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Electoral System Formation in Scottish Parliament 1989-1995: Cooperation between party and civil society (1)

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A brief comment should also be mentioned with regards to this article (Electoral System Formation in Scottish Parliament 1989-1995 Cooperation between party and civil society (1)) as part one of further articles which will be in subsequent volumes.

1 Introduction

This article explores the course of the electoral system formation in Scottish Parliament focusing on the Scottish Labour Party (Labour Party) and the role of a cross-party civic organisation, the Scottish Constitutional Convention (SCC). After the detailed description of the system formation, this article will also demonstrate a party’s principle behaviour within territory based on the two different logics with a focus on the collaboration between a party and civil society.

In considering relative cases, it will answer the research question of why Labour formed a disadvantageous system for themselves in terms of the number of seats. The Scottish electoral system known as the ‘Additional Member System’ was the combination of ‘First Past the Post’(FPTP) and ‘proportional representation’ systems. It worked in some ways for the dominant Labour party at that time, as through (FPTP) they could have gained more seats, however, it also caused disadvantages in seat maximisation due to the need for proportional representation. It seemed

irrational for the Labour party to form the system intuitively, but the party in fact did concede to make a fairer electoral system for Scotland based on Scottish interest. This was through the cooperation of civil society, the Scottish Constitutional Convention and both the Labour and Liberal Democrat Party. One reason Labour accepted the plan, could be interpreted as two different territorial logics: logic of autonomy and logic of union.

The research question breaks down a posed question into three steps.

The first question is why proportional representation introduction was realised as necessary in the period between 1989 to 1990. In this period, SCC and Labour cooperated actively to form the system. In this collaboration, this article will focus on the role of the SLA, which is a group promoting Home Rule¹. Second, why the seat allocation system which was formed should be addressed particularly in the period from 1993 to 1994. As stated before, AMS in the Scottish Parliament adopted the d'Hondt method, a modified version of a system used for balancing the seats between the single constituency (FPTP) and proportional representation parts. The divisor is added to the number of seats each party gained in a single constituency within a multi-member constituency making it difficult to gain seats through proportional representation. If a party gains many seats, the seats would be added to the divisor in the proportional representation part so overall making it harder to increase the number of seats in multi-member constituencies. Formation of this seat allocation system should be argued by considering the role of the Scottish Constitutional Commission, which is an independent commission of the SCC. The third question asks why the current number of seats was decided and this will be clarified by an analysis of political course in 1995 with a focus on the internal negotiation within Labour.

As stated above, a goal was set for the demonstration of the party's principle on behaviour in territory and an answer to this research question

¹ Although Home Rule is the term suggests independence, it is used to refer to the self-government of a nation within a wider state(Cairney and McGarvey 2013:3).

will be shown in the following construction of this article.

In the first chapter and second chapter, the analytical framework and some background information of this article will be presented. By interrogating the existing literature, it clarifies an analytical concept and a theoretical framework. From the third chapter, the specific political course of electoral system formation will be examined, especially that of the period from 1989 to the end of 1990. It will be traced from the establishment of SCC to the acceptance of proportional representation by Labour in 1990 and as a result the first SCC report detailing the establishment of the Scottish Parliament. In the next chapter, after a brief consideration on the period over two years from 1991 to 1992 it will address the consensus on the electoral system in 1992, the course of cooperation between Labour and SCC, and how an argument of electoral system had developed since 1992. The latter part of chapter four will consider the political course from 1993 to 1995 from the formation of the seat allocation system in AMS, the debate with regards to the number of seats within Labour, to the completion of the system. In the fifth chapter, with the consideration of the case described from chapter two until four, the system formation of how the 'logic of autonomy' and the 'logic of union' contributed to build the system will be demonstrated. Then, it will examine the characteristics of the two logics by demonstrating the operation of each case. Whilst also considering the potential limitation and conditions of operating the two logics as an implication. Chapter six will conclude, through presenting both the contribution of, and limitations presented within this article.

The question of electoral system formation in the Scottish Parliament

Viewing the background of the electoral system in the Scottish Parliament is critical to the understanding of the research question of this article and arguing why it matters. As a prerequisite of this article's theme, the situation of Labour, which was the dominant party in Scotland, will be described here, confirming that FPTP was an effective system at that time. Lastly, this subsection illustrates why the research question continues to remain a puzzle.

The seat allocation of proportional representation of AMS disadvantages the party that could gain a majority in a single constituency area, which will be discussed in further detail in the following chapter. Historically Labour remained strong in Scotland and as the ruling party held 78 percent of seats in the parliamentary election in 1997. In the period of system formation from the late 1980s to 1990s, Labour continuously gained strong support.

[Table 1] Votes and seats gained by Labour in UK parliamentary election in Scotland

	1974	1979	1983	1987	1992	1997
Votes (%)	36.3	41.5	35.1	42.4	39.0	45.6
Seats	41	44	41	50	49	56
Percentages of seats	57%	61%	57%	69%	68%	78%

Created referring to Lynch (2013)

As the chart shows, Labour had gained an overall majority in Scotland in the 1970s and from 1987 onwards; maintaining around 50 seats in the election, benefiting the party at that time (see Table 1). Thus, it questions why Labour formed the system that eventually disadvantaged them at the expense of seat maximisation. Being an instrumental actor in the formation of the system, Labour could have developed the system to benefit their party more. In 1999, in the first Scottish election, Labour was able to get 73% of seats, which was 53 seats against 73 seats in total in the constituency part; however, it acquired only three seats in proportional representation so they could not gain an overall majority against a total of 129 seats due to the type of electoral system. In reflecting on the result of the election, it leads to the question of the reason why Labour formed a system that eventually was not beneficial to them, even though they could have retained strong support for seat percentage.

Furthermore, it should be questioned why FPTP had changed in that period. In the 1990s, electoral reform was being trialed worldwide, for instance in Japan, Italy, New Zealand and Israel. It may not be surprising therefore that Scotland was also pushing for reform in the 1990s. Though considering the internal context of the UK, the situation is dissimilar to these

aforementioned countries.

The FPTP's introduction in the UK was supported in the UK parliamentary election as it had remained for a long period of time. It did not face obstructions as political parties were used to the system being in place. In the 1990s, the UK Parliament saw much opposition against electoral reform in the main two parties. Mainly, the Conservative party which supported the maintenance of FPTP at all levels of elections in the UK (Norris 1995:76). Blau argues that the possibility of change to FPTP was unlikely, this is because the UK parties would constantly discuss the possibility of, but would struggle to pass a bill with a majority (Blau 2008). Besides, the consistency of the electoral system also matters, however an exception to this is in Northern Ireland where there is a unique historical context. The UK has sustained FPTP at all levels of the election including the European Parliament election. Nowadays although the Scottish local government election has electoral reform, other parts of the UK still continue to use FPTP in local elections. In considering the context around the time of the 1980s, it can be assumed that the electoral reform in the UK would have been a difficult task for political parties. The 1978 Scottish Act had planned to implement FPTP, thus in no way was it considered detrimental to the Scottish Parliament in adopting the FPTP system in the 1990s.

As stated above, Scotland had also gained strong support from the electorate, so the merit of introduction of FPTP would be a great way to consolidate that support. Former First minister², Henry McLeish looked back the history of the 1990s, and he emphasised as follows;

“If you look at the history of the Labour Party, our support for first-past-the post voting(FPTP) and our hegemony in national and local government politics in Scotland, Labour had no need to commit to proportional representation” (McLeish 2004:52).

² The First Minister of Scotland is the leader of the Scottish Government as equivalent to the Prime Minister in the UK.

Therefore, in this context, the electoral system was in some ways newly formed, but it could be understood as electoral reform in a broader context within the UK³. Thus, this article refers to some of the literature of electoral system change and positions its theme within this context.

Going forward, Labour's formation of AMS must be questioned when it disadvantaged them in terms of seat maximisation. This question should be analysed by splitting it into two sub-questions. First, Labour could have widened the support base for themselves, which should have been possible, but why did they not? Second, why was the dominant electoral system in British politics, FPTP reformed in the 1990s?

From the two points considered above, it demonstrates the significance of making the research question of this article clear. Why did Labour introduce an electoral system that disadvantaged them? Previous studies will be examined concerning the electoral system formation in the Scottish Parliament through referring to the studies of territorial politics, which is the central field of this article, and in conclusion the analytical framework of this article will be introduced.

Literature Review on the electoral system formation of the Scottish Parliament

This sub-section will outline how the Scottish Parliament electoral system formation was explained in existing literature. First, as an example of an intra-party compromise model, it introduces Curtice's research. In contrast to the model, Convery and Lundberg advanced the explanation of a rational choice and an ideological one. After the reconsideration of previous work, it argues the existing literature gives limited answer to the research question stated above.

Curtice explains the formation of the electoral system of the Scottish

³ This would be controversial statement because this case should be positioned as the system 'formation'. Nevertheless, the seat maximisation's perspective of party can be arguable and useful therefore, this article pragmatically uses the framework of an electoral 'reform'.

Parliament based on the negotiation between Labour and the Liberal Democrats, which consist of the SCC. When Labour tried to negotiate with the Liberal Democrats, the Liberal Democrats persisted for the need of proportional representation rather than the current electoral system. Labour partially amended the FPTP as a political compromise and created AMS as an alternative (Curtice 1996, 2006).

In this explanation, it regards SCC as a political arena among parties. The Liberal Democrats consistently pushed for the modified STV system, but, in fact, ultimately failed to adopt it. However, Labour had been influential dominantly throughout the 1990s, so Curtice's explanation supposedly might not engage with the point enough. It also may not coincide with the actual political course described in the later chapter. Labour and the Liberal Democrats' negotiations can be observed in the latter stages, prior to then, the majority of discussions fostered within SCC involved the development and advancement in the political decisions of Labour's agenda.

Most importantly, the intra-party compromise model might not sufficiently take into account the role and influence of SCC or the power exerted by the pressure group within SCC in the electoral system formation. McLeish summarised the influence of SCC in the electoral system formation as "(It was) the Convention that influenced on electoral reform, not the other way around" (McLeish 2004:52). Therefore, Curtice's explanation did not give a convincing answer to the research question of this article.

Convery and Lundberg critically review the problem, and they propose a well-grounded explanation by taking into account SCC's role in the system formation. In their research, they emphasise the role of the SCC and explain the electoral system from a different viewpoint with two explanations based on rational choice and ideological commitment to 'new politics'. Using this framework, they demonstrate the electoral system formation by using archive resources of the SCC, political parties sources and also interviews with politicians.

