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# Explaining Majoritarian Modification: The Politics of Electoral Reform in the United Kingdom and British Columbia

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## Abstract

Drawing on recent research in the United Kingdom and the Canadian province of British Columbia, this article focuses on the politics of electoral reform: the strategic maneuvering by political elites to prevent and facilitate change. Through a comparative analysis of two highly majoritarian polities in which dominant executives have, since 1997, adopted contrasting reform trajectories, the article suggests that previous analyses of this topic have underemphasized the role of political agency and ideational change. In order to demonstrate this argument, the article develops and refines a process-based approach by embedding it within a framework that recognizes the interplay between context, agency, and structure. Not only does this approach deepen our understanding of executive veto points, majoritarian modification, and aversive constitutionalism, but it also sensitizes scholars to the role and power of political cultures and dominant ideologies.

## Keywords

Electoral reform, Majoritarianism, Britain, Canada, Models of democracy, Executive politics, Veto points, Deliberative democracy

The electoral method within a polity both forms the keystone of the system and generally ascribes a pattern or model of democracy. It therefore forms a component of “mega-constitutional” politics that dictates and reflects the identity and fundamental principles of a polity. This article suggests that previous analyses of the politics of electoral reform (i.e. the strategic maneuvering by political elites to prevent and facilitate change) have underemphasized the role of political agency and ideational change. In order to demonstrate this argument, the article develops and refines a process-based approach by embedding it within a framework that recognizes the interplay between context,

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agency, and structure. In order to better understand and untangle some of these factors, this article compares and contrasts the approach taken by the Labour government in the United Kingdom (UK) since 1 May 1997 and that adopted by the Liberal government in the Canadian province of British Columbia (BC) since 2001. Not only does this approach deepen our understanding of executive veto points, majoritarian modification, and aversive constitutionalism, but it also sensitizes scholars to the role and power of political cultures and dominant ideologies.

The role of cultures, traditions, and ideologies formed a central strand within Lijphart's (1984; 1999; 2008) seminal work on models of democracy in which he demonstrated that majoritarian systems generally employ single-member district plurality systems, while consensus systems typically operate through a proportional system. Democracies modeled on the Westminster system have historically employed "first past the post" (FPTP) single-member plurality systems that commonly provide the party winning the largest minority of votes with a large majority of seats in the legislature. However, in recent decades the rationale on which this system was based – "strong" government, clear lines of accountability, and simplicity in relation to public understanding – has been the topic of sustained challenge in many countries. Concerns regarding a lack of proportionality, the dominance of the executive, the unaccountability of single-party government, an increase in third and minor parties, and evidence of growing public disillusionment with politicians and political institutions have encouraged some majoritarian countries to institute or at least consider electoral reform (Blais, 2008; Blau, 2004: 431–53).

This stimulates a consideration of exactly when, how, and why reforms away from majoritarianism are considered and implemented in some polities but not others. And in this regard a comparative perspective is critical for a number of reasons. First, a burgeoning literature on "disaffected democracies" (Pharr and Putnam, 2000) emphasizes falling electoral turnouts and increasing levels of public distrust in political institutions and politicians. This has led to a search for new forms or models of citizen engagement that often contain an explicit *deliberative element* in order to rebuild public confidence and involvement with the political sphere (for a review see Rosenberg, 2008). The creation of a Citizens' Assembly on Electoral Reform in BC (with the power to take its final recommendation directly to the public in a *binding* referendum) therefore provides a rich source of case-study material through which scholarly debates on deliberative democracy can be grounded and further developed. Second, the history of constitutional reform in majoritarian systems is littered with examples of broken promises whereby newly elected governments either eviscerate or ignore pre-election commitments to introduce reforms that would move the polity toward a more consensual model (Flinders, 2002). In this context, the decision by a newly elected executive in BC (controlling over 90 percent of seats in the legislature) to delegate decision-making capacity in the sphere of electoral reform to a Citizens' Assembly appears highly atypical (even radical). Whereas in the UK the Labour government's constant marginalization and avoidance of the topic of electoral reform for the national legislature would appear to fit perfectly the expected pattern. Therefore (and third), comparing and contrasting developments in BC and the UK may aid the understanding of the factors or drivers that can explain elite support, opposition, and capacity in relation to reform.

This article is divided into five sections. The first section focuses on the epistemological and methodological approach of this article. This involves a brief discussion regarding the nature of knowledge and its legitimation vis-à-vis political phenomena and how this connects with the process-based model that is adopted in this article as a framework for teasing apart and illuminating potential executive veto points in the sphere of electoral reform. The second and third sections offer a largely descriptive account of recent developments in the UK and BC, which feeds into a comparative analysis (employing the theories, concepts, and drivers identified in the first section) in the fourth section. The

final section locates the topic of electoral reform within a number of broader debates concerning majoritarian modification, executive strategies, and the location of power in modern democracies.

## Epistemological and Methodological Framework

The constitutional configuration of a polity conditions and shapes the nature and location of political power within that system. Institutional reform is likely therefore to be “redistributive” in that some changes “may alter who wins and loses” (Tsebelis, 1990: 104) and this is particularly valid in relation to electoral systems. Electoral reform is defined for the purposes of this article as the introduction of a legislative electoral system that operates toward an opposite principle from the pre-existing system (and FPTP and PR are seen to be based on opposing principles of representation). At the broadest level, the extant literature on electoral reform allows three relatively uncontroversial arguments to be presented (see Table 1).

