Comparing Politics and Policymaking in Sweden and the UK: Can we say that Scotland is a Scandinavian-style Consensus Democracy and a UK-style Majoritarian Democracy?

Abstract

Scottish devolution is a key example of UK experimentation in politics. First, it represents a relatively extensive form of territorial reorganisation, producing a new political system with its own legislature and a new venue conducive to the pursuit of further constitutional change. Second, it was accompanied by a project to challenge the UK’s style of politics. ‘New Scottish politics’ was based on a rejection of the ‘majoritarian’ politics of ‘old Westminster’ in favour of a ‘consensus democracy’ associated with countries such as Sweden. Yet, the literature suggests that Scottish and UK policymaking practices are similar – because UK policymaking does not live up to its majoritarian reputation, and Scotland was designed with majoritarian and consensus elements. We extend the comparison to Sweden, to examine the extent to which it lives up to its consensual image and to identify the ways in which Scotland has similar policymaking practices. The study helps clarify the meaning of majoritarian and consensus in discussions of policymaking reputations and traditions. It also informs current debates regarding the nature of an independent Scottish political system.

Introduction: Beyond Majoritarian-Consensus Caricatures

Many misleading caricatures of political systems are difficult to shake off. Superficial analyses of systems, based on their formal institutions or reputations, are often killed off in the detailed country-specific literature. However, they are then resurrected in: large comparative studies that adopt quantifiable but superficial measures of systems; and, textbooks that do not have the space to provide more nuanced analysis of individual countries (Jordan and Cairney, 2013). For example, the UK has long been described as a ‘majoritarian’ system in contrast to the Scandinavian (Sweden, Norway, Denmark) ‘consensus democracies’, even though they have long shared common features and practices (Richardson, 1982; Ruin, 1982). Jordan and Cairney (2013) argue that, ‘the United Kingdom never fitted the majoritarian caricature’. Similarly, Bergman and Strøm (2011) argue that consensus is an important reference point for Nordic studies but that the ‘Westminster model’ of parliamentary democracy is also a valuable frame. Their contribution reinforces the idea that consensualism has become little more than a cliché; either as a ‘straw man’ whose sole purpose is to be brought down, or as a romanticised idyllic past existence with limited empirical support.
Our aim is not simply to show that empirical studies help us question the accuracy of abstract models. We also argue that romantic ideas about consensus democracies, and negative images of majoritarian democracies, may inform the design of new political systems without clear evidence that the rhetoric is the same as the reality. In particular, the push for devolution in Scotland (which has elected its own Parliament since 1999) went hand in hand with reference to the Nordic consensus democracies (by reformers based in Scotland) and the Westminster model. Devolution was sold by many proponents as an opportunity to reject ‘old Westminster’, in favour of the consensual practices of the Scandinavian democracies (Arter, 2004) – but those reformers shared power with UK Government bodies with different ideas (Cairney and Johnston, 2013). The misleading distinction between systems, coupled with the adoption of majoritarian and consensus elements, presents a problem when we try to characterise and assess the Scottish political system. If these majoritarian and consensual images are misleading caricatures, it is difficult to gauge the nature and/or success of Scottish political design in such terms (Cairney, 2011a; Cairney and McGarvey, 2013).

Yet, it is still useful to compare the Scottish political system with the UK and Sweden, with two caveats. First, we should consider a wider range of explanations, for political system differences, than summed up in the majoritarian/consensus distinction – which focuses primarily on factors such as electoral systems and their effect on political cultures. Second, we should consider the extent to which UK, Scottish and Scandinavian systems share common features – such as an imbalance of resources between government and parliament, and a tendency for policy to made in subsystems. Key texts from the public policy literature suggest that all political systems are influenced by ‘universal’ processes, such as the ‘bounded rationality’ (Simon, 1976) of policymakers: they are unable to pay attention to most of the issues for which they are responsible. So, parliaments devolve policy making responsibility to governments. In turn, government ministers devolve most responsibility to civil servants, who make policy in partnership with ‘pressure participants’ such as interest groups – a process summed by concepts such as ‘policy community’, ‘network’ or ‘subsystem’ (Baumgartner and Jones, 2009; Richardson and Jordan, 1979; Jordan et al, 2004; Cairney, 2012). While this process may be managed differently in different systems, their practices are influenced by factors other than differences in constitutional design - such as the nature of each policy issue, the extent to which policies are processed in a favourable economic environment, and the size of the political system which, for example, influences the ability of policymakers to form personal relationships with pressure participants (Cairney, 2012).

In this context, we have two aims. First, we provide an overview of the literature, comparing texts that describe majoritarian/consensus as a key contrast between political systems, and texts that challenge the value of the distinction or show that very different-looking systems often engage in policymaking in very similar ways. We compare the long-established images of majoritarian versus consensus practices presented by Lijphart (1984; 1999) and Elder et al (1982) with the idea of a common ‘European policy style’ presented in Richardson’s (1982) edited volume. This allows us to clarify the majoritarian/consensus distinction to help
compare the UK with Sweden (we choose a single Scandinavian country to produce a detailed case study).

Second, we consider our ability to characterise new political systems with reference to these images. We build on work by Cairney (2008; 2009; 2011a; 2011b) which shows that Scotland and the UK often share similar policy processes and political practices despite their formal institutional differences and the pursuit of ‘new politics’. We examine the extent to which Scotland’s system also shares practices with Sweden.

