

# The 2011 Scottish Parliament election In-depth

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Report  
and  
Analysis



- Electoral
- Reform
- Society

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# Introduction

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One of the primary reasons the then UK Labour government created the devolved Scottish Parliament in 1999 was to ward off the apparent threat to the party's electoral hegemony – and ultimately Scotland's membership of the United Kingdom – posed by the Scottish National Party (SNP). Devolution would demonstrate that Scotland's distinctive needs and aspirations could be met within the framework of the UK (Curtice and Seyd, 2009). Meanwhile, the proposal to elect the new parliament via a form of proportional representation stacked the odds against the possibility of the SNP winning an overall majority in the new institution.

However, the outcome of the 2011 Scottish Parliament election – only the fourth to be held since the institution was created – blew these presumptions apart. After a narrow one-seat lead at the previous election in 2007 that resulted in four years in power as a minority government, in 2011 the SNP not only recorded what was by far its highest share of the vote ever in a parliamentary election, but managed to secure an overall majority of seats in the 129-seat chamber (see Table 1.1. below). As a result, it now seemed inevitable that some kind of referendum on independence would be held during the course of the new parliament, whose life had been extended from four years to five following the decision of the UK Parliament to fix the date of the next Commons election for May 2015.

Our aim in this report is not to account for the SNP's remarkable success (see Curtice, 2011), but rather to assess what lessons we should draw about the health and effectiveness of certain key aspects of the devolved electoral process in Scotland. In particular we are interested in how well the electoral system worked. We ask whether voters were able to participate effectively? How were votes cast translated

into seats won? And what kind of person became a member of the Scottish Parliament (MSP). We address these questions by analysing the election results themselves. In so doing, we aim to contribute to the continuing debate about the merits of different electoral systems, a debate that we anticipate will continue in the UK despite the outcome of the referendum on introducing the Alternative Vote in elections to the House of Commons.

We begin in this introductory chapter by providing an explanation of the mechanics of the particular system of proportional representation in use in Scotland. We then provide a brief overview of the outcome of the 2011 election before outlining the issues that are addressed in the remainder of this report.

## The Additional Member System

Scottish Parliament elections are held using a version of the Additional Member System, otherwise known as the Mixed Member Proportional System (Shugart and Wattenberg, 2003). The broad principle behind this system is that some seats are elected using the First Past the Post – or more accurately, single member plurality – electoral system, in individual constituencies. Other seats, in contrast, are allocated to party lists, such that the total number of seats won by each party, both constituency and list, is as proportional as possible to the share of the vote won by each party. Thus although the overall outcome in constituencies may not be proportional, the final tally for each party should be.

In Scottish Parliament elections 73 seats are elected by First Past the Post, while 56 additional seats are allocated from party lists.

To facilitate this process, voters have two votes – one for their individual constituency MSP and one for a party list. Voters need not vote for the same party on the two ballots, and parties are not required to stand on both ballots.<sup>1</sup> The order of the names on the party lists is determined by the parties themselves and cannot be altered in any way by voters. A list may or may not include the names of persons who are also standing as a constituency candidate in that region.<sup>2</sup> For the purpose of allocating list seats, Scotland is divided into eight separate regions, each of which contains between eight and 10 constituencies, in each of which there are seven additional list seats to be allocated.

Those list seats are allocated in proportion to the number of list votes won by each party in the region, using the d'Hondt highest average formula. First of all the number of list votes won by a party is divided by the number of constituency seats it has won in that region, plus one.<sup>3</sup> The first of the seven list seats is allocated to the party with the highest average vote after this calculation has been made, while the denominator used to calculate its highest average is increased by one. The second of the list seats is then allocated to whichever party now has the highest average vote, and its denominator is accordingly increased by one. This process continues thereafter until eventually the seventh and last list seat has been allocated.

1. Independent candidates are allowed to stand both on the constituency and list ballot. In the case of the latter they simply become a one-person list.

2. In this respect the position in Scotland is different from that in devolved elections in Wales where, since 2007, individuals have been barred from standing as both constituency and list candidates.

3. The plus one is required because the vote of a party that has not yet won any seats cannot be divided by zero.

two. The eight regions comprised the eight constituencies (each consisting of complete Westminster constituencies) that had originally been intended for use in the 1999 European Parliament election until the decision was made to conduct that election by a party list system rather than First Past the Post.

However, any system of boundaries requires periodic review in order to ensure that it continues to reflect the geographical distribution of voters. After the 2007 election, the Boundary Commission for Scotland set about the task of redrawing the boundaries of both the constituencies and the regions to be used in future Scottish Parliament elections. These were used for the first time in the 2011 election. However, this creates some difficulties for an exercise such as this that is based on an analysis of the constituency level results, for it means that current results in a constituency cannot be compared easily with those of previous years. Fortunately, however, Professor David Denver of Lancaster University was commissioned by the major broadcasters and the Press Association to construct estimates of what the outcome of the 2007 election would have been on the new constituency and regional boundaries (Denver, 2011), and where necessary we have used these estimates in our analysis. Readers should note, however, that this means a potential degree of imprecision in any statement we make in this report about the change in a party's share of the vote or in the turnout in any individual constituency or group of constituencies.

## Boundaries

When the Scottish Parliament was first elected in 1999, the 73 constituencies used to conduct the First Past the Post elections were the seats that were already in place for elections to the House of Commons, except that the constituency of Orkney and Shetland was divided into

## The Result

It is not uncommon after an election for there to be some discrepancies in the detailed results reported by different sources. In the case of the 2011 election, this was particularly true of turnout, defined as the proportion of the electorate

that cast a valid vote. This initially was reported by the Scottish Parliament to have been 50.4% on the constituency ballot and 51.1% on the list (Herbert et al., 2011), by the House of Commons as 50.3% and 50.4% respectively (Sandford and Hardacre, 2011), while the figures that both organisations reported for individual constituencies were consistently at odds with those stated by the BBC. As a result we have systematically compared the detailed results reported by these three sources, both with each other and with the details provided by returning officers on their local authority website. In some instances, not least because on occasion apparently contradictory information was present on local authority websites, we queried the published result directly with returning officers, for whose generous help we are most grateful.<sup>4</sup> Note that in undertaking this exercise, we not only checked and compiled the result of the constituency ballot within each constituency, but also that of the list vote within each constituency. This means that later in this report we are able to analyse the outcome of the list vote at the more detailed and informative level of the 73 constituencies rather than

just across the eight regions.

