

## Parliamentary Elections, Coalition Formation and Representation

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### Case Study: politics in the UK with references to Austria

In the UK coalition government is not so well established and the most recent example came in 2010 when the Conservatives and the Liberal Democrats rapidly agreed a work programme. Otherwise historically coalitions came during Wartime and in exceptional circumstances. The electoral system and political culture as well as confrontation politics in Parliament have meant that coalition politics is generally not liked and was rejected as an option even during the difficult negotiations to leave the EU.

Austria on the other hand has a long experience of coalition building with different combinations of parties in government. The experience of Civil War, War and four power Occupation prompted the two main parties to work together. This prolonged arrangement had advantages but also drawbacks and recently the parties in government have included a smaller party. Coalition fragility has been notable. Now Austria is considering future options for more than two parties in government as in Germany.

Issues often considered are the coalition pacts, stability in parliament and party discipline, intra-party difficulties eg the Greens with the grass roots and the concept of representation and the voters' will – usually the parties in Austria decline to say with whom they may after the election form a government.

### Political Culture

In the United Kingdom, unlike Austria, coalition government happens rarely and is not especially liked. The parliamentary architecture of the House of Commons favours a direct confrontational altercation between Government on the one side and Opposition on the other. Most other parliamentary systems feature a horseshoe shape or semicircle for the Chamber where the demarcation between government and opposition parties is not always clear. The election system of First Past the Post too normally favours a clear decision whereby coalition government is superfluous. When the voters return a House with no overall majority the tendency has been to form a minority government and a year or so afterwards to go to the country again.

The political culture of the UK further cements this confrontational form of politics and compromises are regarded more as a sign of weakness compared with consociational systems such as Austria.<sup>1</sup> When voting takes place in the legislature it is termed a “division” stressing the nature of a split between those for and against. The division lobbies that are not usually visible on the television broadcasts are situated behind the Government and Opposition sides. Before a division each side

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<sup>1</sup> See Hans Daalder, Ed. Party Systems in Denmark, Austria, Switzerland, the Netherlands and Belgium, London Pinter, 1983.

will call out as loud as possible 'aye' or 'no' and if in doubt who is in the majority the Speaker will call for a division. In Austria voting takes place by standing or via ballot boxes situated in full view in the chamber.

Unlike Austria in the UK there are no officially established parliamentary groups (Klubs) with corresponding rights laid down in the rules of procedure based in a law which requires a two-thirds majority to change. The Standing Orders of the UK can be easily changed and there is more focus on the individual Member of Parliament representing a specific constituency. They have more rights in initiating and amending legislation than in Austria.

### Non-Government Coalition Politics

However coalition building can take place within the parliamentary parties. Both the Conservative Party and Labour claim to be a "broad church" offering a political home to a wide spectrum of political views. Therefore within the umbrella of the large parties there are different wings that are often quite well established. Loose coalitions can be formed between such groupings across party lines where there is some identity of interests. This often happened during the Brexit debates. Thus coalition governments may be rare but other types of inter and intra party coalitions nonetheless exist.

Another major difference between British parliamentary politics and Austria as well as other European systems, is the organisation of the Backbenches ie those who are not involved in a government position. In the House of Commons there are 650 Members of Parliament. On the government side sit over 300 MPs of which about a third hold government positions whether at cabinet level or junior level. This helps to create a cohort of reliable supporters for the Government's programme since to vote against on important draft laws means a resignation is expected. The Backbenchers have a different status and can often be unruly and a source of trouble for the Government of the day. They can act as an internal opposition to the Government and even during a debate it could be a Minister will be obliged to amend government policy on the hoof. Compromises will have to be made with this powerful group to ensure safe passage of laws. And in the Tory party experience has shown that the Backbenchers have the power to oust a leader (Prime Minister). So although the confrontational nature of politics between Labour and Conservative as the two main parties is clear, this does not mean that compromise is absent. It can function in other types of non-government like coalitions.

### Historical Examples

In the UK coalitions have generally come about in a crisis or as a result of an indecisive election. In the Austrian Second Republic by comparison since 1945 they have been far more common.<sup>2</sup>

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<sup>2</sup> See <https://www.parlament.gv.at/PERK/HIS/REP2/index.shtml>

In the UK examples of coalition governments were during the First and Second World Wars as well as during the years of economic depression in the 1930s. Despite frequent parliamentary crises during the many debates on leaving the EU (Brexit) and small government majorities, a formal coalition never came to pass. Instead after the 2017 election, there was a loose coalition between the ruling Conservative Government und Prime Minister Theresa May, and the Democratic Unionist Party of Northern Ireland. Even though the latter pledged to support the Government in votes, its Members of Parliament sat on the Opposition benches. The deal was financially interesting for the DUP since it received support for projects in Northern Ireland that it favoured.