Political elites will pursue a strategy based on a rational judgment regarding the electoral system that would best suit them at a particular time, and it is for this reason that several scholars have identified a historical trend whereby opposition parties support reform (frequently involving proportional electoral models), only to renege on such commitments once in office (and vice versa) (Grofman and Lijphart, 1986). It is explaining the reasons and factors behind both the *facilitation* and *blocking* of electoral reform with which this article is principally concerned. In order to provide a comparative framework of analysis, this article draws upon and develops the process-based approach of Shugart (2008) as this provides a mechanism through which it is not only possible to tease apart and untangle many of the *inherent* and *contingent* factors (see Eckstein, 1980) but also to identify how the existence, nature, and utility of “elite blockages” or “veto points” alter throughout the process. In this framework the electoral reform process is divided into four distinct stages (see Table 2).

Before examining each stage in detail, it is critical to understand the manner in which the process-based approach is being employed in *this* specific article. The ontological and epistemological basis of this work is rooted within a “critical realist” perspective that acknowledges the existence of an independent reality but also acknowledges the manner in which interpretation and perception shape certain “facts” (Bhaskar, 1989). As Archer (1995: 17) notes, “there is no direct access to the ‘hard facts’ of social life.” The benefit of this approach is that it sensitizes scholars to the interplay and dialectical relationship between *strategic action* by agents, on the one hand, and the *strategically selective context* on the other. This ontological and epistemological

**Table 1.** The Politics of Electoral Reform: Three Core Propositions

Argument	Core content
1.	In simple plurality (FPTP) systems executives will be highly reluctant to alter rule systems that provide them with the capacity to govern; and the greater that capacity the more unlikely any government will be to fetter their dominant position in all but the most exceptional circumstances.
2.	Support for electoral reform may increase when an incumbent government expects to lose the next election (as a means of fettering or diluting the power of its successor) or when the executive is weak.
3.	Losers under the extant system are likely to propose changes (but may not implement them in office).

**Table 2.** Electoral Reform: Four Stages

Stage	Content
1. Pressure	Public demand for electoral reform, due to examples of systemic failure, which leads the political elite to place the issue on the agenda.
2. Recognition	The party in office recognizes and calculates the potential advantages and disadvantages of electoral reform, leading to either executive support or executive blockages.
3. Initiation and consultation	Creation of an arm's-length committee, or similar body, to review the existing system and make recommendations for change.
4. Decision-making	The end point of the reform process with the final decision being made about electoral reform; this might take the form of a public referendum, a legislative vote, a mixture of ratification methods, or simple executive fiat.

position and that of its critics have been played out at the subdisciplinary level in relation to the analysis of institutional reform (Marsh and Savigny, 2004) and more broadly as a defining component of the debate between advocates of political *science* (arguably foundationalists) and those anti-foundationalists who doubt the existence of general laws that hold good across time and space and instead seek to emphasize contextual and contingent factors (Goodin and Tilly, 2006). It is not necessary to engage with these debates here apart from to state that in this article a process-based framework is being used not as the basis of a deductive approach involving formal modeling with the intention of falsifying specific hypotheses, but as what Gamble (1990: 405) defines as an “organizing perspective,” that is “a framework for analysis, a map of how things relate, or a set of research questions.” It follows therefore that an organizing perspective is always partial; it is not falsifiable and it never gives a comprehensive or even definitive account. However, the value of an organizing perspective is that it provides a framework to explore complex issues; it identifies areas that are important and worthy of study. It also provides a basis for future refinement – a point that leads us into a brief review of each stage.

### Stage 1: Pressure

Elite attitudes to majoritarian modification are likely to be shaped to some extent by the wider social context. Institutional reforms may be demanded in response to incidents that have been widely interpreted as examples of “systemic failure” (Shugart and Wattenberg, 2001) or as part of a broad societal “culture shift” (Inglehart, 1990) that emphasizes a greater role for the individual vis-à-vis democratic institutions. However, the notion of “systemic failure” depends largely on a normative judgment concerning both the role of any given electoral system and a view on the degree or level of public support necessary for “legitimate” executive government. As the classic studies by Rae (1971) and Lijphart and Grofman (1984) emphasize, the disproportionality of FPTP is not accidental but is based on a normative desire to deliver an executive with a majority of legislative seats. Democratic criteria – such as proportionality or fairness – are therefore traded down in favor of what Dunleavy and Margetts (1995) refer to as “governability” criteria – stability, clear majorities, and dominance. The creation of a single-party majority government on a minority of the votes would not therefore, on its own, constitute “failure” in a plurality system. However, the creation of a “super-lopsided majority” (where the vote – seat reward of the opposition parties was

eviscerated to the point at which legislative scrutiny is effectively undermined) or a “spurious majority” or “reverse winner” (a situation in which the second-largest recipient of votes is awarded a legislative majority) could be interpreted as systemic failure (Siaroff, 2003). Public disquiet over incidents such as these may engender an environment in which the political elite either choose or feel obliged to place electoral reform on the agenda – the *recognition* stage.

### Stage 2: Recognition

The recognition stage emphasizes the fact that those who benefit from the current system are unlikely to support change. This is particularly true for recently elected executives who may feel justified, having fought against the vagaries of the system, in employing a highly centralized power-base both *against* the opposition and in order to *deliver* their manifesto commitments. Stage 1 (societal pressure) does not necessarily flow into Stage 2 (recognition) unless rational reasons exist for a political party to place electoral reform on the agenda. But under what specific conditions would an executive in a plurality system initiate a reform process?