Overall, we use the Scottish experience to prompt scholars to reconsider the nature of consensus democracies, highlighting their alleged key properties and examining the extent to which the modern Swedish experience reinforces or qualifies that image. The Scottish system may not look like a consensus democracy, partly because no new political system can live up to an old romantic caricature (Hilson, 2008: 54).

**Majoritarian and Consensus Democracies: What Do They Mean?**

Lijphart (1984; 1999) makes a highly influential distinction between majoritarian and consensus democracies. It is based primarily on a simple quantitative analysis of the formal institutional structure of political systems, divided into two categories. In the ‘executives-parties dimension’, plurality systems concentrate power in the executive and foster adversarial two-party politics; proportional representation spreads power and fosters cooperative multi-party systems. These differences extend to the group-government arena, with consensus democracies associated with closely-cooperating corporatist structures ‘aimed at compromise and concertation’ and majoritarian systems linked to more fluid group-government relationships and ‘free-for-all competition among groups’ (1999: 5). Majoritarianism is also reinforced when there is executive dominance of the legislature. In the ‘federal-unitary dimension’, majoritarianism is further supported by: unitary and centralised government; unicameralism (or a weak upper chamber); no scope for the judicial review of the constitutionality of legislation or government policy; an absence of a written constitution (relatively resistant to change without an extraordinary legislature majority); and, a government controlled central bank.

Lijphart (1999: 7) treated the UK as an archetypal majoritarian system because, at the time, it fulfilled the majority of his ten criteria. Flinders’ (2010) updated study (published before UK coalition government in 2010) still describes much of the UK as majoritarian even though the UK Government granted independence to the Bank of England and devolved powers to Scotland, Wales and Northern Ireland. Flinders (2010: 176) identifies ‘bi-constitutionality’ following the promotion of consensus democracy-like institutions in the devolved (Scotland, Wales, Northern Ireland) territories: the devolved Scottish arena became like a consensus democracy in the Lijphart mould, with a proportional electoral system providing a new context conducive to power sharing among parties, between government and Parliament, and between the government and interest groups; and, the UK maintained majoritarian institutions and practices in central government (Flinders, 2010: 177). While accepting Lijphart’s
approach and conclusions, Flinders (2010: 274) also qualifies the framework, since the multi-level UK now contains elements of majoritarian and consensus systems.

A comparison between a majoritarian UK and consensual Sweden is further complicated by three factors which remind us that the practical meaning of consensus democracy may differ by author, study and criteria. First, Lijphart (1999) treats only countries such as Switzerland and Belgium (and the European Union) as ‘relatively pure’ consensus democracies. The Scandinavian countries score well on the ‘executives-parties’ dimension but less well on ‘federal-unitary’ because, for example, Sweden, Denmark and Norway all have unicameral systems. Sweden has been unicameral since 1971 and its central bank was made independent from government and parliament only in 1999. The constitutional review of the legislation is also sometimes criticised as weak – although it was somewhat strengthened in a constitutional reform package passed in 2010. Lijphart (1999: 248) only provides heavily qualified support for the argument by Elder et al that there is a ‘distinctly Scandinavian culture of consensus’. Second, Elder et al (1982: 10-11) use different criteria and methods (a more qualitative and historical approach) to identify Scandinavian consensualism: low public opposition to the political system and its rule of law (measured with reference to factors such as minimal political violence, generally low public support for anti-system parties and high voting rates); low conflict within the political system (factors such as coalition building in parliament); and, high levels of coalition building during the production of public policy (the relationships between government and groups such as unions and business groups). Third, some elements on the ‘federal-unitary dimension’ are not applicable to a devolved political system which does not control its own constitution or central bank (in fact, it does not control most aspects of economic, monetary, welfare, foreign and defence policy; its largest responsibilities are in health, education, local government, justice, social work and housing – Cairney and McGarvey, 2013).

Consequently, we examine the ‘executives-parties’ dimension to make meaningful comparisons between UK, Scottish and Scandinavian practices. We explore the argument that the Scandinavian ‘consensus democracies’ produce two main forms of behaviour: (1) consensus seeking between the governing and opposition parties in the legislative arena; and, (2) relatively consensual cooperation between the government and pressure participants. Further, the culture that develops in one arena (parliament) may influence the culture in another (group-government relations). Does this contrast with the alleged tendency in majoritarian democracies to concentrate power within governments, to the exclusion of opposition parties and pressure participants?

An Alternative View: The Common European Policy Style

This argument has long been challenged in the ‘policy communities’ (Richardson and Jordan, 1979) literature for two main reasons. First, it questions the influence of parliaments, arguing that their activities may grab the headlines but are of ‘primarily symbolic importance’ (Jordan and Cairney, 2013) - an argument that, if accepted, would reduce the comparative significance of consensual versus adversarial politics in parliaments (compare with Arter,
Instead, we would make comparisons between the policy communities or networks that develop between governments and pressure participants.

Richardson and Jordan (1979) described the UK as ‘post-parliamentary’. As Jordan and Cairney (2013) reflect, “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 ... the parliamentary arena was far less important in determining outcomes than the world of civil servants and interested, well informed, groups and associations”. Most policy decisions are effectively beyond the reach of parliaments and senior policymakers. The size of government is generally addressed by 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’ (also note related concepts, such as ‘policy networks’ and ‘subgovernments’ – see Cairney, 2012: 179). Policymaking arrangements develop because there is a logic to devolving decisions and consulting with certain groups. Ministers rely heavily on their officials for information and advice. For specialist issues, those officials rely on specialist organisations. Organisations trade information (and other resources such as the ability to secure the agreement of its membership or implement government policy) for access to government. (Richardson and Jordan, 1979; Jordan and Maloney, 1997; Jordan and Cairney, 2013; Cairney, 2012).