One consideration against a formal participation in a coalition with the allocation of ministerial portfolios is that the smaller party can often lose electoral support and be accused of propping up another political party and its position of power. Furthermore in the UK financial support for the parliamentary work of political parties is only given to parties on the Opposition side. The Liberal Democrats found this out to their cost when they entered a coalition with the Conservatives under David Cameron in 2010.

In the First World War there was a coalition between the Liberals and the Conservatives and some Labour members who supported the War. With the end of the War the Conservatives and Liberals formed an electoral pact in the so-called “coupon election” which lasted until 1922.

The National Government had existed between 1931 and 1940. This included National Liberal and Labour and Conservatives.

The subsequent war time coalition was led by Prime Minister Winston Churchill and included Conservatives as well as Labour and Liberal Ministers.

The Labour Liberal pact of 1977-8 had included support on key votes in parliament

#### Post-War (since 1945) UK Elections

1945 Labour Landslide, single party government after war-time coalition between the Conservatives and Labour

1950 small Labour majority

1951 Conservative Government

1959 Conservative Victory

1964 Labour with a very small majority

1966 Labour wins big at the polls

1970 Conservative Government

February 1974 Hung Parliament, Labour minority government

October 1974 Small Labour majority lost through by-elections; pact of support with Liberals from 1976

1979 Conservatives win

1983 Mrs Thatcher consolidates gains for the Tories

1987 Further Conservative win

1992 Conservative government

1997 Labour landslide under Tony Blair

2001 Labour Government continues

2005 Labour still in power

2010 Conservatives in Coalition with the Liberal Democrats

2015 Conservatives form a government

2017 Hung Conservative Government with agreement by Democratic Unionist Party

2019 Conservative Landslide under Boris Johnson

(Before 1945 there were hung parliaments notably in 1923 and 1929; National Governments in the 1930s which were endorsed by voters)

Since the Second World War there have been few “hung parliaments” in the UK when no one party in the House of Commons has an overall majority. This was for example in February 1974 with Labour in the lead and again in 2017 when the Conservatives were the largest party but did not have a majority of seats in the Chamber. Usually a hung parliament results after a general election as in these two cases but it can occur if in the course of the legislative period a governing party loses so many by-elections its overall majority is whittled away. Defections to other parties (crossing the floor) can also lead to a government failing to secure parliamentary majorities for its legislative programme. The Labour Government of 1976 lost its majority and the Conservative Government of 1992-1997 are examples of the latter.

The Conservatives supported by the DUP after the 2017 election in a confidence and supply agreement became in the course of 2019 a minority government after a series of expulsions and defections<sup>3</sup>. At the end of the year a general election took place which led to a landslide victory under Boris Johnson.

### The Coalition of 2010

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<sup>3</sup> In this scenario a party will support the senior partner in confidence motions and on vital financial draft laws but will not receive ministerial posts. It can secure other benefits in political influence or financial support for its policies.

Following the UK general election of 2010 no one party had an overall majority and the then Labour Prime Minister considered a coalition with the Liberal Democrats but the latter opted to go into a government under the Conservatives. This was unusual since as described above a hung parliament was normally solved by holding a new election after a short period of minority government or by seeking a loose agreement. Minority governments usually have a short life span and are unable to pass controversial laws. They tend to form loose parliamentary ad hoc alliances and limp on until this no longer becomes feasible.

The Coalition of 2010 to 2015 between the Conservatives and the Liberal Democrats was a break with the norm. The critical factor is that to govern a party must have the confidence of the House of Commons. It is possible to lose votes of censure but specifically tabled no confidence motions must secure a majority. In addition the vote after the Queen's/King's speech which is the Government's legislative programme and the budget need to have safe passage through parliament.

The Coalition lasted the whole legislative period and was helped by the passing of the Fixed Term Parliaments Act which made it difficult but not impossible to trigger an early election. This Act came into disrepute in 2019 when it was clear the Conservatives could not govern but neither could they call an early general election. This Act has recently been abolished.

At first sight the programmatic positions of the Liberal Democrats and Labour were closer than with the Conservatives with whom the former eventually joined in a Coalition. Yet the two leaders, David Cameron and the Liberal Democrat Nick Clegg, were young politicians who could envisage a new consensus political style. They also held similar ideas on the importance of community politics.