Nonetheless, although the explanation of Convery and Lundberg seems plausible, it has still not yet answered the question of why Labour formed a

system that disadvantaged them in terms of seat maximisation. It could be said that the research was approximate to the actual political course and descriptive to a great extent, however, three points are still unclear. First, it does not address the background of collaboration and its substance between Labour and the SCC so the research did not reveal the motivation of Labour to form the system and where the source of the idea of the seats allocation system came from. Second, the relationship between rational choice and ideological commitment is uncertain. How the two explanations had an influence on the political course and its observable implication is imprecise, and how it combined within the system formation is not explained enough. Thus, a mechanism of interaction and transformation in the relationship between Labour and SCC is not examined thoroughly. Third, Convery and Lundberg contended that “overall, the same dynamics found by scholars at the national level applied here to this sub-state case” (Convery and Lundberg 2018:13), but this may be debatable. In their article, the concept of ‘new politics’ is different from the Westminster model, in the way the concept should be understood, as an idea existing only in Scotland thus competing with the UK Parliament. Therefore, as long as the idea is applied as an independent variable, it could be controversial to argue the same level of dynamics observed because the idea was specific to territory. Territory has its own mechanism in party politics, so that the existing literature should be critically assessed from the viewpoint of whether the extant framework was applicable or not.

Thus, with a specific territorial explanation this enables us to provide a more persuasive description of the collaboration between Labour and the SCC. For improving some pitfalls of previous work, the specific explanatory variable in territorial politics, and the application of territorial logic will be explored, which is the framework of this research.

Territorial parties and their principles

In this sub-section, the literature on territorial party politics will be examined, which is the central research field of this paper. After assessing

the existing literature, it introduces the analytical concept, territorial logic. As territorial logic is critically reconsidered, this article will shed new light on the territorial logic and re-conceptualise it as two different logics which will present the theoretical framework for this article.

The comparative research on territory and party politics was not undertaken until the end of the 1990s, thereafter, it developed gradually (Keating 2008:71). As considered by the literature referring to the work of Keating, territorial rescaling had much influence on the party system. Although it has a specific significance in regional politics, it failed to address specific mechanisms on party politics within territory until the recent theoretical development of the field. Hough and Jeffery referred to the ignorance of 'vertical' differences which means the differences between sub-state and statewide election, is described as follows;

“That tendency to view sub-state political mobilisation through the lens of statewide politics produce, implicitly, a characterisation of sub-state politics that is significant only for what it tells us about statewide politics” (Hough and Jeffery 2006:6).

Therefore, in this framework the region was likely to be neglected in the scholarly literature through analysis of the party system. If so, as considered by Hough and Jeffery, it could be the major flaw of statewide politics which could generate a national bias towards traditional party research (Hough and Jeffery 2006; Detterbeck 2012).

As a result of the weaknesses currently in research for multi-level party politics and regional politics, the work of Swenden and Maddens is able to bridge scholarly literature between the study on regionalisation and the party. The focus on party organisation and campaigning, arguing the importance of multi-level party system and interaction within the system being important (Swenden and Maddens 2009). Detterbeck, with an admission to the electoral differentiation between statewide and sub-state level, also argues that territorial party systems have grown apart and government formation has become more incongruent. Then he also points out the increased scope for a distinct logic in regional party competition (Detterbeck

2012:Chapter 9).

From here, the development of party politics research in territory has grown recently with a focus on the territorial dynamics in each region. In recent work, a local branch of statewide parties is understood to be a significant actor of territorial politics in pushing for the autonomy of a territory (Hepburn 2018). Thus, it is still important to theorise territorial party politics with a focus on the local branch of national parties like the Labour party. Furthermore, as Detterbeck mentions a distinctive regional logic in party competition is a motivation of a party in each territory and should therefore be explored. The growing body of literature in territorial party politics takes a new look at the territorial dimension of the organisation, campaign, and electoral results, whereas there are few investigations about how the political parties behave in the territory. Consequently, Toubeau and Massetti's seminal paper suggest that three logics could explain the principle of the party's behaviour in the territory:(1)electoral logic;(2)ideological logic; and(3)territorial logic.

First, the electoral logic refers to the behaviour of a party based on the motivation for seeking office, and gaining more votes. Under this logic, a party is interpreted as an entity which intends to preserve and enlarge its existing social, territorial composition for the sake of ensuring access to office and maintaining the governments' stability. Second, the ideological logic relates to the aspect of a party's concept or manifest, making use of explaining a party's ideological position compared with other parties, instead being motivated by ideology than short-term strategy. Third, it is the territorial logic that "(the territorial logic) refers to parties acting as the agents of particular territorial communities". Moreover, in contrast to the former statewide logics, Toubeau and Massetti follow as "when competing, political parties articulate the interests of particular regions or constituent entities, and put forth policies that seek to improve the terms of their membership within the unitary, regionalised or federal state" (Toubeau & Massetti 2013 : 302). Therefore, the party's policy goal in the territory is the redistributive effects of particular public goods and territorial arrangements.

Here, Toubeau and Massetti identify a party's motivation when applied to territory rather than a state-wide perspective and, in a sense, their research has been groundbreaking in looking at the motivation of parties in the territory. In the territorial logic, it is assumed that a party's principle for behaviour refers to the main actor inducing interest towards a territory within a unitary state or federal state by pushing for a redistributive effect of the countries. Otherwise, the relationship among the three logics is disputable. It is arduous to prioritise which logics succeeded in their argument among others when comparing those three logics. Moreover, it could make it difficult to deliver an adequate framework to explain the party's behaviour without revisiting a constitutional issue in territory.

Thus, I first argue the former two logics are fundamentally linked with territorial logic in a territory like Scotland, and the territorial logic functioning as an underpinning effect in directing other logics related to the specific factor of a territory. That is, the territorial logic operates a preference in formation in an election, rational interest seeking behaviour and the construction of ideas being symbolised as 'new politics'. In this case, articulating the interests of particular regions is insufficient to capture the dimension for considering a unique political dynamic in territory for characterising the civil movements in the demand for autonomy. Thus, in this article, in the consideration of autonomous demand for territory, the following framework should be suggested.

In a territory whose political agenda hinged on a constitutional issue substantially including independence, the territorial logic should be expressed as two forms of 'logic of autonomy' and 'logic of union', and a party should operate in a territory based on the two logics. Under the logic of autonomy, a party behaves as an agent of the territory to push for the agenda of autonomy for expressing the demand in territory even though it disposes of vote-seeking behaviour in an election. Thus, in this logic, the ultimate goal of a party is an advancement of specific policy in a territory and an increase in autonomy within a state. Conversely, in the logic of union, a party behaves as an agent of territory too, but its goal is the maintenance of the constitutional

position of the party. For the realisation of the goal, the party behaves by seeking widening support in a territory, and to sustain its influence in a territory. This logic cannot be applied to the party advocating independence based on that definition.

In this article, a theoretical framework is presented as a function of 'logic of autonomy' and 'logic of union'. The formation of the system was developed in stages and due to the way of operating two logics within the system being changed depending on the time period meant separate functioning of the mechanism.

The explanation of the research question stated above with an analytical concept and theoretical framework is presented accordingly in this article. Labour and the SCC's collaboration fostering the logic of autonomy led to the acceptance of proportional representation in the Scottish Parliament. Thus, with the initiatives of SCC, due to an establishment of the independent commission from party politics resulted in the idea that it compensates for the imbalance between votes and seats of FPTP by proportional representation, which suggests, it succeeded in forming a distinctive electoral system. Next, some of the Labour party's politicians were afraid of the decline of their influence in a territory and the disintegration of the United Kingdom under the logic of union, therefore, Labour restrained the effect of the electoral system to maintain its constitutional position. Thus, the number of seats in the parliament were reduced and the political course changed due to their behaviour.

To sum up, the latter chapter will consider how this 'logic of autonomy' and the 'logic of union' under what condition functions, and how the two logics could be observed and transformed within the actual political course, and conclude based on this consideration. The next sub-section will look at the case and methods used in this article in how this research question can be approached.

Case and methods

In this article, the demonstration of a causal mechanism of two different

logics from observations will be revealed and will answer the research question. First, this sub-section will consider how this theme can be interpreted as a case. Next, this article applies process tracing with a single case study, so it will briefly examine the strength of this method, and show the approach of this article will follow.

As a methodology, this article will use process tracing with a single case study. According to Collier, process tracing is defined as “the systematic examination of diagnostic evidence selected and analyzed in light of research questions and hypotheses posed by the investigator” (Collier 2011). In this article, the operation of the logic of autonomy and the logic of union with a descriptive evidence selection will be traced, and it will analyse how it influences the process with an analysis of research questions, so this methodology should be appropriate.

In process tracing, there are different empirical tracing tests, including hoop tests, smoking gun tests, and straw in the wind tests according to Mahoney. A hoop test proposes that the specific evidence is required to demonstrate a hypothesis as a necessary condition which should lead to the elimination of a hypothesis rather than confirming one. In contrast, a smoking gun test proposes that if the specific evidence is present, it contributes to validating the hypothesis as a sufficient condition. While a straw in the wind test can neither confirm nor eliminate the hypothesis (Mahoney 2012). This article tries to demonstrate the existence of the two different logics and a causal mechanism contributing to the formation of the electoral system therefore the smoking gun test should be applied to support this.

This article is classified as a single case study only focusing on the Scottish Parliament electoral system formation. George and Bennett concede the single case study to some extent has limitations in demonstrating its ability, such as in case selection bias. In contrast, they argue the benefits of a case study in conceptual validity, deriving new hypotheses, exploring causal mechanisms, and modelling and assessing complex causal relations (George and Bennett 2005: Chapter 1). This especially can be seen in a causal mechanism, “within a single case, we can look at a larger number of

intervening variables and inductively observe any unexpected aspects of the operation of a particular causal mechanism or help identify what conditions present in a case activate the causal mechanism”(George and Bennett 2005:21). This research focuses on the mechanism of a causal relationship between the two logics and the system formation within a detailed single case study highlighting the strength of the case study in this aspect even though it has some weakness.

Thus, it reconsiders the electoral system formation from a field of territorial politics with its own variable. Moreover, as a methodology of the demonstration of two different logics, process tracing clarifies the causal-inference mechanism to specify the cause of system formation.

Beyond the contribution to territorial politics, the implications in some existing literature on electoral system change and modern Scottish politics will be presented in the following sections. It may be that the volume would be excessively lengthy as a literature review of the article as not directly relevant to the main research, though some concepts are significant in this paper and are therefore argued here.

Theories on electoral system change

First, in this sub-section, the motivation of actors in electoral reform in the literature will be examined. Next, it will describe the type of actors, who they are involved with, and how they participate in decision-making based on Renwick’s studies. This sub-section also clarifies how this case should be presented in the scholarly context accordingly.

As an overview, how the actor’s motivation was investigated in literature will be focused on first. Political scientist, Benoit, claims that in relation to a condition of electoral reform, the motivation for electoral system change correlates with the rational party’s demand for maximisation of seats and enlargement of percentages of seat shares in parliament (Benoit 2004).

