The Welsh Assembly Election

3 May 2007

Report and Analysis

Founded in 1884, the Electoral Reform Society is the oldest organisation in the world concerned with electoral systems and procedures.

The Society is campaigning to change the way we choose our politicians. We believe that a fair voting system will improve our democracy, allow politicians to better represent you and help them to tackle the serious issues facing our society. Fairness, accountability and a real choice for voters should not be compromised.

Alongside the Society's permanent staff, over 2,000 individuals from across the political spectrum take an active day to day role in its campaigning activities.

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Foreword

This report was drafted by Hywel Nelson, the Electoral Reform Society's research officer for Wales, with contributions from Lewis Baston, Dr Ken Ritchie and Christine McCartney. We couldn't have written this report if a number of politicians, activists and commentators in Wales had not kindly agreed to share their time and thoughts with us – our thanks to them all.

At the Electoral Reform Society, Ashley Dé, Gertrud Malmersjo, Rebecca Williams and Havard Hughes all provided helpful and welcome advice. Hywel would especially like to thank Lewis and Ken for their encouragement and guidance.

NB – The regional ballots which take place alongside constituency ballots in Welsh Assembly elections are variously referred to in this report as 'regional', 'list' and 'second' ballots.

Contents

Executive summary

- May's elections for an Assembly with enhanced powers saw a decline for Labour and gains for the Conservatives and Plaid Cymru. Labour remained the largest party but fell well short of a majority of seats or votes.

- The voting method used was the Additional Member System (AMS), which has a proportional element, and which helped to secure cross-party support for devolution.

- The campaign for the third Assembly election was dominated by speculation over coalition deals. Manifestos allowed much room for inter-party co-operation.

- Disappointing progress was made in increasing turnout.

- AMS delivered greater proportionality than First-Past-the-Post (FPTP) would have done, but clearly favoured Labour once again.

- A relatively high number of women candidates were successful; and an ethnic minority candidate was elected for the first time.

- Voters generally appear to have supported the same party in regional and constituency ballots.

- AMS has seen tension between regional and constituency Assembly Members which the Government of Wales Act has only superficially addressed.

- It remains to be seen how much further *de facto* power has been devolved by the Government of Wales Act.

- Post-election deal making showed up some inadequacies of the parties' adaptation to a proportional electoral system but was far from the advertised 'catastrophe'.

- Achieving a fairer voting system for local government in Wales will be one of the critical tests for the Senedd over the next four years.

On 3 May this year, voters in Wales elected a new National Assembly. This was the third Assembly election since Wales accepted the devolution package set out in New Labour's 1997 manifesto. The stakes were raised at this election – the Assembly has new quasi-legislative powers and a widened remit.

The voters in 2007 produced no shocking results. As expected, Labour suffered a slump in support, though avoided the most severe pre-

	2007 seats won	2007 % share of vote*	2003 seats won	2003% share of vote*	1999 seats won	1999% share of vote*
Conservative	12	21.4	11	19.2	9	16.5
Labour	26	29.6	30	36.6	28	35.5
Liberal Democrats	6	11.7	6	12.7	6	12.5
Plaid Cymru	15	21.0	12	19.7	17	30.6
Green	0	3.5	0	3.5	0	2.5
UKIP	0	4.0	0	3.5	0	0
Ind/Others	1	8.8	1	4.8	0	2.4
Turnout %	43.3		38.4		46.3	

*Regional list vote share.

dictions of a fall to 23 or 24 seats. Gains were made by Plaid Cymru and by the Conservatives who both picked up extra constituency seats and surpassed their 2003 share of the regional vote. The Liberal Democrats held the three constituency seats it won in 2003 and although there was a downturn in support for the party on the regional ballots, it did not lose any seats as a result, remaining the smallest party in the Senedd with 6 seats.

The excitement for politics junkies really started after the results had been announced. No party won an overall majority, and it quickly emerged that each had government within their grasp.

2007 Constituency Results

CONSERVATIVE
LABOUR
LIBERAL DEMOCRATS
PLAID CYMRU
OTHER
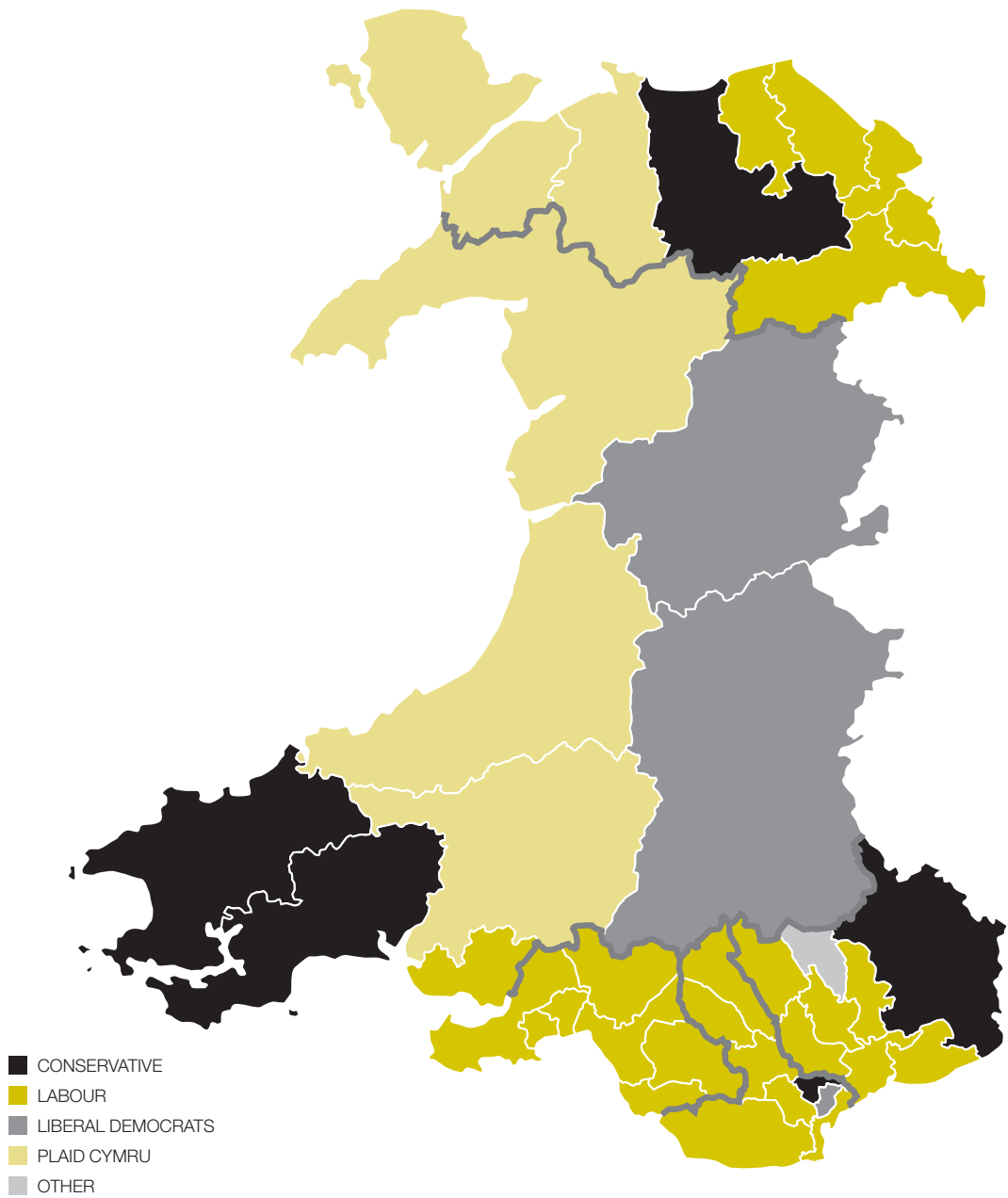
Leading party in regional ballot in each constituency

CONSERVATIVE
LABOUR
LIBERAL DEMOCRATS
PLAID CYMRU
OTHER
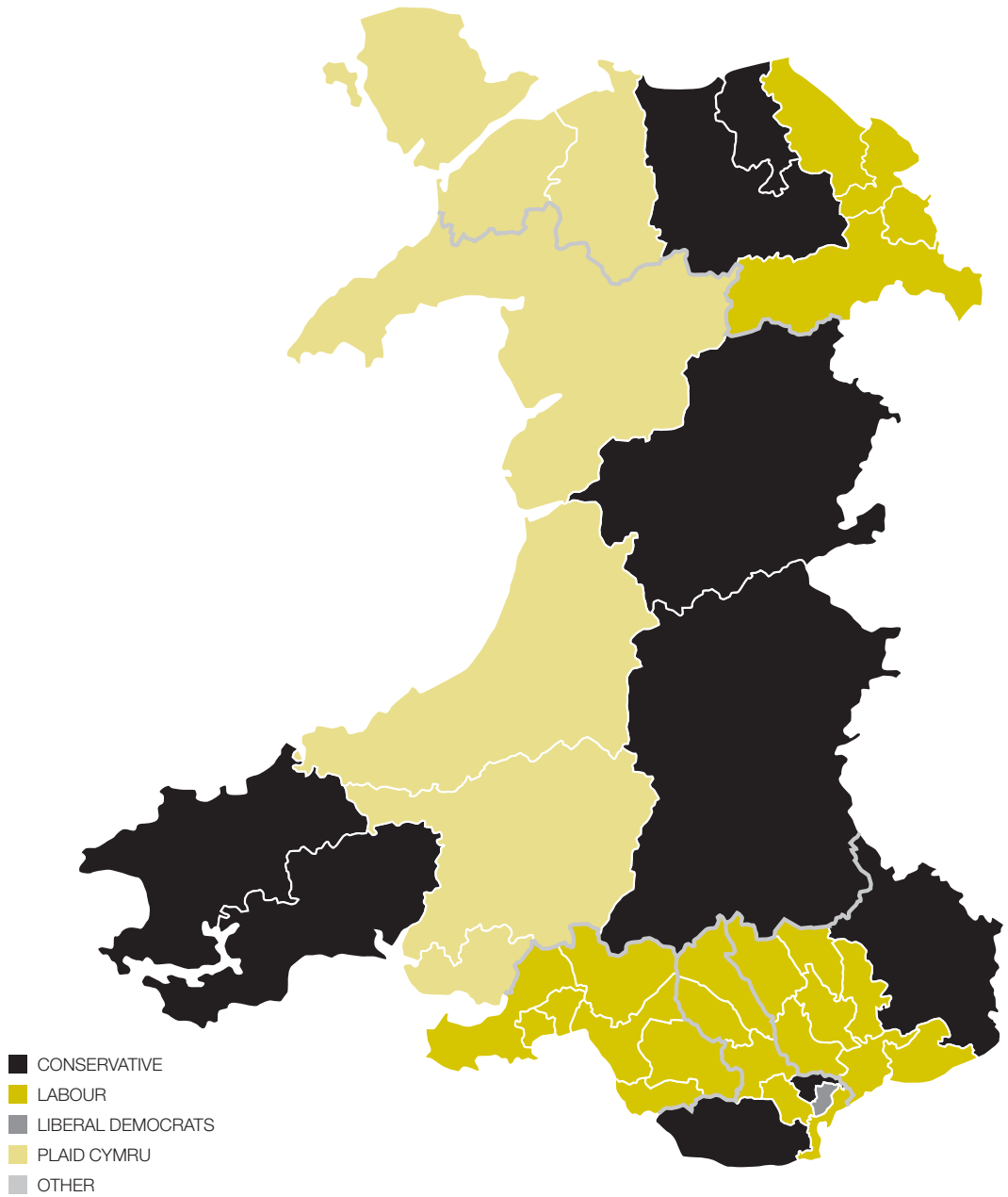
The National Assembly and its voting system

The referendum

The Labour manifesto in 1997 promised Welsh people a referendum on devolution. Decentralising power to the country, the manifesto stated, would 'strengthen the Union' and see 'the threat of separatism removed'. The Assembly 'will have secondary legislative powers' – in comparison to Scotland's more muscular devolved powers – and would 'be elected by an Additional Member System'.