Summary details of the votes cast in the election, following our enquiries, are to be found in Table 1.1. Please note that although slightly fewer valid constituency votes than list vote were cast, the turnout to one decimal place was in fact 50.4% on both ballots. Otherwise, although the total numbers of votes cast for each party are in some cases slightly different from that reported by other sources, the share of the vote won by each party to one decimal place is as has consistently been reported elsewhere.

The outcome saw many a record fall. Not only did the SNP secure their largest share of the vote ever, but the Conservatives, already badly weakened north of the border, won their lowest share ever in a parliamentary election in Scotland. Meanwhile, recent European Parliament elections apart, Labour had not performed so poorly since 1918, while, apart from the 1989 European Parliament election, the Liberal Democrats had not won so low a share of the Scotland-wide vote since February 1974.

**Table 1.1 Voting Patterns in 2011 Scottish Parliament Election**

	Constituency			List		
	Votes	% Share	Change in % share since 2007	Votes	% Share	Change in % share since 2007
SNP	902,915	45.4	+12.5	876,421	44.0	+13.0
Labour	630,437	31.7	-0.5	523,559	26.3	-2.9
Conservatives	276,652	13.9	-2.7	245,967	12.4	-1.5
Liberal Democrats	157,694	7.9	-8.2	103,472	5.2	-6.1
Greens	-	-	(-0.1)	86,939	4.4	+0.3
Others	21,534	1.1	-0.9	154,568	7.8	-2.8
<b>Turnout</b>	<b>1,989,232</b>	<b>50.4</b>	<b>-1.3</b>	<b>1,990,926</b>	<b>50.4</b>	<b>-2.0</b>

Electorate = 3,950,626  
Sources: Authors' calculations; Herbert et al. (2011); www.bbc.co.uk/news/; Sandford and Hardacre (2011); private communications with Returning Officers.

4. We have also profited from an exchange of information with Prof. David Denver of Lancaster University who has undertaken a similar exercise for the Electoral Commission.

**Table 1.2 Index of Volatility at Recent Elections in Scotland**

	Westminster Constituency		Scottish Parliament List
2001/2003	6.2	9.1	11.3
2005/2007	7.4	10.0	11.2
2010/2011	5.6	12.5	13.4

The result thus represented a dramatic change compared with the outcome in 2007. The extent of that change can be summarised by calculating the index of volatility, which is simply the sum across all parties of the absolute change in their share of the vote since the last election, divided by two (Pedersen, 1979). At 13.4 on the list vote and 12.5 on the constituency vote, this figure was notably above the average for West European elections held since the beginning of the 21st century (11.0) (Gallagher et al., 2011). However, the relative volatility of the outcome in 2011 was far from unique, for as Table 1.2 reveals, there has been a consistent tendency for the outcome of Scottish Parliament elections to be more volatile than that of

recent House of Commons elections in Scotland.

One possible reason for this relative volatility is that some voters regard Scottish Parliament elections as relatively unimportant 'second order' affairs, and as a result consider it as a cost-free opportunity to protest against the incumbent government at Westminster (Reif and Schmitt, 1980; Jeffrey and Hough, 2003). Indeed voters who might still be willing, albeit with some reservation, to back the government in a UK election may decide not to do so in a devolved election, safe in the knowledge that doing so would not help the main opposition at Westminster secure power. Thus changes in the popularity of the parties may well be an exaggerated reflection of changes in the popularity of the incumbent UK government as well as in its composition.

However, such a perspective can only be a partial explanation of the outcome in 2011. After all, given that Labour were in power at Westminster in 2007, but were not in 2011, they could no longer have been the victim of any such protest voting this time around. In theory, the party should have been at least as well placed as the SNP to improve on its 2007 performance. On the other hand, the

**Table 1.3 Seat Outcome of 2011 Scottish Parliament Election**

	Constituency	List	Total	Change since 2007*
SNP	53	16	69	+22
Labour	15	22	37	-9
Conservatives	3	12	15	-2
Liberal Democrats	2	3	5	-11
Greens	0	2	2	0
Others	0	1	1	0

\* Figures based on the actual outcome in seats in 2007. According to Denver (2011), if the 2007 election had been fought on the new constituency boundaries, the Conservatives would have won two more seats than they actually did, and the Liberal Democrats one, while each of the SNP, Labour and the Greens would have been one seat worse off.

sharp decline in Liberal Democrat support was on much the same scale as occurred in local council elections held in England on the same day and at a time when the party had lost much of its popularity on account of its role as the Conservatives' junior coalition partners at Westminster (Curtice, forthcoming). That feature of the Scottish result almost undoubtedly did have much to do with contemporaneous events at Westminster.

Although the Greens made a little progress, support for smaller parties collectively fell. Nevertheless, as at previous Scottish elections, the level of support for such parties was much higher on the list vote, to which seats are allocated proportionately, than it was on the constituency vote, conducted under First Past the Post.<sup>5</sup> This might appear to be simple confirmation of a greater willingness of voters to support smaller parties when a proportional system of voting is in place. In reality, however, the disparity arises at least as much because of the nomination strategies employed by the parties. Reflecting the fact that they were more likely to win a seat via the list allocation, most of the smaller parties, including the Greens, only contested that ballot and failed to put up candidates in any of the individual constituencies. For the most part independent candidates pursued the same strategy.

Thus in many constituencies, voters could only vote for one of the four largest parties.<sup>6</sup> Across Scotland as a whole, only 30 candidates from other parties stood on the constituency ballot. Not only was this fewer than at any previous Scottish election,<sup>7</sup> but was far lower than the 113 that contested one of the 59 Westminster constituency seats in 2010. While the use of the Additional Member System in Scottish elections may have ensured that voters were presented with a wide choice on the party list

vote, it served to reduce the range of choice on the constituency vote.