The importance of Richardson’s (1982) edited volume Policy Styles in Western Europe (‘policy style’ refers to the way that governments make and implement policy) is that the same argument may apply to many democracies. It may be appropriate to focus primarily on the policy community, not parliamentary, arena to best characterise the policy process, and to find that the same logic of consultation applies in many systems. The volume found that the ‘British Policy Style’ had much in common with policy styles in countries such as Sweden. The ‘European policy style’ could be described as (a) an approach to problem-solving which was largely incremental rather than ‘anticipatory’ and radical (government policy was largely built on past decisions, not a rejection of them) and (b) a relationship between the government and other actors primarily as consultative rather than impositional (Richardson et al, 1982: 12-13; Jordan and Cairney, 2013).

The argument that the ‘British policy style’ may be best seen as consultative and non-radical despite the UK’s majoritarian image has since been reinforced in numerous contemporary studies comparing British policymaking with other countries (and the European Union) (Jordan and Cairney, 2013; see also Elder et al, 1982: 28: ‘the British system is much more consultative than the superficialities of adversary politics might suggest’). Consequently, a description of the Scandinavian countries as ‘consensus democracies’ may not differentiate them from the UK.

Contingent Swedish Consensualism?
Second, country-level patterns of behaviour may be specific to particular periods of time with specific policy conditions. For example, the Swedish consensus democracy ideal may have been developed during a historic period of economic growth, social cohesion and constitutional and parliamentary continuity and stability.

So, on the one hand, norms (not ‘formal statutes’) developed to guide Swedish policymakers: ‘seek agreement among participants and avoid conflict; ... try to build large majorities for policies rather than force their standpoint on minorities; and compromise rather than cling rigidly to their own preferences’ (Ruin, 1982: 141). It was possible to identify a ‘standard operating procedure’ in which the government set up a commission of inquiry to make policy recommendations which form part of a draft government bill, considered and approved by a parliamentary committee, before being ‘worked out within the administration’ – a process that could take six to eight years between the first referral and the implementation (1982: 142). The continuous inclusion of parliament (or its political parties) in government deliberations, before and after the legislation is put to Parliament, and the time taken to ‘find solutions acceptable to all concerned’ marked Sweden out from countries such as the UK (1982: 154; Elder et al, 1982: 159-91). This ‘normal style’ was most evident in ‘foreign, defence and constitutional policy’ (and less evident in ‘labour market, industrial and tax policies’) while the development of its welfare state and education system are high profile examples of innovative, ‘anticipatory’ policymaking to ensure major policy change (Ruin, 1982: 142).

On the other hand, socio-economic and constitutional changes may have undermined standard operating procedures. Sweden’s policymaking image (‘deliberative, rationalistic, open and consensual’ – Anton, 1969) was ‘coupled to a growth economy’ and a ‘fairly homogeneous’ population (Ruin, 1982: 143-5). Post-war corporatism flourished following the production of unusual Swedish circumstances (for example, its ‘late and rapid economic development’ and its neutral role during world wars) and when its economic policy was in everyone’s ‘individual and collective self-interest’ (Steinmo, 2010: 33). Business and labour could cooperate when egalitarianism operated in tandem with economic growth (‘everyone benefits and everyone pays’ – 2010: 34). Diminished economic performance and rising unemployment – linked to the rise of foreign competition, inflation and the oil crisis in the 1970s - put pressure on group-government relations. ‘Peak corporatism’, in which macroeconomic policy was managed by leaders of government, business and labour, became less relevant to a ‘globalised’ (and ‘Europeanised”) economy less subject to central control (Arter, 2008: 164; Bergman and Bolin, 2010: 252).

Further, immigration from the 1960s exacerbated social tensions and reduced the ‘possibility of reaching agreement’ (Ruin, 1982: 147; see also Einhorn and Logue, 2003: 117 - socioeconomic issues may attract more consensus than ‘racial, religious, ethnic and cultural conflicts’). Sweden experienced significant labour immigration in the 1960s and early 70s and asylum immigration from the early 1980s. Initially, immigration tended not to be important in election campaigns and immigration-critical parties found it difficult to get a foothold. When an anti-establishment party seeking to politicise immigration entered parliament in 1991, it self-destructed after one term (Widfeldt 2000; Rydgren 2006).
Rydgren’s (2002; 2006) research demonstrates that the traditional left-right divide has maintained its position as the most important conflict dimension. More recently, however, the challenge from socio-cultural issues, such as immigration, has gained momentum. Immigration has divided public opinion since, at least, the early 1990s (Sandberg & Demker 2013), and became an election issue for the first time in 2002. The parliamentary entry of the Sweden Democrats (an immigration-critical party) in 2010 suggests that immigration and related issues will remain politicised for the foreseeable future. In addition, protests from environmental, feminist and student groups, starting in the 1960s, further reinforce the broad idea of a break away from consensualism (Arter, 2008: 48).