The referendum campaign was not as high profile as the contiguous campaign for Scottish devolution, despite a Yes vote being far less certain in Wales. The Welsh poll was timed to take place the week after the Scottish decision and it is possible that the government intended that the media coverage given to the predicted Yes result in Scotland would encourage Welsh voters firstly to support devolution and secondly to bother to turn out to vote at all.

The Yes campaign was officially joined by Liberal Democrats, Plaid Cymru and Labour. For Liberal Democrats, devolution – 'Home Rule all round' – had been Liberal policy since the days of Gladstone. For Labour, at least in theory, the appeal in the Assembly was in taking power away from the centre and re-locating it at local level, particularly as the previous Conservative governments (and in particular unpopular Welsh Secretary John Redwood) had been criticised for 'ruling' Wales 'like a fiefdom', with too little consultation.

For Plaid Cymru, devolution has never merely been about re-arranging where power lay in British political institutions – devolution is seen instead as a stage on the road to full independence. Plaid's strategy for independence seems now to concentrate on making the current Assembly function properly and to work steadily to increase its powers. For some, like Leanne Wood AM, who believe the party exists to battle for complete independence from the UK, there was an ambiguity about supporting the Assembly proposals. Devolution held the prospect of more power for the Welsh and a platform for Plaid politicians to exercise a much more significant and high-profile role. Furthermore, in terms of the nationalists' ultimate agenda, a successful and well-respected Assembly would be a potentially decisive tool in inculcating greater Welsh national consciousness and, through this, a higher level of support for an independent Wales.

On the other hand, there was no guarantee that the Assembly would be a popular institution. There was a further risk: when this concession to greater Welsh decision-making had been made, voters who supported Plaid from a feeling that Wales deserved more respect and a higher profile in British politics might lose interest in the party. Independence for a small nation like Wales would be an extremely brave step. Added to this, Plaid was wary of joining the Yes campaign with Labour. During the previous referendum on devolution in 1979 – which had been soundly defeated by four votes to one – Plaid had been infuriated by what it saw as a lack of commitment to the Yes campaign from its supposed ally, the Labour government.

In the early hours of 18 September 1997, it was announced that the referendum had passed – by a tiny majority. The No vote was only just behind the Yes vote (by 0.6 per cent). Turnout had been poor with only a bare majority of those eligible to vote bothering to go to the polling station.

Why had there been such a lack of support for a new institution – recommended to the voters by a new, popular government that at that time

was generally given the benefit of the doubt on many issues by the electorate? Why was victory so much narrower in Wales than in Scotland?

A key reason was the historic political differences between the two Celtic nations. Wales did not have the same history of self-governance and independence that Scotland had relatively recently enjoyed. Absorption into the United Kingdom was less culturally overwhelming for Scotland, which retained its own justice and legal system.
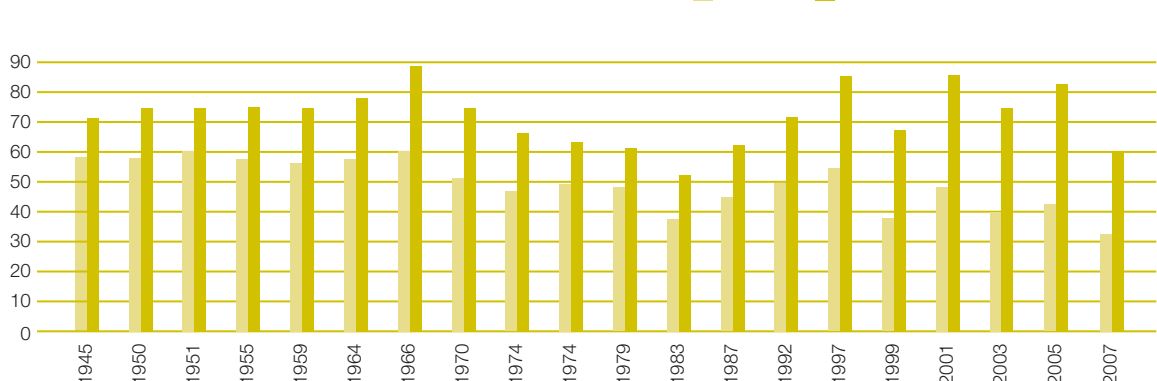
Why the Additional Member System was chosen

Without Labour's manifesto commitment to the Additional Member System – a way of voting that adds a proportional element to the traditional British First-Past-the Post system – the referendum may have failed. A glance at post-War General Election results in Wales shows that using the traditional FPTP voting system would have given Labour hegemonic powers in Wales on a permanent

basis – despite the party finding it increasingly difficult to get more than 50 per cent of the vote.

In every FPTP election in Wales since 1945 Labour has won a majority of constituencies, although only once since 1970 has Labour polled a majority of votes. The party has come very close sometimes however and would win a deserved majority under most electoral systems, but in several elections FPTP has manufactured a Labour majority despite low shares of the vote (under 40 per cent in 1983, 1999 and 2007).

An electoral system which offered an enormous advantage to the largest party at the expense of the others was clearly not going to enthuse activists from outside Labour to join the referendum's Yes campaign – and given the uncertain result, the new Labour administration recognised that, at the very least, it needed Plaid Cymru and the Liberal Democrats not to denounce the devolution package as a stitch-up, which they may well have done had FPTP been proposed. Everyone knew that a FPTP Assembly would be a recipe for permanent single-party control in the country.

Labour % votes and FPTP seats in Wales 1945-2007 ▪ Votes ▪ Seats

How the Additional Member System works

Under AMS (internationally better known as Mixed Member Proportional, or MMP), voters are given two ballot papers (or two columns on a single ballot paper as in Scotland in 2007). One is for constituency contests run on traditional FPTP lines: parties field a single candidate in each constituency who wins by receiving more votes than his or her nearest rival. 40 of the 60 Senedd seats are filled in this way, using the same constituency boundaries used for Westminster elections.

In the other ballot, 20 Assembly Members (AMs) are elected by regional votes. All the constituencies are grouped into five regions, each of which elects 4 AMs. Each party has a list of candidates. These are displayed on the ballot paper. Voters put a cross for one of the lists. Voters only choose a list – they cannot indicate a preference for any of the people on a list. So whoever's name appears at the top of a successful list will be elected first. (Closed list systems like this give the parties greater power over candidates, as they choose whose name will go at the top of the list and therefore who has the greatest chance of being elected.)

The First-Past-the-Post system, used for the constituency ballot, is not proportional (i.e. not a system where '% of votes won = % of seats won'). A winner has usually received less than half the votes cast. Moreover, votes for candidates other than the winner are 'wasted' – they have no influence on how well that party does. And as the winner only needs one more than their nearest rival, all

the extra votes they win are wasted too – they do not produce a better result for that party. Most votes in UK elections are wasted in this way.

It is argued that FPTP delivers 'strong government' because it usually produces a 'winner' – but it nearly always does this by exaggerating the success of parties with localised areas of support at the expense of parties whose supporters are evenly and widely spread across the country.

The results from the last General Election illustrate this.

General Election 2005 – Welsh seats
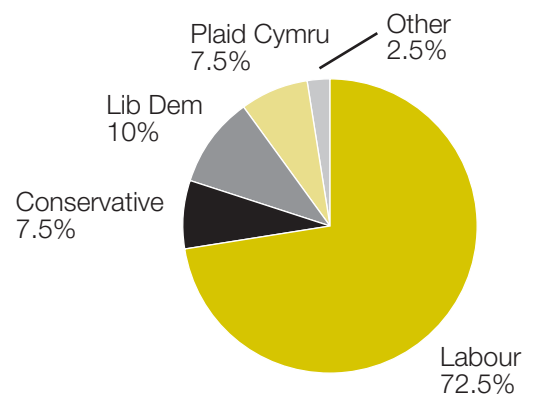
Labour won a thumping majority of Welsh seats – more than 70 per cent. This suggests overwhelming support for Labour in Wales. This chart shows how the votes of Welsh people were actually divided among the parties:

General Election 2005 – Welsh votes

Other
4.9%

Lib Dem
18.5%

Labour
42.7%

Plaid Cymru
12.6%

Conservative
21.4%

Plaid Cymru, Conservative and Lib Dem supporters all won a smaller proportion of seats than votes. FPTP makes some people's votes count for more than others – not a comfortable electoral principle for a country seeking to embrace equality and promote it abroad.
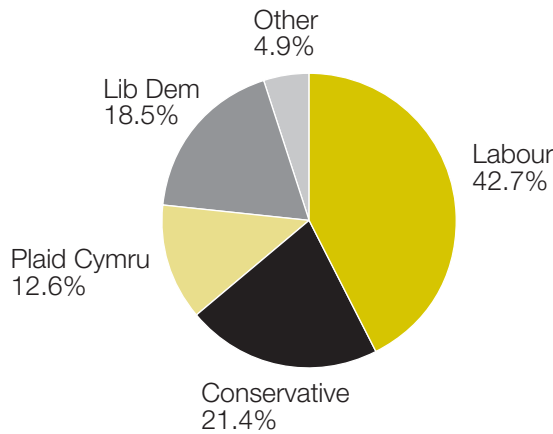
(Labour and the Conservatives have traditionally been the beneficiaries of this system and have supported it. Smaller parties like the Liberal Democrats and Plaid Cymru know that under a more proportional system their votes would be translated into more seats.)

The regional ballot component of AMS is designed to partially compensate for the unbalanced results given by FPTP: *The number of votes won by each list is divided by 1 plus the number of seats that party has already won.*

For example, in South Wales West region in 2007, the votes for the main parties' lists went like this

Labour	58347
Plaid Cymru	28819
Conservative	26199
Liberal Democrat	20226

There are 7 FPTP constituency elections grouped into this region and Labour won them all. Therefore, Labour's list tally was divided by 7 + 1. There are four regional seats to win.

	Labour	Plaid C	Conservative	Lib Dem	Winner
Constituencies won	7	0	0	0	
Regional votes	58347	28819	26199	20226	
Divisor	7+1= **8**	0+1= **1**	0+1= **1**	0+1= **1**	
1st round totals	7293	**28819**	26199	20226	**Plaid C**
		1+1= 2			
2nd round totals	7293	14410	**26199**	20226	**Conservative**
			1+1= 2		
3rd round totals	7293	14410	13100	**20226**	**Lib Dem**
				1+1= 2	
4th round totals	7293	**14410**	13100	10113	**Plaid Cymru**

In this way, parties whose level of support that is spread too evenly around a region to come out on top in constituency ballots are still given representation in the Senedd. Labour's high tally of FPTP in 2003 meant that it did not see any of its list candidates elected in any of the Welsh electoral regions. The absence of Labour AMs from the ranks of additional members (elected through the regional ballot) was to have unedifying results.

This system does not entirely wipe out the distortions of FPTP – Labour still won nearly 70 per cent of the total seats in South Wales West with only 31.6 per cent of the votes. But AMS did mean all the Tory, Lib Dem and Plaid Cymru voters in South Wales West – who together made up more than half the voters – saw at least one of their parties' candidates elected. Under FPTP, every single representative would have been from one party most people did not support.

