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## **What is the ‘Dominant Model’ of British Policy Making? Comparing Majoritarian and Policy Community Ideas**

### **Abstract**

The aim of this article is to help identify the fundamental characteristics of the British policymaking system. It highlights an enduring conflict of interpretation within the literature. On the one hand, most contemporary analysts argue that the ‘Westminster model’ is outmoded and it has been replaced by modern understandings based on ‘governance’. On the other, key ideas associated with the Westminster Model, regarding majoritarian government and policy imposition, are still in good currency in the academic literature which holds firm to Lijphart’s (1984; 1999) description of the UK as a majoritarian democracy. These very different understandings of British government are both commonly cited, but without much recognition that their conclusions may be mutually incompatible. To address this lack of comparison of competing narratives, the article outlines two main approaches to describe and explain the ‘characteristic and durable’ ways of doing things in Britain: the ‘policy styles’ literature initiated by Richardson in *Policy Styles in Western Europe* (1982) and the Lijphart account found in *Democracies* (1984) and revised in 1999 as *Patterns of Democracy*. The article encourages scholars to reject an appealing compromise between majoritarian and governance accounts.

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## Introduction

The aim of this article is to identify the fundamental characteristics of the British policymaking system. It highlights an enduring conflict of interpretation within the literature. On the one hand, there is the proposition that the ‘Westminster model’, which stresses majoritarian government and policy imposition, is both overstated and now outmoded. Most contemporary analysts dwell on the shortcomings of the Westminster account and compare it with a more realistic framework based on modern discussions of governance (for example, Rhodes, 1997; Bache and Flinders, 2004). Marsh (2008; 2011) suggests that this reformulation process is complete, and that the Westminster model is no longer seen as realistic. Instead, Rhodes’ ‘differentiated policy model’ has become the ‘the dominant model of British politics’ or the ‘new orthodoxy’. Similarly, Kerr and Kettell (2006: 11) describe the “formal supplanting of the Westminster model with that of the ‘governance’ thesis” which has become the ‘dominant organising perspective within the field of British politics’. An important implication of this focus on governance is that key features of the British system are shared with many other political systems, since variants of the governance narrative can be identified in most developed countries (Cairney, 2012a: 171-4). In short, it can be argued that Britain has moved away from a distinctive Westminster model towards a universal governance model.

On the other hand, the ideas associated with the Westminster Model are still in good currency, not only in the minds of politicians and the media coverage of British politics (Cairney, 2012c; see also Blunkett and Richards, 2011 on the ‘British Political Tradition’), but also in key parts of the academic literature. In particular, Lijphart’s (1984; 1999) description of the UK as a majoritarian democracy is still influential - particularly when reinforced in modern interpretations of UK central government by respected academics such as Flinders (2005; 2010; Flinders and Curry, 2008). Such accounts suggest not only that the UK displays a concentration of power in the centre, and a strong tendency towards top-down policymaking and imposition, but also that its policymaking style *contrasts* with the ‘consensus democracies’ found in many of the Nordic countries and, since 1999, the devolved UK territories. Indeed, Flinders (2010) highlights ‘bi-constitutionality’ in the UK following the concurrent development of consensual devolved regimes and a majoritarian UK central government. In short, for some observers, British government is still based on its traditional Westminster-majoritarian characteristics and its style of government differs from many, if not most, political systems.

These very different understandings of British government, based on governance and the diffusion of power on one hand, and majoritarianism and the concentration of power on the other, seem to run on parallel tracks with remarkably few meaningful interactions. Arguably there are three main factors sustaining these competing images. First, few direct comparisons are made. The ‘governance’ thesis is rarely

compared to a strong competitor. Instead, it is set up as superior to the strawman Westminster Model which was already damaged as a description of British government before the governance account took off. Further, the majoritarian image endures in comparative politics because multiple-country studies do not take into account the literature on group-government relations and governance in the UK. Instead, the UK is used as a convenient shorthand marker of an extreme majoritarian position and the actual UK character is rarely compared with reality.

Second, it is possible that the two models describe different processes or objects of study. Lijphart's model perhaps helps describe the 'headline' decisions taken at the centre of political systems; the practices that dominate media attention but represent a tiny proportion of government business. If so, the governance image describes almost everything else: the day-to-day running of government, and the bulk of policymaking and its outcomes, which is less exciting but may be much more important. The latter is what Freeman (1985: 467) has in mind when he seeks to identify the dominant 'policy styles' within political systems. He observes that when political science generalises about practice, a common expectation is that, 'policy makers develop characteristic and durable methods for dealing with public issues, and these can be linked to policy outcomes'.

Third, some (but not all) versions of the governance thesis may have come to incorporate the majoritarian image into their overarching accounts. They suggest that British governments may generally *attempt* to centralise power and act in a top-down way before becoming frustrated by the constraints to policymaking independence associated with governance (for example, Bevir and Rhodes, 2003: 6).

Consequently, the identification of the 'dominant model' of British policy making has two main requirements. First, there should be more meaningful comparisons between the competing approaches.<sup>i</sup> Second, there should be greater clarity, within governance accounts, about the extent to which British Governments seek to impose policies from the top down - *is the pursuit of top-down policymaking the exception or the norm?*

Accordingly, this article outlines two main approaches to describe and explain the 'characteristic and durable' ways of doing things in Britain. The first is the 'policy styles' literature initiated by Richardson in *Policy Styles in Western Europe* (1982). The second is the Lijphart account found in *Democracies* (1984) and revised in 1999 as *Patterns of Democracy*. These accounts point to very different interpretations and conclusions. The policy styles tool is associated with a policy community image (as described by Richardson and Jordan, 1979 and Jordan, 2005) that sees British policymaking as consensually driven. It represents a major building block in the development of the 'governance' narrative, highlighting the diffusion of power from the centre of government and the tendency within British Government to consult and

negotiate rather than merely exercise power and impose decisions from the top-down. The Lijphart approach describes British government as the epitome of a top down, majoritarian and competitive system akin to the Westminster model. These two approaches are both commonly cited, but without much recognition of their mutual incompatibility.

### *The Policy Communities Approach*

The 'policy community' term was originally advanced to signal a move away from studies centring on an adversarial parliamentary arena where successive changes of government would lead to major changes in policy imposed from the top down. In other words, it was a direct challenge to the as-yet-unlabelled 'Westminster model'. Richardson and Jordan (1979: 73-74) argued that policy-making tended to be made:

... and administered between a myriad of inter connecting, interpenetrating organisations. It is the relationship involved in committees, the policy community of departments and groups, and the practices of co-option and the consensual style, that better account for policy outcomes than do examinations of party stances, of manifestos and parliamentary influence (original emphasis).