Colomer also reveals, existing parties first tend to consolidate or strengthen current political configurations rather than creating a new system (Colomer 2005). This presupposes that parties involve electoral reform for maximising

their benefits or to stabilise the current situation.

On the other hand, based on the assumption that self-interest is not the only way to drive electoral reform, Katz provides a different perspective against the rational choice view. First, an electoral reform can be perceived as a response to a complaint expressed by the people, for example empowerment for female representation and minority groups representation in parliament can spur the reform. Finally, more generally, the demand for change in the essence of politics can be the motive of actors. Especially advocates of proportional representation, they intend less partisanship, making the polity more cooperative (Katz 2007:311). From here, literature for the normative motivation of politicians for reform has been advanced⁴.

Shugart understands political reform as a by-product through explaining it in two factors, inherent and contingent factors. An inherent factor is defined as a normative demand generated by a current systemic failure. Especially FPTP which generally tends to result in an unacceptable consequence for voters. On the other hand, a contingent factor, is when a ruling party can brand themselves as a 'reformer', and parties utilise electoral reform as an agenda in an election. Therefore, in the example of a contingent factor, it displays the benefit as being outcome-oriented. Parties disadvantaged by the current system through this reform, are able to benefit through their own conduct in promoting (or preventing) the reform, thereby positively influencing public opinion and subsequently improving their chances in electoral results (Shugart 2008). According to this, Shugart's explanation can be understood by combining the two perspectives stated above. Katz' and Shugart's theory extend to include the influence of citizens.

The kind of actors and their way of involvement within reform will be further examined. Renwick lists politicians, citizens, judiciary, and pressure from international actors, as actors involved in exerting an influence in electoral reform. Additionally, he puts forward two inventive theoretical categories to answer the question of how the actors behave in electoral

⁴ These understandings were based on the work of Renwick (2018).

reform.

The first category is 'elite-mass interaction'. In this category, electoral reform will be realised if citizens actively express a preference for electoral reform. In the process of electoral reform, the demand for it is expressed in the form of anger against the political system, and politicians try to alleviate this by addressing an agenda of electoral reform. In this category, the skewing of electoral results is not enough for prerequisite. Rather it is crucial for people to feel the sense of the political system influencing their lives.

The second, 'elite-majority imposition', comparing to the former example, is not only that people are not interested in pushing for electoral reform, but also, that they are unable, and do not want, to penalise those in power who manipulate the electoral system. In this case, the constraint of political legitimacy is low, and people are used to the manipulation of the electoral system by historical precedents. The form of electoral system chosen depends on a politician's motivation (Renwick 2010). From Renwick's theorisation, the emphasis of politicians and citizens as actors, together with their interests matters in classifying this category.

In this sub-section, the overview of the actor's motivation has been given, and it examines what kind of actors are involved with electoral reform, and categorises how actors behave within reform. The motivation of actors can be looked at from two perspectives, being a compromise between parties' seat maximisation demand and some normative views. In the perspective of seat maximisation demand towards the formation of the Scottish Parliament electoral system, one of the rational ways would be an introduction of FPTP. If it were not for applying the specific seat allocation system of AMS, a relationship with FPTP and proportional representation would not have been correlated, and the ruling party could have secured more seats for themselves. From the seat maximisation perspective, it would be difficult to answer the research question of this article stated above thoroughly. Otherwise, when arguing if an idea and norm had an influence on the formation of AMS, it seemingly did have an influence but was not robust enough to give a clear answer to the research question. Looking at this point,

Shugart discussion scopes a rational behaviour of political parties for gaining support through electoral reform, and argues both perspectives including the reason behind the complaint about a current electoral system and the response to it. The research is implicative in terms of considering the perspective of the seat maximisation idea and norm, but it cannot be addressed yet as its own mechanism of territory in the explanation for the motivation of actors. Accordingly, this point should be revisited in a later section.

Renwick's categorisation is actively influenced by citizens, and it is implicit to look at the interaction between citizens and politicians. Nevertheless, this article's main actor, SCC, was a collective actor of civil society and therefore its interaction with parties should be distinguished from the studies towards emphasising citizens as a whole. In the next sub-section, the position of this study is examined in the course of previous studies about the Scottish politics field.

Modern Scottish politics research and 'new politics'

In this sub-section, the study of modern Scottish politics will be outlined briefly, and it will show the uniqueness of this research in considering the concept of 'new politics'.

Scotland has been a significant factor within the UK from 1999 onwards since the legislation of Scottish law, the establishment of Scottish Parliament and government, and the development of devolution, therefore the total number of empirical studies of Scottish politics has increased. A referendum in 2014 was a watershed moment for Scotland, and it made a significant devolution figure even though it failed to gain a majority vote. Due to this background, whether Scottish politics diverge from UK national politics or not has been controversial in existing literature. The term 'new politics' in some ways embodies a series of development for Scottish modern politics studies.

The term 'new politics' relates closely to the direction of politics which was intended by SCC. SCC defines the future of politics thusly, "Scottish

parliament will usher in a way of politics that is radically different from the rituals of Westminster: more participative, more creative, less needlessly confrontational⁵”. This demonstrates a substantial part of the content of ‘new politics’. Consultative Steering Group (CSG) also plays an essential role in constructing the meaning of ‘new politics’. CSG, chaired by the Labour politician Henry McLeish, discussed a plan for setting up the Scottish Parliament. The four key principles proposed by CSG are, (1) Sharing the Power, (2) Accountability, (3) Access and Participation, and (4) Equal Opportunities⁶. Parliamentary reforms under the ideal of ‘new politics’ was also exemplified such as an online petition system and the Scottish civil assembly (Cairney 2011).

The term ‘new politics’ has been frequently used among modern Scottish politics researchers and commentaries. The interpretation can be separated in two ways. First, the researchers evaluate an idea of ‘new politics’ positively, as SCC's report and CSG report argued, which intended for the politics to be radically different from Westminster politics (Brown 1998,2000). Second, the empirical researches demonstrate a condition of politics since 1999, focusing on the gap between ideal and reality (Mitchell 2000; Cairney 2011 Cairney and McGarvey 2013).

Therefore, in the latter part of the research, the terminology of ‘new politics’ was critically assessed to point out the gap between ideal and actual situation or criticised the concept itself. The literature insists that political reform under ‘new politics’ remained unchanged in nature, so that the reformers could not achieve the goal (Mitchell 2000; Mitchell 2010; Lundberg 2014). Mitchell, though he admitted electoral reform as a major change, points out the homogeneity between AMS and FPTP in a single constituency. He also evaluates reformers of ‘new politics’ (in his term, Home Rulers) as

⁵ SCC (1995) “Scotland's Parliament, Scotland's Right”, pp.9.

⁶ CSG (1998) “Report of the Consultative Steering Group on the Scottish Parliament ‘Shaping Scotland's Parliament’” (https://www.parliament.scot/PublicInformationdocuments/Report_of_the_Consultative_Steering_Group.pdf)

“unrealistic, based on underestimating the extent of political differences in Scotland and overestimating the power of formal institutions to affect processes and political behaviour”. He mentioned SCC’s preparatory work as being “drew consciously on models from abroad, if erratically and not always fully understood” (Mitchell 2000:606).

This perspective has been shared in the scholarly literature relatively often. Cairney and McGarvey also argue that the issue of ‘new politics’ had been an issue in its composition between ‘old Westminster’ and ‘new Holyrood’⁷, and the gap it had between widespread expectations among citizens(often exaggerated) and actual consequences of the reform(Cairney and McGarvey 2013). The two perspectives of modern Scottish politics studies are persuasive, and it is difficult to conclude and judge, however, it could be argued that the latter part of studies have been influential and supposedly evident in scholarly literature.

Otherwise, the perspective of the former view, when evaluating ‘new politics’, appears to be overlooked even in the study of the period of system formation in the 1990s. This is partly because the results and disillusionment of ‘new politics’ might have led to a focus on the empirical research after 1990s in examining the results and limitations of political reform under ‘new politics’. Thus, it is important to observe the description of the new electoral system, along with its effects and limitations (Paterson et al. 2001; Mitchell 2010; Cairney 2011; Cairney and McGarvey 2013) , but how it was created although less investigated would be worth researching more. The role of an idea of ‘new politics’ in the system formation period should be analysed, and will have an impact in the research field. That is why, it can be said that, considering how Labour and SCC tried to realise ‘new politics’ in the system formation period, it was one of the research agendas that the previous work had failed to address enough.

In the next chapter, as a preliminary work of the detailed description of the process in electoral system formation, the background will be explored

⁷ Denoting in reference to Scottish Parliament

more in this article. The chapter encompasses the following sections; the relationship between the UK and Scotland, the brief history of self-autonomy and civil society in Scotland, an introduction of actors in this article, and an explanation of AMS adopted in Scottish Parliament.

2 UK and Scotland: The meaning of territory and demand for autonomy

The United Kingdom of Great Britain and Northern Ireland, in particular the relationship with each constituent region, England, Scotland, Wales, and Northern Ireland is a vital part of the issue of governance in British politics. With regards to the relationship between Scotland and the UK, Scotland had been an independent country until 1707. In 1707, under the Treaty of Union, Scotland was united into “One Kingdom by the name of GREAT BRITAIN”. In Scotland, according to Devine, “there seems to have been overwhelming popular opposition to the loss of the parliament and angry hostility to the whole idea of an ‘incorporating’ union” (Devine 2012:16).

For 300 years, the United Kingdom has been a single unitary state which sovereignty rests in the UK Parliament. Scotland had been developed as a constituent in the UK without having its own parliament until 1999. However, the relationship between the UK and Scotland has fluctuated constantly until now as Scotland is in an evolving state of devolution. This creating an ongoing divergence of party identification and levels of support between the UK and Scotland.

To capture those changes between the UK and Scotland, it requires a framework to analyse the relationship. Thus, this article positions each composite state in the UK as a territory, and within this context it considers the politics developed in Scotland. A framework of territorial politics applies to this article within the tradition of the research field as stated above. Lastly, it demonstrates the background of the difficult ongoing issues in the relationship between the UK and Scotland and subsequently devolution within the UK.

Thereafter, it considers the meaning and position of territorial politics in previous work in contrast to local government studies with reference to

Michael Keating, who is a pioneer of territorial politics. According to Keating, the territorial politics in Europe has come to relate with the territorial construction of various state's integration and disintegration. Thus, it can be captured in other research subfields in political science, such as local government studies and urban studies. Each study applies different theoretical, methodological methods in scholarly literature and after developing the research, two different literatures begin to come together. Local government studies in contrast to the study of territorial politics, have tended to be national. Hence, the national level research has a comparative perspective. However, local government studies often have not been researched by comparative aspects due to the position known as 'national exceptionalism' (Keating 2008:68). In contrast to the local government studies, territorial politics seems to have a domestic characteristic and in comparison territorial politics focuses on a regional framework.