The distinction between *outcome-contingent* and *act-contingent* factors helps answer this question (Shugart and Wattenberg, 2001). The former factors encourage incumbents to support reform if they prefer the anticipated outcome of the new electoral mechanism to that predicted under the status quo (France in 1981 and 1986, Italy in 2006), while the latter (*act-contingent* factors) emphasize style over substance and the potential benefits of being seen as pro-reform irrespective of whether any deeper attachment exists. Although it is possible to explain why an incumbent executive in a plurality system, who may have served several terms in office, with apparently diminishing levels of public support might embark on a strategy based upon the insertion of new limits or restraints on executive capacity as a form of political insurance policy (Finkel, 2004, 2005), it is less easy to understand why a newly elected and constitutionally dominant executive might choose to risk fettering its future by supporting reform. It is at this stage of the process that the dominant role of ideas and political cultures becomes apparent. There is a trademark tendency within Westminster-style democracies for new governments to lose their reformist zeal and develop a “negative executive mentality” (Judge, 1993) once in office. However, it is possible for a political party to prioritize what it interprets as the interests of democracy *in toto* above their own specific party’s interests. A series of trigger events (i.e. examples of systemic failure), high levels of societal pressure, a degree of policy momentum (possibly originally initiated purely for *act-contingent* reasons) may make it politically difficult (if not impossible) for the new government to completely renege or sideline the issue. Critically, also, a shift in the governing mentality among the political elite that the existing model of democracy is no longer suitable/adequate may create a “window of opportunity” in which electoral reform is considered.

### Stage 3: Initiation and Consultation

The third stage of the electoral reform process focuses on the explicit initiation of a formal process whereby an independent body is established to examine the electoral process and make recommendations. However, the nature of and procedure for consultation are deeply intertwined with both the existence and the extent of sustained public pressure (Stage 1) and the incumbent executive’s rational calculation of the (dis)advantages of electoral reform (Stage 2). The fact that Stage 3 is not constitutionally necessary, because the party in government could simply use their legislative majority to enact reform, makes it something of a double-edged sword. Public consultation can

therefore be viewed as either the introduction of an executive veto point or, conversely, a process designed to foster democratic legitimacy and reduce the likelihood of future reversal.

Shugart (2008) emphasizes that the creation of an “independent” consultation process also fulfills an important symbolic role in that not only does it raise the public profile of the issue but it also signifies that a certain threshold of seriousness has been crossed when a government allows a body outside of its *direct* control to study the electoral system and make a formal recommendation on a new system. However, a critical aspect of this stage is that the consultation process does not usually enjoy plenipotentiary powers, and it reports back to the executive that established it. Therefore not only does the executive commonly control the remit, resources, appointments, and timescale within which the consultation process must operate, but it also controls the manner in which the final report is released and the timetable for future action (or non-action). In essence the “independence” of the consultation process veils the fact that it forms part of a broader process that is usually tightly controlled by the executive. Finally, although there is no automatic guarantee that the process will evolve from any one stage to the next, it is possible (and to some extent expected) that the *initiation and consultation* stage will flow into the fourth and final *decision-making stage*.

#### Stage 4: Decision-Making

The end point of the reform process focuses on the manner and form in which a final decision is taken about whether to introduce electoral reform. This might take the form of a public referendum and/or a legislative vote (or a mixture of ratification methods) depending on the rules or conventions for constitutional amendment in any given polity. However, beneath the apparent simplicity of this final stage lurk a number of critical underpinning issues or factors that may play a major role in shaping the end result. Put another way, when it comes to identifying executive blockages or strategic maneuvering, the devil is very much in the details. These include the nature and existence of a public information campaign, regulation and monitoring by an independent electoral commission, and the imposition of popular and/or geographic thresholds.

Each of the stages outlined above not only provides the incumbent executive with a *potential veto point* but also carries significant *transaction costs* for the government (such as managing and creating party and legislative coalitions, raising an issue which may be utilized by the opposition, consuming large amounts of legislative time) that may act as further disincentives to pursuing the reform process. Highlighting the existence of (potential) veto points and transaction costs feeds directly into a discussion of the political contexts and institutional configurations in which electoral reform is considered. This, in turn, forces us to reflect upon not only our case studies but also the comparative case-study methodology more widely as the final part of this epistemological and methodological section.

As Table 3 illustrates, the two case studies have been selected because they combine a number of consistent variables (majoritarian polities, political disaffection, and a formal review of the electoral system) with a number of inconsistent variables (level of government, population size, approach to reform, recent “systemic failures”) that provide different insights into the factors which shape the politics of electoral reform. In this sense the methodology employed in this article dovetails with Yin’s (2003) work on case-study design because it emphasizes *the value of difference* (within controlled bounds) as a way of revealing insights and enhancing our understanding of the relationships between context, agency, and structure in a way that would not be possible when comparing very similar cases. Put slightly differently, an alternative set of case studies might have compared developments in BC with those in Wales and Scotland (i.e. consistent subnational cases).



**Table 3.** Comparative Dimensions of Analysis

Dimension	British Columbia	United Kingdom
Model of democracy	Majoritarian	Majoritarian
Written constitution	Yes	No
Constitutional configuration	Federal	Unitary
Level of government	Provincial	National
Population size	Small (4.4 million)	Large (60.78 million)
Recent examples of systemic failure	Yes	No
Evidence of political disaffection	Yes	Yes
Elite consensus	(Rhetorically) Yes. The Citizens' Assembly was established "with cross-party support." Research discovers tension within the Liberal Party.	No. The Labour Party was (and remains) internally divided over electoral reform for Westminster. The Conservative Party is against reform, and the Liberal Democrats support reform.
Public support	Yes	No.
Approach to reform	Bottom-up emphasis on public engagement and deliberation.	Top-down, elite-dominated process with little public consultation or engagement.

However, such a design would have foundered against the fact that the National Assembly for Wales and the Scottish Parliament were established in 1998 using a proportional electoral system, the Additional Member System. The distinctive feature in terms of the UK dimension arguably lies not at the subnational level, where many scholars have written on the topic (see, for example, Dunleavy 2005), but at the national level in exploring how the government can legitimate the imposition of PR on devolved democratic arenas while sustaining an argument that it is inappropriate at the national level. Consistent national cases could have been selected by comparing the UK with cases where reforms have been enacted (e.g. New Zealand) or where the incumbent executive displays little interest in electoral reform (e.g. Canada), but not only does a significant amount of research on these cases already exist but to adopt this like-for-like approach would remove the possibility of comparing executive strategic maneuvering (for or against reform) across levels of government. Clearly a comparative case-study approach utilizing a process-based framework is no panacea for the challenges of constitutional political analysis. However, this caveat does not detract from the added value such an approach can bring, particularly within a methodologically pluralistic and epistemologically layered approach to knowledge, a position that resonates with that of Sakamoto (1999). With this in mind, the next section examines developments in the UK.