Given the large changes in the shares of the vote won by some parties, the turnover in seats was also quite substantial, despite the use of proportional representation. As Table 1.3 shows, in securing its overall majority, the SNP won 22 more seats – or nearly half as many again – as it did in 2007. The party won more than twice as many constituency seats as in 2007. Meanwhile, the large decline in Liberal Democrat support saw its representation slashed to less than a third of what it had been in the previous parliament, while, in terms of absolute numbers at least, Labour almost lost as much ground. In addition, Labour found itself for the first time more reliant on list than constituency seats for its Holyrood representation.

## Key Questions

There are clearly plenty of important questions to be asked about the electoral process at this election. Evidently the turnout was not particularly high, and we might wonder why this was the case. A supposedly proportional electoral system gave an overall majority to a party that, despite making a stunning advance, still won less than 50% of the vote, and we should examine why that happened. Voters were presented with very different choices on the two ballots and we might wonder how this helped shape how they behaved. Meanwhile, the large turnover in seats raises questions about the impact that the election has had on the composition of the new parliament. In the next four chapters we deal with each of these issues in turn, before considering in the final chapter what we have learnt about the health and effectiveness of the electoral process in Scottish Parliament elections.

5. Or indeed the 2.5% of the vote won by 'Others' in the 2010 UK election in Scotland.

6. Indeed in one constituency, Clydesdale, voters could not even vote for the Liberal Democrats following a failure by the party's candidate to submit his nomination papers on time.

7. In 1999 there were 40 such candidates, in 2003, 115 and in 2007 63.



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# Participation

## Introduction

It is often suggested that the use of a proportional electoral system serves to increase turnout. As compared with First Past the Post, more people are likely to cast a ballot that contributes towards the election of a candidate. Indeed, comparative international research suggests that turnout is typically a few percentage points higher where a proportional system is in use. However, turnout is also influenced by a variety of other considerations, including not least the perceived importance of the institution being elected (see, for example, Blais and Aarts, 2006; Blais and Carty, 1990; Jackman and Miller, 1995). In particular, turnout in elections to sub-state institutions, such as the Scottish Parliament, is typically lower than it is in elections to state-wide bodies, such as the UK House of Commons (Jeffrey and Hough, 2003). Our first task in this chapter is to consider the level of turnout in 2011 and what general conclusions we can draw about participation in Scottish parliament elections.

To have any kind of say in the outcome of an election, voters need not only complete a ballot paper, but should do so in a manner that ensures that their vote is valid. However,

in the 2007 Scottish Parliament elections an unusually large number of votes, representing 2.9% of all those cast on the constituency ballot and 4.1% on the list, were deemed invalid (Gould, 2007). This resulted in a considerable media furore and widespread public disquiet. One notable feature of that election was that voters were presented with one ballot paper on which they were required to cast both their constituency and their list votes, whereas previously they had been supplied with two separate ballot papers. A subsequent inquiry found that the use of one ballot paper rather than two meant that some voters mistakenly cast only one vote rather than two, while others voted twice on one or other half of the ballot paper (more commonly the regional one) (Gould, 2007). In 2011 the practice of providing voters with two separate ballot papers was re-introduced. We thus also examine in this chapter how successful this return to previous practice was in reducing the incidence of invalid votes, and consider what may have given rise to the invalid votes that were still cast in 2011.

## Turnout

On both the constituency and the list ballot, just over half of all registered voters, 50.4%, cast a valid vote. This figure represented a

**Table 2.1: Turnout at Recent Elections in Scotland**

Scottish Elections		UK Elections		Euro-elections	
Years	%	Year	%	Year	%
1999	58.2*	1997	71.3	1999	24.7
2003	49.4	2001	58.1	2004	30.6
2007	52.4*	2005	60.8		
2011	50.4	2010	63.8	2009	28.6

\* Turnout on constituency vote<sup>1</sup> turnout on list vote in 1999 was 58.1% and in 2007, 51.7%.

fall of two points on the proportion who cast valid votes on the constituency ballot in 2007, when, it should be borne in mind, participation was artificially reduced somewhat by the high incidence of invalid votes. More broadly, however, as Table 2.1 shows, the overall turnout was in line with the experience of previous Scottish Parliament elections.

First, the level of participation in 2011 appears to confirm that turnout in Scottish elections has settled into a norm of around 50%,<sup>1</sup> a norm that is some 10 points or so below the level of contemporaneous UK general elections. Despite the use of proportional representation, it seems that, like many other sub-state institutions, the Scottish Parliament is somewhat less successful than its statewide counterpart, the Commons, in securing the involvement of voters in its elections. On the other hand, turnout in Scottish Parliament elections is far higher than it is in European elections, which also use a form of proportional representation and where only between a quarter and a third of voters usually participate. Evidently the use or otherwise of proportional representation is far less important in determining how many Scots go to the polls than the perceived merits and importance of the institution being elected.

Not only is turnout in Scottish Parliament elections closer to that in Commons elections than in European ones; it also compares favourably with that in other devolved elections. Even though the Welsh Assembly was to acquire full legislative power in the areas of its competence after the 2011 election, thereby reducing the disparity between its status and that of the Scottish Parliament, only 41.4% voted in its 2011 election, down just over two points on the proportion who did so in 2007. Consequently, turnout was again nine points higher in

Scotland than in Wales. Meanwhile, the turnout in the Scottish Parliament election was only a little lower than the 54.7% who participated in the Assembly election in Northern Ireland, a figure that represented drop of nearly eight points on that of the previous Assembly election in the province.

Although the overall level of turnout may not have had much to do with the probability that a voter might cast a vote that would contribute to the election of a candidate, turnout did fall somewhat less in those seats that were estimated to be marginal following the redrawing of constituency boundaries. On average, turnout in the constituency ballot fell by just 0.2 of a point in seats where the lead of the largest party over the second party in 2007 was estimated to have been less than five points. This compares with drops of 1.4 points in seats where the estimated lead in 2007 was between five and 10 points, and 1.9 points where that lead was even higher. However, the level of turnout was not particularly high in marginal seats. At 51.5%, the average level of turnout in seats with a 2007 lead of less than five points was no higher than it was in those where that lead was greater than 10 points.