In 1990, there was a renaissance of new regionalism with regards to local politics studies. The literature pointed out that new spatial scaling across upper-level and sub-level of government could be observed, leading to de-territorialisation and re-territorialisation. In the 1970s and 1980s, the local government studies revealed that with a juxtaposition of functional differentiation, there was a continuity and reinvention of the territorial framework. It caused doubt in the views of classical modernists who argued a victory of function over territory. That is why, in politics, there is a coexistence of function and territory, but the dominant territorial framework has been the nation-state. Thus it helps for us to obliterate the existence of territorial framework (Keating 2008:69-70). That is, the nation state is taken for granted in the territorial framework, ultimately leading to it being forgotten. Through the statement of de-territorialisation and re-territorialisation, such as Scotland and the UK, it can be interpreted that territory is still pivotal in political science as a research object.

Keating also made it clear that phenomena of territorial decentralisation of nation-state and territorial rescaling can be positioned in various literature. The rescaling can be observed in three dimensions; functional, political, and

institutional. A functional dimension can be argued from the fact that economic development and change transferred from nation-state to European and global level, along with both regional, urban level. Therefore, provoking a political response in the sphere between a party and society in the rescaling of political dimensions, for example devolution, which is accompanied by functional rescaling of the ties between society and political parties on the whole. Devolution gives more power to and creates new economic ties with political parties and private sectors. Parties and voting behaviour also comes into question over the ideas of national tendency, and it creates various political interests of each region. From an institutional dimension, the state faces a change in functional norms and risks losing its regulatory capacity through observing local plans, local government reform, and development agencies (Keating 2013: chapter 1). Hepburn and Detterbeck evaluate the interactive phenomena of territorial rescaling as a demonstration of a response from the nation-state to the request from territory asking for a small autonomous political community to be recognised and accommodated (Hepburn and Detterbeck 2018:4).

Development of local government studies and public administration studies shows a comparison of two distinctive directions of analysis. One is a reflection of state-centric political views based on function, and it leads to valuing private actors and reassesses a territory as its analytical unit. Another is the transition of theorising power from the perspective of a top-down to bottom-up structure. From the stream of new regionalism, it can be interpreted as a new spatial rescaling of territory and a direction of critical assessment toward nation-state as a central framework of the analysis.

It can, therefore, be accepted that Scotland is an example of territorial rescaling and territory, expressing a request for autonomy and receiving a response from the UK. Territorial rescaling from the UK to Scotland and how devolution has been performed until now will be addressed in the next sub-section. It focuses on how the power from the bottom in territory is expressed in parallel to the top-down power structure. This article will position Scottish political tradition in the latter 1980s and 1990s.

Devolution to Scotland and the request of autonomy

Before the 20th century devolution reform, the UK had established a territorial ministry to deal with some political and public administration issues specific to Scotland. Since 1885, the Scotland Office has gradually widened the scope of this administration to address a variety of issues affecting Scotland. The UK has also responded to it by supporting aspects of devolution (Yamazaki 2011).

Of course, there is an aspect of functional management in devolution as the top-down power structure, but devolution to Scotland developed not only as functional management, but also as a response to an autonomy demand from the territory as discussed earlier when considering the argument of territorial rescaling. Thus, it is essential to consider how that autonomous demand was expressed historically in Scotland. This sub-section will briefly look at how this was described throughout the course of stating a request for autonomy within Scotland, focusing on the role of political parties and civil society whilst giving an overview of the course of devolution.

In looking at the course of autonomy within the politics of Scotland, it is necessary to investigate a significant actor, the Scottish National Party (SNP). SNP is a regional political party which advocates Scottish independence from the UK, and has been influential in recent British politics holding a significant number of parliamentary seats in the House of Commons especially following the referendum in 2014. Historically, along with political parties, some other civil society organisations played a pivotal role in advocating the autonomy issue as an agenda. Thus, considering Lynch's previous studies, this sub-section will outline the movement for autonomy from the end of the 19th century to the first part of the 20th century until the formation of the SNP in 1934.

First, one of the influential organisations arguing the issue of self-autonomy was the Scottish Home Rule Association (SHRA) which was founded in 1886. SHRA consisted of some of the prominent Labour politicians such as Keir Hardie and Ramsey MacDonald, miners' leaders, and some parliament members of the Crofter's Party. It organised conferences to promote the

Home Rule issue, and it also formed a cross-party group to promote advocacy activities to the parliament members. However, a bill supporting Home Rule was rejected because supporters of self-autonomy could not reach a parliamentary majority at that time. Another important organisation at the time was the Scots National League (SNL). Unlike SHRA, the SNL's first intent was to establish its political party and move on the Home Rule issue. After some organisational reform and discussions between SNL, SHRA and the Scottish National Movement, the National Party of Scotland (NPS) was subsequently formed. NPS gained stable support to some extent, but it was limited due to their vague ideological position. After the merger with the party called Scottish Party based on compromise, the SNP was eventually established in 1934 (Lynch 2013: chapter 2).

Lynch pointed out three common features of the organisations in this period. First, they were different in terms of their political strategies and goals. They did not have a common understanding of what the Scottish autonomy government was. Next, in contrast with the dissimilarities of their strategies, they did share interests. The leaders of these organisations recognised each other. Lastly, NPS and the Scottish Party were able to merge into one despite their rivalry at that time (Lynch 2013:31-32).

Thus, in the political movements for self-autonomy in Scotland, there were two ways to express their demands. Firstly, exercising influence by acting as a political party (SNL, NPS, SNP) which can be defined as the party-centred approach. Secondly, by civil society organisations (SHRA) lobbying existing political parties, which can be classified as a civil society approach. While the political movement for Home Rule plateaued at a lower level for two decades after WW2, it had a significant effect on the development of the movements advocating for self-autonomy. Subsequently one of the most influential actors in modern Scottish politics, the SNP's strength was established in this period.

The Home Rule issue had been promoted as a response from two major parties in British politics. In terms of civil society organisations, unlike the party route, they had invented another way of promoting Home Rule through pressure given from one side of civil society during this time. The campaign

by SHRA was a particular example of that, and it could be observed as a bottom-up power structure through the grassroots activity initiative. More interestingly, SHRA established an organisation called Scottish National Convention to lobby members of parliament in the House of Commons. Along with this there was the dissolvment of the campaign trial of the SHRA, which created new support for two separate cross-party movements within the NPS. In 1950, a similar type of cross-party organisation was also created, the Scottish Covenant Movement which also set up to promote this trial campaign. In the end neither of them was able to achieve their goal, intended for Scottish Parliament (Lynch 2013:83).

After the movements for Home Rule in the period, there are some watershed moments to discuss in the promotion of self-government. First, it was in 1967 that SNP got a parliamentary seat in Westminster. It enabled the other two main parties Labour and the Conservatives to have a devolution agenda created through pressure put on by the SNP. Thereafter, a defeat in the 1979 referendum, led to the appearance of the Campaign for Scottish Assembly (CSA) and SCC which pursued a civil society or cross-party approach instead of party-centred approach previously acted by the SNP and NPS. In the 1990s, Labour responded to it actively and collaborated to establish the Scottish Parliament. Those movements by Labour in the 1990s may be overlapped that of early 20th century methods and the positive involvement of political parties overall during the 1990s was distinctly apparent.

As an underpinning reason for these Home Rule movements, campaigns, and activities for self-autonomy, would have been due to the existence of a strong, independent Scottish identity. As previously discussed, Scotland had been an independent state before the formation of the United Kingdom. After its unification, Scotland had maintained its own key institutions including the Scottish legal system, the Presbyterian Church of Scotland, the Scottish educational system, and local authorities (Kellas 1989a:2). Despite having a strong identity in different historical and cultural contexts does not always lead to political implications(Yamazaki 2011:6), considering the continuous

appeal for self-autonomy from the past, it would not be unnatural to suppose identity as the main driver of the Home Rule movements. In empirical research, the causal relationship of Scottish identity and voting behaviour had been tested repeatedly to check its correlation (Brown et al. 1990: chapter 9; Brown et al. 1999; chapter 3, Paterson et al. 2001; chapter 7). When it comes to the relationship between identity and political movements, it could also be said that it depended on the context. Nevertheless, we could see the nature of identity in the continuous request for self-autonomy from the 1980s to 1990s onwards. Due to limited scope of this article, it does not try to argue the relationship between identity and appeal for self-autonomy in detail, but this is vital in understanding the politics of territory.

Thus, in the case of this article, politics relating to self-autonomy from 1989 to 1995 in the historical course and development of movements supporting self-autonomy can be posited. Development of two approaches in early 20th century movements, can be confirmed as party-centred approach and civil society approach. In a sense, interestingly, the idea of a cross-party was advocated at an early stage, and in the 1980s and 1990s, it could be argued that the two approaches were brought together. Moreover, the rise of appeal for the two approaches being brought together can be assumed in the 1980s and 1990s based on the content of political movements. In the next sub-section, this article will examine the actors in the 1980s and 1990s in the movements for self-autonomy, including their position and an interpretation of it.

On actors — Labour and the SCC

In previous sub-sections, it considers the relationship between the UK and Scotland, and it examines the course of devolution and self-autonomy. Through this consideration, the theme of this article positions where Scotland lay in terms of space and territory and the juxtaposition this had within the time period in which it is presented. This sub-section will focus on the actors within self-autonomy in the 1980s and 1990s.

The main actors within this article are the Labour Party and SCC. Of

course, the Liberal Democratic Party (Liberal Democrats) was an important actor within the make-up of the SCC, but the main party was clearly Labour when looking at the course of politics in the 1980s and 1990s. Therefore, this article develops a description and analysis focusing mainly on these two actors. In this sub-section, it briefly introduces the two parties and clarifies the organisation. With regards to the Labour Party, this article mainly interrogates the Scottish Labour Party. Thus, in this sub-section, Labour's position will be examined in some ways compared to the National Labour Party (NLP) and its autonomy in the party system. Then, it focuses on the interpretation of SCC in literature and indicates their significance as an independent body.

First, it examines how the Labour Party was positioned in their relationship with NLP. From 1915 to 1994 Labour in Scotland was known initially as the Scottish Advisory Council (Lynch and Birrell: 2004:176). After the establishment of Scottish Labour in NLP as a regional branch, it started its unique development. Following this was the renaming of the Scottish Advisory Council which became the Scottish Council of the Labour Party, its official title given by the Labour Party (Hassan and Shaw 2012:223). Finally, in the Scottish Conference in 1994 held at Dundee, it formally announced its name as Scottish Labour Party (Lynch and Birrell 2004:177).