So across Wales, AMS makes things more proportional. In 2007 the voting went like this:
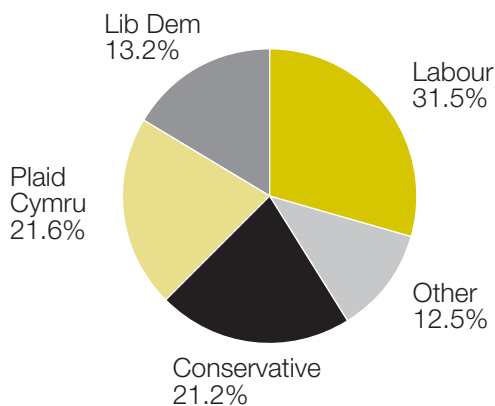
While the seats were allocated like this:

Proportion of seats won under AMS

Other
2%

Plaid
Cymru
25%

Labour
43%

Lib Dem
10%

Conservative
20%
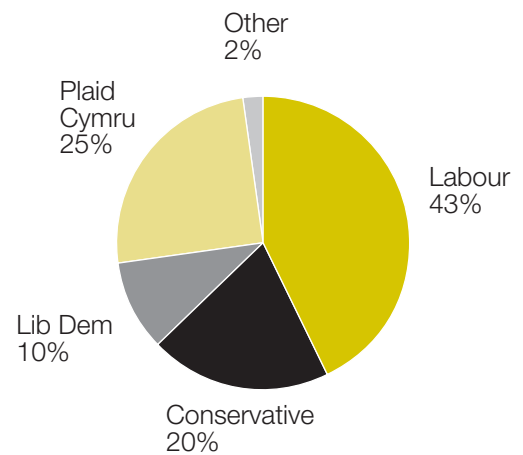
The disparity between vote share and seat share is visible – with Plaid and most noticeably Labour the beneficiaries. But if the election had been purely FPTP, the basis towards Labour would have been further exaggerated:

Proportion of votes won

Lib Dem
13.2%

Labour
31.5%

Plaid
Cymru
21.6%

Other
12.5%

Conservative
21.2%

Proportion of seats if only FPTP had been used

Other
2.5%

Plaid Cymru
17.5%

Lib Dem
7.5%

Labour
60%

Conservative
12.5%
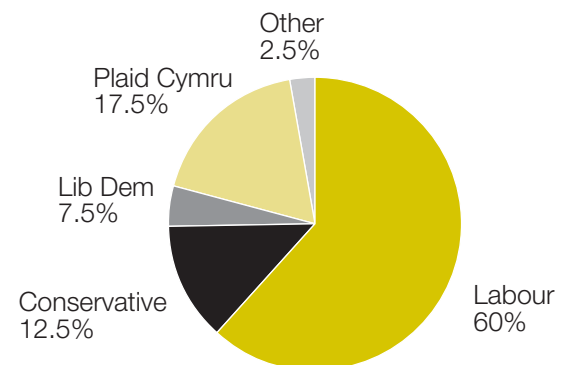
So AMS is more proportional than pure FPTP, but the hybrid nature of the system – different ballots, differently elected representatives – itself creates difficulties that would not be encountered under another system like the Single Transferable Vote (STV) which has only one route to election.

Previous elections

The first elections, held in 1999, were most notable for an unexpectedly strong showing for Plaid Cymru. The nationalist party not only polled well in its traditional areas of support, West and North Wales, but also took seats in Rhondda Cynon Taff and South Wales that were considered safely Labour. Labour was the largest party, with 28 of the 60 available seats – just short of the majority that it had been hoping for. Plaid had 17 seats, the Conservatives 9 and the Liberal Democrats 6.

Labour's leader Alun Michael – a Blair loyalist widely seen as having been parachuted into the post, metaphorically, by Downing Street – found it impossible to lead a stable minority administration and it was only when he resigned in favour of Rhodri Morgan and a coalition with the Lib Dems was struck that a workable majority was established in the Senedd.

The second Assembly elections, in 2003, saw a recovery for Welsh Labour. Plaid Cymru was the biggest loser, ceding 5 seats, mainly in the 'Labour heartland' areas where it had done unexpectedly well in 1999. With half of the seats in the Senedd (30), Rhodri Morgan ended the coalition with the Lib Dems and went it alone – Plaid's Dafydd Elis Thomas's position as Presiding Officer meant that he did not vote in Senedd, providing Labour with a working majority of one. The Conservatives won 11 seats, an improvement of 2 on the 1999 poll. The Lib-

eral Democrats were unchanged on 6 seats.

An Independent candidate was also elected in 2003. Labour's John Marek had been both AM and MP for Wrexham but fell out with the party over how the local council was being run and his decision to stand as Deputy Presiding Officer in the Senedd (his successful candidacy meant he could not vote in some debates, reducing the government's slim majority.) Tarred as a maverick, he was deselected ahead of the 2003 poll, but stood as an Independent. An established figure locally, his anti-council campaign saw him win a majority of nearly 1000 over the Labour candidate.

Few Labour AMs were sanguine about losing Wrexham – it had deprived the party of an outright majority in the Senedd, but things got worse. Blaenau Gwent AM Peter Law also left the party ahead of the 2005 General Election, in a dispute over all-women shortlists. With massive local support, Law became both an Independent AM and MP but died less than a year later from a brain tumour. His widow won the by-election to succeed him as an Independent.

With two former rock-solid Labour seats now held by ex-party Independents, Rhodri Morgan's majority had slipped away. ■

The 2007 campaign

As the 2007 election approached, it became clear that Labour was on course for a difficult contest. The national Labour government had become increasingly unpopular – with the quagmire in Iraq, scandal over 'loans-for-honours' and a familiarity-bred contempt for the decade-old government.

Unlike 2003, when Rhodri Morgan welcomed the 'Baghdad bounce' as a factor in his party's recovery (voting took place just after the toppling of the Saddam statue and before a concerted insurgency began) the First Minister made it clear that he hoped 'noises off' (i.e. Westminster politics) would not have a major influence on the Assembly poll. Few thought his hopes would be realised – and many predicted a 'meltdown' for Labour.

As in 1999 and 2003, elections for the devolved Parliament in Scotland were taking place simultaneously to the Welsh Assembly election. The larger population and the greater powers (including taxation) of the Scottish Parliament meant the national press gave it much greater coverage.

This meant that local media had a greater role in keeping people informed of developments in the election and of the parties' policies. S4C and the BBC's Welsh services (Radio Wales, the Welsh medium station Radio Cymru, and, on television, BBC Wales) were all sources from which voters could find information. Wales is lacking however in national print media. The *Western Mail* bills itself as a national (that is, Wales-wide) newspaper, but in reality it much more widely available, and read, in the South than the North. The *Daily Mirror* was the last national newspaper to print a Welsh-focused version each day, until an efficiency drive by owners Trinity Mirror saw its four year print run come to an end in 2003.

There were a number of blogs – internet diaries – following the election, notably the irreverent

Blamerbells Briefs and postings from AMs, led by the Lib Dems' veteran blogger Peter Black. Their coverage was wider and more detailed than many press reports, but by their nature blogs can be gossipy and were probably read more by political insiders and 'anoraks' than by typical voters.

While greater than in 2003, election reporting was muted enough that by St David's Day at the beginning of March, only half of Welsh people in an ICM poll were aware that an Assembly election was coming up. (The same poll found a surprising lack of familiarity among the public about Assembly leaders. 7 per cent or fewer could identify the long-standing Conservative, Plaid Cymru and Liberal Democrat leaders while a modest 43 per cent recognised their distinctive First Minister.)

The level of interest in the campaign varied from seat to seat, with an inevitable concentration on marginals. There were examples of distinctly local campaigning – for example, Plaid made much of threatened hospital closures in their Preseli Pembrokeshire and Llanelli campaigns and the candidates respectively tacked 'Save Whithybush Hospital' and 'Save our Hospital' onto their nomination papers so that it would appear by their names on the ballots.

The marginal seat of Ceredigion seems to have hosted the most visible election, with far more posters in windows and stake-boards up than most constituencies.

One of Labour's themes during the election was a warning that Plaid and the Lib Dems would bring the Conservatives into government in a 'rag-tag' coalition – the logic being that a vote for anyone but Labour would see the Tories taking power. Rhodri Morgan stated that his party was aiming for a majority in the Senedd and was not contemplating possible

coalition deals. This may have been true – although reports in the weeks before the election suggested the First Minister held discussions with negotiators from other parties – but winning a majority was not a realistic outcome given the electoral system. The experienced politicians in the Senedd have for most of their careers fought elections under FPTP, where the aim is to win a majority. But under a more proportional system, it is usually (certainly it was in this election) unrealistic for a party to expect to be able to govern alone.

Because of this, proportional systems can create an institutional incentive for parties to find common ground with their rivals. Parties must look ahead to post-election coalition making. If a party's manifesto does not contain any policies which the other parties can accept, then it will be in a very weak negotiating position and unlikely to enter government. Perhaps the Conservative manifesto showed an appreciation of this.

David Melding, the Conservative AM who took a leading role in writing the manifesto (with its slightly wistful title 'Vote Welsh Conservative for a change'), included a commitment to:

> review the arrangements for local government elections, with a view to possible referendums on the form of election.

Given that most Conservatives are traditionally sceptical about electoral reform, this inclusion was interpreted as a signal to the Liberal Democrats and Plaid – the other necessary partners for any 'Rainbow coalition', both of which support local government reform – that there was room for negotiation on a key issue. The economic changes of the 1980s and 1990s left a bitter legacy in Wales and – depending on your point of view – it could be argued that for such a party to be making concerted efforts to

reach out to socialist-inclined Plaid Cymru reflects well on the electoral system: the ambition for power in each party is channelled into consensus-building rather than negative attacks on opponents.

This should not be exaggerated: there were plenty of the usual accusations and counter-accusations, distortions and point-scoring during the election. But whether the parties have fully grasped the point or not, there is far less incentive under AMS to denigrate one's opponents – post-election, you may very well be sitting down to make a deal with them. A key motivation behind electoral reform is to discourage rhetoric and lower partisan barriers to co-operation.

None of the parties were especially keen to talk about possible coalition deals during the election campaign and many candidates criticised the media for focusing on coalitions (instead of the 'real issues that matter to ordinary people').

The main parties' manifestos reflected their different emphasis and political leanings on policy matters but it would be an exaggeration to say that there were major policy divisions on the general direction health and education should take. All the parties were committed to greater investment, all supported more Welsh language teaching and all acknowledged a need to review the administration of the NHS in Wales (with the Conservatives calling for the abolition of Local Health Boards). A large part of the Assembly's remit covers health and education so shared concern for these areas put the parties in a good position to work together successfully – if they chose to put party-related differences to one side. ■

Results in detail

Seats won	1999	2003	2007
Conservatives	9	11	12
Labour	28	30	26
Liberal Democrats	6	6	6
Plaid Cymru	17	12	15
Independent	0	1	1

Turnout

Turnout in Wales – Westminster and Welsh Assembly compared

Turnout	Turnout change since 2003 (taking boundary changes into account) %
Constituencies that voted Labour in 2003	5.6
Seats Labour held in 2007	4.8
Seats Labour lost in 2007	7.7
Seats won by other parties in 2003 and held in 2007	3.4
Marginals – 10 seats with smallest majorities (new basis)*	7.2
Overall turnout 2007	43.4
Overall turnout 2003	38.4
Increase 2003-07	5.0

*Estimates from BBC/ITN/PA Media Guide, Rallings and Thrasher.

Once again, there was a disappointingly low turnout for the Assembly election, with well under half of registered voters bothering to go to the polls. However, the trend was definitely upwards with a distinctly higher turnout than in 2003's low ebb (up from 38.4 per cent to 43.4 per cent). This was less people than had turned out to vote in the 1997 referendum, which itself caused concern because of low turnout. As the graph shows, Welsh voters take the General Election very much more seriously.

The pattern was for higher turnout in seats where a Labour constituency AM was vulnerable – and in only Delyn and Vale of Glamorgan was the party successful in seeing off a challenge (with a greatly reduced majority). In the seats that Labour held in 2007, the party's share of the vote since 2003 fell in every instance, with the largest fall in Merthyr Tydfil where Labour's share of the votes cast fell by nearly a quarter.