### Coalition Drawbacks

There are several disadvantages to the 2010 Coalition and coalitions in general. Firstly voters had no say in its formation which is typical also for coalitions in Austria. Whilst voters may support an election manifesto, it can happen that a coalition programme will deviate from the very reason they chose a party in the first place. Further some voters might not have voted for either party if they had known they would go into coalition together. The Liberal Democrats did seek a vote of support from its congress but the Conservatives went straight into the coalition without such consultation. The UK election of 1918 was named the coupon election. Candidates who were standing on a coalition platform received a coupon and so voters knew they favoured a Conservative Liberal coalition before they went to the polls.

A coalition can raise such questions of democratic legitimacy and thus in the UK a hung parliament is more likely to lead to a short-lived minority government. In 2010 the coalition in principle was agreed relatively quickly just days after the election and details came weeks later. In Austria but also other countries such as Belgium coalition negotiations can drag on for months and the government voted out has to stay in office until they are concluded. Such a caretaker government is expected to

hold back on controversial decisions or on taking irreversible decisions<sup>4</sup>. In times of crises this can be especially disadvantageous.

### Coalition Logistics

The UK 2010 Coalition evolved working teams balanced from both parties reporting to a coalition committee. For the working of the Coalition a special committee was set up co-chaired by the Prime Minister and Deputy Prime Minister with equal numbers of members drawn from the two parties. Unresolved issues could be referred to this committee by cabinet committees.

On some issues they agreed to disagree in parliament and cabinet to ensure the government would survive. A referendum on electoral reform was conceded by the Conservatives but the Liberal Democrats wanted a form of proportional representation. This was rejected by the Conservatives and although a referendum took place on the electoral system, voters opted to keep the current First Past the Post System.

The Coalition was formed relatively quickly under the fear that there could be severe pressure on financial markets with prolonged uncertainty.

There were several working documents drawn up between the two parties:

a) Agreements between the two parties reached 11 May 2010 (seven pages):

The most important task was identified as deficit reduction and economic recovery. This was to be achieved by reduced spending rather than increased taxes.

The Coalition agreed Non-EU economic migration should have an annual limit.

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<sup>4</sup> “In Austria in June 2019 a caretaker government was sworn in composed of experts and senior civil servants following the loss of a parliamentary vote of no confidence in the government of Chancellor Kurz (ÖVP). It will serve until the Autumn elections and beyond until a new government can be formed. According to the constitution it has the same power as any government but it is recognised that its reduced democratic legitimacy means it has to tread carefully. Caretaker conventions either written or not giving guidance as in other countries eg Spain, Portugal, Canada, Australia and the UK do not exist. So the "Hausmeister Regierung" has thrown up questions in this regard” interview with Dr Melanie Sully in the quality Austrian daily "Der Standard" and in an interview with Swiss radio’:

<https://derstandard.at/2000104226799/Richtig-uebergangsregieren-Tut-nichts-Kontroversielles-Bindet-die-Opposition-ein>

<https://www.srf.ch/news/international/uebergangsregierung-in-wien-werden-die-experten-zu-politikern>

The agreement committed the parties as mentioned above to introducing a Referendum Bill on electoral reform allowing for an alternative vote to replace the First Past the Post system.

Both Cameron and Deputy Prime Minister Clegg could agree on the following:

“The parties will promote radical devolution of power and greater financial autonomy to local government and community groups.”

On Higher Education the Government would await a review and allow for Liberal Democrats to abstain on any part which would not be acceptable.

A controversial point was so resolved:

“The Government will be committed to the maintenance of Britain’s nuclear deterrent and have agreed that the renewal of Trident should be scrutinised to ensure value for money. Liberal Democrats will continue to make the case for alternatives.”

b) Coalition Agreement for Stability and Reform May 2010 (five pages)

That the Coalition was operating in new ground was reflected in the following:

“There is no constitutional difference between a Coalition Government and a single party government but working practices need to adapt to reflect the fact that the UK has not had a Coalition in modern times”.

and

“The two parties will aim to ensure support for Government policy and legislation from their two Parliamentary Parties except where the Coalition Programme for Government specifically provides otherwise. If on any future occasion any other exceptions are required they must be specifically agreed by the Coalition Committee and Cabinet.....in all circumstances all members of both parties will be expected to support the Government on all matters of confidence.....Neither Parliamentary Party will support proposals brought before Parliament other than by the Government unless considered and agreed by both parties. The two parties may agree in the Coalition Committee or in the Parliamentary Business Committee occasions on which issues will be subject to a free vote, which will normally be the case for private members bills”<sup>5</sup>.

It was also agreed that on patronage and appointments each side would have the right to choose. This meant in effect a curtailment of the usual powers of the Prime Minister:

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<sup>5</sup> See also House of Lords, Debate on Constitutional and Parliamentary Effects of the Coalition Government, 2011/002.