## Electoral Reform in the United Kingdom

The UK has always been regarded as a highly majoritarian polity where the combination of a plurality electoral system and an unwritten constitution provides almost unconstrained power to the party winning the largest minority of votes. As a result, electoral reform, as a way of reducing the power of the executive over the legislature, was a perennial issue in British politics for much of



the 20th century (Finer, 1975). However, for most of this period an implied deal existed between the two main parties to preserve the plurality-rule system. Eighteen years of Conservative government (1979–1997) led to a reappraisal of the Labour Party's position and, from the late 1980s, internal debate on the topic of electoral reform increased. At the same time, Labour Party affiliated trade unions also began to move away from their traditional opposition to electoral reform, thereby at least opening up room for a policy debate. Critical elements of this debate included the 1993 Working Party on Elections (the Plant Report) and the Joint-Consultative Committee on Constitutional Reform between the Labour Party and Liberal Democrats (the Cook–McLennan Agreement), which both in their own ways increased the policy momentum behind electoral reform. As such, the Labour Party's 1997 general election manifesto included a commitment to "hold a referendum on the voting system for the House of Commons."

On May 1 1997 the Labour Party won 43.2 percent of the votes cast and as a result were awarded 63.6 percent of the seats in the House of Commons (418 seats, a majority of 178) and in December established an Independent Commission on the Voting System (the Jenkins Commission) to explore the options for electoral reform in relation to the House of Commons. Its final report of October 1998 recommended a hybrid system combining single-member constituencies, with a limited top-up of 15–20 percent of MPs (Cm. 4090, 1998). However, internal conflict over the issue within the Cabinet and the wider party, stimulated to some extent by the failure of the Labour Party to win overall majorities in the first round of elections in Scotland or Wales, meant that the issue was marginalized and the report's recommendations were not taken forward. This stagnation at the national level stood in stark contrast to developments at the subnational level, where a rich tapestry of proportional electoral systems were being established as part of the government's wider program of constitutional reform (see Table 4).

The Labour Party's 2001 general election manifesto reflected the continued sidelining of the issue with a weak promise to review the UK's experience with new PR systems in Scotland and Wales before proposing any changes to the electoral system for Westminster. The expected time for the review was after the second round of elections in Scotland and Wales in 2003, but no such review was forthcoming. By the 2005 general election the party's manifesto repeated the pledge to undertake a review of the existing PR systems, with the vague claim that a referendum "remains the right way to agree any change for Westminster." The Labour Party's approach to electoral reform since 1997 has been characterized by circumvention, delay, and avoidance, a classic example of argument 1 above (see Table 1), and developments during its third term have done little to counter this argument. An official review of the electoral systems in Scotland and Wales was published in 2008 but contained no recommendations for reform (Cm. 7304), while within the legislature the government refused to support a number of private member's bills that attempted to facilitate debate on the topic.

It was against this background that Gordon Brown made the issue of public trust and democratic renewal the topic of not only his May 2007 leadership campaign but also his first public statement as Prime Minister and his government's first policy document in the form of *The Governance of Britain* Green Paper (Cm. 7170). This was followed by the *Constitutional Renewal* White Paper and draft legislation in April 2008 (Cm. 7342). However, the Green Paper did little to counter the general view that the Labour government remains ambivalent on the topic of electoral reform for Westminster (the document dedicates just three sentences of a document 63 pages long to the topic) and the subsequent White Paper and draft legislation did not comment on the issue. Although the MPs' expenses scandal of June 2009 (see Kelso, 2009) rekindled public and political interest in constitutional reform and democratic renewal, the government's response reflected Brown's

**Table 4.** Electoral Systems in the United Kingdom 2009

Jurisdiction	Electoral system
National (Westminster)	single-member plurality system
Scottish Parliament	Additional member system
Scottish local government	Single transferable vote
National Assembly for Wales	Additional member system
Northern Ireland Assembly	Single transferable vote
Greater London Assembly	Additional member system
London mayoral elections	Supplementary vote
European elections	Regional list system (STV in Northern Ireland)

skepticism regarding electoral reform by announcing the creation of an independent regulatory system for the behavior of MPs but only pledging to “take forward a debate” about electoral reform. In reality, the Labour government had by the summer of 2009 missed the opportunity to take forward electoral reform. With less than 10 months to go before a general election must be held, there was no time for the necessary cross-party dialogue, public referendum, or legislation. Opinion polls suggest that the Conservative Party is likely to win the 2010 general election and its manifesto is explicitly against changing the electoral system.

The UK therefore provides a curious mixture of majoritarian modification (at the subnational level) and majoritarian stability (at the national level). Indeed, the “Blair paradox” has stimulated debate concerning whether the British political system has shifted from a majoritarian to a more consensual system (Dunleavy and Margetts, 2001; Flinders and Curry, 2008). In unraveling this puzzle, it is useful to compare and contrast the UK with a political system where similar institutional and cultural variables exist but where a dominant executive has followed a markedly different approach.