These changes took place in tandem with constitutional change; the establishment of a unicameral system and new processes of national and local elections in 1970 (1982: 149-50). One consequence was the eventual loss of a working majority in parliament for the Social Democrat government which had served almost interrupted for four decades. Elder et al (1982: 27; 188) suggest that the promotion of strong group-government relations, and industrial harmony in particular, was performed particularly successfully by the SAP (see also Heclo and Madsen, 1987: 9). Heclo and Madsen (1987) also describe challenges to a broader hegemonic project to maintain particular policy aims (such as the high tax and large welfare state model). Elections from the mid-1970s may have marked an ‘ideological backlash against the Social Democratic welfare state’ (Hilson, 2008: 44-7).

In this context, the pursuit of consensualism may look like the stifling of debate and dissent (Heclo and Madsen, 1987; see Ruin, 1982: 155; Hinnfors, 1997: 165). It became more difficult as the policy arena became overcrowded, following a massive rise in groups seeking influence, producing prolonged conflicts. ‘Consensus’ was increasingly achieved by agreeing vague policy decisions and producing ‘framework’ legislation which shifted conflict to the implementation stage, or regional/local government level of policymaking (1982: 156-8). Or, more pressing policy issues often produced “‘fire brigade’ actions” by the government, outside the normal policy style (Ruin, 1982: 162).

Overall, Swedish politics and policymaking displays a long culture of consensualism as a default or standard operating procedure, but with evidence of change: a post-war period characterised by governments with secure parliamentary majorities seeking consensus with groups was replaced from the mid-1970s by governments with weaker parliamentary positions struggling to find the same kinds of policy agreements with groups. Its image as a consensus democracy seems contingent on political and socioeconomic conditions that came under challenge from the 1970s.

Can Scotland be a Majoritarian and Consensus Democracy?

This section considers the applicability of these, now heavily qualified, images of majority and consensus politics to Scotland, focusing on two key dimensions.

1. Parties and Parliament in Scotland: closer to the UK or Sweden?
Comparisons between Sweden and the UK may produce two different sets of ‘face value’ expectations. First, we associate with Sweden a committee-centric parliament in which government and opposition parties, working together, make meaningful attempts to produce legislative solutions. The ‘real political job – including the parties’ fundamental strategic considerations – has to be done in the committees’ (Hinnfors, 1997: 162). Sweden has a “‘working parliament’ served by a system of multi-functional, specialist committees” (Arter, 2004: x11), and, ‘Compared to Anglo-Saxon systems, activity in the Parliament is focused on political decision-making rather than on criticizing and controlling government’ (Hinnfors, 1997: 161).

Second, we expect political systems to face common pressures. Sweden may have a more important parliamentary process, but in the context of a government-parliament relationship in which the former is responsible for day-to-day policymaking and the latter has limited resources to scrutinise and influence government activity (unlike the US system in which there is a division of powers and a greater role for a well-resourced Congress). As in the UK and Scotland, the main role of the Riksdag is to process government legislation (Arter, 2004: 158-9). Swedish distinctiveness relates more to the relationship between governing and opposition parties than government and parliament.

The Scottish experience aids comparison because it shows the limits to any attempt to change this government-parliament relationship, by encouraging (in a vague way) a new culture of ‘power sharing’ without a significant shift of resources (Cairney and Johnston, 2013). A new electoral system may affect the relationships between parties more than between government and parliament – and this distinction is important in a Westminster system.

Proponents of Scottish devolution – such as the Scottish Constitutional Convention (SCC) (1989; 1995), a collection of political party and ‘civil society’ groups (see Cairney and McGarvey, 2013: 11) - used ‘old Westminster’ as a ‘negative template’ for ‘new Scottish politics’ and took some inspiration from countries such as Sweden (although Arter, 2004: 20 suggests that policy learning was ‘rushed’ and not ‘evidence-based’). It advocated a consensual style of politics, over the adversarial style in Westminster, and ‘power sharing’ with the Scottish Parliament rather than executive dominance (McGarvey and Cairney, 2008: 11-2). The Scottish system partly reflects that reform agenda, producing a consensus democracy in Lijphart’s (1999) ‘executive-parties’ terms (see Flinders, 2010: 275). A proportional electoral system with a strong likelihood of bargaining between parties was chosen (it uses a form of MMP with 73 members elected via first-past-the-post constituencies and 56 members elected from 8 regions using a list system).

These themes were taken up by the ‘Consultative Steering Group’ (CSG) established by the UK Government to report on the draft rules for the Scottish Parliament (Scottish Office, 1998). It invested in Scottish committees an unusual range of powers compared to Westminster and the legislatures of most West European countries. The Scottish Parliament has permanent and specialized committees with combined standing and select committee functions, a proportional (by party) number of convenors (chairs), committee deliberation both before the initial and final plenary stages of legislation, the ability to initiate and redraft
bills as well as invite witnesses and demand government documents and monitor pre-legislative consultation. These are all indicators of unusually high committee strength according to Mattson and Strøm’s (2004: 100-1) criteria and, ‘Outside Austria, only the Swedish and Icelandic committees have comparable powers’ (Arter, 2004: xi).

Yet, the Scottish Parliament also shares with Westminster an imbalance of policymaking power towards the executive. It has many ‘old Westminster’ characteristics including the same constitutional format (for example, the executive resides in the legislature), division of resources (the majority of spending is controlled by the Scottish Government) and expectation that the government will govern (‘participative’ forms of democracy are limited - Cairney, 2011a: 13; Cairney and McGarvey, 2013). This is no accident – ‘new politics’ reformers captured the imagination, but the UK Government (concerned more with traditional forms of government accountability through parliament) designed the Scottish Parliament (Cairney and Johnston, 2013).

