

If it's broken, fix it! Time to rethink the AMS electoral system in Wales

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By Democratic Audit UK

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Diana Stirbu and Laura McAllister discuss the limitations of the Welsh Additional Member System. They write that it is a mockery to call it a proportional system, and argue that it is in danger of alienating voters. They also indicate that its weaknesses may actually be prohibiting the development of a more mature political system.



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With the dust settling on Wales's fifth elections to its National Assembly, it's timely to reflect on some of the inherent problems on an electoral system that delivered another 'hung' outcome.

The Additional Member System (AMS), a hybrid voting system combining the majoritarian First Past the Post (FPTP) with a very limited component of proportional representation (PR), was a fundamental part of the foundations of devolution. The new democratically-elected legislature established in Wales in 1999 was meant to signal the start of a "new politics" (whatever that means). Using an element of PR to elect the Assembly's 60 members suggested an aspiration to deliver more representative results than FPTP, whilst also retaining the constituency-elected representative link regarded as important.

17 years on, our political experience in Wales can be described as something of a Curate's egg. There have been the odd glimpses of begrudging pluralism in both voting habits and political operating styles. Nevertheless, all five Assembly elections to date have seen Labour emerge as easily the largest party, but without a working majority. This has led to Labour minority or Labour-led coalition governments throughout. Astonishingly, Labour has never gone below 26 seats (in 2007) nor past 30 seats (in 2003 and 2011), despite its overall share of the vote varying dramatically (in 2016, losing nearly eight points in terms of its constituency support- down to 34.7 % from 42.3% in

the previous election). The bottom line is that the scope for a change of government altogether, that is without Labour in it is incredibly narrow.

Last October, Adam Price (now a Plaid Cymru AM) discussed the important question around the improbable prospect of genuine political change in Wales whilst Labour is perpetually the 'dominant minority party'. Of course, much of this democratic 'deadlock' is less a system failure and more to do with the other parties' inability to properly challenge Labour in the constituency ballot. But, that said, there are also some important barriers presented by the electoral system itself.

Here we explore three reasons why Wales' electoral system needs a serious rethink for the sake of democracy and engagement:

1. Aberration

Whilst it includes an element of PR, to call this a proportional system is a mockery. Plenty of us have said that the Welsh version of AMS is perhaps the least semi-proportional electoral system out there. The reason for this is the emphasis on the "semi" in the semi-proportionality of the system: two thirds of the Assembly seats are elected via FPTP and only one third via PR, nowhere near enough to compensate the majoritarian element in the system. By comparison, the Scottish Parliament's version of AMS to elect the 129 members uses a 57:43% split between the FPTP and PR seats.

An analysis of the election results in Wales paints an interesting picture: Labour has been consistently over-rewarded – assuming here that the benchmark is a fairer translation of votes into seats – in every election, winning between 47% and 50% of the seats in the Assembly, whilst their share has swung from as low as 32.2% in constituency and 29.6% in regional vote in 2007, to as high as 42.3% and 36.9% in 2011. At the same time, other parties have generally been marginally disadvantaged. For instance, in 2007, the Lib Dems received 11.7% of the constituency vote and 14.8% of the regional vote, yet it's share of seats has never surpassed 10% of the total. The Conservatives have consistently been getting on average 2% less seats than its votes share in most elections, whilst Plaid Cymru has had a fairer conversion of votes into Assembly seats (around 20.5% and 20.8% votes share in constituency and regional vote in 2016 translated into 20% of the seats; 19.3% and 17.9% vote share converted into 18.3% of Assembly seats in 2011). In fact, Plaid Cymru is the only other party that was over-compensated (but in this case, very marginally) in the current system – in 2007, its 22.4% constituency and 21% regional votes share being converted into 25% of seats.

What this picture shows us is that the 'inelasticity' of the electoral system in Wales almost guarantees that the largest party (in this case, Labour) will always be in government, thus raising important questions about the depth of genuine political change post devolution in Wales.

2. Unintended consequences

The inelasticity of this version of AMS prompts the question of the unintended and unwanted consequences in the long run on political engagement in Wales. With voter turnout in Assembly election hovering at around 45-46% at best, and at 38.2% at worst, alarm bells are ringing as to the overall health and strength of Wales's young democracy. We know from the Hansard Society's UK-wide audits of political engagement that one of the major reasons cited for political disengagement is the persistent and deeply ingrained feeling of powerlessness, that one's own political engagement or vote doesn't really make any difference or matter. In the most recent of Audits, just one in eight people felt that their engagement has some influence in national (UK-level) decision making. Welsh people's attitudes towards the Welsh decision makers (Welsh Government and National Assembly) are largely more positive than towards Westminster, as Cardiff University academics have pointed out using data from the [2011 Wales Referendum survey](#). However, if the narrative of an election campaign is based on the inevitability of a Labour victory, despite a clear decline in support, it is fair to speculate as to the long-term impact that this might have with

voters.

3. Context and opportunity

Debates around the electoral system in Wales have understandably seemed like background noise in the context of the trajectory towards stronger Welsh devolution. But there are serious system flaws that actually prohibit the development of a more mature political system. Many of these relate to the size and capacity of the Assembly. We argued elsewhere that the Assembly is at danger at operating under optimal floor size, especially with the accrual of additional powers since Government of Wales Act 2006. With a new Wales Bill soon to be published which will see the Assembly assuming new powers over its electoral system and related matters, there will be a wonderful opportunity to address the pressing capacity issues of Welsh devolution.

Of course, size is just one aspect of the capacity debate, but it is the one whose resolution will have the greatest related impact on the electoral system. Historically, there has been muted consensus about the under-capacity of devolution, but little agreement and therefore, impetus in advocating for an increase in size. Sure, the matter of more politicians is hugely unpopular with the public and this is reflected in the reticence of all of the political parties. The issue has also been sidelined in the series of constitutional reviews given the Assembly has not had the powers to change its own electoral system.

The combination of a consistent series of election results and the new Wales Bill has opened wide a window of opportunity for change. We think the electoral system in Wales is 'broke' so, if we are serious about better engagement and democracy, we need to think about how to fix it.

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