By changing its name we came to understand Labour's development as a regional branch in Scotland. Briefly allowing for consideration of the autonomy of Labour in NLP in terms of discretion in the party and its uniqueness within the party. Changing the name of the party allowed Labour to emphasise its distinctive identity, but it centralised at the discretionary level on the issues of finance, human resource, and membership. Therefore despite committing to a devolution stance, the Labour party maintained a characteristic as a local branch of NLP (Lynch and Birrell 2004:177-178). As observed at the Labour constitution in 1918, Labour could be seen as a 'regional' party, the equivalent of the English North East with little autonomy over policy, finance and party bureaucracy (Hassan 2002b).

From here, we see Labour's development as a Scottish branch of NLP in

terms of discretion. Therefore, it can be observed that the centralised party structure limited the autonomy of the Labour party within Scotland to some extent. However, it cannot be assured as being equivalent to that of one region in England.

In Labour's annual conference, during most of the post-war period, it argued noncommittal matters such as the economy, housing, and education. It gradually declined after the resolution passed for the abolishment of veto on non-Scottish subjects, and this led to the discussion of greater autonomy within NLP. This was argued at Scottish Labour Action (SLA), and therefore created the development of a range of matters to be addressed through Home Rule, including anti-poll tax campaigns and the agenda of the Scottish Parliament (Hassan 2002b:31).

Hassan, who published a variety of works regarding the Labour Party, pointed out three differences between NLP and Labour. First, the Scottish party had a traditionally smaller membership than the NLP. Second, Labour was an institutionalised party through governing the public life of Scotland. Third, it also sought dominance in intellectual and cultural terms over Scotland (Hassan 2004:4-5).

From here, Labour's discretion had been centralised at NLP, but how it existed in Scotland and developed was unique within the UK. Additionally, the centralised party structure did not necessarily prevent it from committing to devolution issues. One of the prominent politicians in the UK at that time, and leader of the NLP from 1983 to 1992, Neil Kinnock supported devolution in the period of system formation in Scotland. The following party leader, John Smith, was an enthusiastic supporter as he made a speech at the conference of SCC in 1990. Such continuous support from influential politicians even at national level, allowed Labour to continue the commitment for devolution throughout the 1990s. That is why Labour could demonstrate a distinctive move in the centralised party. Hassan described Labour as follows:

“The Scottish Labour party is a strange creature. It is a party with its own distinctive origins, history and culture; yet it exists within one of the most centralised political parties in western Europe” (Hassan 2002a:144).

Hassan evaluated that the Labour party retained a unique identity through their development within a centralised political party, the NLP.

Another main actor which will go on to be discussed is the SCC, and how they are interpreted within this political realm. The SCC consisted of Labour, the Liberal Democrats, Scottish Trade Union Council (STUC), some church organisations and COSLA (Convention of Scottish Local Authorities), a national association of Scottish local authorities. It was interpreted differently due to its characteristic as an umbrella organisation. Peter Lynch, a prolific writer within Scottish politics, introduced the four perspectives of SCC.

First, is a positive interpretation emphasising its achievement in formulating a plan in which the interests of various political organisations are considered. SCC's capacity to harmonise the interests of both Labour and Liberal Democrats is considered a good example of democracy, pluralism, and consensus politics. Second, in contrast with the positive interpretation, a more sceptical interpretation focuses on the motivation of participant groups. Based on its perspective, SCC is evaluated as promoting a nationalistic response with the intent of defeating SNP by reducing their level of support. Thus SCC can be viewed as a constitutional choice of devolution within the Labour party, and therefore, offer an alternative to SNP's independence card. Third is a partisan one. It reveals the aspect of party politics in SCC that despite being promoted as a cross-party organisation, it comprises only Labour and Liberal Democrats participants who competed against Conservatives and SNP, and subsequently proposes that it was simply an opportunity for Labour to present themselves as a driving force in Scottish political interests. Fourth, was an interpretation of pressure groups. In this interpretation, SCC is shown as using this political platform to promote their own various interests, e.g. Liberal democrats used the platform to push for proportional representation (Lynch 1996 2-4).

In the first two categories involving the evaluation of SCC, it is being viewed as a simplified collective party. SCC is treated as one party so it can emphasise its effect in formulating the plan for devolution. Contrastingly, the latter two categories argue that it used the group as an arena for various actors, highlighting the aspect that individuals from each party and pressure group are using the platform to exert power in their own interests.

Conversely, Levy proposes the critical view on the interpretation of SCC. He criticises the fact that SCC could not give a clear answer in the question of sovereignty and highlighted the contradiction within SCC's plans. Additionally, he believed that Labour did not show the intention of reform and the discussion veered into the direction of the goal to dominate territory (Levy 1992).

Reflecting on the views of the two political scientists, there are different interpretations to be considered when looking at SCC. With regards to the interpretations that it used its platform as an arena of party politics, it is not impossible to establish a counterargument. For example, in the sceptical interpretations, SCC can be considered in competition with SNP, however, in the course of movements in SCC, they partially made an offer to cooperate with the SNP which they attempted throughout the 1990s. Levy also espoused the view that the parties in SCC did not try to reform, but as shown later through the Labour party, they actually had various views and some groups favoured the proportional representation system, so they were actually, in some ways, reforming. The Labour Party formed a system which consequently constrained their ability for seat maximisation. This shows an argument against Levy and his criticism that they were not wanting to reform and this point will be examined in further detail in the following chapter.

In classifying the SCC as being a framework of party politics, it limits the interpretation and perspective of analysis to some extent. Therefore, in this article, to allow an independent analysis of the function of SCC, it values the view of it being a collective actor and takes a similar position to the positive interpretation in Lynch's classification. This article's argument will position

itself based on this interpretation for a better understanding of the active functions of the SCC in forming the electoral system. Therefore, this article defines the SCC as a cross-party civic organisation. Through this definition, this article will focus on the mutual interaction between Labour and SCC and analyse the course of the electoral system formation with consideration of how preferences were advocated within the Labour party.

The actors in this article were examined and defined respectively. Labour, was defined as having a focus on retaining the unique Scottish identity within the centralised party. SCC was defined as a cross-party civic organisation, which held different views from specific parties. The two actors in this article will be interrogated as stated, developing an analysis in line with the definition. Then, in the next sub-section, the electoral system, the theme of this article, will be addressed.

The Additional Member System (AMS)

In the previous sub-section, it considers briefly the characteristics and history of the SCC and Labour as actors in the electoral system formation. This sub-section will address how the electoral system in the Scottish Parliament was demonstrated as an electoral system and what effect it had.

In reviewing the meaning of an electoral system, Gallagher and Mitchell define it as “the set of rules that structure how votes are cast at elections for a representative assembly and how these votes are then converted into seats in that assembly” (Gallagher and Mitchell 2005:3). This article will also look at this point of how votes are cast at elections and become seats within the parliament. The limitations of the domain within cast votes being used to define seat allocation will be described in the proceeding paragraphs.

In an election, the voters utilise a system relating to the rules of how the electorate cast votes and how these votes are allocated and translated into seats. Rae's work was useful and influential in supporting comparison analysis of the system in various countries. The criteria used by Rae in comparing the system has been shared in the scholarly literature (Gallagher and Mitchell 2005; Farrell 2011).

Rae advocates three main components to give standards for comparison of the electoral system. Firstly, 'district magnitude' is the standard based on the size of a constituency and the number of candidates elected per one constituency. It enables us to distinguish between a single constituency and a multi-number constituency by measuring the number of candidates elected i.e. where one candidate is elected this constitutes a single constituency whereas, when more than one candidate is elected this constitutes a multi-number constituency. Secondly, 'ballot structure' indicates how the vote is cast. 'Categorical or nominal' vote invites the electorate to vote for a specific party or candidate. 'Ordinal' voting invites electorates to number their vote in order of preference. Finally, there is the 'electoral formula', which involves seat allocation, that transmits the number of votes converting into seats. It allows various classifications, though the main categories are the plurality system which emphasizes the plurality as a standard to decide for electing and the proportional representation system which values the (dis)proportionality instead⁸ (Rae 1971).

There are variations in 'electoral formula'. With regards to proportional representation, in categorical standards, a candidate list is used to decide the seat allocation and votes are divided amongst candidates through totaling and dividing appropriately all votes made. A candidate list can be on a different scale depending on the type of election, for example, a regional list or a national one. Moreover, there is a mixed system to combine the plurality system with the proportional representation system, which is called a 'mixed-member electoral system' (Farrell 2011). This type of system has been adopted in Germany, Italy, Japan, and New Zealand.

⁸ The concept of the relationship between these categories are independent, or sometimes related. For example, in the 'district magnitude', single constituency elects one candidate, then the 'ballot structure' has several variations but in the "electoral formula" it specifies within plural systems. In this example, "district magnitude" correlates strongly with 'electoral formula'. In the typical example, there is a Westminster electoral system, Single-Member Plurality System. In other words, it is so-called first past the post (FPTP).

The AMS system, introduced in Scottish Parliament, can be understood as an example of the mixed-member electoral system. This method can be explained as the combination of a plurality system and proportional system.

In 'district magnitude', there are two kinds of districts. There are 73 single constituencies, and eight multi-member constituencies elected by proportional representations. These two constituencies overlap. Each multi-number constituency contains eight to ten single constituencies. For example, the Lothian multi-member constituency including the capital city of Edinburgh, contains nine single constituencies, Almond Valley, Edinburgh Central, Edinburgh Eastern, Edinburgh Northern and Leith, Edinburgh Pentlands, Edinburgh Southern, Edinburgh Western, Linlithgow, and Midlothian North and Musselburgh. Each multi-member constituency elects seven people. This amounts to 73 single constituency elected members, and 56 multi-member constituency elected members, 129 in total.

In 'ballot structure', electorates have two votes and each vote is cast for a single constituency, and multi-constituencies respectively. In a single constituency, as in a Westminster parliament election, a candidate is voted for. The electorate then votes for a party or an independent candidate. Thus, each electorate should be represented by parliamentary members, one politician elected by a single constituency, and several politicians (called list MPs) elected by multi-member constituents.

In terms of 'electoral formula', the way of combining two systems needs to be considered when looking at how the position is made and subsequently understood within an electoral system. As a framework, multi-member constituencies elect through proportional representation via a closed list, whereby parties could choose candidates in order of preference. In the proportional representation part, the divisor of the AMS is unique in comparison to similar systems e.g. like Germany's electoral system (Lundberg 2014:354). In AMS, the number of seats is fixed independently from the beginning, so it is different from Germany's system in that way too.

In proportional representation AMS adopts the d'Hondt method of seat allocation. However, in the AMS, the d'Hondt method is a modified version

for balancing the seats between the single constituency and proportional representation parts. In the d'Hondt method, the divisor adds the number of seats each party gained in a single constituency seat within a multi-member constituency. Thus, after the single constituency seats are allocated to all the parties, the proportional representation's seat allocation correlates with the result of a single constituency part. Therefore, any party gaining the majority in a single constituency would have difficulty in gaining seats in the proportional representation part. If a party gains many seats in a single constituency, the seats would add to the divisor in the proportional representation part so that it will be hard to increase the number of seats in multi-member constituencies.