Their key publication, *Governing Under Pressure* (1979), was written on the back of a number of original case studies and informed by other case study authors. These empirical exercises encouraged the dismantling of the emphasis on Parliament in prior accounts of British policy making (they echoed Ovenden, 1978, who was surprised at how little Parliament mattered in his account of *The Politics of Steel*). The case studies did not *start* with an intention to undermine the parliamentary 'story' but found important decisions being made outside Parliament, and parliamentary exchanges merely echoing briefings from the interested groups. The general finding was that the parliamentary arena was far less important in determining outcomes than the world of civil servants and interested, well informed, groups and associations. Consequently, they concluded that 'the traditional model of Cabinet and parliamentary government is a travesty of reality' (1979: 91).

The case studies were part of an ESRC project conducted by Richard Kimber and Jeremy Richardson. Their approach was to select policy fields and then look for active case studies under these headings. They did not start by chasing newspaper headlines and looking at 'interesting' cases (typical of research at the time; researchers were led to cases that attracted media attention, and the media tended to feed off parliamentary controversy). Rather, they focused on examples of 'normal policy making'. This distinction between the 'high octane' controversies and 'below the radar' negotiations became central to a focus on 'real' politics and the relationships between groups and governments. *Governing Under Pressure* took to task the 'adversary politics thesis' which had gained currency in the late 1970s as a justification for electoral reform: the adversarial style of politics in the UK combined with an electoral system which

exaggerates voting majorities causes regular changes of government and wholesale shifts in public policy (Finer, 1975). In contrast, Richardson and Jordan (1979) argued that policy was more likely to be incremental and that changes of government did not cause wholesale shifts in policy. While Finer (1975) relied on a very small number of interesting cases to identify the material effects of adversarial politics (and identified only one significant case – post-war steel privatisation and nationalisation), Richardson and Jordan (1979) identified multiple cases to demonstrate remarkable levels of policy continuity despite regular changes of government.

Those looking for academic compromise might suggest that majoritarian politics accounts for important policy making while policy communities operate at the ‘humdrum’ level. However, this was not the Richardson and Jordan distinction. They found important business (without a party political dimension) transacted at community level, while much of the headline politics was of primarily symbolic importance (a finding that informs debates on the importance of agenda-setting decisions made at the ‘sectoral’ rather than the ‘subsectoral’ level - see Cavanagh et al, 1995; Jordan and Maloney, 1995; Rayner et al, 2001). In part, this was because most policy decisions were effectively beyond the reach or interest of government ministers. The sheer size of government and its policy environment necessitates breaking policy down into more manageable issues involving a smaller number of interested and knowledgeable participants. Therefore, most public policy is conducted primarily through small and specialist policy communities which process ‘technical’ issues at a level of government not particularly visible to the public or Parliament, and with minimal ministerial or senior civil service involvement.

These arrangements exist because there is a logic to devolving decisions and consulting with certain affected interests. Ministers rely on their officials for information and advice. For specialist issues, those officials rely on specialist organisations. Those organisations trade that information/ advice (and other resources such as the ability to secure the agreement of its group membership or implement government policy) for access to, and influence within, government. This exchange is based on the ‘logic of consultation’ with the most affected interests; it encourages group ‘ownership’ of policy and maximizes governmental knowledge of possible problems (Richardson and Jordan, 1979; Jordan and Maloney, 1997). Given civil servants’ lack of political legitimacy, they are ‘ill placed to impose and conflict avoidance is likely to result’ (Jordan and Richardson, 1982: 84). Further, given civil servants’ lack of specialized knowledge, they are often dependent upon groups for information and advice. The result is policy communities, or policymaking relationships between those in formal positions of responsibility and those who seek to influence them. The logic of this relationship holds regardless of the party of government. Therefore, the types of radical policy shift often associated with a change of government are likely to be uncommon.

‘Policy community’ described *very loosely* (Jordan, 2005) an often-close and broadly ‘clientelistic’ relationship between civil servants and interest groups. Governments tended to be internally divided, with competing parts of the bureaucracy keen to advance the interests of client groups with whom they shared broad priorities. The term was initially used simply to identify the blurry (not invisible) lines between formal policymaking and informal influence roles. As the literature developed, so too did the idea that membership of that community is based in part on the willingness of all members to accept certain informal ‘rules of the game’ or norms of behaviour. For example, when civil servants and certain interest groups form relationships, they recognise the benefits - such as stability and policy continuity - of attempting to insulate their decisions from the wider political process. Inclusion within the community may require the development of personal trust and the emergence of a ‘common culture’ with high agreement on the nature and solutions to policy problems.

The stated meaning of ‘community’ changed as commentators and (especially) critics tended to exaggerate the exclusivity required of the arrangements – making them easier to discredit empirically. ‘Policy community’ was eventually described as a particular type of policy network characterised by close and insulated relationships between an exclusive elite (Marsh and Rhodes, 1992). Such classifications of networks were soon followed by theological debates on their nature and explanatory value (for example, Dowding, 1995; Marsh and Smith, 2000; Dowding, 2001; Fawcett and Daugbjerg, 2012). This over-intellectualisation detracted from the relatively simple, original use of ‘policy community’ to capture the ‘post parliamentary’ UK and the idea that ‘normal’ British policymaking was characterised by stable and often-consensual relationships between groups and government.