Meanwhile, as at previous Scottish elections, turnout varied considerably between those constituencies with relatively affluent populations and those in which there is a high level of social deprivation. One clear indicator of this disparity is how turnout varied according to the proportion of people who in answering the 2001 Census indicated that they were in good health. As Table 2.2 shows, turnout was on average nearly 10 points higher in those constituencies in which a relatively large proportion said they were in good health than it was in those in which relatively few did. Moreover, this gap seems, if

1. This suggests that a decision by the Scottish Government no longer to hold local elections on the same day as the parliamentary election, as had been the case at the three previous elections, made little or no difference to the overall turnout. When local elections were last held on their own, in 1995, turnout was, at 45.9%, rather lower than in Scottish Parliament elections and a figure that had been much the same at previous local elections. Thus it would appear that Scottish Parliament elections are a bigger draw than local elections and thus it is unlikely many who did not vote in 2011 would have done so if local elections were taking place. Similarly, it also seems unlikely that a decision by the UK government to hold a referendum on the Alternative Vote made much difference. Turnout was higher in the parliamentary election (and thus the referendum) in Scotland than it was in the referendum in any of the regions of England where the relevant figures ranged between 35% and 45% and where only local elections were (in most parts) also taking place

**Table 2.2. Social Variation in Turnout**

% in Good Health	Turnout %	Change since 2007
0-67	45.5	-1.8 (24)
67-71	51.9	-1.5 (33)
71+	55.1	-0.5 (16)

Main cell entries are means.  
Figures in brackets show the number of constituencies that fall into that category.  
Data on % in good health are taken from the 2001 Census.

anything, to have widened further since 2007. In part, this seems to have been occasioned by the fact that, contrary to the nationwide trend, constituency turnout actually increased in the (relatively affluent) Lothians electoral region centered on Edinburgh.

This social variation in the level of turnout is clearly illustrated by those seats that lie at the top and the bottom of the league table of constituency turnouts. The highest turnout was in Eastwood (63.2%), a highly affluent suburb to the south of Glasgow, while two middle class Edinburgh seats, Southern (61.6%) and Western (59.4%) are also amongst the top four. The lowest turnout was recorded in a seat in the east end of Glasgow, Glasgow Provan (34.8%), while no constituencies in the city occur above the bottom seven places in the table.

## Invalid Votes

The return to two ballot papers appears to have fully resolved the difficulties encountered in 2007. Just 8,416 invalid votes were registered on the constituency ballot, representing only 0.42% of all ballot papers included in the count. The incidence of such votes on the party list vote was even lower – only 6,794, representing 0.34% of

all such ballots. Not only are these figures much lower than those recorded in 2007, but they are also lower than those recorded in 2003 when 0.66% of constituency ballots and 0.65% of regional votes were deemed invalid (Gould, 2007). Rather they are on a par with the proportions of 0.39% (constituency) and 0.37% (list) recorded at the first Scottish Parliament election in 1999 (Curtice and Fisher, 2003). On the other hand, they are still rather higher than the figure typically recorded in UK general elections, in the last of which, in 2010, just 0.18% of votes in Scotland were deemed invalid at the count (Electoral Commission, 2010).

Meanwhile, there is good reason to believe that some of those voters who cast an invalid vote did so deliberately rather than as a result of confusion. All voters were presented with a much wider choice of parties on the list ballot than in their local constituency contest. The Green Party only contested the list ballot, as did a variety of far left parties – the Scottish Socialist Party, Solidarity, the Socialist Labour Party and Respect. Similarly, on the right, the United Kingdom Independence Party only contested three constituencies and the British National Party none at all. Thus any voter whose primary allegiance was to one of these parties either had to vote for a second preference party on the constituency

ballot or opt to cast a blank ballot. Indeed we should note that a far higher proportion of those constituency (85%) than list (63%) votes declared invalid were classified as such because they were blank or the voter's intention was unclear.<sup>2</sup>

It appears that some Green voters did indeed opt to cast a blank ballot. Across all of Scotland's 73 constituencies there was a correlation of 0.62 between the proportion of constituency ballots that were declared invalid and the Greens' share of the list vote. Similarly and crucially, there was a correlation of 0.45 between the difference in the proportion of constituency and list ballots declared invalid in a constituency and the Greens' share of the list vote. In other words, where the Greens did well, rather more voters cast an invalid constituency ballot while submitting a valid list one. The three constituencies in which the difference in the proportion of constituency votes declared invalid most exceeded the proportion of list votes that were ruled out of order – Edinburgh Central, Glasgow Kelvin and Edinburgh Southern – were the three constituencies with the highest Green vote.

However, it is less clear that many voters for other smaller parties behaved in the same way. Although it is true that there is a correlation of 0.46 between the incidence of

invalid votes on the constituency ballot and the proportion of the list vote obtained collectively by parties who were smaller than the Greens, much the same correlation exists between the performance of these parties and the incidence of invalid votes on the list ballot too. Thus we cannot easily infer that voters from such parties were inclined to cast an invalid list vote while casting a blank constituency vote.

Even so, there are two seats in which voters for popular independent candidates, standing on the constituency ballot but not on the list, appear to have been particularly likely to have cast a blank list vote. In Shetland one such candidate won 30.3% of the vote, while another independent secured 25.2% on Orkney. In both seats, unusually, far more list votes (0.49% and 0.27% respectively) than constituency ones were declared invalid.

Thus, it appears that Scotland's Additional Member System sometimes presents voters with a dilemma. They are presented with two ballot papers, but because the choice they wish to express only appears on one ballot paper, they are only interested in completing that one. As a result some voters seemingly deliberately cast an invalid vote. As long as this position persists, it seems likely that the level of invalid votes in Scottish Parliament elections will remain above that typically

**Table 2.3. Social Variation in Incidence of Invalid Votes**

% in Good Health	Mean % ballots deemed invalid at count	Constituency List	
0-67	0.44	0.36	(24)
67-71	0.43	0.37	(33)
71+	0.38	0.31	(16)

2. Unfortunately the official record of invalid votes does not distinguish between these two reasons.

See also notes to Table 2.3

found in UK general elections under First Past the Post.