## Electoral Reform in British Columbia

As Carty et al. (2008) emphasize, Canadian politics has traditionally been wedded to majoritarian electoral politics but, unlike in the UK, electoral reform has rarely appeared on the country’s political agenda. However, since 2003 half of the 10 provinces have been engaged in serious reform initiatives. The context for this reform agenda mirrors the British case: falling levels of electoral turnout, high levels of public cynicism about politics, vocal criticism of the political system’s incapacity to include minority groups (especially First Nations peoples, Greens, and others), which were fueled by the disproportional relationship between votes cast and seats received produced by the FPTP electoral method. In BC two successive instances of systemic electoral malfunction weakened public confidence in FPTP: the creation of a “spurious majority” in 1996, when the New Democrats won a majority of legislative seats on 39 percent of the votes cast despite the fact that the Liberal Party had received 42 percent, and the Liberal Party’s subsequent “super-lopsided majority” in 2001, when it won all but two of the provincial legislature’s 79 seats.

The Liberal leader, Gordon Campbell, had first advocated creating a Citizens’ Assembly on Electoral Reform (CAoER) during a speech in April 1999. Not only did this policy reflect his party’s frustration at having won a plurality of the votes but lost the election in 1996, but it also

complemented a wider sense of social dissatisfaction with the political process and a search for new forms of deliberative or reflective social engagement. The Liberal Party's election manifesto in the run-up to the 2001 election had included a commitment to give the people "the right to demonstrate how they want to elect their MLAs [Members of the Legislative Assembly]." This formed part of the Liberal Party's wider democratic modernization program, which also included the introduction of establishing fixed election dates, televising Cabinet meetings, and new accounting rules to make the business of government more transparent.

The creation of a citizens' assembly with the power to take its recommendation to the people, without executive approval, through the vehicle of a provincial-wide referendum was a unique experiment without direct precedent – "We are here to invent a new way to engage citizens in the practice of democracy" (Blaney, 2004). After 18 months of planning and design, the CAoER was established with cross-party support by Order-in-Council on May 16 2003 with a remit to assess models for electing MLAs and then issue a report recommending whether the current model for elections should be retained or another model adopted. The assembly was charged with delivering its final report by December 15 2004 in order for any final recommendation to be put to the public through a referendum that was planned to coincide with the next provincial general election on May 17 2005.

After progressing through a four-stage process (selection, learning, public engagement, and deliberation) the CAoER's final report recommended that BC adopt a new voting system involving a modified form of single transferable vote system (BC-STV), entailing a shift from single to multi-member constituencies.<sup>1</sup> The most important effect of this change would be the loss of easily achieved majority governments. BC-STV can produce majority governments but only if the majority of electors vote for the same party; the history of the province suggests that governments under this system are likely to be minority or coalition governments. The reform was designed to shift the balance of power from established political parties to voters, provide greater public choice, facilitate the development of smaller parties, empower the legislature vis-à-vis the executive, increase the diversity of candidates, reduce the number of wasted votes and safe seats, and, at the broadest level, move from a highly adversarial majoritarian system to a more balanced consensual model. The Assembly's recommendation led to a referendum on the question (held in conjunction with the provincial general election). After some debate, a double-threshold for acceptance had been instituted by the government: 60 percent of the vote in favor of change and majority approval in 60 percent of the electoral districts. Therefore, although 57.7 percent voted in favor of change and the question received majority support in 77 of the 79 districts, this narrowly failed to fulfill the first threshold criterion.

Having briefly reviewed the case studies, we can now analyze them through the lens of the process-based framework that was discussed in the first section.

## **Comparison and Analysis**

The UK and BC provide two case studies of highly majoritarian political systems that had been troubled by high levels of public apathy and voter disengagement and where executives were voted into office (in 1997 and 2001 respectively) with a commitment to hold a referendum on electoral reform. In office, however, although these executives adopted markedly different reform trajectories, both processes resulted in reform not being taken forward. The Labour Party in the UK sought to sideline the issue and block policy development when possible, whereas the Liberal Party in BC initiated an innovative experiment with deliberative democracy in the form of a citizens' assembly,

whose final recommendation did not achieve the demanding double-threshold requirements in the subsequent referendum. The aim of this section is to consider what these cases tell us about the politics of electoral reform, the existence and intricacies of veto points, and the relationships between context, agency, and structure. It is argued that a process-based framework (as discussed above) provides a useful heuristic tool for explaining majoritarian modification and stagnation, and the results of this framework are set out in Table 5 and discussed in more detail in the remainder of this section.

Stage 1 (pressure) probably provides the most significant difference between the UK and BC and this, as a consequence, explains why the British executive arguably enjoyed greater blocking capacity than its Canadian counterpart. Put another way, electoral reform was not a dominant issue on the political agenda, thereby allowing it to be downplayed without risking a significant public backlash. This stemmed to some extent from the fact that 20th century British politics had not experienced any dramatic “systemic failures,” the electoral system was not interpreted as a “repeat offender,” and nor did it offend against baseline expectations. BC, by contrast, had experienced a number of “trigger events,” notably a spurious majority (1996) and super-lopsided majority (2001) that had created broad social support for change (Howe and Northrup, 2000).

In light of the relative lack of social pressure in the UK, the Labour Party’s explicit recognition (Stage 2) of the issue may appear illogical or at the very least in need of some explanation, and it is at this point that the distinction between *outcome-contingent* and *act-contingent* factors becomes critical. The Labour Party’s interest in electoral reform was never wholehearted and was, at best, reluctant. The initial (early 1990s) moves toward a debate on the topic were driven by *outcome-contingent* calculations based on a dominant incumbent party and over a decade in opposition. However, even during this period senior party figures (notably Neil Kinnock and then John Smith) remained ambivalent about reform. Increasing public dissatisfaction with the Conservative government during the mid-1990s convinced many in the Labour Party that they could win an outright majority through the extant system and as a result created “the desire of Labour elites to make ‘one more heave’, and thereby attain unconstrained governmental power” (Dunleavy and Margetts, 1995: 19). At this point the Labour Party became *act-contingent* rather than *outcome-contingent*; it supported reform in principle, if not in practice, but wanted to enjoy the perceived electoral benefits of being attached to the policy during the election campaign. A benign (or, some might say, naive) interpretation of developments in BC might adopt the view that the Liberal Party remained adamantly *outcome-contingent*, which reflected the fact that its political calculations were based not on party interests but on a desire to renounce centralized power in favor of a more consensual or dispersed model of democracy.