#### *Policy Communities and the Unexceptional ‘British’ Policy Style*

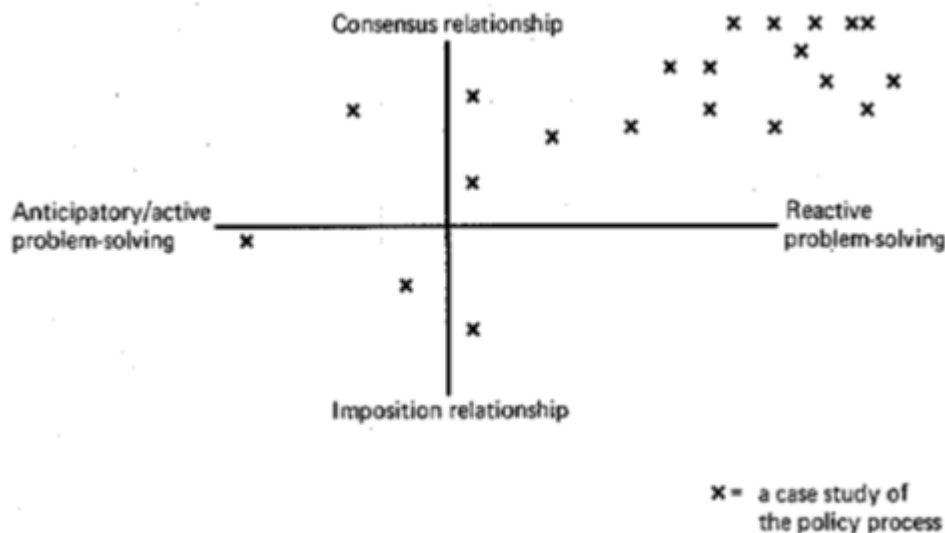
Richardson and Jordan’s *Governing Under Pressure* set up the provocative argument that the identification of policy communities represented ‘an alternative approach to comparative government’ (1979: 163). It implied that the UK was one variant of a general European model of policy making in which interest groups play a central role (1979: 170; extending the ‘European Polity’ propositions in Heisler and Kvavik, 1974). It claimed that, ‘in most European countries, discussion of the policy-making system has moved from a parliamentary, elective perspective to the functional representation area’ (1979: 157). In this context, *Policy Styles In Western Europe* (Richardson, 1982) set out to identify the ‘British policy style’ as part of a wider examination of the extent to which different political systems had distinctive, national, policy styles. The aim was to provide a framework in which these differences could be set out systematically. There was no assumption that one single policy style could be used to characterize *all* behavior in a single country (since there would be variation across sectors, systems and time) but the expectation was that a default ‘tendency’ might frequently emerge; that national styles would, to a large

extent, be *divergent* (1982: 14) even if linked increasingly to the group-government rather than parliamentary arenas.

The cumulative data from the national-level chapters suggested that there was a significant degree of policy making *convergence* that transcended the constitutional variations in different political systems. The ‘policy community’ idea, initially thought to be a key UK characteristic (Richardson and Jordan, 1979) was also found to be applicable across Europe and there was a remarkably limited degree of variation found in ostensibly different regimes (this degree of convergence is also identified by Freeman<sup>ii</sup>). Britain was found to be more like continental Europe than expected, and widespread empirical observations indicated that the most important trend in European policy making arrangements was *convergence towards consultation and group incorporation*.

The ‘policy style’ aim was to identify, and label, the ‘standard operating procedures’ of political systems (Richardson et al, 1982: 2). Policy style was presented (Richardson et al, 1982: 12-13) as essentially reflecting: (a) the government’s approach to problem-solving (anticipatory/ reactive, which might now be described as radical/ incremental) and (b) the relationship between the government and other actors in the policy process (impositional/ consultative). These dimensions of policy style generated two axes and four sectors to allow broad comparisons between systems (figure 1).

Figure 1: A National Policy Style



Source: Richardson, Gustafsson and Jordan (1982: 13)

As figure 1 suggests, the national case studies in the volume (including the UK) tended to cluster towards the upper right hand, reactive-consensual quadrant and signal a high degree of cross national convergence. The direction of change towards consensus building appeared almost uniform despite the existence of different

constitutional arrangements. Consequently, the policy styles literature helps us go beyond the ‘headline’ comparisons of institutions. Richardson’s (1982) volume suggests that it is dangerous to read off policymaking behaviour from formal institutions; that formal institutional structures do not determine policy making styles. Rather, countries share a ‘standard operating procedure’ based on an incremental approach to policy and an attempt to reach consensus with interest groups, not impose decisions. Most policymakers recognise the value of building on past policies – or they only have the cognitive ability and political resources to impose their will in a very small number of areas. They also operate within the context of a shared set of ideas about the nature of policy problems and how they should be solved, and it is rare for policymakers to reject the established knowledge that underpins existing policy (or, it might be reasserted when the implementation of policy is left to other organisations).

Consequently, the ‘British policy style’ may be best seen as consultative and non-radical despite the UK’s majoritarian image. This conclusion has been reinforced in an impressive number of studies comparing British policymaking with that of other countries (and the European Union) (Kriesi, Adam and Jochum, 2006; Larsen, Taylor-Gooby and Kananen, 2006; Atkinson and Coleman, 1989; Bovens et al., 2001; John, 1998: 42–4; see also Barzelay and Gallego, 2010: 298 on France, Italy, and Spain; Knill and Tosun, 2012: 32-6) and the devolved UK experience (Cairney, 2008; 2009; 2011a; 2011b; 2011c).

### **The Lijphart Approach: Majoritarian versus Consensus Democracies**

Lijphart’s (1984; 1999) framework outlines a contrasting way to characterise national styles. For him, normal institutional structures *do* determine policymaking styles - or, at least, they help explain very different policymaking traditions and behaviour in different political systems. In particular, the electoral rules strongly influence post electoral politics. Lijphart’s (1999: 2) argument is that there are two basic models of electoral and political system design: those that concentrate power in the hands of the few (majoritarian) and those that ‘share, disperse, and limit power’ (consensus) (see table 1).

*Table 1: Lijphart’s Majoritarian-Consensus Dichotomy*

<i>Institutional Divisions</i>	<b>Majoritarian Democracy</b>	<b>Consensus Democracy</b>
Executive Power	Concentrated in single party majority cabinet	Shared in broad multiparty coalition
Executive-legislative Relationship	Executive is dominant.	Balance of power between executive and legislature
Party System	Two party system	Multiparty system
Electoral System	Majoritarian and disproportional (based on a plurality of votes)	Proportional
Interest Group System	Pluralist free-for-all	Coordinated and corporatist,



	competition among groups	exhibiting compromise and concertation
Federal-Unitary	Unitary and centralised	Federal and decentralised
Legislative Power	Concentrated in unicameral legislature	Divided between two equally strong houses
Illustrative examples	New Zealand, United Kingdom	Switzerland, Belgium, the EU

Source: Lijphart (1999: 3-4). See Cairney (2012a: 89) or Flinders (2010: 83) for a full comparison.