Accordingly, AMS has unique setting as an electoral system in comparison with different systems. Thus, it would be intriguing why this sort of system became well-grounded in Scotland. For answering the research question of why Labour formed a disadvantageous system for themselves in terms of number of seats, the following chapter will go on to explore the political process of system formation.

3 Consensus building for the establishment of the Scottish Parliament and Labour (1989-1990)

In this chapter, the question of why Labour came to accept proportional representation will be examined. First, the establishment of the SCC and cooperation in discussion between the SCC and Labour and its organisational features will be considered. For consideration, the political course towards the decision of the acceptance of proportional representation in Labour's Annual conference in 1990 is described with a focus on SLA, which promoted an issue of autonomy within Labour, by utilising Minutes of STUC and the resource of SCC. Next, this chapter will address the publication of SCC's first report, 'Towards Scotland's Parliament' and view the results of the discussion from 1989 to 1990.

Establishment of the SCC and its operation

SCC's structure and its aim

SCC held its first public meeting on 30th of March in 1989 at the assembly hall of Scottish Church⁹. The organisation itself had been envisioned in the document called "Claim of Rights" published by Campaign for Scottish Assembly (CSA), which was the previous Home Rule movement group in the 1980s. In the preparatory phase, from January a cross-party discussion was held and discussed the party's participation, and consequently, the establishment was officially announced¹⁰. In a first consultative document of SCC, "Towards a Scottish Parliament" described themselves as "a gathering of representatives from all parts of Scotland and from all areas of Scottish life"¹¹.

With regards to the involvement of politicians, SCC contained 80 % of the politicians who stood in the House of Commons and European Parliament elected in Scotland¹² with local councillors. The reason for this was because they got the support from local councillors, along with continuous financial backing from COSLA, which was, at that time, the peak organisation of Scottish local governments (McFadden 1995:217). When it comes to the political parties SCC consisted of participants from Labour, the Liberal Democrats, Green, and the Communist party (Wright 1997:124). The common chair was served by David Steel from the Liberal Democrats and by Harry Ewing from Labour(Wright 1997:116), and its secretary was Bruce Black¹³. The involvement of political parties, politicians and the support from peak organisations of local government denotes that SCC had a high public profile.

⁹ *The Herald* (27 March 1989).

¹⁰ *The Herald* (27 January 1989).

¹¹ SCC (1989) "TOWARDS A SCOTTISH PARLIAMENT CONSULTATION DOCUMENT AND REPORT TO THE SCOTTISH PEOPLE", pp.1, National Library of Scotland (NLS).

¹² 55 MPs and 7MEPs(a Member of the European Parliament) (McFadden 1995).

¹³ SCC (1992) 'Schedule of Membership' ,(28 September 1992), SPA/KW/SN/1/2/2/1.

Here SNP was also requested to join, but they withdrew after the temporal participation before the official establishment of SCC. Conservatives never participated throughout the period from the first meeting as a formal policy¹⁴.

Aside from political parties, SCC was also composed of civil organisations. As a main actor, STUC, Scottish Churches, pressure group, Gaelic organisations, and ethnic groups participated in SCC. From its operation, SCC came under criticism for the number of Labour MPs as “Labour’s rigged Convention¹⁵”. Nonetheless, containing various civic organisations and an organisational structure which ensured a representation of other organisations, allows us to consider it as an independent organisation from a political party to some extent.

Additionally, SCC consisted of the Executive committee, which applied a principle of unanimity with other constituents (McFadden 1995:216-7). The chair of Executive committee was appointed from the Church organisations, Kenyon Wright¹⁶. The Executive committee was composed of ten MPs, five local councillors, and one party organisation member all from Labour. It amounted to more than a half in total. Aside from it, two members from the Liberal Democrats, two from other parties, another two from church organisations, Campbell Christie, who was the General Secretary from STUC, one from the Women’s Forum Scotland, and one from the CSA which promoted an autonomy issue before SCC. Although the political parties are presumably influential in SCC, the Executive committee was chaired by

¹⁴ The chief executive of Scottish Conservative Party, John MacKay, said that the Scottish Constitutional Convention was a gathering of people who wanted to disunite the United Kingdom, either partially or completely (*The Herald*, 17 January 1989).

¹⁵ *The Herald* (31 January 1989).

¹⁶ Wright was General Secretary of Scottish Churches Council when he was appointed. Before then, he had been an active member of Labour in his university life and had a political experience in Glasgow University Union. Later he served as a missionary in India then came back to Scotland (Wright 1997).

Kenyon Wright from a Church background and not by political parties, which, in a way, had a symbolic meaning.

Other actors apart from those in political parties also participated in a substantial discussion in the system formation. In working groups of SCC, there were various actors involved from STUC, CSA, and even some island representatives. Furthermore, even within political parties, there were differences in preference with regards to the Home Rule issue. The Labour MPs actively participating in SCC should not be identified with other Labour party members in terms of intensity for ideological commitment to Home Rule. Therefore, the SCC should be recognised as an independent body from Labour (and NLP).

The task of SCC was intended "to draw up a scheme for the better government of Scotland that meets the aspirations of the Scottish people; and to establish that this has the backing of the Scottish people; and to ensure that such a scheme is implemented", in the consultative document, "Towards a Scottish Parliament"¹⁷. The chair of SCC's Executive committee, Wright, introduced three goals in the early period of SCC, which are as follows; 1. To agree a scheme for a Parliament for Scotland; 2. To mobilise Scottish opinion and ensure the approval of the Scottish people for that scheme; and 3. To assert the right of the Scottish people to secure the implementation of that scheme(Wright 1994:44).

Thus, referring to the SCC's interpretation, the goal of SCC can be understood as drawing a substantial grand plan for an establishment of the Scottish Parliament and the Scottish government, and implementing the plan in line with the Scottish people's will. In calling for support from people to convince them that the plan was persuasive, the cooperation of the party and the participation of MPs would be pragmatically crucial in that sense. It can be said that the creation of the electoral system as a concrete scheme was an important agenda for the SCC and thus, accounted for a vital part of their

¹⁷ SCC (1989) "TOWARDS A SCOTTISH PARLIAMENT CONSULTATION DOCUMENT AND REPORT TO THE SCOTTISH PEOPLE", pp.1,NLS.

discussion. Another important aspect was that the SCC not only wrote a scenario for devolution, but they also needed to make their campaign plan appealing. Thus, SCC played an active role in the movement towards obtaining a broader consensus to realise the devolution with the formation of a detailed devolution scheme. It can be argued that the way of forming a system itself and what kind of a system is formed functions as a significant appealing point to the public, therefore, gaining support at the same time. By setting the goal in that way, the cross-party organisation, SCC was born and operated to achieve their goal.

SCC's activity and the start of forming the electoral system

SCC established four working groups including constitutional/legal position of a Scottish Parliament; Finance for a Scottish Parliament; Powers for a Scottish Parliament and; issues particularly affecting women, that should be addressed by a Scottish Parliament¹⁸.

The consultation process was conducted with over 150 organisations asking questions regarding the system (Wright 1997:124). Then, a second meeting of SCC was held at Inverness in July. Besides four working groups, a committee to deal with public participation and support was launched and a sixth ad-hoc committee relating to the special role of islands in Scotland was established too¹⁹ (Wright 1997:125).

In the meeting, the Executive committee reported the progress of the activity at that time. It said that it was too early to make a final decision and a meeting should be planned to make a general response. Moreover, as it remained an important issue, they raised the issue of the electoral system with an emphasis on the difficulty of reaching a consensus. A minimum

¹⁸ STUC(1989)'Minutes of the meeting of the general council 3rd May 1989' in "STUC Minutes June to July"

¹⁹ SCC (1989) 'A PROGRESS REPORT FROM THE EXECUTIVE REPORT TO THE MEETING OF THE SCOTTISH CONSTITUTIONAL CONVENTION'(7 July 1989), SPA/KW/SN/1/2/1.

principle at this stage was that “any Scottish Parliament should be as genuinely participative and representative of the people as is possible.” It also stated that this should be reserved to the Executive committee at that time²⁰. Contrary to SCC’s relatively deliberative position on electoral system formation, the Liberal Democrats clarified their stance for proportional representation at that time, Malcolm Bruce, who was the leader of Liberal Democrats argued an introduction of proportional representation with STV was fundamental in support of SCC²¹.

Interestingly, the inclusion and expansion of SCC was conducted at this time. In May, 1989, Wright told of their intention to include Conservative party in their argument at the general conference of the Conservative party at Perth²². In June, Campbell Christie asked SNP to join the debate in SCC again by letter²³. As a result of this trial, it did not succeed in gaining support from them, but it shows the independence of SCC from political parties to some extent for exerting its resort. The argument for the electoral system moved on, and the question was raised on proportional representation. As a response, STUC vice secretary conducted a consultation to all parties except Conservative, and to the Electoral Reform society as to which system should be supported²⁴.

After the second meeting in July, SCC’s secretary, Black, outlined a whole process to publish the consultative document of SCC. Then, it planned, as the consultative document would be published around the end of September, setting a consultation period for two months until 30th November. The

²⁰ SCC (1989) ‘A PROGRESS REPORT FROM THE EXECUTIVE REPORT TO THE MEETING OF THE SCOTTISH CONSTITUTIONAL CONVENTION’(7 July 1989), SPA/KW/SN/1/2/1.

²¹ *The Herald*, (5 April 1989). *The Herald* (14 June 1989).

²² *The Herald*, (16 May 1989).

²³ ‘From Campbell Christie to Gordon Wilson’(19 June 1989), in “STUC Minutes June to July”.

²⁴ STUC (1989) ‘Minutes of the meeting of the general council 5th July 1989’ in “STUC Minutes August”.

response to the SCC's document would be presented at SCC's meeting in December²⁵. Thereafter the Executive committee on the 19th September, agreed to distribute leaflets of SCC, and to prepare the detailed consultative document by working groups. In November, 350,000 leaflets and about 1000 consultative documents were published as planned.

There are various points of discussion proposed in the leaflet "A parliament for Scotland". In the section "what kind of parliament?", there are three choices including "a directly elected Scottish Parliament within the United Kingdom which would take responsibility for those functions presently exercised by the Scottish Office", "A directly elected Scottish Parliament which could be the forerunner of similar assemblies in Wales and the English Region with Federal Parliament", "An elected Parliament of an independent Scotland"²⁶. From here, as we can see, an argument of constitutional/legal position was raised at this time. In the question of power and discretion of the Scottish Parliament, choices were presented in a relationship with the UK. In the working group of the constitutional issue, Bob McCreadie, a young Liberal Democrat lawyer, played a role as chairman, and negotiated with Labour's general secretary, Murray Elder. A success in the consensus-building in the discussion of constitutional issues was generated by the chemistry between them, Wright looked back²⁷.

