.5)	1 (9.1)	2 (18.2)
Conservative	1 (25.0)	0 (0.0)	1 (25.0)	1 (25.0)	1 (25.0)
Lib Democrat	0 (0.0)	2 (50.0)	0 (0.0)	1 (25.0)	1 (25.0)
n=35, constituency 24, list 11					