One of the features of the incidence in invalid votes in 2007 was that it was particularly high in areas of social deprivation (Denver et al., 2009). Voters in such constituencies appeared to be particularly likely to be confused by the format of the single ballot paper. This time, the relationship between social deprivation and the incidence of invalid votes was relatively weak, doubtless not least because the Greens tend to perform best in more middle class areas. However the incidence of invalid votes was relatively high across the Glasgow region, and especially so on the constituency ballot; 0.65% of all such ballots were deemed invalid. It is not clear that this high incidence can be wholly accounted for by the behaviour of the relatively large number of Green supporters (6.0%) across the city.

## Conclusion

Perhaps one of the most important features of the outcome of the 2011 election was the 'dog that did not bark'. The controversy that accompanied the high incidence of invalid votes in 2007 was laid to rest. Relatively few voters who wished to express a preference were foiled from so doing, while some of those who failed to cast one or other of their two votes appear to have done so deliberately. Overall, however, it seems that around 10% of voters who would vote in a Commons election simply do not vote at all in a Scottish Parliament election, though this probably has less to do with the electoral system than the relative importance of the two institutions in voters' eyes.

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# Proportionality

Under a proportional electoral system, the share of the seats won by a party is intended to reflect its share of the vote. Thus, arguably, one of the merits of such a system is that it helps ensure that any majority government that might be formed after an election has secured the backing of a majority of voters (Curtice and Seyd, 2011). That condition was clearly not satisfied by the Holyrood system in 2011. The SNP won an overall majority of seats, despite winning well under half of both the constituency and the list vote. In this chapter we examine how effective the electoral system was in delivering proportionality and why the SNP were able to secure a majority. At the same time, we also consider ways in which the system might be amended to make it more proportional, and thereby less likely to deliver an overall majority to a party that wins less than half the vote.

## Votes and Seats

There was in truth nothing particularly remarkable about the way in which the Holyrood electoral system worked in 2011 as compared with previous Scottish Parliament elections. As explained in Chapter 1, the system is intended to ensure that the outcome is as proportional as possible to the share of the list vote won by each party, irrespective of the outcome on the constituency vote. Thus in Table 3.1 we assess the degree of proportionality afforded by the system by showing the proportion of the list vote and the proportion of seats won by each party in each of the four Scottish elections held to date. At the same time, in order to give a simple summary indication of how proportionate each outcome was, we also give details of two widely used summary indices of disproportionality.

**Table 3.1 The Proportionality of the Electoral System**

	1999		2003		2007		2011	
	% vote	% seats	% vote	% seats	% vote	% seats	% vote	% seats
Labour	33.6	43.4	29.3	38.8	29.2	35.7	26.3	28.7
Conservatives	15.4	14.0	15.5	14.0	13.9	13.2	12.4	11.6
Liberal Democrats	12.4	13.2	11.8	13.2	11.3	12.4	5.2	3.9
SNP	27.3	27.1	20.9	20.9	31.0	36.4	44.0	53.5
Greens	3.6	0.8	6.9	5.4	4.0	1.6	4.4	1.6
Scottish Socialists	2.0	0.8	6.7	4.7	0.6	0.0	0.4	0.0
Others	5.7	0.8	8.9	3.1	10.0	0.8	7.3	0.8
Disproportionality (Loosemore-Hanby)	10.6		10.9		13.0		11.9	
Disproportionality (Least Squares)	8.5		8.2		9.1		8.6	



The Loosemore-Hanby index is calculated by summing across all parties the absolute difference between each party's share of the vote and its share of the seats, and dividing the total by two. The Gallagher Index is calculated by summing across all parties the square of the difference between each party's share of the vote and its share of the seats, dividing the resulting total by two and then taking the square root of that figure. The Gallagher index gives relatively more weight than does the Loosemore-Hanby index to large differences between vote shares and seat shares. See Loosemore and Hanby (1971) and Gallagher (1991).

Both of these summary induces indicate that the overall outcome in 2011 was not particularly disproportional as compared with the three previous elections; the result was slightly less disproportional than in 2007, though a

little more so than in both 1999 and 2003. What, however, is true of all four elections is that the party with the largest share of the vote has always won more than its proportionate share of the seats. At the same time, we can see that the system affords little or no representation to independents and candidates from smaller parties, even though collectively they have often won a relatively large share of the vote. Apparently the Holyrood system tends to favour large parties while discriminating against relatively small ones.

Such a tendency has an inevitable consequence; a majority government may well be formed even though its component parties between them won less than half of the key list vote. Neither of the majority Labour-Liberal Democrat administrations formed after the 1999 and 2003 elections won as much as half the list vote. In 1999 they secured 46% of the

**Table 3.2 Seats and Votes Under First Past the Post**

	1999		2003		2007		2011	
	% vote	% seats	% vote	% seats	% vote	% seats	% vote	% seats
Labour	38.8	72.6	34.6	63.0	32.2	50.7	31.7	20.5
Conservatives	15.6	0.0	16.5	4.1	16.6	5.5	13.9	4.1
Liberal Democrats	14.2	16.4	15.4	17.8	16.2	15.1	7.9	2.7
SNP	28.7	9.6	23.8	12.3	32.9	28.8	45.4	72.6
Greens	-	-	-	-	0.1	0.0	-	-
Scottish Socialists	1.0	0.0	6.2	0.0	0.0	0.0	-	-
Others	1.7	1.4	3.5	2.7	2.0	0.0	1.1	0.0
Disproportionality (Loosemore-Hanby)	36.0		30.8		18.5		27.2	
Disproportionality (Least Squares)	29.6		23.8		15.6		22.2	

See also notes to Table 3.1

vote between them, and in 2003 just 41.1%. To that extent there was nothing surprising or unusual about the success of the SNP in winning an overall majority on just 44% of the list vote.