Otherwise, regarding the electoral system, it lists the electoral system in a neutral way including using the current system (FPTP), or a variant of it, or by one of the systems of proportional representation²⁸. In the consultative

²⁵ STUC (1989) Minutes of the meeting of the general council 30th August 1989' in "STUC Minutes October".

²⁶ SCC (1989) 'A PARLIAMENT FOR SCOTLAND DISCUSSION LEAFLET', SPA/JMC/SN/CC.

²⁷ McCreadie seemed to be fiery sometimes; in contrast, Elder was calm. Wright needed to hold the line between them, and for him, it was a political education (Wright 1997:132).

²⁸ SCC (1989) 'A PARLIAMENT FOR SCOTLAND DISCUSSION LEAFLET', SPA/JMC/SN/CC.

document, a similar system to AMS was introduced, but the position of this system as a new choice was not given any privilege. As the FPTP was also considered and remained prevalent as one of the choices, it could have potentially been any system formation in 1989.

In this consultative process, it is important not only in obtaining a good direct response from the public but in maintaining a high level of interest and debate throughout Scotland according to Black. It was expected to secure clear lines of agreement on a framework or outline a scheme at the SCC's meeting on 19th January²⁹. Executive committee in December, questioned it as follows:

- a. What kind of parliament should be established.
- b. How could the Scottish Parliament be made truly representative.
- c. What should the fundamental rights be.

The committee did not reach a consensus on the electoral system though proportional representation planned to be considered at spring³⁰. In the actual meeting, the third meeting held in Glasgow, some of the powers of the Scottish Parliament and its mode of operating were agreed, but agreement could not be reached in terms of financial issues and electoral issues therefore, these would be discussed at the next meeting in Dundee³¹.

SCC did start to operate a scheme for the creation of a Scottish Parliament in 1989. Six working groups, including an ad hoc group, were established, and the discussion on the legal and constitutional issue and powers of the parliament was developed. In a description of the leaflet, a discussion on the legal and constitutional issues and powers of the parliament was relatively advanced compared to other issues. The argument for the electoral system

²⁹ SCC (1989) 'All Members of the Convention', (14 November 1989), in "STUC Minutes December".

³⁰ STUC (1990) 'Minutes of the meeting of the general council 10th January 1990' in "STUC Minutes February to March".

³¹ STUC (1990) 'Minutes of the meeting of the general council 7th February 1990' in "STUC Minutes February to March".

was delayed since there was no conclusion even after the third meeting had finished. As a minimum, the consensus was that “any Scottish Parliament should be as genuinely participative and representative of the people as is possible,” as a more normative ideal than a concrete scheme. Although the Executive committee meeting was held in February, it concluded it was impossible to complete SCC’s task in the next meeting, and it should have two more meetings at least³².

At this time, it can be observed that a continuous pressure was put on SCC from Liberal Democrats politicians like Malcolm Bruce regarding the introduction of proportional representation. Moreover, due to the argument on the constitutional issue, Labour and Liberal Democrats had an antagonistic relationship with each other. Nonetheless, SCC deliberately developed the argument calmly as we could see by the intervention of Wright to mitigate the confrontation in the working group. This attitude could be evaluated as an independent body attempting to maintain harmony with all the political actors.

Again, the issue of the electoral system was left to the Executive committee to oversee to ensure the Liberal Democrats were not in a privileged position regarding proportional representation. The fact should be noted, however, that Labour also developed an argument for proportional representation. In the next section, from a Labour perspective, a commitment to Home Rule and the relationship with SCC should be examined by describing the political course until the political decision of acceptance for proportional representation was reached in March at Labour’s conference.

Addressing Home Rule and acceptance of proportional representation

Agenda as Home Rule and renaissance of SLA

For Labour, Home Rule was a controversial and intractable issue. NLP launched Labour’s new Scotland Bill in 1984, but predictably it was voted

³² STUC (1990) ‘Minutes of the meeting of the general council 7th March 1990’ in “STUC Minutes February to March”.

down in Westminster (Hassan and Shaw 2012:48-9). Conservative, under Thatcher's governance, had an apathetic attitude to devolution particularly (Kellas 1989b:525), making it difficult to promote an autonomy issue. In the background, there was a "potent sense of disappointment and inadequacy to the challenges and context of the environment" (Hassan and Shaw 2012:49). In McLean's work³³ published by SLA, it argues the disappointment at the special conference in 1987 which could not address the cross-party work, convention, campaign initiative, and prompted the formation of SLA in late February 1988. SLA was publicly launched in March thereafter (McLean undated:41-3). SLA then contributes to the debates on Poll tax, the SCC, powers, finance, constitutional issues, and electoral system (McLean undated:42). The Contribution of SLA fostered a culture of commitment to Home Rule in this period. Their activity increased Labour MPs' drive to push for the autonomy agenda within the party.

SLA was supported by MPs in Westminster including Dennis Canavan, Dick Douglas, Robin Cook, John McAllion and George Galloway. As well as these, some Labour activists Bob McLean, Ian Smart, and Susan Deacon, who later became a Member of the Scottish Parliament backed SLA. Later Scottish Parliament members, Jackie Baillie, Sarah Boyack, Pauline McNeill and Jack McConnell, who later became the third First minister of Scotland, also participated in SLA (Hassan and Shaw 2012:49).

In February, SLP published a booklet called "Proposals for Scottish Democracy" to provoke a public discussion. The booklet is composed of five chapters:

1. An Assembly in Control
2. Electing the Assembly
3. An Open and Democratic Assembly
4. Labour in the Assembly
5. Local Government and the Assembly

³³ Bob McLean published a name as Robert McLean in the book. He was also known by the name, and his life history was detailed in *The Scotsman*, (20 July 2012).

The introduction is written by McConnell, and sets objectives as the full development of Scottish democracy, with democratic checks built into a new system of the Scottish government, ensuring the Executive is accountable, and its members represented. These objectives would not be met by creating a replica of the House of Commons, according to McConnell. In chapter two “Electing the Assembly”, proportional representation is discussed here. The section begins by stating, “a list of the political benefits of the current electoral system can be balanced by a similar list of the system’s inadequacies”. Then it concedes the merit of FPTP as the system that creates a strong government with majority’s party governance, and to some extent it reflects general trends in public opinion. Otherwise, it argues that FPTP could actually leave a majority of the electorate without influence over those representatives elected to serve their interests, because there is no real proof that individual members elected are held accountable for their actions. Lastly, it argued FPTP contributes towards the widespread cynicism about politics and politicians. Thereafter, as alternatives, STV is critically examined and two forms of Alternative votes are introduced as possible choices³⁴. Neither of them are similar to AMS, but adopt some parts of a single constituency like AMS. Nevertheless, it is interesting to see SLA’s intention of reform from FPTP in 1989 even before SCC started to be active. SLA, tried to criticise and review FPTP, and from the introduction, it has the specific intention of diverging from Westminster.

SLA’s pamphlet formed a majority part of the agenda and discussions in Labour’s conference in 1989. In the background, the problem of ‘dual mandate’ was on the table. MPs supported ‘dual mandate’ and, like SLA, argued that “Scottish Labour MPs should seek a specific Scottish mandate and then use it as a platform for action irrespective of the British result”(Hassan and Shaw 2012:55). From what we could observe in this statement, dual meant serving the UK as a whole and for the Scottish people, and in a way, it was dual. This led to the argument connected with territorial logic, and it would not be a

³⁴ SLA(1989)‘PROPOSALS FOR SCOTTISH DEMOCRACY’, NLS.

coincidence that the argument was advocated in the year that Labour joined SCC. Consequently, the debate was remitted back to the party executive for further consideration (Hassan and Shaw 2012:56). Nevertheless, as we could see in the topic of the dual mandate, the issue of autonomy was enhanced within Labour with an immense influence of SLA.

SLA's contribution was to emphasise the importance of engaging with SCC in the Labour conference in 1989. In the programme called "The Work of the Scottish Executive Committee" within the conference, the Executive committee confirmed Labour backed the idea of constitutional convention and therefore should proceed with it as soon as possible. Moreover, it suggested the continuous active role of Labour to ensure the initiative of SCC³⁵. Labour did not conclude the issue of 'dual mandate' though it did move forward on a positive note for developing the Home Rule issue and SCC. It can be interpreted as a process of developing the issue by the influence of SLA.

SLA also published a pamphlet called 'Real Power for Scotland' to respond to a consultative process of SCC that started from September 1989. The pamphlet, in the section called "Making the Parliament Truly Representative", introduces the policy of the electoral system under the name "A Fair Electoral System". First, it points out that the current electoral system does not adequately represent people and the Labour party. Based on that, it also requests a refusal of the implementation of FPTP and suggests that Labour should support a Scottish Parliament election by genuine proportional representation. Next, it raises four criterias regarding the desirable electoral system; ① The system should allocate seats in reaction to votes cast; ② The system should effectively represent the sparsely populated areas of Scotland; ③ The system should enable parties to exercise positive action to ensure the fair representation of all sections of society, most notably women; and ④ The identifiable link between constituents and elected representatives should be

³⁵ Labour Party Scottish Council (1989) "74th Annual Conference Inverness 1989", pp.9, NLS.

maintained³⁶.

Thus, under this process, SLA was born in the Labour party, and the issue of autonomy gradually became influential with the existence of SLA. SLA proposed the refusal of FPTP based on the idea that the Scottish Parliament should be different from Westminster in the early stage of system formation in 1989. Moreover, it supported a system similar to the majority system in February of that year. Interestingly, in the consultation process, “Real Power for Scotland” was considered an introduction of proportional representation. Setting the four criteria had significantly improved the process of the formation of the electoral system and its subsequent completion.

It may be debatable how SLA was influential at that time within Labour, however, as seen in the argument of ‘dual mandate’, it is not deniable that the issue of autonomy accounted for the main agenda in Labour in this period, therefore SLA can be interpreted as a pressure group to realise the agenda³⁷. The fact that the SLA membership became influential in this period (as later they take a role in the Scottish Parliament), indirectly shows their impact to an extent. From the next sub-section, I will consider how the argument of the electoral system bears fruit in this period by interrogating the discussions in Labour’s annual conference in 1990.

Labour’s annual conference and “Towards Scotland’s Parliament.”

Eventually the annual conference at Dunoon was held in March 1990. In this conference, the resolution of excluding FPTP from the electoral system for the Scottish Parliament was decided with a resolution of supporting equal 50/50 representation for men and women³⁸. In “The Work of the Scottish

³⁶ SLA (1989) ‘REAL POWER FOR SCOTLAND’, SPA/JMC/SN/CC.

³⁷ In July, SLA member, McConnell demanded a discussion on proportional representation, and it was supported at Labour’s Executive committee, *Herald*, (3 July 1989). It demonstrates the influence of SLA partially at that time.