Consequently, the Scottish Parliament is subject to practical constraints relating, in part, to the limited resources it has in comparison with the Scottish Government – including committees with 7-9 members (‘the smallest of any national parliament in Western Europe’ – Arter, 2004: 31) and a few dozen parliamentary staff working directly on scrutiny and research, overseeing a public sector with half a million employees spending a budget of around £30 billion (Cairney and McGarvey, 2013; each Swedish committee has a minimum of 15 members and 5-8 staff working directly for them – Arter, 2004: 167). Committees also struggle to conduct parliamentary business in a restricted time (Tuesday to Thursday mornings). These problems were evident during the 1999-2003 session when committee turnover was high (undermining MSP expertise) and the legislative timetable of the Scottish Government was demanding (it passed 50 bills). A report by the Procedures Committee (2003, paragraph 1016) warned against the Parliament becoming a ‘conveyor belt for passing legislation’ to the detriment of scrutiny and influence. From 2003-07 the legislation rate increased, with 53 Scottish Government bills passed. It fell from 2007-11 (minority government), but only to 42 (in Sweden, the number of government bills (propositioner) varied from a low of 133 to a high of 246 between 1979 and 2008; an average of 181.6 - Bergman & Bohlin 2011:269).

The more constraining factor (in the absence of minority government) is the role of centrally controlled political parties. From 1999-2003 and 2003-7, Scottish Labour (the largest party) formed a majority coalition government with the Scottish Liberal Democrats, securing 73 (57%) and then 67 (52%) of 129 seats. The governing coalition had enough MSPs to control the parliamentary business bureau and ensure a voting majority on all committees, with voting cohesion high among both parties. The parties also appoint their own convenors (chairs) and decide which MSPs sit on which committees.

Overall, the coalition produced the closest thing possible in Scotland to majoritarian government in a government-versus-opposition atmosphere (Arter, 2004: 83; Cairney, 2006; Cairney, 2011a: 29-30; McGarvey and Cairney, 2008: 85; Mitchell, 2008: 77). The coalition produced ‘partnership agreements’ that tied both to a detailed programme of legislation
without seeking agreement from opposition parties. It dominated the legislative process, and committees became part of a ‘legislative sausage machine’ rather than powerful bodies able to set the agenda through the inquiry process (Arter, 2002: 105). While there is some evidence of parliamentary influence during the scrutiny of government legislation (Shephard and Cairney, 2005; Cairney, 2006), the Scottish Government produced and amended the majority of bills (McGarvey and Cairney, 2008: 106), reinforcing the rule of thumb by Olson (in Arter, 2006: 250) that executives initiate 90% of legislation and get 90% of what they want.

Minority (SNP) government from 2007-11 had some impact, but it also demonstrated the imbalance of power between Government and Parliament in four ways (see Cairney, 2011a; 49-54). First, the Scottish Parliament reinforced the expectation that the government would govern and retain primary responsibility to legislate. It proved unable to produce agenda setting inquiries or significant legislation. Second, the Scottish Government pursued many of its policy aims without primary legislation or parliamentary permission, using its budget and existing laws. Third, small committee size and MSP turnover undermined the abilities of committees to scrutinize government policy. Further, the decision by the Scottish Government to devolve further responsibilities to local authorities has undermined the Scottish Parliament’s scrutiny function. Fourth, the SNP Government lost more votes than its predecessors, and it did not introduce two favoured bills (on an independence referendum and reform of local taxes), but its legislative programme remained unharmed and very few bills were amended against the SNP’s wishes.

The Scottish experience highlights many processes that we associate with Westminster – but does this mean that it contrasts with the Riksdag? Scotland shares more institutional features with Sweden, including an electoral system producing more elected parties and a unicameral parliament designed to ‘front load’ its legislative process. The Swedish system also contains parties with a strong whip; ‘individualistic voting’ is as rare in Sweden as it is in Scotland (Arter, 2004: 25). Indeed, cohesion may be a precondition for its ‘bargaining government’ which comes primarily from negotiations between parties, not individuals in committees (2004: 162).

Nevertheless, there are key differences. First, there have been different attitudes to the formation of governments. Arter (2004: xii) suggests that the norm in Sweden (and Norway and Denmark) was for minority governments to be ‘backed by legislative coalitions giving them a de facto majority’. This differs from the first eight years in Scotland where Scottish Labour and the Scottish Liberal Democrats formed a majority coalition government with no need to find support in parliament (majoritarian coalitions are more of a feature in Finland and Iceland – 2004: 257). This betrays a cultural attachment in Scotland to stable government – linked, in the eyes of the main parties, to the ability to guarantee control of the parliamentary arithmetic (Cairney, 2011b; Arter, 2004: 258). The minimum-winning-coalition mentality may be more significant in Scotland, perhaps reflecting its UK majoritarian history. It contrasts with a tendency for the Swedish government to consult routinely with opposition parties in arenas such as government commissions which perform pre-legislative scrutiny. Such measures were not introduced in Scotland and, while their use
was debated post-devolution, they were rejected partly to maintain very clear ‘lines of accountability’ (Arter, 2004: 260). However, there are some signs of convergence: Scotland had minority government from 2007-11 and Sweden had majority government from 2006-10 (the goal for the centre-right and centre-left blocs, to get back to majority government, is hindered by their unwillingness to cooperate with the Sweden Democrats, not their unwillingness to seek majorities).