Still, whatever the apparent limitations to the proportionality of the Holyrood system, it has certainly proved to be more proportional than the Single Member Plurality System alone would have been. This is demonstrated in Table 3.2, which shows the share of the constituency vote and the share of constituency seats won by each party in all Scottish Parliament elections, together with details of our two indices of disproportionality. Apart from 2007, both those indices are somewhere between two and three times as big as they were after the additional members had been allocated (see Table 3.1). Meanwhile, as we might expect from First Past the Post, in each case one party would have won an overall majority – except that in 2007 that party would have been the one that came second in votes, Labour, rather than the party that came first. Thus although the allocation of additional members had less impact on the overall level of disproportionality in 2007 than at other elections, it was in fact vital in ensuring that the party with most seats was the party that had come first in the popular vote.

Evidently the First Past the Post element of the electoral system exhibited a bias against the SNP that was not in evidence in 2007. The party has frequently found it more difficult than Labour to win seats under First Past the Post because its vote is geographically more evenly distributed, with the result that the party tends to collect many second places and relatively few firsts. Such a geographical distribution is, however, only a disadvantage when a party lacks a commanding lead over its opponents. A party with such a lead, whose vote is geo-

graphically evenly spread, tends to collect a large number of first places. This is primarily what happened to the SNP in 2011. If the change in each party's share of the constituency vote across Scotland as a whole had been replicated in each and every constituency, thereby leaving the electoral geography of each party's vote undisturbed, the party would have won only one less seat than it actually did.<sup>3</sup>

However, in practice there was some change in the geographical distribution of the SNP vote. In the case of the nationalists a key measure of the unevenness of a party's vote, the standard deviation of its share of the vote across all constituencies, increased from 8.9 to 10.1. This happened primarily because the party's advance was a little weaker than elsewhere in constituencies in the South of Scotland (up on average by 10.0 points) where the party was already relatively weak. At the same time, the standard deviation of Labour's share of the vote fell from 13.6 to 12.8, primarily because the party's vote typically fell more heavily in places where it was previously strongest (see also Chapter 4 below). Nevertheless, the SNP's vote remains more geographically evenly spread than Labour's, and the party could well find itself once again at a competitive disadvantage in securing constituency seats in any future, more closely contested Scottish election.<sup>4</sup>

## Why the System Favours Larger Parties

But why does the Holyrood system still tend to favour larger parties, even after the allocation of additional members? There are in fact three key features of the system that give rise to this tendency:

3. The SNP would have won 52 seats (actual 53), while Labour would have won 16 (actual 15). At three and two seats exactly the Conservative and Liberal Democrat tallies were exactly in line with those produced by assuming a uniform national movement.

4. The standard deviation of the Liberal Democrat vote fell from 13.1 to 9.7, as the party lost ground heavily in seats it was trying to defend (see Chapter 4), while, at 8.8, that of the Conservatives was little different from that in 2007. Note that all the figures for 2007 quoted in this paragraph are calculated on the basis of the estimated outcome of the 2007 election on the new boundaries.

1. The use of a regional rather than a national system of proportional representation. Scotland's 56 additional members are not allocated in proportion to the party's share of the list vote across the country as a whole. Rather, they are allocated separately in each of eight regions. The typical region contains nine constituency seats and seven regional ones. As a result a party needs to win just over 1/17th of the vote, or 5.9%, in a region to be sure of winning a seat – and in practice is certainly likely to require more than 5%. Parties that cannot pass this *de facto* threshold remain unrepresented, leaving more seats to be allocated to other larger parties.

2. The ratio of constituency to additional seats. Additional seats account for fewer than half the seats in all regions. As a result, if a party is particularly successful in winning constituency seats there may be insufficient additional seats for it to be possible to correct fully the disproportionality created by the outcome in the constituencies.

3. The use of the d'Hondt formula. As described in Chapter 1, under this formula seats are allocated to the party with the highest average vote at each stage of the count. Each party's average is calculated by dividing the votes they have won by the number of seats they have been allocated so far, plus one. This formula tends to favour larger parties, making it particularly difficult for a party to win its first seat (Lijphart, 1994). Alternative methods are available that do not have this property. In particular, the Sainte-Laguë highest average formula treats both large and smaller parties equally (Balinski and Young, 2001; Electoral Commission, 2003). Under this formula the highest average at each stage of the count is calculated by dividing a party's vote by one more than twice the number of seats it has won so far.

Each of these features played some role in generating disproportionality in 2011. First, both the Liberal Democrats and the Greens struggled to win seats. In winning just over 5% of the vote the Liberal Democrats only managed to secure representation in four regions, leaving their vote elsewhere unrepresented. With only 4.4% of the vote this fate befell the Greens in six regions. Together with the fact that apart from the independent candidate, Margo MacDonald, in Lothian, none of the smaller parties or independent candidates managed to win any seats, despite collectively winning nearly 8% of the list vote across Scotland as a whole, a significant body of votes did not contribute to the election of any candidate, thereby leaving more seats to be allocated to larger parties including, not least, the SNP.

Second, although the phenomenon was less prevalent than it had been at the three previous Scottish elections (Curtice, 2006; Curtice et al., 2009), in one instance the SNP won more constituency seats than the total to which the party would have been entitled if all the seats in the region had been allocated using the d'Hondt formula. In the Lothians, the SNP won eight of the nine constituency seats – and thus half of all the seats in the region – despite winning just over 39% of the list vote. Its proportionate entitlement was seven seats. The 'extra' SNP seat would otherwise have been won by the Liberal Democrats who, as a result, failed to secure any representation in the region.