³⁸ Labour Party Scottish Council (1991) “76th Annual Conference Aberdeen 1991”, pp8, pp29, NLS.

Executive Committee,” it confirmed Labour played an important role in, and involvement with, the development of SCC for as long as possible. It emphasised the flexibility of Labour’s approach to SCC, and it clarified that Labour was prepared to help the consensus in SCC even if it changed the fixed policy of Labour. Moreover, regarding the electoral system, the Executive committee admitted the consultation to affiliated organisations that Labour had undertaken. Lastly, it emphasised that Labour’s efforts to reach consensus at SCC was concluded³⁹.

After the end of the annual conference, where it was decided to accept proportional representation, it moved forward to the completion of the first report of SCC, “Towards Scotland’s Parliament” published in November 1990. The fourth SCC meeting was held at Glasgow in April, and it advanced the two issues of “Making a Scottish Parliament Truly Representative” and financial support for the parliament reaching a consensus for the establishment of two working groups⁴⁰.

In Wright’s speech at the conference, under the chapter of “Making the Scottish Parliament Truly Representative”, he argued that the subject for SCC was not only limited to acceptance of proportional representation but rather it was important to make the parliament truly representative. Moreover, in relation to the electoral system, he emphasised it as a remarkable shift in Scottish politics, describing how, “all the major constituent groups in this Convention have now accepted that the present electoral system does not produce a just and truly representative legislature”. It also put on the table the content of the system, and declared a beginning of intense and difficult discussion. In conclusion, it discussed the representation of women, ethnic groups, and of rural areas⁴¹.

³⁹ Labour Party Scottish Council (1990) “75th Annual Conference Dunoon 1990”, NLS.

⁴⁰ STUC (1990) ‘Minutes of the meeting of the general council 2nd May 1990’ in “STUC Minutes June”.

⁴¹ ‘Address by Canon K Wright to the fourth meeting of the Scottish

It is the consensus that this speech emphasised the non-acceptance of FPTP. Before then, from the meeting, FPTP had been considered as one of the likely choices as it could succeed in advancing the argument of the electoral system by excluding one influential option. Symbolic words from Wright's speech declare that "for Scotland at least we recognise that we must find another way". Following this speech, it can be assumed that the development of the electoral system argument led to the establishment of the working groups. Then the political course from April to November will be described, when the first report was published.

Based on the meeting in April, the working group for the electoral system was set up and started a discussion. At the first meeting of the working group "Making a Scottish Parliament Truly Representative", the purpose of the meeting was defined as (a) to give all the parties represented on the Working Group the opportunity of submitting their respective suggestions for an electoral system for a Scottish Parliament; (b) determine their position on the question of representation of women and ethnic minorities in a Scottish Parliament, and (c) determine what level of detailed agreement could realistically be reached by the July meeting of the Convention, and by the September meeting of the Convention⁴². Thereafter the working group submitted a written document for consideration to the Executive meeting⁴³.

In the document, it was confirmed by consensus that SCC did not accept the present system for the Scottish Parliament. The document also presents six principles for the electoral system to be assessed. These include (a) that it produce results in which the number of seats for various parties is broadly related to the number of votes cast for them; (b) that it ensures or at least

Constitutional Convention Glasgow City Chambers, Friday 20th April 1990', SPA/KW/SN/1/1/1.

⁴² STUC (1990) 'Minutes of the meeting of the general council 2nd May 1990' in "STUC Minutes June".

⁴³ STUC (1990) 'Minutes of the meeting of the organisation and policy committee 20th June 1990' in "STUC Minutes August".

takes effective positive action to bring about equal representation of men and women, and encourages fair representation of ethnic and other minority groups; (c)that it preserves a real link between the member and his or her constituency;(d) that it is as simple as possible to understand; (e)that is ensure adequate representation of less populous areas; (f) that the system be designed to place the greatest possible power in the hands of the electorate. Additionally, it confirmed not to make a final judgement for a single electoral system in this stage⁴⁴.

In July, the fifth meeting of SCC was held, and it confirmed that an argument on the electoral system remained to be resolved⁴⁵. Then, the sixth meeting of SCC discussed a final draft for the report and proposal⁴⁶. In the "Report for Meeting of Convention on 27th September", the Executive committee accepted the report about the agreed decision and position until that point. Based on the argument and the decision further made, the detailed plan of the electoral system was set to be published in the first report in the 30th November event.

Moreover, as the sixth principle stated above, there was a final draft included, therefore it meant the working group's discussion had reached a consensus⁴⁷. In the meeting on 30th November, SCC planned to publish the final version of the report and invite audience, media, and newspaper to obtain public support⁴⁸. From September, the SCC focused on the completion of the first report, and in November, it also decided to distribute a tabloid

⁴⁴ SCC (1990) 'MAKING THE SCOTTISH PARLIAMENT TRULY REPRESENTATIVE', Agenda Item 7, in "STUC Minutes August".

⁴⁵ STUC (1990) 'Minutes of the meeting of the general council 1st August 1990' in "STUC Minutes October".

⁴⁶ STUC (1990) 'Minutes of the meeting of the general council 3rd October 1990' in "STUC Minutes October".

⁴⁷ SCC (1990) 'Report for Meeting of Convention on 27th September' in "STUC Minutes October".

⁴⁸ SCC (1990) 'Meeting of Convention on 30th November 1990' in "STUC Minutes October".

paper⁴⁹.

Here, I would like to mention the STUC. In this process, STUC criticised the point that the electoral system did not ensure gender equality in the mechanism, despite it being promised in the course of discussion. To strengthen the mechanism, STUC proposed a modification that was not accepted, leading to doubt about the direction of discussion⁵⁰. This subject became an issue of conflict later though it was observed that STUC acted as a pressure group to advance the issue of gender equality in SCC.

After months of preparation, the meeting "Towards Scotland's Parliament" was eventually held on 30th November. It invited various parliament members including John Smith MP, who later became the leader of the Labour party, who made a speech there. Norman Shanks from Churches, Malcolm Bruce MP from Liberal Democrats, Councillor Jean McFadden from COSLA, Campbell Christie from STUC and Isobel Lindsay from CSA who also all made speeches⁵¹. John Smith, who looked back at the experience of engaging in the Scotland Act in 1978, mentioned as follows;

I retain a sense of pride in being involved in an important stage in the development of Scotland's institutions albeit that my disappointment at not in the end being to achieve the objective was, and remains, intense. It has been for me, as for many of my Parliamentary colleagues, a crucial objective as yet unfulfilled- a task remaining to be completed...Speaking for the Labour Party- as I am proud to do- we salute the work of this Convention with enthusiasm and a sense of satisfaction. We pledge ourselves to

⁴⁹ STUC (1990) 'Minutes of the meeting of the general council 7th November1990' in "STUC Minutes December".

⁵⁰ STUC (1990) 'Minutes of the meeting of the general council 3rd October 1990' in "STUC Minutes November".

⁵¹ SCC (1990) Pamphlet 'TOWARDS SCOTLAND'S PARLIAMENT', SPA/KW/SN/1/2/2/2.

work with all those present and represented here today to bring to reality the aspirations for a better Scotland, which we have together worked to achieve⁵².

The discussion of the report “Towards Scotland’s Parliament” on the electoral system should now be examined. In the report, there is the chapter “Making the Scottish Parliament Truly Representative,” which leads with a criticism of FPTP “confidence in the present electoral system has been badly undermined by the bitter experience of recent years”. It analysed an effect of the system, as having the result that a government can be elected with a substantial majority in parliament but a minority share of the votes as exemplified by the Thatcher government. It also pointed out that there were inequalities in Scotland and FPTP produced weighted results. Then, it said, “the Convention’s view is that an imbalance of this type would not be acceptable in a Scottish Parliament”. It also showed the risk of fragmentation and the tendency towards a coalition government, and clarified a need for the system “under which the seats won more accurately reflected the votes cast for each party”. Thus, the Convention decided that FPTP would not be used. After the report confirmed the six principles stated above, it concluded with the aim of the Scottish Parliament “to encourage an open, accessible, and democratically accountable government and a participatory democracy which will bring Parliament and people close together in determining what is best for Scotland⁵³”. In the newspaper “Scotland’s voice”, which was distributed at the event, Donald Dewar talked about the electoral system and Labour’s attitude towards SCC as follows;

⁵² Smith, J.(1990)’SPEECH BY THE RT HON JOHN SMITH QC MP TO THE SCOTTISH CONVENTION ON FRIDAY 30 NOVEMBER 1990 AT GLASGOW ROYAL CONCERT HALL’,SPA/KW/SN/1/2/2/1.

⁵³ SCC (1990) ”TOWARDS SCOTLAND’S PARLIAMENT”, SPA/KW/SN/1/2/2/2.

We have faced up to the need for electoral reform and the long-standing under- representation of women in the political process when considering our approach to the new democratic machinery the Convention is proposing for Scotland...Labour is committed to the Convention scheme. We believe it represents the wishes of the Scottish people and will when implemented help create a fairer society⁵⁴.

The 30th of November 1990 was a significant date for establishing the Scottish Parliament and for SCC itself. It was crucial in the discussions of the electoral system. It first published a formal policy on the electoral system, and additionally, it clarified a refusal of FPTP at this time for the Scottish public. Moreover, the six principles were formally launched, and the argument for system formation was further advanced in this period than before. Interestingly, these six principles are quite similar to that of SLA's four criteria. SLA's ③ point corresponded with six principle's (b), ④ with (c), and ② with (e) respectively. In reviewing the process, it can be assumed that the decision for accepting proportional representation at Labour's annual conference had a remarkable influence on the development of the argument in SCC. SLA's argument also contributed a lot to the support for proportional representation. Therefore, the acceptance of proportional representation was not understood as the result of conceding under pressure from Liberal Democrats but interpreted as a result of intrinsic innovation within Labour.

Here, the interaction between SCC and Labour should be confirmed. At the 'Towards Scotland's Parliament' event, John Smith, quite an influential figure in the party, showed up and made a speech. From the comment of Dewar in "Scotland's voice", the active attitude of the Labour's involvement with the Home Rule issue, and its positive cooperation with SCC in advancing the scheme for the establishment of the parliament in Scotland, can be observed. From the annual conference of Labour, the attitude of compromise was

⁵⁴ SCC (1990) 'SCOTLAND'S VOICE', SPA/JMC/SN/CC.

repeatedly emphasised.

Therefore, the event on the 30th of November can be interpreted as a success to the appeal for self-autonomy in Scotland. STUC also evaluated its beginning as a success and the prepared document as excellent⁵⁵. In the next chapter, the development of an argument after the event will be considered. Although the development of the electoral system argument could be seen as a denial of FPTP, the detailed content within these system facets in 1990 had not yet been decided. Next, a detailed consideration of the electoral system and campaign will be developed from 1991 onwards.

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