Although we will return to question the Liberal Party’s rhetorical political altruism, it is possible at this stage to suggest that the *act-contingent/outcome-contingent* distinction provides a basis through which to explain and understand the subsequent paths adopted by each executive. The consultation and initiation (Stage 3) process in BC involved a severing of the link between the executive and the review process, as well as instituting a direct relationship between this deliberative mechanism and the public. In essence, the Liberal government ceded all control mechanisms and established a deliberative arena with decision-making capacity via a guaranteed public referendum (this could be interpreted as a *bottom-up* model). This approach stands in stark contrast to the centralized, executive-dominated, low-risk, and *top-down* model employed in the UK. In many ways, the Jenkins Commission encapsulated the essentially elitist British political tradition – it was an executive-appointed committee of the “great and the good” that operated within a narrow frame of reference which did not emphasize public engagement or deliberation.

**Table 5.** Factors in Reform Initiation in UK, BC, and New Zealand (NZ)

Phase/Factor	UK	BC	NZ
1. Pressure	No	Yes	Yes
2. Recognition	Yes	Yes	Yes
3. Initiation and consultation	Yes	Yes	Yes
4. Decision-making	No	Yes	Yes
F1. Agent	No	Yes	Yes
F2. Ideational change	No	No	Yes
<b>Did reform occur?</b>	<b>No</b>	<b>No</b>	<b>Yes</b>

The commission reported back to the executive rather than to the public, and no commitments were ever made regarding how or when its recommendations would be considered.

The Jenkins Commission, in effect, provided a form of executive pressure-valve that allowed the Labour government to claim that electoral reform was being taken seriously. When the passage of time made this position less tenable, the need to review the operation of the proportional electoral systems in Scotland and Wales was employed as a further mechanism through which the issue could be marginalized, albeit with a thin veneer of sensible policy-making. As a result, developments in the UK have not (yet) involved a transition from Stage 3 to Stage 4 (decision-making) unless one interprets the situation as a *de facto* one in which the final decision has been taken by the executive through a negative or passive process of tight agenda control and non-decision-making. In BC, by contrast, Stage 3 actually established and formalized a very positive and active form of decision-making process (Stage 4). However, it is at this point that suggesting the Liberal Party was following an *outcome-contingent* strategy becomes highly questionable, because the executive effectively inserted a *de facto* veto mechanism into the reform process in the form of a double-threshold.

This is a critical point. The original 2002 Gibson Report on the constitution of the BC Citizens' Assembly did not include any reference to or requirement for a threshold. In fact it emphasized that there was not even any constitutional requirement to hold a referendum (Gibson, 2002: 28). Indeed, the use of a double-threshold was at odds with BC's constitutional tradition because provincial constitutional documents had never been submitted to the electorate at a referendum and the Constitution Act (British Columbia) includes no special requirements for legislative changes. The Liberal Party did not justify the need for a 60 percent/60 percent popular and geographic threshold and, unlike most other elements of the process, this hurdle was not determined by the people. The Attorney General for BC, Wally Oppal, has consistently refused to provide a direct explanation for the super-majority requirement apart from stating that "the STV process, if it is adopted, would mean a very significant change in the way we select our representatives. For that reason, we should have a significant requirement – more than a bare majority" (*Hansard Blues*, March 31 2008, cols. 1435–1610). An alternative explanation that exposes the crude realities of intra-party bargaining and the enduring legacy of majoritarian impulses suggests that the imposition of the threshold was actually introduced to placate the Liberal caucus, many of whose members were not reform advocates. It is in this vein that Sharman (2007: 14) notes:

He [Gordon Campbell] could only gain the support of his parliamentary party if the acceptance of a citizens' assembly were hedged about with procedural limits which had a good chance of guaranteeing rejection.



Therefore, despite the utility of the process-based framework (Table 2), it is possible to suggest that, in line with the core argument of this article, adopting this approach on its own risks focusing on structures (both institutional and process-based), thereby underplaying the role of agents and contexts. Such methodological/analytical awareness is particularly important in relation to the two case studies examined above. What is striking about the politics of electoral reform in the UK and BC during 1997–2009 is exactly the role of political agency (i.e. key individuals who were either committed or opposed to reform) combined with the dominant political ideology that formed the context or political backcloth against which the reform process took place. Developments in other countries (e.g. New Zealand, Italy, Australia, Japan) suggest that electoral reform is unlikely without *both* a strategically located constitutional-entrepreneur at the forefront of the political system acting as a driving force *and* a broader ideational shift on the part of the political elite that the current constitutional configuration is failing (driven to some extent by public pressure).

Neither of the case studies in this article exhibited *both* of these variables, a fact that arguably explains the failure of both reform trajectories despite their clear differences (see Table 5). However, reflecting on the above case studies in relation to both political agency and the dominant ideational framework or context does provide a deeper understanding or explanation of the manner in which the electoral reform process operated in both polities.