Labour appears to have concentrated its resources on protecting mid-range marginals, and with some effect. Although support for the party in Clwyd South, Vale of Clwyd, Newport West, Bridgend, Vale of Glamorgan and Gower fell, in none of these constituencies was it quite enough to see Labour unseated, and in all these seats Labour was able to rebuff challenges from the other parties in seats, two of which (Vale of Clwyd, Vale of Glamorgan) voted Conservative in 1992 and another three (Clwyd South, Newport West, Bridgend) in 1983. While Labour lost most of the front line of defence, the second rank held up. This was a marked contrast to Scotland, where Labour

successfully defended some perilous marginals (Cumbernauld & Kilsyth, Dumfries) but lost hitherto safer seats (Cunninghame North, Fife Central).

Labour's vote in seats that voted Labour in 2003

	Result	Labour vote share 2007 %	Change 2003/07 in Labour share %
Blaenau Gwent	Ind gain	31.3	-38.9
Merthyr Tydfil and Rhymney	Lab hold	37.0	-23.5
Islwyn	Lab hold	37.7	-17.2
Newport East	Lab hold	32.1	-12.5
Caerphilly	Lab hold	34.6	-12.3
Cardiff West	Lab hold	38.6	-11.7
Aberavon	Lab hold	49.3	-10.0
Vale of Glamorgan	Lab hold	34.2	-9.9
Vale of Clwyd	Lab hold	36.4	-9.8
Gower	Lab hold	34.1	-9.5
Torfaen	Lab hold	42.7	-9.2
Aberconwy	Plaid gain	21.8	-9.1
Neath	Lab hold	43.4	-8.6
Cynon Valley	Lab hold	56.7	-8.4
Pontypridd	Lab hold	41.8	-8.2
Preseli Pembrokeshire	Con gain	27.4	-7.9
Alyn and Deeside	Lab hold	38.8	-7.9
Ogmore	Lab hold	51.7	-7.3
Clwyd West	Con gain	27.9	-6.9
Cardiff South and Penarth	Lab hold	37.8	-6.8
Llanelli	Plaid gain	36.1	-6.7
Cardiff North	Con gain	30.9	-6.7
Newport West	Lab hold	40.5	-6.4
Swansea East	Lab hold	41.5	-5.8
Carmarthen W&S Pembrokeshire	Con gain	29.7	-5.2
Delyn	Lab hold	34.6	-4.0
Swansea West	Lab hold	32.3	-3.9
Rhondda	Lab hold	58.2	-3.4
Bridgend	Lab hold	40.3	-2.6
Clwyd South	Lab hold	35.1	-1.4

One of the unwelcome characteristics of the FPTP system which AMS retains is a focus on marginal seats – parties put more resources and work into seats that are likely to change hands.

Turnout in top 10 marginals	2003 turnout %	2007 turnout %	% change
Aberconwy	37.85	46.89	9.0
Cardiff North	42.98	51.31	8.3
Carmarthen W&S Pembrokeshire	42.50	49.70	7.2
Clwyd West	40.62	45.72	5.1
Delyn	31.02	41.09	10.1
Llanelli	40.34	49.15	8.8
Preseli Pembrokeshire	41.37	50.89	9.5
Vale of Glamorgan	40.39	48.92	8.5
Wrexham	34.39	38.55	4.2
Ynys Mon	50.49	51.76	1.3

Eight out of ten of these marginals saw a larger increase in turnout than the national average. Labour votes contributed to enough of the increase in turnout of 8.5 per cent and 10.1 per cent respectively for the Vale of Glamorgan and Delyn, Labour managed to hold onto these seats – by a whisker – but apart from these (and Wrexham, which Labour took back from independent John Marek) Labour lost all its seats in the list of top 10 marginals.

Increase in turnout ranged from nearly 17 per cent as estimated in Dwyfor Meirionnydd (although the small increase in neighbouring Arfon suggests that the estimates might have been a bit inaccurate on this point) to a fall in

turnout in Rhondda, the only constituency in Wales that saw turnout fall from 2003 to 2007. This was explained by the context in 2003, when Plaid Cymru were defending the seat after a surprise win in 1999 and Labour campaigned hard to regain it, being rewarded by a massive majority that removed Rhondda from contention in 2007. The table in the Appendix demonstrates the pattern of turnout going up in seats where there was a real chance of a Labour seat changing hands.

Proportionality

In none of the Assembly elections has the Additional Member System eliminated the unfair advantage that the FPTP element gives to larger parties. Labour was once again the main beneficiary of the distortions, and Plaid Cymru to a lesser extent enjoyed a boost in seats rela-

Parties' share of vote

CONSERVATIVE
LABOUR
LIBERAL DEMOCRAT
PLAID CYMRU
OTHERS

Parties' share of seats

CONSERVATIVE
LABOUR
LIBERAL DEMOCRAT
PLAID CYMRU
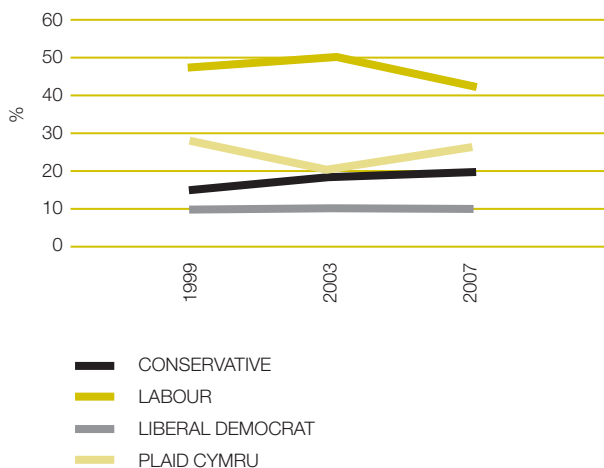
tive to votes.

It is a fair criticism of the Welsh version of AMS that as only 20 of its 60 seats are decided proportionally, changes in voting behaviour are not

% shares of votes and seats in Wales 2007

FPTP VOTES
FPTP SEATS
REGIONAL VOTE
TOTAL SEATS

always clearly reflected in the results. The situation is better in Scotland and Germany, for example, where there are a higher proportion of members elected from the list PR element and therefore a closer relationship exists between the votes cast and seats won for each party. The design of the Welsh 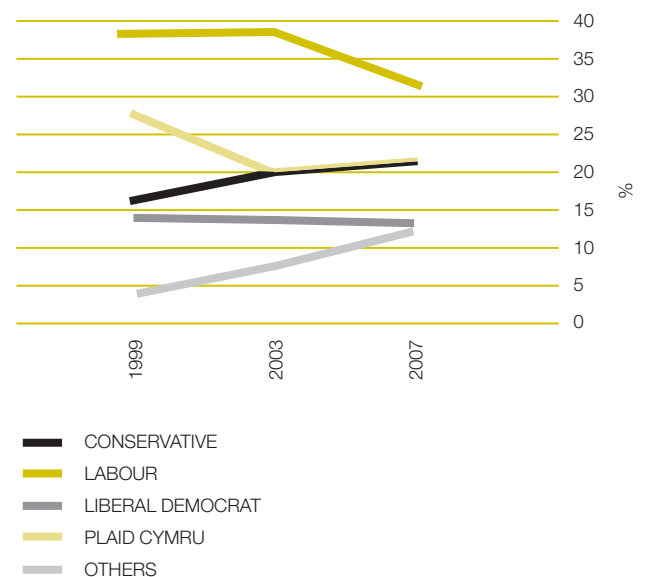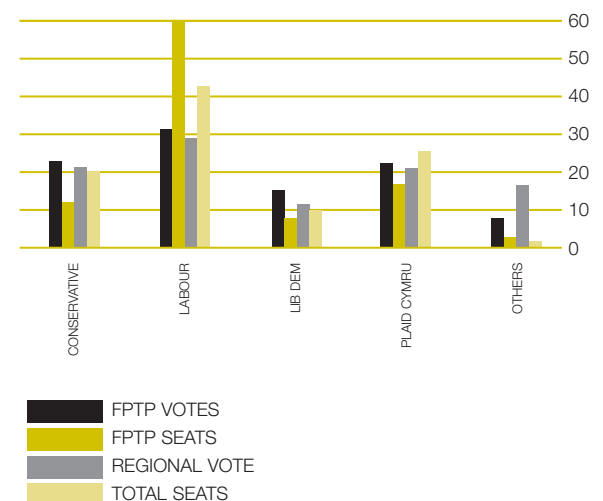Assembly electoral system, and the configuration of Welsh voting behaviour with one predominant party, created a situation where a single party majority was possible (as it proved in 2003).

Under a purely proportional system with a single national list the threshold for election would be 1.6 per cent, and the Assembly would now have representatives from the Green Party and UKIP, as well as the BNP. The small size of the regional list component creates a high effective threshold for the representation of smaller parties.

Women and minority representation

Since the establishment of the Welsh Assembly, it has broken new ground on women's representation in UK politics. In 1999, 40 per cent of the first intake was female. In 2003, this rose to 50 per cent. Then in 2006, its reputation was cemented when Trish Law won a by-election in Blaenau Gwent, breaking what was believed to be the record for the first legislative body in the world with a majority of women. (the fact that Blaenau Gwent was the seat of her victory was all the more significant, as a year before it had been the scene of a bitter political battle over Labour's policy of all women shortlists, though central control over local constituency associations was in a sense the key issue at stake).

At the 2007 poll, the Welsh Assembly saw a small drop in the number of women for the first

time, albeit from a majority of women 31 out of 60 (51.7 per cent) to a highly respectable level of 28 women out of 60 (46.7 per cent). In terms of parties, Labour has a majority of women, the Liberal Democrats and Plaid Cymru have parity or close to it while the Conservatives bring down the average with only one women out of twelve AMs.

Plaid returned most of its women on the regional ballot. The party has a policy of reserving the top place on each list for a woman, so when it won a total of eight regional seats, five women and three men were returned (one woman from each region, plus a man from the three regions where the party won two seats). The practice is not without controversy, for example in North Wales where Assembly Member Janet Ryder was under pressure to stand down in favour of senior party figure and second-placed candidate, Dafydd Wigley. Wigley won more votes in the party selection contest than Ryder, but due to the party's commitment to gender balance and it's success in the region's constituency seats, Janet Ryder was placed top of the list and elected. While the debate over this particular seat was short-lived, the policy may be vulnerable to challenge in the future.

In Scotland this year, the Conservatives made progress towards gender balance – the same can not be said of the Welsh Assembly. The number of women fell from two to one, even though they increased their total number of seats by one. This means just 8% of their Assembly team is female. The Conservatives gained more constituency seats (now they have 1 woman and 4 men), with the knock-on effect that they lost out on regional seats (down from 8 men and 2 women to 7 men). Women were too far down the Conservatives' regional lists to be returned with a reduced number of lists seats (all the lists were topped by men and only one had a woman in the number two position –

and the party won only one seat in that region). Yet they weren't selected in winnable constituency seats, so couldn't get elected there either. The Conservatives' only woman AM represents a constituency seat, in contrast to the previous Assembly, when their two female AMs were both elected from regional lists.

There was no change in the Liberal Democrats team for the Assembly. Not only did they win the same seats, but they returned the same Assembly Members. Three out of the six are women, two representing constituencies and one elected on a regional list. Trish Law is now the only independent in the Assembly.

Slightly more than half of constituency seats are represented by women, 21 out of 40 (52.5 per cent), down from 23 out of 40. This reflects the fact that Labour continues to do better in constituency seats and had greater numbers of female candidates.

The various selection procedures and changing party fortunes are key factors in explaining women's representation in the Welsh Assembly. Two out of four of the parties in the Welsh Assembly have used positive action to select high rates of women. Three have achieved parity between men and women, or close to it. The mixed member system does provide the opportunity to select balanced teams of candidates in regional lists, while the barriers created by the First-Past-the-Post electoral system were somewhat overcome for women in

Labour, which holds a majority of constituency seats, by the policy of twinning seats.

Plaid Cymru's Mohammad Ashgar's election on the South Wales East regional ballot saw him become the first ethnic minority AM. Wales' ethnic minority population stands at 2-3 per cent.

Once again, no openly gay or lesbian candidates were successful in the Assembly elections.