In a majoritarian democracy the first-past-the-post voting system exaggerates the strength of the electoral winners by (in normal cases) producing a majority of seats in the legislature - even for a party which may have a minority of the national vote. This produces a concentration of power at the centre whereby (one party) cabinet policies are seamlessly turned into law by compliant, partisan, parliamentary majorities (although there are variations: majoritarian-federal systems diffuse power across institutions; unitary governments with weak second chambers do not). Lijphart (1999: 2-3) associates majoritarian democracies with an ‘exclusive, competitive and adversarial’ mentality in which parties compete within parliament, interest groups are more likely to compete with each other than cooperate, and governments are more likely to impose policy from the top down than seek consensus.

In a consensus democracy, the proportional electoral system generally produces no overall parliamentary majority, encouraging the formation of coalitions based on common aims. This spirit of ‘inclusiveness, bargaining and compromise’ (1999: 2) between parties also characterises the relationships between groups and government, with groups more likely to cooperate with each other and governments more willing to form corporatist alliances (although note the differences between consensus-federal states like Switzerland and consensus-unitary states like Italy).

While Lijphart claims (1999: 2) that both majoritarian and consensual arrangements can be democratic, he clearly has a favourite child. For example he claims that, ‘the consensus model tries to share, disperse and limit power in a variety of ways.’ In other words, the institutional framework produces a cultural effect: people compromise because they think they should (rather than they have no choice); and, sharing power is a normative preference rather than the consequence of necessity.

In this light, the UK is widely assumed to be the country closest to the *majoritarian* model (the ‘Westminster’ and ‘majoritarian’ terms are used interchangeably by Lijphart), the democratically inferior system,<sup>iii</sup> and the outlier of modern democratic practice. Lijphart (1984) assumed that the UK possessed coherent governments driving policy through with secure Parliamentary majorities; for him, British politics was associated with centralized, top down policy imposition. Whereas Richardson and Jordan had emphasised consensus, Lijphart assumed that a majority party government did not need a policy consensus. Rather, a majority government could

decide, impose and implement. In contrast to a policy community approach which ‘Europeanized’ the UK experience, Lijphart (1984) presented the UK as exceptional; as the *leading alternative to a more general European practice*.

The Lijphart account has been hegemonic in large parts of the profession for at least 25 years. Part of its appeal may be that it offered a new discourse about European politics that made smaller European cases more central to political analysis, and hence this generated a widespread (and strangely uncritical) interest among non Anglo American political scientists (Jordan, 2011). Not surprisingly, enthusiastically approving assessments are not hard to find (for example, Wilsford, 2000: 1; Grofman, 1997), while many major textbooks still reinforce the Lijphart approach (for example, Newton and van Deth, 2010: 146-9; 285-6). This support extends to Flinders’ (2005; 2010: 15; Flinders and Curry, 2008) framework in a comparison of policymaking in UK and devolved governments. In effect, Flinders (2010: 176) gives new life to the Lijphart model by identifying ‘bi-constitutionality’ following the concurrent development of consensus democracy-type institutions in the devolved territories (and further non-majoritarian measures such as the granting of independence to the Bank of England) and the maintenance of majoritarian institutions and practices in UK central government. Flinders’ important work confirms that this is a live rather than historical debate: the Lijphart approach is still central to the discipline. Two factors thus suggest that a comparison between the Lijphart and policy communities frameworks would be useful. First, within the academic literature there is remarkably little careful debate and too many claims that dismiss competing arguments without giving them a full consideration. Second, Lijphart’s framework is both incredibly well cited and current: it cannot simply be dismissed as providing an outmoded image of British government (*Patterns of Democracy* has over 4430 citations in Google Scholar; and his arguments are still reproduced in many contemporary texts on the UK).

### **Policy Communities or Majoritarian Government?**

Given the very different conclusions about the nature of the British government that flowed from these approaches, that were both created almost three decades ago, remarkably little analysis or evidence has been produced to establish which is the more convincing generalization. Flinders (2010) rightly points to new developments that undermine the fit of a modern UK to the original Lijphart model of majoritarianism. There may also be reason to believe that the 2010 general election result, producing coalition government, can be repeated regularly (Curtice, 2010), prompting the prospect of cultural change at the heart of government as parties may feel the need to adapt to the requirement to cooperate regularly with other parties. *However, the debate outlined in this article is more fundamental*. It goes to the heart of different ways to understand governance. The argument here is not that Lijphart is now ‘less right’ after recent changes but, more starkly, that *he has always misinterpreted the UK example*. Of course some may well disagree with this reading,

but the argument here is that the tension between these models needs more investigation and argumentation rather than a simple declaration of preference. The article presents five arguments to support a policy styles conclusion, but the main aim is to stimulate debate rather than closing it down by asserting a conclusion.

*1. The UK never fit the majoritarian caricature.*

The first problem for the majoritarian argument is that Lijphart (1984) concedes so much ground, outlining a series of ways in which the UK does not fit the caricature. His discussion of the Westminster model is followed by a section entitled 'British Deviations from the Westminster Model' which is longer than the section outlining its majoritarian characteristics (1984: 9-16). It contains reservations such as: 'the power of the majority should not be exaggerated'; 'strong informal customs do restrain the majority'; 'British politics was in close conformity with the Westminster model only in the twenty-five years from 1945-1970'; and, 'there have been significant deviations from the Westminster model of majoritarian democracy with regard to almost all of the model's nine characteristics.' He notes that, 'the simple picture of an omnipotent one-party cabinet using its parliamentary majority to carry out the mandate it has received from the voters is, and always has been, false and misleading ... in fact, it has long been recognized that in Britain and other democracies many organized groups compete for influence'. Consequently, it may be worth treating Lijphart's majoritarian model as, at best, a historical snapshot or, at worst, an ideal-type used as a contrast to what British government is really like. In fact, pointing to a weak fit between the idealized form of majoritarianism and the empirical case of the UK may be following, rather than contradicting, Lijphart. However, Lijphart's contribution to the literature was not received in this way, partly because it was not always accompanied by these qualifications. Consequently, there is a danger that the literature now reproduces a caricature of the original Lijphart argument. As is frequently the case, the author's reservations get dropped as the headlines enter popular use.

*2. A majoritarian argument cannot rely simply on the alleged potential to act like a majoritarian government*

A key part of the majoritarian argument is the simple combination of (a) the observation that First Past the Post elections in Britain tend to produce single-party governing majorities (the 2010 election result notwithstanding) and (b) the assertion or assumption that such a majority party need not bargain and can pass legislation over the views of minorities in the legislature and the wider political community. Such views may often be held implicitly, but Flinders (2010: 75) also refers explicitly to 'the institutional characteristics of the Westminster Model deriving logically from the basic meta-constitutional orientation of power-hoarding.' These are legitimate but problematic deductions. At best, they are problematic because formal institutions are not good predictors of behaviour, and such assertions should be better connected to detailed empirical work.