The 2007-11 period saw the minority Scottish government requiring the support of at least one other party to secure its legislative programme. However, committees remained peripheral to the legislative process. Scottish Labour in particular seemed reluctant to engage in detailed policy work (before and) during the passage of legislation, and committees rarely produced agreement on the pursuit of major inquiries (Cairney, 2011a: 51). There is no equivalent to the Swedish process of regular bargaining between government and opposition parties. There was some need for the minority government to seek the support of other parties (and it worked well with the Conservative party in particular), particularly to secure its annual budget bill, but not in the spirit we associate with Sweden’s ‘bargaining democracy’ (Arter, 2004: 16).

The comparison to Sweden is complicated by different arrangements in which party bargaining takes place, often informally, outside parliament. For example, Scottish Parliament committees take on the bulk of the detailed legislative scrutiny (it invites witnesses (including ministers), co-opts external experts to aid scrutiny and engages, with ministers, in line-by-line scrutiny of draft bills). Further, the vain hope was that committees would operate in a ‘businesslike’ manner, with MSPs balancing their party affiliations with the need to produce cross-party agreement. In Sweden, ‘inter-party bargaining across the government-opposition divide’ takes place elsewhere - in government commissions, the internal committees of parties, and in informal regular discussions between parties - before bills reach Riksdag committees (Arter, 2004: 137; 160-8; 256). Consequently, ‘Parliament as an institution affirms or denies policies that have been initiated elsewhere’ (Heclo and Madsen, 1987: 11).

The architects of a Scottish Parliament could not easily design a comparable system built so much on a culture of bargaining between parties. This difference may be accentuated by the larger scope for Swedish policy responsibilities. Most Scottish Governments can generally rely on widespread, often implicit, support for a social policy agenda on which most parties broadly agree. There is no equivalent need for parties to bargain to secure broad agreement in ‘high politics’ (Arter, 2004: 256), which might underpin and set the tone for subsequent deliberations, since it is not responsible for economic, foreign and defence policy.

2. Government and Groups

Sweden’s reputation suggests that it often uses a formal system of group-government relations in which governments set up commissions of inquiry to investigate policy change. Heclo and Madsen (1987: 9; 12-3) describe a ‘Swedish penchant for structured consultation’ or the organisation of pressure ‘in stable, predictable and orderly ways’, played out in a
‘complex set of clearances, joint working groups, and above all commissions to involve recognized spokespersons in joint decision making forums’. Commissions of inquiry revolve around a small number of civil servants consulting with ‘individuals with specialized political, administrative, interest group and professional roles’ to solve policy problems (1987: 12). Further, the ‘official legal responsibility’ for commissions rests in the cabinet, allowing ‘most deliberations’ to be coordinated by civil servants and ‘carried on in semiprivate conditions’ (1987: 13).

This is not a major departure from the ‘policy community’ image identified in the UK (compare with Heclo and Madsen, 1987: 21) – with two potential exceptions. First, there is a greater initial sense of formalised openness in Sweden, with the setup of an unusually large number of commissions (whose reports inform parliamentary output) subject to public consultation. Second, there is a routine role for political parties, whose representatives sit alongside interest group representatives on commissions (1987: 13). This is not a feature identified in the UK literature; it is more likely to identify the exclusion of opposition parties and the peripheral nature of Parliament (Jordan and Richardson, 1987: 251-2).

A proper comparison requires us to gauge the modern use of Sweden’s distinctive commissions rather than assume that they continue in the same manner described over 25 years ago. Arter (2008: 162) notes that their number has reduced - from 409 in 1981 to 277 in 1997. Two-fifths of commissions were ‘one-person’ in 1981, rising to two-thirds by 1997, reinforcing the idea that formal consultation is on the decrease in Sweden. Bergman and Bolin (2010: 279) note that many business groups have begun to refuse to nominate representatives to commissions – suggesting that the commission arena is not central to the day-to-day process of policymaking and that corporatism is less relevant to an economy less subject to central control (Arter, 2008: 164).

Recent developments reinforce the impression of change, away from the old-style system reported by Heclo and Madsen. In 2012, 209 commissions of inquiry were formally active (although a few were, in practice, dormant). Of these, 66 were launched in 2012, while 74 were concluded and disbanded. Three-quarters (155 out of 209) were one-person commissions (the figures are based on the government’s annual report on all commissions of inquiry - Kommittéberättelse, 2012). Their remits tend to be narrow, often focusing on a specific legal or technical issue. The vast majority of commissions had no political affiliation, but were primarily civil servants, senior lawyers, and academics with special expertise. There were individual investigators with a political background, such as incumbent members of parliament, as well as former party leaders or ministers, but their remits tended to be non-party-political. Commissions of inquiry with parliamentary representation were few; in 2012, fifteen out of the 209 commissions had representation from all the eight parliamentary parties (although note that such commissions included the new and often-ostracised Sweden Democrats party, which had entered parliament in 2010).

Commissions of inquiry are also given less time to work than in the past (Petersson, 1994: 90f). The vast majority are given between one and two years. Of the 74 commissions that concluded their work in 2012, only seven had been launched more than three years earlier.
There are examples of very old commissions, but they tend to be permanent or long-term working groups, with shifting compositions (the oldest had been launched in 1968). One example is the ‘Defence Commission’, with broad parliamentary representation, which presents regular reports on Sweden’s security situation and its implications for defence policy. Since its original launch in 1992, it has presented a total of 14 reports. Its 2013 report will provide part of the foundation for a defence policy review in 2015. Foreign and defence policy are still regarded as areas where broad majorities are preferable. However, this kind of ‘consensus-inducing’ commission is the exception rather than the rule.