Using the second ballot

One of the key defences of the FPTP system is that it maintains a direct link between a representative and their constituents. This would suggest that voters would be less interested in the regional AMs because they will not exclusively 'belong' to one constituency and because the ballot paper invites them to select a party rather than an individual candidate.

Generally speaking, although there are voters who choose not to exercise the right to the second ballot, the numbers are small. There were 978,132 valid votes cast on the constituency ballot nationwide compared to 974,785 on the regional ballots – a difference of 3347, or 0.34 per cent.

There is obviously no reason why voters have to vote for the same party each time, and

	Conservative	Labour	Lib Dem	Plaid Cymru
Constituency VOTES	218,730	314,925	144,450	219,121
Regional VOTES	209,154	288,954	114,500	204,757
Difference	**9,576**	**25,971**	**29,950**	**14,364**

some people who supported a main party in the first ballot switched their vote to another party for the second:

Minor parties did correspondingly better on the

regional vote, with some (such as the Green Party and the BNP) running candidates only in the regional vote. There are regional variations in the relative performance of the major parties in the two different votes, with the Conservatives picking up

	Conservative	Labour	Lib Dem	Plaid Cymru
North				
Constituency votes	49,466	58,018	18,100	50,291
Regional votes	50,266	51,831	15,275	50,558
Difference	-800	6,187	2,825	-267
Difference %	-1.6	+11.9	+16.9	-0.5
Difference % pt	-0.5	+3.0	+1.4	-0.3
Mid &West				
Constituency votes	50,188	41,851	43,673	77,606
Regional votes	49,606	39,979	28,790	67,258
Difference	582	1,872	14,883	10,348
Difference %	+1.2	+4.7	+51.7	+15.4
Difference % pt	+0.2	+0.8	+6.8	+4.7
South/West				
Constituency votes	29,560	68,102	22,079	31,916
Regional votes	26,199	58,347	20,226	28,819
Difference	3,361	9,755	1,853	3,097
Difference %	+12.8	+16.7	+9.2	+10.7
Difference % pt	+1.9	+5.7	+1.0	+1.8
South/Central				
Constituency votes	50,056	81,086	37,970	34,837
Regional votes	45,147	70,799	29,262	32,207
Difference	4,909	10,287	8,708	2,630
Difference %	+10.9	+14.5	+29.8	+8.2
Difference % pt	+2.3	+4.9	+4.2	+1.2
South/East				
Constituency votes	39,460	65,868	22,628	24,471
Regional votes	37,936	67,998	20,947	25,915
Difference	1,524	-2,130	1,681	-1,444
Difference %	+4.0	-3.1	+8.0	-5.6
Difference % pt	+4.7	-1.2	+0.8	-0.8

regional votes everywhere except the North, and Plaid Cymru picking up small amounts of extra constituency votes in North and South East Wales compared to the regional vote.

There were five constituencies in Wales where the party winning the FPTP ballot did not come out top in the constituencies' regional ballot.

	Constituency winners	Party winning most votes in constituencies' regional poll
Blaenau Gwent	Independent	Labour
Brecon & Radnorshire	Lib Dem	Conservative
Montgomeryshire	Lib Dem	Conservative
Vale of Clwyd	Labour	Conservative
Vale of Glamorgan	Labour	Conservative

In Blaenau Gwent, supporters of Independent Trish Law were obviously unable to vote for an identical ticket on the second ballot. The 10, 000 votes that Labour won on the regional ballot here suggests that many of her supporters returned to Labour on the list vote. Two of the Liberal Democrats' three constituency members did not persuade their constituents to also put the party on top in the second ballot, with the Conservatives trumping them in both Montgomeryshire and Brecon and Radnorshire. Personal votes for incumbents, and tactical voting by supporters of parties that are locally in a small minority, can help to explain some of the differences between the constituency and regional list outcomes.

The Parties

	Constituencies	Regions	Total	Regional %
Conservative	5	7	12	58.3
Labour	24	2	26	7.7
Lib Dem	3	3	6	50.0
Plaid Cymru	7	8	15	53.3
Independent	1	0	1	0.0
Labour	24	2	26	7.7
Non-Labour	16	18	34	52.9

Labour did perhaps as well as could be expected. The range of issues that hampered Labour's popularity in the lead up to the poll did not combine to create the threatened meltdown for the party. The compensatory nature of the list ballot meant Labour's losses in Mid and West Wales, where the party suffered its steepest decline in support, were partially off-set by gains in the regional tally. Labour lost Preseli Pembrokeshire and Carmarthen West and Dinefwr to the Conservatives and also saw its tiny 0.1 per cent majority (21 votes) in Llanelli overturned by Plaid's Helen Mary Jones, who had lost the seat in Labour's 2003 recovery.

Unlike 2003, where Labour's strength in the constituencies precluded it from winning on the regional ballot, Labour now has 2 list members – Alun Davies and Joyce Watson in Mid and West Wales. The strict delineation of AMs, where only non-Labour parties had regional winners, is ended. This will hopefully discourage the partisan-motivated attacks on the legitimacy of regional AMs that has done so little to foster good relations and trust between parties in a system where coalition and deal-making is built into the electoral process.

Across the country, Labour was cushioned by the electoral system, losing just 2 seats. An 8 per cent fall in votes did not translate into a similar fall in seats:

Lesley Griffiths won back Wrexham from her former boss John Marek who successfully stood as an Independent in 2003 after being expelled from the party. It was always doubtful that the personal support John Marek enjoyed

Labour % share of vote in Wales 1945-2007

Labour % share of vote in Wales 1945-2007 (bar chart, values on y-axis 0–70, years 1945, 1950, 1951, 1955, 1959, 1964, 1966, 1970, 1974, 1974, 1979, 1983, 1987, 1992, 1997, 1999, 2001, 2003, 2005, 2007)
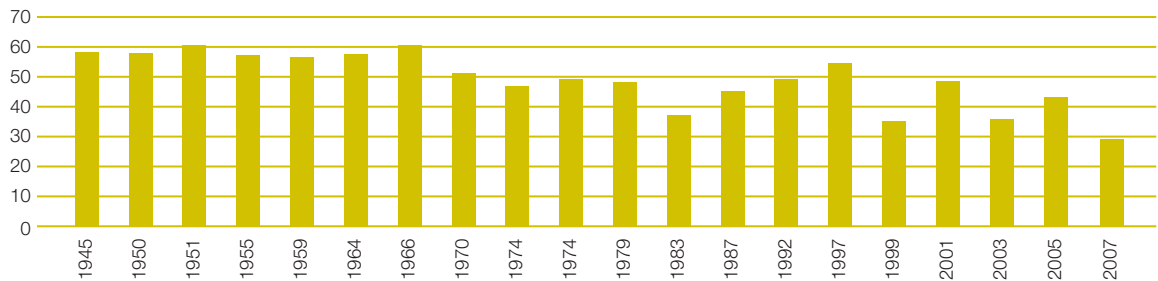
locally would once again be enough to win him an election, especially as his 'machine' – the organisation and people needed to mount an effective campaign – was no match for the resources Labour poured into the seat.

The relatively small – though far from insignificant – drop in AM numbers does not mask a troubling trend for Labour. The number of Welsh voters opting for Labour in the constituency contests was 70, 000 less than in its disastrous election in 1999. The Conservatives in places ran Labour close, particularly in Delyn, where Labour's majority was reduced to 511 votes, and the Vale of Clwyd, where a majority of 92 leave Labour very vulnerable for 2011. Similarly, in South Wales Central, the Vale of Glamorgan will be a key target for the Conservatives next time – Labour has a majority of just 83 here.

Plaid Cymru

The nationalist party had a good election, and saw its number of seats increase from 12 to 15, comfortably making it the second largest party in the Assembly and putting leader Ieuan Wyn Jones in pole position to lead any Rainbow coalition (although they fell two seats short of their 1999 record).

A pattern of Plaid polling better in Assembly than Westminster elections now seems well established. Plaid seems to have a stable core vote, although other than in exceptional circumstances like 1999 it has difficulty making the sort of broad progress that the SNP has managed in elections like October 1974, 1999 and 2007.

Plaid Cymru % share of vote in Wales 1945-2007

Plaid Cymru % share of vote in Wales 1945-2007 (bar chart, values on y-axis 0–35, years 1945, 1950, 1951, 1955, 1959, 1964, 1966, 1970, 1974, 1974, 1979, 1983, 1987, 1992, 1997, 1999, 2001, 2003, 2005, 2007)
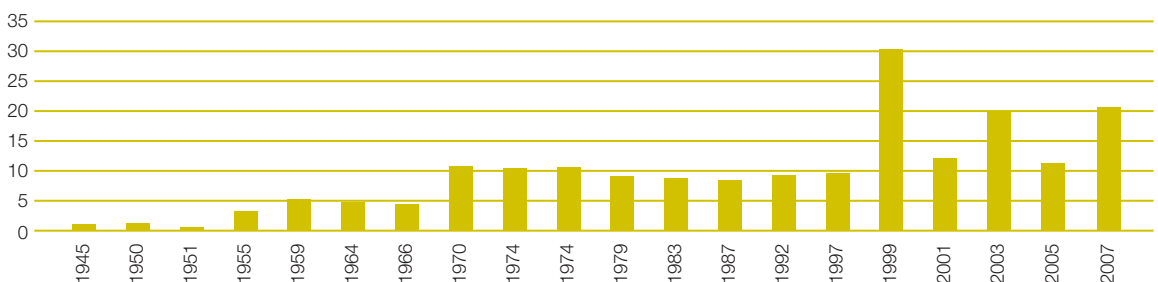
Plaid's support lies mainly in the North and West of Wales, typically in Welsh-speaking, agricultural areas. These are also the areas which most strongly supported the devolution proposals in 1997. Over these regions, the party's support rose from 28.7 per cent to 30.6 per cent in the constituencies, and more markedly from 26.0 per cent to 30.6 per cent in the regional ballots.

The party did not make significant headway in its long-term strategy of building greater support outside of its heartlands. Comparing their regional vote with their 1999 high point, Plaid Cymru were down a little over 7 per cent in their existing stronger areas of North, Mid and West, but 10.5 per cent, 10.7 per cent and 12.3 per cent lower than in 1999 in South Wales Central, East and West respectively.

Excluding the North and Mid & West Wales regions, Plaid's share of constituency votes in 2007 was 16.3 per cent, marginally up on 2003 when it won 15.7 per cent of constituency votes. On the lists, in contrast to the results further north, the increase in Plaid's share of the list vote was smaller than in the constituencies, rising by around 0.3 per cent to 15.5 per cent.

The result of these modest increases was a

disappointment for the party in South Wales. Labour managed to hold on to Islwyn comfortably and by taking a fifth of the votes in Caerphilly, Independent Ron Davies effectively siphoned off enough of the anti-Labour vote to fend off Plaid and let Jeff Cuthbert retain his seat, despite Labour's share of the vote falling by more than 10 per cent. And it was the Conservatives rather than Plaid that won Carmarthen West and Pembrokeshire South from Labour, in a tight contest that saw the top three candidates coming within a few hundred votes of each other – ensuring this seat remains a marginal for 2011.

The Conservatives

The Conservatives had reason to be cheerful with their results. Most notably, the party won four constituency seats – Clwyd West, Cardiff North, Carmarthen West and Pembrokeshire South, and Preseli Pembrokeshire. The Tories now have constituencies in the North, West and South to add to Monmouth in the East. The party also ran Labour close enough to create some real possibilities for further gains in the next Assembly and Westminster elections: the party came a close second in Clwyd South, Vale of Clwyd, Newport West, Bridgend, Vale of Glamorgan and Gower.