At worst, that empirical work (outlined below) suggests that the majoritarian image provides an inaccurate description of how British politics operates. In the UK there is a large volume of informal discussion between groups and civil servants in government departments operating alongside a formal, elaborate system for consulting on policy proposals despite the UK government's powerful position (for the latter, see <http://www.bis.gov.uk/policies/better-regulation/consultation-guidance>). There are also extensive meetings between Ministers and groups, the volume of which would need to be better explained within a majoritarian model. For example, one website collating public information (<http://whoslobbying.com>) shows that from May–December 2010 there were 162 ministerial meetings with business and employer associations, 149 with trade associations, 133 trade unions, 91 with professional associations. The CBI alone had 76 meetings with Ministers and the TUC 45. *Who's Lobbying* shows that a huge percentage of political time is spent communicating with groups. It is hard to evaluate the importance of these meetings alone, but it is not credible that so many well respected, well resourced and expert associations would invest so much in them if they were totally cosmetic. Or, at the very least, a more convincing majoritarian argument would have to explain what was going on. The implication is often that the adversarial spirit in a majoritarian system extends to the group-government arena, with groups more likely to compete with each other and governments and groups unwilling to form consensual arrangements. However, if one starts with a majoritarian power-hoarding assumption, *what is the need for governments to engage at all?*

### *3. The weightings may be wrong, but how do we know?*

Lijphart has critics such as Hazell (2008: 299) who argues that, 'It is a weakness of Lijphart's classification that it focuses narrowly on the formal powers granted to institutions, and can miss the significance of culture and behaviour.' He points out that some of the British changes (such as a growing power of the House of Lords) do not impact on the Lijphart register and that there was more change than Lijphart was recording:

More general strengthening of parliament relative to the executive; the growing power of the judiciary; growth in the legal constitution and the legalisation of politics; and delegation by politicians to independent, non-majoritarian institutions. None of these developments score on Lijphart's scale, so they do not affect his classification, which would still rate Westminster as heavily majoritarian in 2020.

Flinders (2010: 82) abruptly rejects Hazell's case (particularly on culture) as 'incorrect'. In contrast, this article suggests that much change goes unnoticed if the measures of democracy are not sensitive to the details. More importantly, this article goes further than Hazell to argue that the Lijphart classification misses or downplays

the most important factor: group-government relations. Lijpart's *Democracies* (1984) starts with a discussion of democracy that *seems* unexceptional but is significant. He notes that, in modern democracies, citizens generally act indirectly through representatives and rarely act directly to pursue their interests. This may look like routine scene setting by Lijphart, but it also signals a fixation that distorts subsequent discussion. If democracy resides, as he assumes, in the interactions of parliamentarians, then majority based systems are going to appear to be distinctive and less democratic. However, the policy community assumption is that democracy resides in extra parliamentary negotiations. It suggests that the Lijphart calculations are not only opaque (his descriptions of the calculations are, at best, incomplete), but also weighted to generate ultimately misleading calculations based on arenas often far removed from the real action.

Overall, if Lijphart's measures are to be usefully operationalised, they should be recalibrated in two main ways. First, the measures should be sensitive to the difference in importance between formal and informal relationships between groups and government (by for example, being sceptical about the value of formal mechanisms such as written agreements with groups and civic forums that promise much but often deliver little). Second, they should reflect the primary importance of the group-government arena.

#### *4. Majoritarian institutions and rhetoric co-existed with consensual practices*

Flinders (2010: 5) identifies a significant gap between 'rhetorical principles' and 'governing practice' in the UK to describe the difference between Labour's constitutional vision and the less impressive outcomes. However, this gap has been present for longer in different ways. The idea of the Westminster model encapsulates key rhetorical principles that have served as a 'frame or legitimising framework' (2010: 25) but been long disconnected from (or never connected to) modern practices. It can be argued that since Lijphart was not 'tuned in' to the detail of the domestic British literature he did not recognise that majoritarian institutions and rhetoric coexisted with consensual practices in Britain. This point is simple but fundamental.

Again, this article goes further than Flinders (2010: 26, who is worried that the 'legitimising framework' only works when certain practices and customs are upheld and respected) to argue that the *instinct to seek consent* became one of the core values of the Westminster frame. Flinders (2010: 31) cites Pollard's comment of 1920 that the way the constitution operates is not so much conditioned by its form, 'but upon the spirit which informs it.' This fits the reality, as opposed to rhetoric, of British policymaking. The logic of consultation was strong, not only as a means to improve policy, but also because a central part of the democratic arrangement was an ethos of consent. The spirit that informed practice was consensual.

In this context, the Lijphart conception is a fallacy starting with a false dichotomy between majoritarian systems with centralized imposition and competitive, uncoordinated, pluralism and a consensus model which values social partnership and an emphasis on participation, consultation and compromise. A counter-argument is that, since consultation is democratically valued and usefully informative for policy makers, it is as likely to be a feature of ‘majoritarian’ systems as any other. It may *appear* to sit uncomfortably with long held majoritarian narratives, but only because the argument that ‘majorities don’t consult’ is false. Policymakers in majoritarian systems subscribe to the value of consent and have no interest in failing to benefit from the views of affected interests. ‘Majoritarian’ is not a synonym for ‘dictatorial’ except in the field of straw men.

Indeed, in some cases, majority systems may make the prospect of consultation *more* likely since there are no ‘partnership agreements’ between governing parties that produce ‘no go’ areas and fewer interest groups may be excluded from such prior decisions. While it is a counter-intuitive proposition, it may be that coalition governments – the capstone of consensualist hopes - have (at least initially) more limited consultation with interests. For example, the intra-party bargaining between the Conservatives and Liberal Democrats in 2010 meant that responsible Ministers had limited scope for the ‘business as usual’ extra party compromise with affected interests. There is a difference between party-led compromise and policy community consensus building – although it is possible that subsequent ‘U turns’ of coalitions result precisely because politically driven policy fails to anticipate problems that would normally be anticipated in policy communities.