Third, the use of the d'Hondt system clearly favoured the larger parties and made it more difficult for smaller parties to secure representation. This is illustrated in Table 3.3, where, taking the West of Scotland region as an example, we show how seats were actually allocated under the d'Hondt formula and how

**Table 3.3 Comparing d'Hondt and Sainte-Laguë in the West of Scotland**

	Con	Lab	LD	SNP	Grn
<b>Total List</b>					
<b>a) d'Hondt</b>					
Votes	35995	92530	9148	117306	8414
Constituency Seats	0	4	0	6	0
Vote/(Seats+1)	35995	18506	9148	16758	8414
1st Seat Allocated	1	4	0	6	0
Vote/(Seats+1)	17998	18506	9148	16758	8414
2nd Seat Allocated	1	5	0	6	0
Vote/(Seats+1)	17998	15422	9148	16758	8414
3rd Seat Allocated	2	5	0	6	0
Vote/(Seats+1)	11998	15422	9148	16758	8414
4th Seat Allocated	2	5	0	7	0
Vote/(Seats+1)	11998	15422	9148	14663	8414
5th Seat Allocated	2	6	0	7	0
Vote/(Seats+1)	11998	13219	9148	14663	8414
6th Seat Allocated	2	6	0	8	0
Vote/(Seats+1)	11998	13219	9148	13034	8414
7th Seat Allocated	2	7	0	8	0
<b>Total List</b>					
<b>b) Sainte-Laguë</b>					
Votes	35995	92530	9148	117306	8414
Constituency Seats	0	4	0	6	0
Vote/(2xSeats+1)	35995	10281	9148	9024	8414
1st Seat Allocated	1	4	0	6	0
Vote/(2xSeats+1)	11998	10281	9148	9024	8414
2nd Seat Allocated	2	4	0	6	0
Vote/(2xSeats+1)	7199	10281	9148	9024	8414
3rd Seat Allocated	2	5	0	6	0
Vote/(2xSeats+1)	7199	8412	9148	9024	8414
4th Seat Allocated	2	5	1	6	0
Vote/(2xSeats+1)	7199	8412	3049	9024	8414
5th Seat Allocated	2	5	1	7	0
Vote/(2xSeats+1)	7199	8412	3049	7820	8414
6th Seat Allocated	2	5	1	7	1
Vote/(2xSeats+1)	7199	8412	3049	7820	2805
7th Seat Allocated	2	6	1	7	1

they would have been allocated if the Sainte-Laguë method had been used instead. Both Labour and the SNP would have won one seat less, while both the Liberal Democrats and the Greens would have secured a seat instead of being left without any representation.

For the sake of clarity, votes for smaller parties have been excluded and all calculations only shown to the nearest integer. The highest average vote at each stage of the count is underlined.

We can see the relative indifference of Sainte-Laguë to the size of a party in the example if, first of all, we note that a total of 266,393 votes were cast for the top five parties. With a total of 17 seats in the region, this implies that a party should secure one seat for every 15,670 votes it wins. In practice, the Conservatives won 2.29 times this figure, Labour 5.90, the Liberal Democrats 0.58, the SNP 7.49 and the Greens 0.54. The result under Sainte-Laguë replicates these figures to the nearest whole number, irrespective of the size of the party. D'Hondt, in contrast, gives the two largest parties more seats than their nearest integer entitlement.

## Outcome under Alternative Methods

Table 3.4 shows the overall impact of allocating seats regionally rather than nationally, together with the impact of using d'Hondt rather than Sainte-Laguë. In the second and third columns of that table we show what the outcome would have been (and the resulting indices of disproportionality) under two possible ways of allocating additional seats nationally rather than regionally. In so doing we have anticipated that under any such system

a party would be required to win a minimum share of the vote nationally before it was eligible to be allocated any seats.<sup>5</sup> In the first case we show what would have happened if a 5% threshold had been in place, as is the case in Germany and the Greater London Assembly, and in the second what the outcome would have been with a slightly lower threshold of 4%. Meanwhile, in the final column we show what the outcome would have been across Scotland as a whole if Sainte-Laguë had been in place rather than d'Hondt.

A national system of allocating seats with a 5% threshold would have been more favourable to Labour, the Conservatives and the Liberal Democrats while disadvantaging the SNP. However, it is debatable as to whether we should regard the result as more proportional than the outcome that actually occurred. The Greens would not have won any seats at all, while Margo MacDonald would not have been able to secure election. At the same time, the SNP would still (just) have had an overall majority of seats. On the other hand, if a 4% threshold had been in place the result would have been unambiguously more proportional, the Greens (though not Margo MacDonald) would have secured representation, while the SNP would have been three seats short of a majority.

However, the most proportional outcome of all would have been produced if the eight regions had been retained but the Sainte-Laguë formula used instead of d'Hondt. Not only would the Greens and the Liberal Democrats have won more seats than at present (because the de facto threshold proves to be around 3% of the vote rather than over 5%), but George Galloway, the Respect leader, would have secured election in Glasgow while Margo MacDonald would also have obtained her seat. At the same time

5. With 129 seats, the de facto threshold under such a system would be little more than three-quarters of a percentage point.

the SNP would have been one seat short of an overall majority.

## Conclusion

Although it produces a more proportional result than First Past the Post, the Additional Member System used in Scottish elections has a number of features that favour larger parties over smaller ones. As a result, a party or combination of parties with less than 50% of the list vote may win over half the seats in the Parliament, as the SNP's success in 2011 in winning an overall majority on just 44% of the list vote demonstrated. Allocating additional seats nationally or using an alternative allocation formulation such as Sainte-Laguë could mitigate this feature somewhat while retaining the existing number of additional seats, though doing so would have potential side effects such as making it more difficult for an independent candidate to secure election via a list or reducing the de facto threshold required for a party to win a seat.

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**Table 3.4 Outcome of the 2011 Election Under Alternative Electoral Arrangements**

	Regional PR; D'Hondt	National PR; 5% threshold	National PR; 4% threshold	Regional PR; Ste. Laguë
SNP	69	65	62	64
Labour	37	39	37	34
Conservatives	15	18	17	15
Lib Dems	5	7	7	7
Greens	2	0	6	7
Others	1	0	0	2
Disproportionality (Loosemore-Hanby)	11.9	12.1	7.8	6.9
Disproportionality (Least Squares)	8.6	7.3	6.4	5.7

National PR figures are based on D'Hondt formula.