In BC a strong reform advocate existed in the form of the Liberal premier Gordon Campbell, who was personally committed to change. As many observers have noted, it was his leadership and drive that kept the issue on the political agenda, even in the face of Cabinet unrest on the issue: “Without his [Campbell’s] direct efforts there would have been no Assembly” (Carty et al., 2008: 3). Indeed, in order to preempt any future resistance on the topic should his party win office, Campbell attended the pre-election Party Candidate School to underscore the fact that he was resolute in his commitment to establishing a citizens’ assembly. However, it is important not to overstate the role or capacity of Campbell, as well as not to treat the executive as a homogeneous entity. As mentioned above, although the leader of the Liberal Party was an advocate of electoral reform, many within his party were less committed to supporting a measure that would likely dilute their governing capacity. In opposition these members of the party were willing to adopt an *act-contingent* position, but once in power the imposition of a demanding threshold based on a double-super-majority was the trade-off Campbell was forced to make within the Liberal Party in order to establish the Citizens’ Assembly. In the UK, by contrast, no significant reform advocate existed. The guarded rhetoric of both John Smith and Tony Blair as party leaders, and of Gordon Brown after 2007 veiled a concern about the consequences of a proportional electoral system (see King, 2007). Furthermore, although it is an oversimplification to view executives (or legislative caucuses or political parties) as an undifferentiated and homogeneous bloc in terms of their attitudes to majoritarian modification, it is possible to argue that successive “New” Labour governments since 1997 have contained very few explicit proponents of electoral reform (Flinders, 2009).

Emphasizing the existence or absence of “executive drivers” in the form of key political agents is directly related to the second variable highlighted above as critical to understanding reform processes, ideational change. Put simply, the values of political actors within a polity will be conditioned, to a greater or lesser extent, by the dominant political culture. In both the UK and Canada this culture, as Lijphart (1999) stresses, is conditioned by the precepts of the Westminster model, which in themselves promote certain values/principles over the more participatory demands of reformers. A key (if not *the*) critical dimension shared by both case studies revolves around the fact that neither the Labour Party nor the Liberal Party displayed a shift in their “negative executive mentality” toward change and remained wedded to a dominant political culture shaped by the history and values of majoritarianism.

In BC the occurrence of “systemic failures” in the electoral system stimulated broad disillusionment with the existing centralized and highly partisan model of politics, and undermined the dominance of certain values which were inculcated in the Westminster model and delivered through the simple-plurality electoral system. In this climate Campbell, who was an *outcome-contingent* actor, was able to put electoral reform on the agenda and utilize his position as leader of the party to prevent a complete volte-face over the issue in government. He could not, however, deliver the support of the Liberal caucus and argument 1 (see Table 1 above) appears verified, in this case through the imposition of a high threshold. The Liberal Party were not willing to recognize and depart from the highly restrictive prerequisites of its dominant political tradition by facilitating a reform that would fetter executive power and reflect a change in the normative values attached to distinct models or aspects of democracy. In the UK the constitutional reform program of “New” Labour was driven to some extent by “aversive constitutionalism” (i.e. a long period of Conservative government convinced many that centralized executive power needed taming). The governments of Tony Blair adopted a curious approach because they were willing to implement a far-reaching program of constitutional reform but only *within* an increasingly eviscerated version of the Westminster model (Flinders, 2004). Even the transition from Blair to Brown in June 2007 and the public outcry over the MPs’ expenses scandal in May 2009 did not act as trigger mechanisms through which a serious ideational shift in the executive mentality, from what Marquand (2008) has termed the “Whig Imperialist” outlook to a more consensual outlook, could be achieved. However, the recent experiences of both the UK and BC exhibit a degree of momentum or spill-over which in themselves raise broader questions about majoritarian modification, executive blockages, and political calculations vis-à-vis democratic renewal.

## Conclusion

This article has set out the results of recent research on the politics of electoral reform in BC and the UK and placed this within the context and framework of majoritarian modification and stability. The central argument of the article is that the critical factor in explaining the failure of the reform processes in both polities was the absence of a constitutional entrepreneur (F1) and a lack of ideational or cultural change (F2) within the governing parties. As a result, both case studies revealed quite different tactics and strategies for inserting executive veto points. The logic of comparative analysis encourages us to further confirm this thesis by identifying a polity where ideational and cultural change did occur and therefore reform *was* implemented (final column Table 5). New Zealand, characterized as an “executive paradise” until the mid-1990s (Zines, 1991: 47), provides such a case. The 1986 Royal Commission on the Electoral System report, *Towards a Better Democracy*, drew upon widespread social dissatisfaction with the operation of extreme majoritarianism and led to the introduction of a mixed-member proportional (MMP) electoral system in 1993, the outcome of which was to make it much less likely that any one political party would achieve a majority in Parliament. The overall effect has been to dilute executive power and make the executive less dominant; Palmer’s *Unbridled Power?* (1979) was retitled *Bridled Power* for its fourth edition (2004) to reflect the changed dynamics and the establishment of stronger anti-majoritarian institutions.

Electoral reform occurred in New Zealand due to the existence of each of the factors in Table 5, although the frontiers between them are hazy and porous. The roots of the demise of FPTP can be traced back to the late 1970s and particularly the tenure of Robert Muldoon as Prime Minister. Public pressure for reform grew due to Muldoon’s domineering style and the outcomes of the 1978 and 1981 elections, in which he polled fewer votes than the main opposition but still achieved



enough seats to retain power. Within six months of the Labour government winning office in 1984, the Deputy Prime Minister and Justice Minister Geoffrey Palmer had established a Royal Commission on the Electoral System. Although the Royal Commission recommended that a referendum be held on its recommendation of moving to an MMP system, the subsequent Labour government (1987–1990) reneged on its commitment to hold a public vote. The election of the National Party to government in 1990 witnessed another executive marginalization strategy in the form of the substitution of a binding referendum with a non-binding “preferendum” in order to gauge the public’s view on reform. The result was overwhelming – 85 percent voted for change – and eventually led to a binding referendum on November 6 1993, in which the public voted by 53.9 percent to 46.1 percent to change to MMP.