##### *5. The Lijphart interpretation seems to be at odds with the evidence-based literature*

The policy community approach built on an established British perspective reflected in the work of Beer (1966), Finer (1958), Stewart (1958), Self and Storing (1962), Eckstein (1960) and Banting (1979). In other words, it was consistent with the dominant perspective that developed in British academic work. Further, as policy histories have accumulated in Britain, they have been broadly affirmed (see, for example, Jordan, 1992). As Borzel’s (2011: 51) review suggests, newer narratives of governance – which stress partnerships, networks, consultation and extra parliamentary bargaining – have continued this tradition:

Networks provided a conceptual lens to describe a situation in which ‘the state’, that is, the British government, was no longer able to produce effective public policies without relying on the resources of other, predominantly non-state, actors. Central state functions got lost ‘upwards to the European Union, downwards to special purpose bodies and outward to agencies’ (Rhodes 1997, p.17; see also Jordan 1990; Richardson 1996). Governments have become increasingly dependent upon the cooperation and joint resource mobilization of policy actors outside their hierarchical

control (Jordan and Richardson 1983; Hanf and O'Toole 1992; Kickert *et al.* 1997; Pierre and Peters 2000). The separation between state and society becomes increasingly blurred: instead of emanating from a central authority, be this government or the legislature, policy today is in fact made in a process involving a plurality of both public and private organizations. (Mayntz 1993: 5)

Further, these narratives are largely built on evidence of behaviour that would not be expected by a majoritarian model. Consequently, the Lijphart and governance interpretations do not seem to be equally plausible; the thrust of Lijphart seems antithetical to the dominant governance perspective. In the dominant version of British government, the alleged irrelevance of Parliament to policymaking is not because of the policy imposition by partisan majorities, but because a swathe of policy is being resolved in consultative machinery outside parliament with weak party involvement. In the more provocative accounts, partisanship is treated as irrelevant to the bulk of issues where policy agendas are so broad or too uncontroversial to invite partisan disagreements (even during phases of the election cycle when parties actively seek to produce policy differences). The increasing political science focus on governance, policy communities, and networks of policymaking and delivery requires that the parliamentary focus is further marginalised.

Such interpretations underline how far empirical scholarship has moved on in the UK. Further, a small but important proportion of this literature engages with the ideas of Lijphart. Most notably, Kriesi, Adam and Jochum's (2006: 357-8) study of seven Western European countries suggests that UK policy networks do not live up to their majoritarian reputations: 'British policy networks turned out to be quite fragmented, resembling more closely those expected for consensus than for majoritarian democracies ... This implies that future research should no longer aim at national level generalizations about power configurations and policy processes'. Kriesi *et al.*'s (2006: 345) study suggests that the British policy style is relatively consensual despite its majoritarian political system, but in contrast, 'the Italian style of policy-making appears to be more unilateral' despite the fact that it, 'has institutions which are rather of the more consensus-democratic type', while the European Union is 'less co-operative than it appears at first sight'. A similar approach is taken by Barzelay and Gallego (2010: 298) to criticise accounts which focus too much on national character traits (in this case in France, Spain and Italy) at the expense of knowledge of their subsystems. Cairney (2008; 2009; 2011a; 2011b) also extends the UK comparison to the new 'consensus democracies' in Scotland and Wales, finding very similar policy styles despite their institutional differences.

However, under the influence of the Lijphart approach, this well established British narrative on the UK has often been ignored outside the UK. This is largely the understandable result of academic specialisation and ignorance of other fields, but it is

less excusable when analysis is built on selective ignorance; when phenomena ‘that will not fit the box are often not seen at all’ (Kuhn, 1970: 24). Some observers seem reluctant to recognise British consultation practices as central because the majoritarian argument seems to rule this out from first principles. This position is required to present consensual systems as fundamentally different from British routines. In Lijphart’s world, national realities follow from analytical labels; evidence of the nature of the system does not determine which label is appropriate. In *Patterns of Democracy* he claimed, ‘Competition and conflict also characterize the majoritarian model’s typical interest group system: a system of free-for-all pluralism (1999: 16). This (unusually) *verges* on the empirical but it is largely asserted rather than demonstrated. Or, the evidence comes from a select group of academics referring to, and therefore confirming, each other’s assertions. For example, Lijphart (1999: 17) reports that:

As Michael Gallagher, Michael Laver, and Peter Mair (1995, p370) point out, Britain is "decidedly not a corporatist system" for two important reasons: "The first is the general lack of integration of both unions and management into the policymaking process. The second is the apparent preference of both sides for confrontational methods of settling their differences."

This is ‘proving’ an assertion by citing another assertion influenced by the first assertion. Further, a general textbook on Europe is not optimum primary evidence on British policy processes and the evidence provided in such broad comparative texts is so slight that it can be undermined too easily. The British system does not operate in the way described by many introductory textbooks.

Overall, the two main Lijphartian forms (majoritarian and consensual) represent little more than analytical distinctions, designed partly to signal the normative value of consensus democracy, which provide little guide to the operations of British government and cloud academic comparisons of Britain and other countries or political systems.

### **Policy Communities: Why are they so persistent? Should they persist?**

Lijphart’s analysis is distinctive because there is often a strong normative argument operating alongside the analytical framework. The policy communities (and, to a lesser extent, governance) literature focuses more on the realities of policymaking and spends less time discussing how British government *should* work. However, there is often a normative dimension when the literature points out both the logic and benefits of consultation. Further, its analysis reinforces the idea that the Westminster model ideal was incomplete without some recognition that it was underpinned by the adherence to certain principles about how Westminster institutions should be used. In particular, the concept of ‘elective dictatorship’ (coined by Lord Hailsham, 1976) using parliamentary majorities was so worrying within the political class because it



was seen as an *abuse* of the democracy-with-consent principle. For Lijphart, elective dictatorship is the essence of British arrangements, but the desire for consent means that majoritarian systems are far nearer consensus democracies than Lijphart allowed. The drive for consent and the premium placed on consultation are key features of the unwritten constitution. Although the idea of ‘constitutional morality’ is nebulous (Flinders, 2010: 289) it still underpins British Government.

Discussing British democracy without recognising the consent element is misrepresenting or misunderstanding its core morality and the nature of its ‘constitution’. As Tomkins (2009: 44) suggests, a constitution includes ‘all the rules, conventions and practices that describe or regulate the organisation, powers, and operation of government and the relations between private persons and public authorities’. This wider focus helps demonstrate that ostensibly contrasting ‘majoritarian’ and ‘consensus’ democracies actually share common rules, conventions and practices based on a commonly-adopted logic of consultation to secure consent. A focus on formal constitutional arrangements, which seem to be distinctive, masks the convergence of policy making processes linked to more-similar informal practices based on two key factors: (1) the functional benefits of input from policy users; and, (2) the importance of consent in all democratic arrangements. There are tendencies to converge, based on the ‘consult and consent’ principles held across different regimes with different constitutional set-ups.