Conservatives % share of vote in Wales 1945-2007
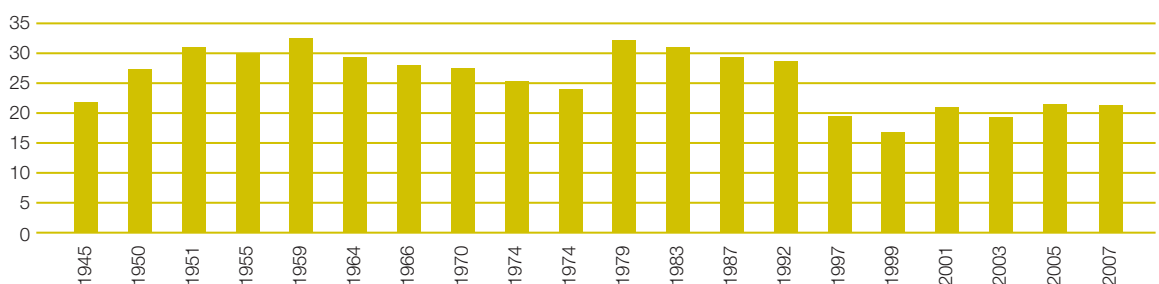
The gains made in the constituencies were partially offset however by the loss of list AMs; their two gains in the Pembrokeshire FPTP seats were matched by two losses on the regional lists, as Labour now suffered under-representation in Mid and West Wales. In South Wales East, a 1.2 per cent fall in support for the Conservatives on the list, coupled with a 1.3 per cent increase for Plaid meant that the nationalists were able to take one of the Conservatives' list seats.

As well as an increase in numbers in the Assembly, and some good targets for the next election, the Conservatives also outperformed the other parties on retaining second votes – fewer Tory constituency voters voted differently on the regional ballot than for any of the other major parties. Partly because the constituency wins meant the loss of some regional seats, there are now five new AMs for the Conservatives, including Clwyd West's Darren Millar, who was wrong-footed during a hustings into making comments about homosexuality that embarrassed the party.

The Conservatives can also now claim to be the only party to have made gains in each Assembly election, in terms of seats and share of the vote. The party is historically a minority party in Wales, unlike in Scotland and England,

but as Wales increasingly becomes a multi-party political environment the Conservatives seem guaranteed a significant role.

Liberal Democrats

Despite not losing any seats, this election was in some ways as dispiriting for the Liberal Democrats as for Labour – certainly, that is how some AMs and party members saw it. There was no change in either the constituency or list seats won or in any of the personnel. The Lib Dems have now been on 6 seats since the Assembly began. Their vote has flatlined since 1999, in contrast to their Westminster showing to date where they have increased their vote in 2001 and 2005.

A hoped-for gain on the South Wales Central list fell short by around 1,500 votes and overall, the party's share of the vote for the regional ballot fell by 1 per cent. In Mid and West Wales, the Lib Dems saw their list vote fall by 3.6 per cent on 2003 and in North Wales by 2.1 per cent. In North Wales, Labour, Plaid Cymru and the Conservatives all polled around 50,000 votes on the list (marking a significant upturn for Plaid and the Conservatives and a 5,000 vote drop for Labour), leaving the Liberal Democrats a distinctly distant fourth with a little over

Liberal/Lib Dem % share of vote in Wales 1945-2007
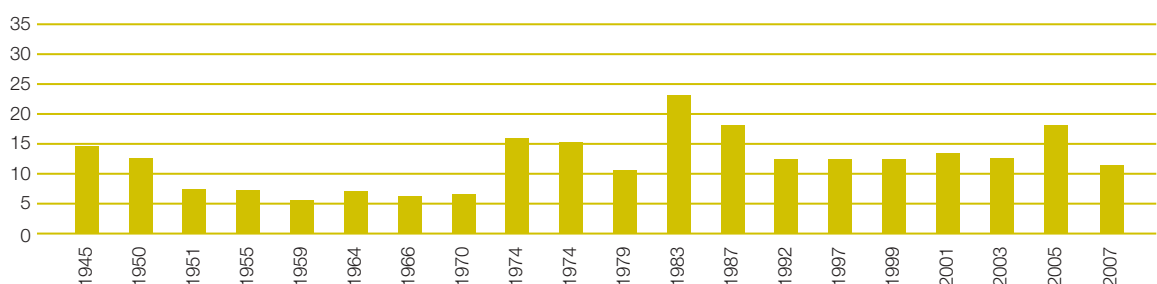
15,000 – a drop of nearly 2,000 votes on 2003.

In Pontypridd and Newport East, the Liberal Democrats failed to capitalise on Labour's low standing with the voters and could only achieve a close second in both constituencies.

Independents

The Assembly was home to two independent AMs before the 2007 election. Both were disaffected former Labour party members. John Marek ran an ultimately unsuccessful campaign, which the press found most notable for his printing leaflets not in English and Welsh but in English and Polish – reflecting the relatively large immigrant population in Wrexham, many of whom work in factories in the area. This contrasted with Trish Law, who was returned in Blaenau Gwent with a comfortable majority (over 5,000 more than the Labour candidate), was no doubt partly due to local and personality factors.

BNP

The British National Party's leader Nick Griffin makes his home in mid Wales but the party had traditionally failed to win any notable support in the country. For the second time, the BNP did not stand in any constituencies and instead focused on the regional ballots. In 2003, the party won a paltry 3,210 votes out of the 849,552 cast on the regional ballot. This time, the BNP polled more than 42,000 votes across Wales and did particularly well in the north. A strong showing, especially in Wrexham, put the far right group within 3,000 votes of winning an Assembly seat. ▪

Problems with the AMS/MMP system

'The Clwyd West problem'

All AMs have the same powers in the Senedd, regardless of whether they were elected on the lists or in a constituency. But in some ways the constituency AMs enjoy more prestige. There is a sense that, like MPs, they have been personally chosen by the electors of a constituency which gives them a higher profile locally and a greater link with the constituents than the additional member AMs elected through the lists.

Regional AMs are sometimes perceived as slightly rootless, having no constituency and so no constituents. Their chances of being elected depend much more on their parties' popularity then their own and so they tend to be less visible at election time. In a political culture that rightly values a strong link between individual politicians and the voters, there is a nagging sense for some that list AMs just aren't as legitimate as their constituency colleagues.

This is a status issue that mainly concerns the AMs themselves – they would rather be elected by a constituency than a list, but obviously would rather be elected by a list than not at all! As in other Additional Member Systems abroad, this has given rise to 'dual candidacy' where a person stands in a constituency and on a list, taking the constituency seat if they win it. (If they also win a regional seat, this goes to the person ranked below them on the list.)

Doubling-up like this also helped smaller parties which might otherwise have struggled to find enough suitable candidates.

In 2003, it so happened that the Conservative, Plaid Cymru and Lib Dem candidates for Clwyd West, a marginal constituency, were all

dual candidates and, when Labour's Alun Pugh held the seat, they were all elected regional AMs. The Labour party seized on this.

Labour claimed that the public was infuriated by 'the Clwyd West problem'. They claimed that candidates who have been 'rejected' in a constituency contest should not be allowed to enter the Assembly 'through the back door'. A Labour MP told Parliament that Wales was being denied its democratic right to reject candidates through their FPTP vote.

But had the voters of Clwyd West shown any desire to 'reject' the dual candidates? The Tory candidate, Brynle Williams, had been only a few hundred votes behind Alun Pugh. In terms of the number of constituency votes he won, Williams was the fifth most popular Tory candidate in Wales.

At the time Labour had no regional AMs, and the 'Clwyd West problem' was quickly identified as a partisan point dressed up to look like a constitutional crisis. Labour's original legislation dealing with elections to the Assembly did not include a ban on dual candidates.

'Overlapping' constituencies

Under most multi-member constituency systems, all representatives are elected in the same way and share the same constituency, which mean voters have a choice of people to turn to if they have a problem.

Under AMS, it has sometimes been unclear what the role of regional AMs should be. Should they consider the entire region that elected them as their super-constituency, and take on casework accordingly? Or is it for the

constituency AMs to look after their own 'patch'?

Certainly, many constituency AMs resent their regional colleagues getting involved in constituency business – especially when regional AMs set up offices in their constituency.

In July 2005, a memo written by Plaid AM Leanne Wood spelt out the electoral advantage that regional members might hope to gain in subsequent elections by having a visible and active presence in a constituency. The memo recommended that Plaid's list AMs should set up their offices in constituencies which it hoped to win in the 2007 elections. Labour fiercely criticised this as unacceptable electioneering.

But there are no rules against AMs setting up offices in the regions which elected them, nor any rules against 'top-up' members being contacted by their constituents for help. There *is* an overlapping jurisdiction but plenty of countries have multi-member constituencies – all it does is allow people a choice of who to approach with their problem.

The other parties detected a partisan motivation behind this criticism of additional members: Labour, after all, had no regional list AMs between 2003 and 2007. In Germany and New Zealand, where this system is also used, there has not been the same degree of problems arising over this issue. There can be a sense too in these countries that it is preferable to be personally elected by a constituency, but there is no attempt to question the legitimacy of regional representatives.

Representation for voters in non-Labour seats

The compensatory mechanism in the system, which disadvantages parties in the lists if they

have done well in the region's constituencies, leads to some problems with representation. Apart from in Mid & West Wales, Labour's strength in the constituencies mean that it does not have any regional members. This means that in four out of five regions, Labour voters in a constituency won by another party do not have any representation from their party. For example, in North Wales (where Labour won most votes in both ballots), Labour voters in Aberconwy, Arfon, Clwyd West and Ynys Môn have neither a local nor a regional AM who represents the party they supported.

The Richard Commission

Former Welsh Secretary Ron Davies described devolution in Wales as 'a process not an event'. Unlike Scotland, there was no constitutional convention in Wales to discuss and decide on the structure of devolution. It was recognised that the 1997 arrangements may not be the final settlement.

As part of this process, Lord Ivor Richard was asked in 2002 to head an inquiry, commissioned by Rhodri Morgan, to look at the future direction of Welsh devolution. The commission heard evidence from experts and politicians and held public meetings to hear the public's views on the Assembly. A main focus of the commission was the Assembly's lack of legislative powers: the Welsh Assembly could ask Westminster to pass laws on its behalf, but it had no powers to enact laws itself. Instead, it was set up as an executive body to implement laws passed in Parliament. Some people argued that it would make sense for Wales, like Scotland, to pass its own laws in certain areas, such as education and health.

The Commission accepted this argument and called for legislative powers to be delegated to Cardiff. However, Lord Richard pointed out that

this would involve a significant increase in AMs' workload and so he recommended creating an extra 20 seats, bringing the total to 80. (The Senedd building had been designed and built with this possible enlargement in mind.)

But given the tension between constituency and regional AMs, Lord Richard's report said 'we do not think the AMS system could carry the weight of such an increase' in the number of elected members. More regionally elected AMs, he believed, would make the tensions worse.

Therefore he recommended that all AMs should be elected by the Single Transferable Vote. Under this system, the share of seats a party wins is closely related to the share of votes won, and so is more proportionally representative. Unlike the current list system, STV also allows voters to choose candidates instead of just parties. And as a voter said in one of the public meetings, STV 'would give each AM the same electoral legitimacy' because they would all be elected in the same way.

Given that STV would have further reduced the electoral bias towards Labour in Wales, it was unsurprising that in Cardiff and Westminster it was given short shrift.

The Government of Wales Act 2006

In keeping with the 'process not event' nature of Welsh devolution, the government published a white paper, *Better Governance for Wales*, in June 2005, which expanded the Assembly's area of responsibilities and aimed to increase the powers of the Assembly – giving it quasi-legislative authority.

When the Assembly passes a 'measure' (as they are technically known), they do not become law until passed to the Secretary of State for Wales in Westminster and are then

passed on by him to be ratified as an Order In Council.

After the 2007 election, the pro-devolution Archbishop of Wales criticised this new system:

It is a very tortuous process, even when the governments in London and Cardiff are of the same political hue. If they are not, relationships could be fraught and the governance of Wales would suffer as a result.

If Wales, like Scotland, is mature enough to have a legislature it ought to be responsible for law-making itself and not have to petition the Secretary of State and Westminster for the right to do so.