“On the issue of public appointments the Prime Minister will consult with and have regard to the views of the deputy Prime Minister”.

It was also intended that a committee would look at reform of the House of Lords with a view to establishing a mostly elected House on the basis of Proportional Representation. This was a contentious issue and the Liberal Democrats subsequently were disenchanted with the Conservatives for failing to press ahead with reform. In return the Liberal Democrats blocked a reform of parliamentary boundaries which could have benefited the Conservatives.

Other examples of friction in the Coalition became apparent. In 2012 there was a report published on media culture during which the deputy prime minister made a separate statement to the House of Commons following and in opposition to a Prime Ministerial statement. Despite this or perhaps because of this tolerance and flexibility the coalition lasted the full legislative term.

c) In “The Coalition: our programme for government” 20 May 2010 (36 pages),

The issue of UK and EU membership was a thorny issue in the Conservative party and separated them from the pro-EU Liberal Democrats. The coalition agreed thus:

“The government believes that Britain should play a leading role in an enlarged European Union, but that no further powers should be transferred to Brussels without a referendum. ....we will ensure that Britain does not join or prepare to join the Euro in this Parliament”.

Conservatives and Liberal Democrats however were of the opinion that our political system is broken. They recommended more public involvement in draft legislation, and more support for people with disabilities who want to become elected officials and more transparency.

A special conference of the Liberal democrats approved the Agreements but the Conservatives did not hold such a conference.

There were 18 Conservatives and five Liberal democrats in the Cabinet.

### The Austrian Experience

In Austria election campaigns are played out on the TV screens and most leaders are asked with whom they would go into a coalition with after the result. Usually a vague answer is given, such as all options are open with democratically elected parties. Often the rightist Freedom Party of Austria will be ruled out but once the result is known it still becomes a player because the result could give it electoral successes which the others cannot ignore. Ideally the parties could state possible coalition preferences before the election to increase democratic legitimacy or enable more wide consultation with members or supporters. The latter however may mean that a coalition programme after months of work would be torpedoed at the last minute. In the negotiation process therefore parties should be aware of sentiments in their



clientele, explain any compromises and consult rather than simply present voters with a fait accompli. Otherwise preferences for one coalition or another is shown by opinion polling which can be a less than reliable guide of the strength of feeling in the populations.

In Austria during the negotiations the head of state, the Federal President, hosts meetings with party leaders and takes note of who at the end of the process might secure a parliamentary majority. In the UK the head of state, the Monarch, is kept informed of any coalition negotiations but on the whole it is left to the parties in parliament with the support from the civil service to hammer it out. In both countries the essential factor is the requirement for a government to secure the confidence of parliament.

During negotiations in Austria different teams will sit in working groups for specific policy areas in an effort to find common ground. Parties normally stress that they are concerned above all to work in the best interests of the country and more banal issues such as who gets what ministry are less important. From the start however the division and balance of power between potential coalition partners is a major consideration. Individuals will also inevitably be factored in when deciding the allocation of portfolios. In the classic days of the Great Coalition between the ÖVP and the SPÖ certain ministries were reserved for one or other party. Social Affairs for example would be the preserve of a socialist trade unionist. The Austrian Second Republic was in this period built around a delicate set of balances. An ÖVP Federal Chancellor would be evened out by a Socialist Federal President. Also within the Ministries state secretaries could be placed belonging to a different party from the relevant Minister. The system was mostly the result of lack of trust between the two main parties. In 1934 a civil war between the two political camps, forerunners of the ÖVP and SPÖ had fought against each other.

A disadvantage of Great Coalition Politics in Austria became the realisation that it was too cosy for innovation or a real change that new groups believed was desirable. It had steered Austria through uncertain times but was not conducive to break through old moulds of working relations. Coalitions with a senior and junior partner have proved to give less certainty and have contributed to the conflict potential in Austrian politics. The voters like a government that keeps internal arguments to itself and gets on with the job.

### Conclusion

The experience of coalitions in the UK and Austria could not be more different. In both countries however there were some similarities in that a coalition committee was set up to pre-iron out differences on a weekly basis.

It seems in the future that it will be difficult in Austria for any one party to form a single party government and a type of coalition will be necessary. It may even be necessary to build a coalition with three parties which could be less manageable.

In the UK too it seems that even with a Labour revival it might be difficult to replace the Conservatives in government without the support of another party. This could well be the Scottish National Party. Such an arrangement would most likely follow the pattern adopted between the Conservatives and the DUP in 2017 and not be a formal coalition. For any support the SNP would hope to gain a second referendum on independence. It would be helpful to voters if such consequences were explained to voters in advance or if more participation after negotiations was allowed for by at least members before any coalition or arrangement was sealed.