The *Policy Styles in Western Europe* position was that national distinctiveness on policy making was offset by a common tendency to, for example, place a high value on technical information (often held by affected interests). Jordan (1981: 121) identified a ‘logic’ of policy making ‘which acts as a drive towards more stable, regulated and predictable relations’. In other words, there is a functional logic as well as a consent imperative driving disparate systems to policy community type arrangements (at least in political systems that respect public and group opinion and like to present themselves as democratic). In this light, Jordan and Maloney (1997: 558) identified a number of factors that account for the ‘Persistence of Policy Communities’:

- Bargaining in sectoral environments
- Predictable and enduring coalitions
- Substantial agreement on problem definition
- Low public profile (visibility) of decisions
- Well defined jurisdiction over relevant decision area
- Low party political attention level
- Narrow and low scope of conflict within the community
- A small number of participants, and
- Restricted access for dissenting perspectives.

Many factors muddy the normative waters because the logic of consultation is often about power and agenda setting, or the exclusion of certain groups and the reduction of political competition. Consequently, in the five main points expanded below, the suggestion is that common pressures and tendencies exist as a consequence of democratic policy making and have considerable impact regardless of the formal constitutional context – but the *desirability* of some of these common outcomes and procedures may be more open to question. Indeed, if the policy community narrative is accepted, this normative question may provide the more fruitful debate.

### *1. Segmentation and Specialization*

By the 1960s, the dominant image of political life in academic accounts was not competitive pluralism but rather some kind of corporate or segmented pluralism; competition was not ‘open’ and access was denied to groups who did not enjoy clientelistic relations with departments or agencies. Groups were seen to be specializing in particular areas to increase the perception of them as authoritative sources of information. Jordan and Maloney quote Browne (1990: 500) to make point that:

... each policy domain is like a market place in which services are the interest group's unit of exchange. ... the services of various interest group suppliers (and their policymaker consumers) constitute worthwhile goods that are the basis for exchanges, or transactions, that facilitate policy-making ... organized interests develop issue identities – indeed are compelled to do so – because their representatives must have something recognizable to market within some one or more relevant networks of decision making.

The decomposition of issues into specialist sub-units has the advantage (for some) of keeping matters ‘low key’. Technical issues are unlikely to attract the attention of the wider political system and, consequently, the policy community is licensed to deal with them. Policy specialization meant that increasingly there were more and more narrow, discrete and selective interests speaking with authority about the issue at hand (1990: 14-15). Segmentation became politically desirable not only through its encouragement of conflict avoidance, but also as a means to avoid intellectual overload. Through the standard operating procedure of bureaucratic accommodation, a relationship pattern developed which ‘tends to keep issues off the party political agenda’ (Jordan and Richardson, 1982: 82; particularly when an issue appears to have been solved after a surge of public concern – Baumgartner and Jones, 1993).

### *2. Trust and Shared Appreciation*

This style of policy making implies that relationships between certain groups and government are based on mutual trust. This begins with expertise. Berry (1984: 119) describes how the lobbyist has to develop a reputation as a reliable source, claiming that access is attained through proving one's credentials as an expert – sharing a

common (expert) language with other key policymaking participants: '... the key to being a good lobbyist ... [is] to have them depend on you for your area of expertise'. It then continues with trust based on reliability. Jordan and Maloney reproduce a classic Finer (1958: 34) quote from the director of a national trade association claiming that departmental recognition:

... depends primarily on the statesmanlike (sic) way which the association handles its problems and on the confidence inspired by the staff in their dealings with government officials ... government officials will trust the staff sufficiently to inform and consult them on matters which are still highly confidential ... but if there is the slightest suspicion that the association's staff has failed to maintain the confidential nature of the information imparted to it, the government officials will shut up like clams and it will be a very long time before the association's staff is entrusted with inside information.

### *3. Exchange-Based Relations and Power Dependency*

The policy community argument relies on the existence of exchange-based relations between actors. Participants know each other well, allowing differences within policy communities to be resolved through trading over time and revisiting important areas. Above all, the community will strive to avoid heightening conflict among its participants. Partisan politics exaggerates differences but community politics tries to turn conflict into the stuff of compromise. Even when political conflict emerges to take policies outside the scope of policy communities, the logic of policymaking tends to reassert itself and policy community-type features can emerge in the context of the conflict. On many occasions, the resolution of high profile controversies requires disaggregation into a series of less contentious manageable facets that can be addressed within policy community arrangements. The politics of the policy community is the politics of the particular; a means to resolve the detail. In other words, the policymaking process operates on an exchange basis because Departments require relevant information (which the groups possess) and consent (which has a particular virtue in democratic settings). The Department often needs co-operation in the administration of policy. The groups clearly have need of the Department because assistance is needed to advance the goals of the organization. They are interdependent.

### *4. Stability: Order and Routine Decisions*

Ripley and Franklin (1984: 10) argue that:

Since most policy making is routine most of the time, subgovernments can often function for key periods of time without much interference or control from individuals or institutions outside the subgovernment. If the members ... can reach compromise among themselves ... they can reduce the chances of

calling a broader audience together that might become involved in their activities and output.

In other words, while complexity and conflict may be commonplace, there still appears to be 'a search for predictability in policy making that encourages the development of a symbiotic relationship between groups and civil servants,' (Jordan and Maloney, 1997: 571).

##### *5. The Nature of Demands*

A further factor pushing for the emergence of stable subgovernments or communities is that many issues pursued by groups have little ideological or partisan significance. The day-to-day business of government is dominated by these apparently innocuous issues. As Freeman (1965: 33) argues:

Many of the decisions reached in subsystems, though they be considered minor or detailed or insignificant ... are collectively the stuff of which a large share of our total public policy is made ... their cumulative importance as well as their specific importance ... cannot be disregarded.

Further, most of the content of policy community are vital to the participants. Schlozman and Tierney (1986: 396; 315; 311) point out that:

... (a pressure group's) probability of success appears to vary inversely with the scope of the demand. Organizations whose political ends are narrow and technical are more likely to be influential than those whose goals are more encompassing. In general it is easier to affect the details of policy than its broad outlines ... Thus even if the impact of organized interests were confined to influencing details ... such influence should not be dismissed as negligible.