In theory, the Welsh Secretary is not obliged to have the measure enacted and thus has a veto – viceroy-like power which contradicts the Act's aim of devolving power. In practice, whether, how often and on what basis this veto will be exercised is unknown.

The Assembly has no revenue-raising power, and in accountability terms, it would seem slightly perverse for Westminster to pay for, yet have no control over, spending measures passed in the Senedd

Ending dual candidacy

The electoral system was left unchanged by the Government of Wales Act, except for one new provision to 'solve' the Clwyd West 'problem': dual candidacy would be banned and no candidate's name could appear on both ballots.

This had the potential to create intra-party conflict. The problem was particularly acute for

some leading opposition figures elected as re-
gional AMs in 2003 who had to choose be-
tween contesting a FPTP seat or continuing on
the list – in which case they could be depend-
ent on the failure of one of their party col-
leagues for their own election chances. Both
David Melding (Con, South Wales Central) and
Peter Black (Lib Dem, South Wales West)
chose not to contest constituencies. Repre-
sentatives from the Liberal Democrats and
Plaid have given varying accounts of the extent
to which the ban made it harder to find suitable
candidates for election.

When a Committee of MPs examined the pro-
posed ban, Peter Hain told them the very low
turnout in Welsh elections could partly be at-
tributed to discontent over dual candidacies. A
study of Welsh attitudes on dual candidacy
was publicised, showing a slight majority
against it – but the study turned out to have
questioned just 47 people, and had been com-
missioned by a Labour MP.

The Electoral Commission told the Commons
Committee that in their surveys of Welsh voter
opinions, not a single person had brought the
issue up. It said 'we do not believe that the
case for change has been made' and warned
Labour that the move would be seen as parti-
san. Indeed, when the Committee voted, all
the Labour MPs backed the ban; all the other
MPs opposed it.

The White Paper did not accept Lord Richard's
view that this increased workload for the As-
sembly would require more AMs. ■

After the election: forming a government

When the results, as expected, showed no party had a majority, the process of coalition dealing began – and for most politics-watchers, it was more interesting and exciting than the election itself had been. The most widely expected outcome – a coalition or pact between Labour and the Liberal Democrats – failed to occur.

The mathematics of the results limited the number of possible coalitions. Labour could have struck a deal with the Liberal Democrats, Plaid Cymru or the Conservatives to secure a majority. Although there are a number of ways in which parties can come to agreement, the two main options in Wales were full coalition, in which parties agree a programme for government and members of the executive come from more than one party, or a pact. Pacts are looser arrangements, whereby in exchange for some consultation and policy concessions a party that is not part of the government agrees to sustain the government in confidence and budget votes.

The strong antipathy for the Conservatives among Labour activists and AMs meant that Plaid and the Liberal Democrats were the only realistic choices. Not quite ready to let go of the campaign rhetoric, Rhodri Morgan described them respectively as the 'inedible and the unpalatable' – but yah-boo slogans are of little help in finding coalition partners. To widespread surprise, two weeks after the results had been announced Labour's unofficial favourites for coalition, the Liberal Democrats, announced that they had withdrawn from negotiations.

The Liberal Democrats' reasons for abandoning talks were not entirely clear. It seems unlikely that the two parties, which are not far off each other on the political spectrum and which were in coalition together between 2000-2003, were unable to find common ground for a programme of government. There was certainly

some unease that forming the coalition would have been seen as 'propping up' the Labour party after its election setbacks. The Liberal Democrats themselves had also had a poor showing – they have flat-lined on 6 AMs since 1999 – and a public querying of leader Mike German's position by Peter Black AM (who was very sceptical about joining with Labour) indicated that the party has some internal blood-letting to do. There were disagreements over the strategic wisdom of entering a Labour-led coalition between the AMs, MPs and party activists. It is possible that low morale and weakened unity made coalition-brokering a much harder process for Liberal Democrats negotiators.

Labour's other option, a coalition or stability pact with Plaid, also initially seemed destined to end fruitlessly. Leader Ieuan Wyn Jones accused Rhodri Morgan of a 'lukewarm approach' to negotiations and announced, just as the Lib Dems had done when they withdrew from talks with Labour, that they would pursue another option: the 'rainbow coalition'.

Labour's 26 seats mean that the only way to form a non-Labour government would be if all three of the other parties in the Assembly were to form a coalition – variously described as a Triple Crown (M German) and a 'rag-tag coalition' (R Morgan). During the campaign, virtually no political commentators did more than mention the technical possibility of a rainbow coalition. Conservatives and left-wing Plaid Cymru in government together seemed difficult to credit. Indeed, during the campaign Rhodri Morgan was seen by some as overplaying the anti-Tory card by claiming Plaid would go into coalition with them – Plaid AMs denounced the idea as a 'Labour lie'.

But when Labour had apparently seen off its only two options for coalition government in

late May, the Rainbow option became a real possibility. It was hardly secret that some Plaid AMs were horrified by the idea of working with the Conservatives, but their seat advantage meant Ieuan Wyn Jones would have headed the coalition – perhaps the prospect of power and of the Assembly getting a Plaid First Minister for the first time were enough to outweigh members' reservations about their potential partner. The Conservative party, suddenly on the verge of government after a decade in opposition in Westminster, Scotland and Wales, shrewdly kept a low profile, although leading Conservatives had given much thought to the option before the election.

Negotiations began – and once again, ultimately failed, although not before a fairly detailed programme for a rainbow government had been mapped out. The Liberal Democrats, to Conservative and Nationalist fury, pulled out of the process after a rather unclear series of events.

Three weeks after the election, and within days of the deadline for forming a government (fresh elections would otherwise have been held), Rhodri Morgan's was the only name put forward for First Minister. The Queen was informed – apparently by fax – and he was duly appointed leader of a minority administration. Days after his appointment, the Liberal Democrats voted to resume talks with Plaid and the Conservatives: Rhodri Morgan's position seemed Damoclean. In mid June coalition discussions between Labour and Plaid restarted with a view to putting the administration on a more secure footing. On 27 June, Rhodri Morgan and Ieuan Wyn Jones shook hands on the steps of the Assembly – a coalition deal had been struck.

In true democratic style, the negotiations in 2007 were a messy affair. Some commentators have written about the debate and protracted

negotiations that took place as a catastrophe, an embarrassment for Wales, and a damning indictment of the electoral system which has produced this need for coalition forming.

It is certainly true that even in this record-low year for Labour, under FPTP it would still have been able to dominate the Assembly, passing laws without consultation with other parties. But a system designed to ensure that one party is larger than all the other parties put together, with scant regard to how the votes were cast, will always weaken a government's claim to have a mandate. No party in Wales has majority support, or anything approaching it – to get things done, they must work together. In few other areas of life would the idea that the strongest should call all shots be called a democratic principle. In welcoming the new Assembly on 4 June, the Presiding Officer Lord Dafydd Elis-Thomas said:

> There has been talk over the past week or so of a "crisis", as it took some time after the election for the new Welsh government to be formed. But this was not a crisis, it was democratic engagement and it was actually very exciting.

> One of our problems in Wales is that we are still under the shadow of the Westminster two-party system. But that is not the model of Welsh politics and we should not be applying it to Wales. Proportional representation tends to produce coalition and minority governments, and people need to look beyond Westminster to what happens in mainland Europe and other countries, including New Zealand, where these kind of post-election negotiations are the norm.

> What was important from a constitutional point of view was to end up with a government which reflects what the people of

Wales voted for. We will now enter a period with a minority government, and this government will have to engage with other parties in order to get its business through the Assembly. This will call for maturity on all sides and can only lead to a more vibrant democracy, which will increase voter engagement and strengthen devolution.

Did the need for an inter-party accord mean manifesto commitments had to be jettisoned? This is a frequent criticism of coalitions – but the evidence from Wales suggests not.

The proposed programme of government for the mooted Rainbow coalition was leaked shortly after negotiations broke down. Its 'pillar' principles included:

- Achievement of a bilingual society
- Encouraging an enterprising, innovative economy and a highly-skilled work-force
- Concerted action on climate change
- A forward-looking programme of investment in healthcare
- Major commitments on social justice, including childcare, affordable housing, council tax and student debt.

The Conservatives, Plaid Cymru and the Liberal Democrats – different parties in terms of philosophy, history and sources of electoral support – were quite able to draw up a programme covering the economy, health, the environment, social justice and cultural issues, among others, on which all could agree (albeit with some stop-starting from the Lib Dems). Opposition to coalition within the parties did exist, and proved decisive – but no-one produced a convincing anti-coalition argument that was based on a manifesto promise being broken. The All-Wales Accord, as the Rainbow document was titled, contained nothing that involved any of the prospective parties jettisoning an election promise or abandoning a principle. Neither did the agreement that Labour reached with Plaid Cymru. Away from over-heated talk of betrayal and smoke filled rooms, the Welsh coalition talks all showed that there was sufficient common ground between the parties for a number of possible governments to emerge. ■

Local democracy: the next step for reform

After its disappointing results in 1999, Welsh Labour had fewer than half the seats and formed a minority government. When Rhodri Morgan took over from Alun Michael as First Minister the following year, he approached the Lib Dems to create a coalition government. One of the Lib Dems' demands before going into coalition was a review of the local government electoral system.

Professor Eric Sunderland headed the review and reported back in July 2002. His report made several suggestions for improving local government including the use of STV. This system, which is broadly proportional but still based on voting for individual candidates, seemed to Sunderland to have a number of advantages.

First, the commission believed it would mean representation in councils would reflect the 'diversity of local opinion' – in other words, everyone could have their views represented, rather than just supporters of the largest party in an area. The commission believed that this was particularly important to combat uncontested seats – in Wales, 16 per cent of councillors are returned unopposed (i.e. with no election). This is First-Past-the Post's 'Safe Seat Syndrome' – where one party is guaranteed the highest number of votes, the others tend to ignore the electorate, and do not bothering fielding candidates.

Sunderland recognised one of the main arguments made in favour of FPTP is that it creates a link between a constituency and a candidate. This link is embedded in our political culture through centuries of single-member-constituency voting. The Commission pointed out that in multi-member constituencies, as used for STV, constituents actually have more representatives to turn to with any problem they want addressing. They have a choice of councillors to approach.

Like the Richard Report, this call for STV was not well received by Labour and was not implemented – but by the time of the 2007 election, the issue had not gone away. The Liberal Democrats, Plaid Cymru and the Conservatives all made commitments to fairer voting systems for Wales – leaving only Labour against.

- The Conservatives said that they were open to a review of the electoral arrangements for local government.
- Plaid Cymru and the Liberal Democrats both re-iterated their commitment to the single transferable vote for local elections along the lines recommended by the Sunderland Commission.

Labour, however, argued:

- "We believe that moving away from the current voting system would undermine the direct accountability of councillors to the communities they serve and would damage the effectiveness of local government."

But old copies of the Sunderland report are being dusted off. The success of the grassroots Fairshare campaign in Scotland, which successfully recruited new supporters for local government STV from every major party and from civil society, has provided a possible way forward for Wales.

The progression of the Assembly's powers and structure since it began work shows that whatever the initial support for devolution, people in the country will not be content with a second-class system of government. The Labour-led administration in Scotland saw the logic of the Kerley Commission – which called for local government STV.

Creating genuine competition in local government elections, currently dominated by local

party hegemonies, is a key means of improving councils' performance. While electoral reform *per se* is not a major topic of debate among ordinary voters, their local councils' accountability and effectiveness certainly are.

As more people perceive the utility of STV in making councils work better, the support for reform in Wales is growing. It is an inescapable issue for this term of the Assembly. ■

Conclusion

The 2007 Assembly election was a highly significant moment of political change in Wales, marking a point at which the multi-party nature of modern Wales became undeniable. The new Assembly, enjoying increased powers since the Government of Wales Act 2006, reflects the reality of the way the Welsh people voted in a way that continuing single-party government never could.