Against this background, formal interest group inclusion has become less common. Four out of the 209 commissions in 2012 had broad interest group representation. This does not mean that interest groups are detached from the formal policy making process. Instead they give their views during the consultation ‘remiss’ stage, after a commission of inquiry has submitted its final report. During this stage, organisations and institutions (such as courts of law) are invited to give their views on the report and its proposals. It is quite common for governments to take views and information from the remiss stage into account when preparing a parliamentary bill emanating from a commission of inquiry; it has also happened that proposals from a commission of inquiry have effectively been ‘killed’ by the remiss process.

These developments perhaps reflect a degree of ambivalence about the notion of commissions of inquiry as vital instruments of democracy. As Amna (2010: 557f) has noted, they were already subject to criticism in the early 20th century. They were criticised as slow, expensive and inefficient. They were also subject to regular culls (often by the Social Democrats). So, recent developments could be seen as driven by efforts to rationalise the policy making process. The trends towards fewer members, shorter time to work and more narrowly defined remits can be interpreted this way. Whether this has reduced the degree of consensus is open to debate. The use of experts rather than broad parliamentary or interest group representation can be seen as an attempt to supplement consensus-building with expertise and impartiality.

Overall, the formal side to consultation in Sweden is distinctive; it has few direct counterparts in the UK and it is not a practice emulated in a devolved Scotland. However, it is also something that may be of diminishing importance in Sweden. The nature of commissions of inquiry has evolved into something rather different to the way it is portrayed in earlier scholarly work: long processes of consensus building often give way to short processes of information gathering by experts. Consultation may be taking place in less formal arenas without a requirement for a process in which everyone (including political parties) is consulted routinely – a process that suggests that Swedish practices are, to some extent, converging with those in the UK.

Policy Styles as Consultation and Implementation: Size and Devolution Over Culture?

The comparison between Sweden, the UK and Scotland allows us to examine further the similarities and differences in group-government relations that may relate to practical as well
as cultural factors, in five main ways. First, we can identify striking similarities in consultation practices despite their ostensibly different political systems and cultures. Interviews conducted by Keating, Cairney, Hepburn and Stevenson from 1999 to the present day confirm that groups are generally satisfied with consultation processes in Scotland, with many pointing directly to the design of a new devolved political system, in the consensus democracy mould, as a key factor in explanation. However, interviews with equivalent UK groups demonstrate a striking degree of similarity in response. In both arenas, there is a combination of a small number of high profile and controversial issues (in which close group-government arrangements may not be apparent) and a much larger number of issues on which groups and government cooperate routinely (Cairney, 2008; 2009).

Second, it is difficult to chart the enduring nature of consultation practices in Scotland because the first decade of devolution was accompanied by a significant increase in UK public expenditure. There were comparatively few major policy disagreements. Competition for resources was not fierce because most policy programmes were relatively well funded. Further, Scottish Governments were able to maintain or develop a ‘universal’ welfare state similar to that of Sweden (see Steinmo, 2010: 35) and often mark significant departures from UK Government policy (although note the difference between the adoption of these policies and their long term implementation - Cairney, 2011a; Cairney and McGarvey, 2013; Keating, Cairney and Hepburn, 2012). Examples of added universal coverage can be found in ‘free personal care’ for older people, the abolition of prescription and eye test charges, and the abolition of higher education tuition fees – at a time when many charges in England were increasing (such as tuition fees) or means tested (personal care). The prospect of reduced Scottish Government budgets has prompted some debate in Scotland about the affordability of universal coverage, with harder choices likely to produce more competition between groups (Cairney, 2013). This experience in the first decade has parallels to the golden age of consultation in Sweden during early post-war economic growth – a process followed by more problematic corporatist relationships when undermined by new socio-economic constraints.

Third, the idea of a ‘Scottish Policy Style’ is often misleading since groups seeking influence in Scottish affairs may be lobbying more than one level or type of government, each with the potential for different relationships to emerge. Its group-government arena tends to be limited primarily to spending areas and groups have to lobby elsewhere for influence on taxation and other ‘high politics’ (Cairney and McGarvey, 2013: 242).

Fourth, Scotland is much closer to Sweden in terms of size (although Sweden’s population of 9.5 million compares to 5.25 million in Scotland). Its size allows relatively close personal relationships to develop between key actors. For example, a ministerial or senior civil servant team could meet with all University, local authority or health board leaders in one small seminar room (Sweden may require a large seminar room, while the UK Government would require a lecture theatre). Further, the policy capacity of the Scottish Government is relatively low, prompting civil servants to rely more (for information, advice and support) on groups outside of government. As Keating (2010: 258) argues, the consequent Scottish policy style resembles that of ‘other devolved governments in Europe’ and many relatively ‘small independent states’ which are ‘weak compared with [large] nation-states, limited in
their powers, resources and policy capacities’. A smaller government with fewer resources is more obliged to consult with other organisations, producing a tendency for reciprocal and often-consensual relationships to develop. This is not absent in the UK but the relative necessity to consult may influence the quality of relationships.