In other words, a group seeking changes in areas where there are no contested values or goals has an easier task. Further, this type of activity may represent the bulk of government activity in most political systems.

##### **Conclusion: The Ubiquity of Specialisation, Power and Agenda Setting?**

A further, perhaps controversial, step in this line of argument is that these factors are present in all political systems where governments try to build electoral support, secure consent from affected interests, and improve policy detail by the input of affected groups. They exist in all modern political systems irrespective of constitutional form - and British government is no different. The British style uses elaborate consultation to try to satisfy a key interpretation of the idea of democratic consent. Indeed, if the concept of political culture could be pinned down and made less ambiguous, consent would be a key element. Civil servants prefer to have the

groups ‘on side’ to satisfy a widely held belief in the legitimation of policy by those affected – or, more pragmatically, to pre-empt criticism and avoid conflict.

These twin factors - the search for policy improvement and policy acceptance – are present in both ‘majoritarian’ and ‘consensus’ systems. Their presence undermines the idea that majoritarianism was ever a good description of the British situation. Consensus has long been seen as both democratically and politically valuable and hence often (normally) there was an attempt to reach agreement with affected interest groups rather than the ‘top down’ imposition of decisions. This premium placed on agreement reflected the perceived merit of democratic consent and, more cynically perhaps, a reduction of political friction, noise and governmental unpopularity. Indeed, Lijphart (1984: 9-16) himself, in his description of ‘British Deviations from the Westminster Model’, did not subscribe to the caricature account often promulgated in his name. Further, more recent attempts by the Labour government to change the constitutional settlement (described by Flinders, 2010) may largely be seen as inconsequential froth on a settled pattern of consensus seeking. These factors that drive consensus building operate quite independent of constitutional frames.

Of course, the main challenge to this argument is that it does not account for the small number of examples of high profile, high conflict policy issues in which the UK Government tries to impose policy from the top-down or otherwise departs from the ‘normal’ policy style. Clearly, the UK system does not consist simply of the mechanical processing of all policy in policy style communities - especially during an economic crisis of the current scale which forces governments to make tougher political choices with more winners and losers. However, the policy communities argument is that a *substantial proportion* of policy eventually gets settled with interested and knowledgeable organisations that deliver the information and the consent that policymakers value. Indeed, consent is something that is valued even without the policy community form: ‘Even where there is a multiplicity of conflicting participants the instinct for compromise, consultation and exchange can smooth over the political problems’ (Jordan, 1992: 272)

Overall, what is the dominant interpretation of British policymaking? Is the pursuit of top-down policymaking the exception or the norm? Most contemporary analysts reject the ‘Westminster model’ in favour of governance accounts, but there is some confusion about their respective understandings of policymaking. While the Westminster account may be relatively clear, stressing majoritarian government and policy imposition, governance accounts may vary, with some seeking to incorporate the idea of policy imposition into a broader narrative on the limits to centralisation. Indeed, those pursuing academic mediation might suggest that the dominant interpretation includes elements of the Westminster and governance models: majoritarianism best describes the policy process when ‘headline’ decisions are taken at the centre of political systems, while the governance image may be used to describe

the more humdrum else day-to-day running of government. However, this article suggests that such compromise does not 'square' policy communities and Lijphart accounts. The former account suggests that the majority of important government business is transacted *beyond the headlines* in other, less visible and less partisan arenas. Consequently, the Lijphart's 'majoritarian versus consensus democracy' account fails to describe or explain British policymaking adequately, since the bulk of business is not transacted in the arenas which command most of Lijphart's attention. The Lijphart account, which is still remarkably prominent in international political science, provides a misleading interpretation of British policymaking to comparative scholars who are less familiar with the UK literature on governance, networks, bargaining and consensus seeking.

Consequently, the article encourages scholars to reject an appealing compromise between majoritarian and governance accounts. If the aim is to present clear and consistent accounts of British policymaking then the solution is to make choices after direct comparisons of competing accounts and to reject scholarly accounts which present a caricature of the UK based on formal institutions and reputations, in favour of an examination of the evidence of how they actually operate. The policy community argument is that there has always been a surprising degree of consensual activity in the UK despite confrontational headlines and political rhetoric. The thrust of this piece, and the main complaint about the Lijphart contribution, is that political science needs case study knowledge accumulation to confirm first principles speculation; there is a limit to the utility of deduction from first principles. Democracy is a phenomenon that deserves empirical study rather than simply the discussion of the imagined consequences of constitutional arrangements. This is a point that goes well beyond a critique of Lijphart towards any discussion of British policymaking in the modern era. Policymaking arrangements may be changing. For example, they may now be under threat because the end of the steady public expenditure expansion that has existed since the Second World War has made it impossible for discontent to be consistently 'bought off'. However, this is a phenomenon that should be researched and demonstrated rather than assumed and asserted. Straying too far from real cases might get political science into interesting, but ultimately fruitless, debate.

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<sup>i</sup> Note that the most high profile debates take place *within* the governance literature, such as the Marsh/Rhodes debate which invokes first principles ideas about ontology and epistemology to establish the best way to understand modern governance arrangements (Marsh, 2008; 2012; Bevir and Rhodes, 2010; Rhodes, 2011).

<sup>ii</sup> Freeman (1985: 467) noted that, before the emergence of comparative policy styles as a field of inquiry, ‘most political scientists had presumed that the peculiar and unique structure and organization of politics in particular countries – constitutional arrangements, party systems electoral devices, and political cultures – produced distinctive public policies.’ However, systematic cross system investigations, using data on outputs, contradicted this assumption, finding cross national similarities and that ‘politics was not a fundamental determinant of the policies of national states or their subdivisions.’ (1985: 467; although note that Freeman’s argument is based on the, now less fashionable, idea that socio-economic processes are more important than policymaking process in determining policy outcomes – see Cairney, 2012: 113-7; John, 2012: chapter 5).

<sup>iii</sup> In developing his consensus democracy idea, Lijphart focused on undermining the traditional defence (clarity and political responsibility through alternating administrations determined by public electoral choice between manifestos) of two party politics in the UK and US (the claimed virtues of the Responsible Party Government idea probably reached a high point in ‘Toward a More Responsible Party Government’ APSA Supplement, 1950). Lijphart was rejecting the ‘responsible’ two party model and, in fact, campaigning for what he later (1999: 293) termed the ‘kinder, gentler qualities’ of consensus democracy. He described his approach as ‘prescriptive’ (1984: 209).