The partly proportional nature of the Welsh electoral system made this change possible, but as experience has shown there are flaws in the way it operates, such as the conflict which has erupted in some areas between the different types of AM, exacerbated by the imbalance between Labour constituency AMs and opposition regional AMs. Instead of resolving the issue, the Westminster government made a controversial change intended to solve a largely fictitious problem by banning 'dual candidacy'. This inserted an additional degree of uncertainty to the system, particularly for the smaller parties. The Richard Commission report in 2004 made a cogent case for moving to a system in which AMs would have equal status, namely STV.

Forming a government after the election has not been a particularly inspiring spectacle, but it reflects some of the difficulties of democracy when the voters have chosen not to give any party even a third of the votes, as well as perhaps the lack of previous experience of such circumstances among Welsh politicians. The events of May and June 2007 have no doubt proved a steep and painful learning curve. The draft agreement between Plaid Cymru, the Conservatives and the Liberal Democrats showed that it is possible for very different parties to come together without sacrificing key manifesto policies. In practical terms, there are wide areas of potential agreement that are artificially downplayed in the adversarial hurly-burly of electoral politics, and magnified by the winner-takes-all mentality engendered by FPTP.

The new Assembly government will have a full policy agenda, but the unfinished business of the review of local government arrangements which reported in 2002, and the looming prospect of uncontested seats and unrepresentative results in the 2008 local elections, make the local government electoral system an issue that needs urgent consideration. With the growth and development of a distinctively Welsh national political arena and civil society, it is a propitious test case for Welsh political and civic institutions to flex their muscles, as well as being itself an issue of basic democracy and justice. ■

Appendix

Constituency and Regional map

1 Vale of Clwyd
2 Alyn and Deeside
3 Wrexham
4 Swansea West
5 Swansea East
6 Aberavon
7 Bridgend
8 Ogmore
9 Rhondda
10 Pontypridd
11 Cynon Valley
12 Merthyr Tydfil and Rhymney
13 Caerphilly
14 Islwyn
15 Blaenau Gwent
16 Torfaen
17 Newport East
18 Newport West
19 Cardiff North
20 Cardiff West
21 Cardiff Central
22 Cardiff South and Penarth

North Wales

Ynys Môn

Arfon

Aberconwy

Delyn

Clwyd West

Clwyd South

Dwyfor Meirionnydd

Montogmeryshire

Mid and West Wales

Ceredigion

Brecon and Radnorshire

Preseli Pembrokeshire

Carmarthen West and Pembrokeshire South

Carmarthen East and Dinefwr

Llanelli

Gower

Neath

Monmouth

South Wales West

Vale of Glamorgan

South Wales East

South Wales Central

Winning parties in Welsh Assembly constituency contests

	1999	2003	2007
Aberavon	Labour	Labour	Labour
Aberconwy*	Plaid Cymru	Labour	Plaid Cymru
Alyn and Deeside	Labour	Labour	Labour
Arfon*	Plaid Cymru	Plaid Cymru	Plaid Cymru
Blaenau Gwent	Labour	Labour	Independent
Brecon and Radnorshire	Lib Dem	Lib Dem	Lib Dem
Brigend	Labour	Labour	Labour
Caerphilly	Labour	Labour	Labour
Cardiff Central	Labour	Lib Dem	Lib Dem
Cardiff North	Labour	Labour	Conservative
Cardiff South and Penarth	Labour	Labour	Labour
Cardiff West	Labour	Labour	Labour
Carmarthen East and Dinefwr	Plaid Cymru	Plaid Cymru	Plaid Cymru
Carmarthen West/South Pembrokeshire	Labour	Labour	Conservative
Ceredigion	Plaid Cymru	Plaid Cymru	Plaid Cymru
Clwyd South	Labour	Labour	Labour
Clwyd West	Labour	Labour	Conservative
Cynon Valley	Labour	Labour	Labour
Delyn	Labour	Labour	Labour
Dwyfor Merionnydd*	Plaid Cymru	Plaid Cymru	Plaid Cymru
Gower	Labour	Labour	Labour
Islwyn	Plaid Cymru	Labour	Labour
Llanelli	Plaid Cymru	Labour	Plaid Cymru
Merthyr Tydfil and Rhymney	Labour	Labour	Labour
Monmouth	Conservative	Conservative	Conservative
Montgomeryshire	Lib Dem	Lib Dem	Lib Dem
Neath	Labour	Labour	Labour
Newport East	Labour	Labour	Labour
Newport West	Labour	Labour	Labour
Ogmore	Labour	Labour	Labour
Pontypridd	Labour	Labour	Labour
Preseli Pembrokeshire	Labour	Labour	Conservative
Rhondda	Plaid Cymru	Labour	Labour
Swansea East	Labour	Labour	Labour
Swansea West	Labour	Labour	Labour
Torfaen	Labour	Labour	Labour
Vale of Clwyd	Labour	Labour	Labour
Vale of Glamorgan	Labour	Labour	Labour
Wrexham	Labour	Independent	Labour
Ynys Mon	Plaid Cymru	Plaid Cymru	Plaid Cymru

*Aberconwy – Conwy in 1999 and 2003; Arfon – Caernarfon in 1999 and 2003; Dwyfor Meirionnydd – Meirionnydd nant Conwy in 1999 and 2003.

Party representation by region since 1999

North Wales	1999	2003	2007
Aberconwy*	Plaid Cymru	Labour	Plaid Cymru
Alyn and Deeside	Labour	Labour	Labour
Arfon*	Plaid Cymru	Plaid Cymru	Plaid Cymru
Clwyd South	Labour	Labour	Labour
Clwyd West	Labour	Labour	Conservative
Delyn	Labour	Labour	Labour
Vale of Clwyd	Labour	Labour	Labour
Wrexham	Labour	Independent	Labour
Ynys Môn	Plaid Cymru	Plaid Cymru	Plaid Cymru
Regional Assembly Member	Conservative	Conservative	Conservative
Regional Assembly Member	Conservative	Conservative	Conservative
Regional Assembly Member	Lib Dem	Lib Dem	Lib Dem
Regional Assembly Member	Plaid Cymru	Plaid Cymru	Plaid Cymru

Mid and West Wales	1999	2003	2007
Brecon and Radnorshire	Lib Dem	Lib Dem	Lib Dem
Carmarthen East and Dinefwr	Plaid Cymru	Plaid Cymru	Plaid Cymru
Carmarthen West/South Pembrokeshire	Labour	Labour	Conservative
Ceredigion	Plaid Cymru	Plaid Cymru	Plaid Cymru
Dwyfor Merionnydd*	Plaid Cymru	Plaid Cymru	Plaid Cymru
Llanelli	Plaid Cymru	Labour	Plaid Cymru
Montgomeryshire	Lib Dem	Lib Dem	Lib Dem
Preseli Pembrokeshire	Labour	Labour	Conservative
Regional Assembly Member	Conservative	Conservative	Conservative
Regional Assembly Member	Conservative	Conservative	Labour
Regional Assembly Member	Labour	Conservative	Labour
Regional Assembly Member	Plaid Cymru	Plaid Cymru	Plaid Cymru

South Wales West	1999	2003	2007
Aberavon	Labour	Labour	Labour
Bridgend	Labour	Labour	Labour
Gower	Labour	Labour	Labour
Neath	Labour	Labour	Labour
Ogmore	Labour	Labour	Labour
Swansea East	Labour	Labour	Labour
Swansea West	Labour	Labour	Labour
Regional Assembly Member	Conservative	Conservative	Conservative
Regional Assembly Member	Lib Dem	Lib Dem	Lib Dem
Regional Assembly Member	Plaid Cymru	Plaid Cymru	Plaid Cymru
Regional Assembly Member	Plaid Cymru	Plaid Cymru	Plaid Cymru

South Wales Central	1999	2003	2007
Cardiff Central	Labour	Lib Dem	Lib Dem
Cardiff North	Labour	Labour	Conservative
Cardiff South and Penarth	Labour	Labour	Labour
Cardiff West	Labour	Labour	Labour
Cynon Valley	Labour	Labour	Labour
Pontypridd	Labour	Labour	Labour
Rhondda	Plaid Cymru	Labour	Labour
Vale of Glamorgan	Labour	Labour	Labour
Regional Assembly Member	Conservative	Conservative	Conservative
Regional Assembly Member	Conservative	Conservative	Conservative
Regional Assembly Member	Plaid Cymru	Plaid Cymru	Plaid Cymru
Regional Assembly Member	Plaid Cymru	Plaid Cymru	Plaid Cymru

South Wales East	1999	2003	2007
Blaenau Gwent	Labour	Labour	Independent
Caerphilly	Labour	Labour	Labour
Islwyn	Plaid Cymru	Labour	Labour
Merthyr Tydfil and Rhymney	Labour	Labour	Labour
Monmouth	Conservative	Conservative	Conservative
Newport East	Labour	Labour	Labour
Newport West	Labour	Labour	Labour
Torfaen	Labour	Labour	Labour
Regional Assembly Member	Conservative	Conservative	Conservative
Regional Assembly Member	Lib Dem	Conservative	Lib Dem
Regional Assembly Member	Plaid Cymru	Lib Dem	Plaid Cymru
Regional Assembly Member	Plaid Cymru	Plaid Cymru	Plaid Cymru

Constituencies where party winning highest share of regional list vote changed	2007 change	same change in constituency vote?
Aberconwy*	Labour to Plaid C	Yes
Brecon and Radnorshire	Lib Dem to Conservative	no, Lib Dem hold
Cardiff North	Labour to Conservative	yes
Carmarthen West and South Pembrokeshire	Labour to Conservative	yes
Clwyd West	Labour to Conservative	yes
Llanelli	Labour to Plaid C	yes
Montgomeryshire	Lib Dem to Conservative	no, Lib Dem hold
Preseli Pembrokeshire	Labour to Conservative	yes
Vale of Clwyd	Labour to Conservative	no, Labour hold
Vale of Glamorgan	Labour to Conservative	no, Labour hold

Turnout

Constituency Turnout	2007 turnout	increase since 2003
Aberavon	39.7%	2.7%
Aberconwy*	46.7%	8.9%
Alyn and Deeside	35.3%	10.5%
Arfon*	48.9%	3.8%
Blaenau Gwent	43.8%	6.6%
Brecon and Radnorshire	51.7%	2.1%
Bridgend	41.2%	6.1%
Caerphilly	42.0%	4.7%
Cardiff Central	36.0%	2.9%
Cardiff North	51.2%	8.2%
Cardiff South and Penarth	37.5%	6.8%
Cardiff West	41.4%	6.8%
Carmarthen East and Dinefwr	55.7%	6.1%
Carmarthen West and South Pembrokeshire	49.6%	7.3%
Ceredigion	55.5%	5.9%
Clwyd South	37.6%	2.7%
Clwyd West	45.6%	5.1%
Cynon Valley	38.6%	1.1%
Delyn	41.0%	9.9%
Dwyfor Merionnydd*	47.2%	16.2%
Gower	43.8%	10.8%
Islwyn	42.8%	3.9%
Llanelli	48.9%	9.0%
Merthyr Tydfil and Rhymney	38.9%	5.9%
Monmouth	47.0%	2.6%
Montgomeryshire	46.0%	3.6%
Neath	43.2%	4.3%
Newport East	37.4%	6.7%
Newport West	40.2%	5.2%
Ogmore	39.6%	5.6%
Pontypridd	40.7%	2.1%
Preseli Pembrokeshire	50.9%	9.5%
Rhondda	42.1%	-3.3%
Swansea East	35.0%	4.8%
Swansea West	37.3%	4.5%
Torfaen	37.0%	5.4%
Vale of Clwyd	40.1%	3.7%
Vale of Glamorgan	48.9%	8.7%

Wrexham	38.2%	4.1%
Ynys Mon	51.3%	1.1%
Average	**43.4%**	
Turnout in 2003	38.2%	
Turnout in 1999	46.3%	
Turnout for Referendum	50.1%	