Finally, Scotland increasingly shares with Sweden a greater willingness to devolve policymaking, or relatively high implementation discretion, to bodies such as local authorities. Indeed, the increased role for local authorities, coupled with a tendency for the national government to produce framework legislation (which is broad enough to secure widespread consensus), may increasingly explain Sweden’s ability to maintain its consensual image. As Bergman and Bolin (2010: 280) note, local government has taken on responsibility for, ‘about 70 percent of total government consumption’. Further, central government has ‘shifted from steering by detailed instructions to a system of general policy targets’. Consequently, it has become increasingly difficult to ‘deliver on promises about services and public-sector reforms. Today, it is very much up to local governments to actually decide and implement these promises’.

In Scotland, we can detect a similar focus on the growing importance of local government to policymaking (although there are centralist moves in other areas, such as police, fire and further education). Compared to the UK, Scotland is often characterised by a ‘bottom up’ approach to implementation in which flexibility is built into the initial policy and there is less of a sense of top-down control, linked to targets which are monitored and enforced energetically, that we associate with the UK government (Cairney, 2011a: 184; Greer and Jarman, 2008). Implementing bodies are often given considerable discretion and/or pressure participants are well represented in working groups. In this sense, the Scottish policy style refers to a relative willingness of the Scottish Government to devolve the delivery of policy to other organisations (Cairney, 2011a: 130; Cairney and McGarvey, 2013: 139).

This final point may prompt us to reconsider the idea of a ‘policy community’ built on the understanding that most actors coalesce around a common reference point – such as central government. If central governments in Sweden and Scotland are increasingly setting very broad objectives, leaving the rest to other organisations, we may also see different group-government dynamics emerge – with new networks forming at more local levels of government.

Overall, such comparisons suggest that, although the differences between a ‘majoritarian UK’ and ‘consensual Sweden’ are often exaggerated, Scotland still shares some distinctive features with Sweden that are less apparent in the UK – largely as a product of their respective sizes, relationships to local government and the (albeit changing) attitudes of their main parties to universalist policies. Such similarities should be viewed in the context of a devolved Scotland compared with an independent Sweden. The Scottish Government does not control the tax system and there is no equivalent to the Swedish high-tax-high-spending relationship. Scotland may not devolve more welfare responsibilities to local authorities because it is not responsible for welfare policy. A comparison of levels of corporatism is also less meaningful because the Scottish Government does not have responsibility for most
aspects of economic policy that might be negotiated between businesses and unions. The likelihood of an independent Scotland becoming more like countries such as Sweden is still an open question (Keating, 2009).

Conclusion

The devolved Scottish political system contains elements of the UK ‘majoritarian’ democracy and the Swedish ‘consensual’ democracy but these labels provide problematic points of comparison. The UK does not live up to its majoritarian image. It shares with other systems a tendency to divide policymaking into subsystems, consult with affected interests and try to build consensus and consent for public policy. In that sense, the UK, Sweden and Scotland broadly share a policy style. Similarly, we may be comparing Scotland with a form of Swedish consensualism that is assumed rather than demonstrated. The Swedish system contains consensual elements and a distinctive role for parliament in the policy process, but we should not exaggerate its distinctiveness with reference to misleading caricature of UK politics.

Scottish political institutions were designed partly to move away from ‘old Westminster’ in favour of consensus democracy. A more proportional electoral system would increase the need for parties to cooperate, while a new committee system would give parties a new arena in which to do so. Yet, a Westminster culture and frame of reference is still important. From 1999-2007 a majority coalition government operated in a majoritarian manner by dominating the legislative process and the plenary and committee arenas. There is minimal evidence of the tendency in Sweden to institutionalise cooperation between governing and opposition parties. This did not change following minority government in Scotland. The pursuit of consensus democracy institutions was not accompanied by the type of bargaining culture we associate with countries such as Sweden. Nor does the Scottish Parliament engage in the pre-legislative scrutiny that we find in Swedish commissions. Indeed, some parties seem reluctant to improve Scottish Government legislation before it comes to Parliament. As in the UK, a focus on policymaking suggests that the Scottish Parliament is a peripheral body and that its opposition parties have few arenas for routine influence.

In the group-government arena, Scotland shares many features with Sweden that are found less in the UK – partly because the former countries are small enough to allow personal relationships to develop between relatively senior policymakers and pressure participants. The early economic settlement allowed Scotland to develop a welfare state much closer to the ‘Swedish model’ than the UK, which is more likely to means test and charge for services and/or subject them to greater ‘marketisation’. Scotland also shares with Sweden a relative willingness to devolve policymaking responsibility to local government – a decision that may often shift group-government relationships away from the centre. Yet, Scotland also shares with the UK a broad tendency to consult informally, with no real equivalent to the Swedish ‘structured consultation’.

The discussion helps us clarify the meaning of majoritarian and consensus when we identify policymaking reputations and traditions. It also informs current debates regarding the nature
of a further devolved or independent Scotland. An independent Scotland, with the power to raise taxes, has the potential to develop Sweden’s model of high-tax-high spending, but a more fundamental shift may be required to move towards Sweden’s culture of bargaining between governing and opposition parties.

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1 Note the potential for citation-based circularity – Elder et al, 1982: 9 originally referred to Lijphart’s (1969) reference to Sweden as a ‘consensus system’.
ii Approximately 400 interviews in the UK since devolution, including approximately 200 interviews in Scotland - see Keating et al (2009: 54) and Cairney (2013).