What is particularly noteworthy about the New Zealand case in the context of this article’s argument is the existence and role of a constitutional entrepreneur (F1) in the form of Geoffrey Palmer (see Erdos, 2007) and the shift in the ideational position of the main political parties (F2) simply due to the fact that they recognized the extent of public pressure in favor of change. This reveals the dialectical and iterative relationship between F1 and F2. In a sense the behavior and decisions of Palmer during the 1980s created a form of path dependency that it was very difficult for the subsequent National Party governments of the 1990s to depart from. The creation of a Royal Commission had in many ways acted as a political lightning rod through which public disaffection and pressure for systemic change was channeled to the political elite. The National Party’s relationship with electoral reform in the 1990s was undoubtedly unenthusiastic. Vowles (1995: 113) suggests that the referendum was originally designed to prevent rather than deliver reform (i.e. as an executive veto point) because ministers “hoped to blunt the edge of change with a referendum that they were confident would confirm the status quo, given their control of its process of definition.” Executive manipulation failed and the political elite were forced to reorient their views and statecraft in response to the changed constitutional configuration that electoral reform prefigured.

This article is important because it has sought to make a methodological contribution to the wider literature by arguing that process-based approaches may on their own provide an insufficiently broad and robust understanding of the strategic maneuvering by political elites to prevent and facilitate change, and it has therefore emphasized the interplay between context, agency, and structure. For example, it is possible to argue that the Liberal Party in BC could not adopt a constant marginalization strategy like that pursued by Labour in the UK because of its leader’s (i.e. agent) public commitment to a CAoER and the public pressure (i.e. context) stemming from two recent examples of systemic failure. The paradox of electoral reform in the UK is that the Labour government has become Janus-faced in that it has sought to develop and institute a pattern of democracy at the subnational (regional) level based on a more consensual and participatory model of democracy while maintaining and defending a quite different model at the national level. Constitutions are, however, rarely static. There is no such thing as a constitutional settlement. The politics of electoral reform is, at base, a zero-sum game of resource redistribution which, in turn, explains why constitutions frequently appear resistant to change (those who benefit from the system use the benefits to block/impede reform). The case studies of the UK and BC open up new perspectives on the topic of majoritarian modification by exhibiting a degree of policy momentum which may be used by future individuals or parties to drive through reform or, conversely, by citizen groups and/or reform advocates to reduce the capacity of the executive to block or veto change.

New constitutional initiatives can either “spill over” (into other polities) or “spill back” (by creating demand for further measures) and both aspects are observable in relation to electoral reform in BC. The CAoER in BC has been subject to worldwide attention and has now been replicated in other

Canadian provinces (notably Ontario) and other countries (for example, the Dutch *Burgerforum*). The “spill-over” effects of BC’s innovative experiment with a tool of deliberative democracy in the sphere of “mega-constitutional” politics therefore raise secondary but no less important questions about the mixture of context, agency, and structure which leads to spill-over in some polities but not others. Indeed, the whole topic of citizens’ assemblies raises as yet undertheorized questions regarding the interaction of electoral and popular forms of legitimacy, the role and setting of popular and geographic thresholds, the existence of public self-selection at different stages, and whether the utility of referenda-linked citizens’ assemblies varies according to the degree of societal homogeneity within a given polity.

The case study of BC also raises a number of issues regarding executive-facilitation which link with the notion of “spill-back.” Despite the existence of major tensions within the Liberal Party, in March 2008 the premier Gordon Campbell introduced the Electoral Reform Referendum 2009 Act in the BC legislature. Under this legislation a second referendum, using the same question and same double-threshold, was held on May 12 2009. Despite a government-funded publicity campaign and opinion polls suggesting significant public support, the referendum was defeated with only 38.82 percent of voters supporting change. The fact that a second referendum was held demonstrates the continuing role and power of political agency, in this case the capacity of Gordon Campbell to set the agenda in the face of his own party’s lack of support. However, the fact that the referendum took place also raises questions about the interrelationship between elite executive politics and public participation in sanctioning majoritarian modification. At what point would the executive’s role transgress the legitimate border between facilitating public choice and orchestrating public support for a decision that had effectively been taken elsewhere? Would it be legitimate for Gordon Campbell to use his position to hold a third referendum on the topic, possibly based on an even stronger public information campaign? These questions raise a potential flaw in the process-based approach outlined in Table 2, because beginning with “public pressure” risks overlooking the role and capacity of an elite to mobilize public support for or against change. Instead of adopting a teleological process, with a beginning and an end, it is arguably more profitable to view the process as a loop, with the decision-making stage linking back to the issue of public pressure.

Aspects of “spill-over” and “spill-back” can also be identified in the UK. The introduction of proportional electoral systems in Scotland, Northern Ireland, Wales, and London has created a major tension within British democracy, as the Labour government seems unwilling (or unable) to explain why a more consensual model of democracy and a different electoral system are appropriate for the sub- and indeed supra-national levels but not for the national level. Judge (2006: 391) suggests that over time “normative subsystems” and “deviant cultures” will emerge within these devolved political arenas that will increasingly challenge, or at least stand in stark contrast to, the established political culture at Westminster. However, it is not only the rapid transition from a unitary to a quasi-federal or multi-level polity, with its associated electoral diversity, which has had implications for the British executive’s capacity to veto or sideline the issue. The Labour Party won the 2005 general election with 35.2 percent of the popular vote (which was translated into 55 percent of the parliamentary seats and a majority of 65). Not only was this the lowest share of the vote won by any governing party since 1923, but it was also the lowest share of the popular vote of any party to gain a majority since 1832. If the 2010 general election returns a government with a working majority on the basis of a similar or even smaller proportion of the popular vote – a distinct possibility given the results of recent public opinion polls in the wake of the MPs’ expenses scandal – then this might become interpreted as evidence of “systemic failure,” possibly triggering intense public pressure, an ideational shift on the part of the political elite, and the emergence of a constitutional entrepreneur in the British context.

## Note

1. See [www.citizensassembly.bc.ca/public](http://www.citizensassembly.bc.ca/public).

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