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# Using the system

## Introduction

One of the distinctive features of Scotland's Additional Member System is that voters have two votes that they can, if they wish, cast for two different parties. For some advocates of the system, this is one of its virtues, because it allows voters to express a more nuanced choice (Shugart and Wattenberg, 2001). In particular, it is argued that voters can vote for whichever individual candidate in their constituency they think is best, irrespective of their party affiliation, safe in the knowledge that doing so will be unlikely to make any difference to that party's overall tally of seats. However, such knowledge might also mean that voters feel free to vote tactically with their constituency vote, that is to vote for a second choice party on the grounds it is better placed than their first choice party to defeat locally a party or candidate whom they would prefer not to win (Curtice and Steed, 2010). In this chapter we look for signs of such apparent behaviour by examining the pattern of the differences between the parties' performances on the constituency and the list vote

First of all, though, we should note that once again a relatively large number of voters must have voted differently on the two ballots. The minimum proportion of voters who must have behaved in this way is ascertained by the index of dissimilarity. This is simply the sum across all parties of the absolute difference between each party's share of the constituency vote and its share on the list ballot, divided by two.<sup>6</sup> In 2011 this index stood at 11.0, a little below the equivalent figure for 2003 (12.8) and 2007 (12.5), but a little above that in 1999 (8.7). There was, in short, plenty of vote splitting for which we should attempt to account.

6. The actual proportion of voters who behaved in this way will have been considerably higher. See Curtice et al. (2009) for survey-based estimates of this figure at previous elections.

## The Power of Incumbency

There was considerable variation across constituencies in the degree to which the four main parties differed between the constituency and list votes. This is shown in Table 4.1, which shows for each of these parties both the average difference in their share of the vote on the two ballots (irrespective of its direction) and the standard deviation of that difference, that is the degree to which it varied from one constituency to another. As we would anticipate, given the size of the difference in its overall share of the constituency and list votes, Labour's vote typically differed the most between the two ballots. However, it was in the case of the Liberal Democrats that the size of that difference varied most from one constituency to another. Evidently, in its vote, the party was particularly likely to be different on the two ballots in some places, but not in others.

**Table 4.1 Differences in Party Performance on the Constituency and List Vote**

Absolute Difference Between Constituency and List Share

	Mean	Standard Deviation
Con	1.8	2.8
Lab	5.5	3.7
LD	2.9	4.2
Nat	3.7	3.2

Note: Liberal Democrat figures exclude Clydesdale, where the party did not contest the constituency vote.

One noteworthy feature of the Liberal Democrat performance – in Commons as well as devolved elections – is the degree to



which successful candidates are reliant on personal votes in order to secure election; that is, they secure crucial votes on the basis of their personal popularity rather than that of their party. Meanwhile, more generally, we see that incumbent MPs are often able to use their position to develop a personal vote, as voters respond favourably to the service they perform for their constituency and the attendant publicity that that service receives (see, for example, Curtice et al., 2010). Thus, there seems good reason to anticipate that incumbent MSPs who were standing once more might in general have been particularly successful at winning more votes than their party was able to do on the list – although we should remember that in some cases the redrawing of constituency boundaries meant that some voters had not previously lived in the constituency that hitherto had been represented by an incumbent MSP.

Table 4.2 certainly fulfils our expectation. In the case of all four main parties, where an incumbent MSP was its constituency standard bearer, a party's share of the constituency vote was far higher than its share of the list vote. This is particularly true not only of Liberal Democrat incumbents, but also of Conservative ones; all four

Conservative incumbents performed far better than their party. Apparently personal support plays a particularly important role in enabling constituency candidates from the two smaller of Scotland's four main parties to enjoy a measure of success. However, even an incumbent Labour or SNP MSP, on average, managed to win some three per cent more of the vote in their constituency than on the list. Moreover, given that as many as 28 seats were being defended by Labour incumbents – more than any other party – the personal support that these incumbents were able to gather is at least part of the explanation as to why Labour's overall share of the constituency vote was markedly higher than its share of the list vote. It also helps explain why no less than 11 Labour incumbents managed successfully to defend their seats even though it was the SNP who won most votes in their constituency on the list vote.<sup>7</sup>

However, we should bear in mind that incumbent MSPs would also be expected to perform relatively well if voters were inclined to vote tactically. If voters were engaging in such behaviour, we would expect them to be more likely to vote for the two parties that shared first and second

**Table 4.2 Difference between Constituency and List Share by Incumbency and Party Position**

Party	Mean of All Seats	Constituency Seat Defended by Incumbent	Vote – List Party 1st	Vote Started Off 2nd
Con	+1.4	+12.1	+10.0	+2.5
Lab	+5.3	+ 8.7	+7.7	+5.7
LD	+2.8	+12.8	+11.5	+5.0
SNP	+1.3	+5.4	+4.0	+1.1

See also note to Table 4.1

7. One non-incumbent candidate also managed this feat. In addition, three incumbent Conservative MSPs held on to their seats, even though the SNP won the list vote locally, while the same was true of one Liberal Democrat. In total the SNP came first on the list vote in no fewer than 69 of the 73 constituencies.

place in 2007. Although in a few cases the estimates of what would have happened if the new boundaries had been in place in 2007 suggested that an incumbent MSP's party would not necessarily have come first on that occasion, most would have done so – and crucially none would have come third or lower. As Table 4.2 shows, on average parties performed relatively well on the constituency vote wherever they came first last time. We thus need to dig a little deeper before concluding that we have clear evidence of a personal vote for incumbents.

**Table 4.3 Difference between Constituency and List Share in Seats Being Defended by a Party Broken Down by Presence or Otherwise of Incumbent**

Party	Mean of Constituency Incumbent Standing	Vote – List Vote Open Race
Lab	+8.3	+4.8
LD	+12.9	+8.7
SNP	+4.9	2.3

Table confined to seats where the party in question was placed first in 2007. None of the seats where the Conservatives were first in 2007 was an open race in which no incumbent was standing.

The first thing we can do is to examine what happened where a party started off in second place. If tactical voting was taking place then parties should in general have performed relatively well on the constituency vote in those circumstances too. Of this there is some sign in Table 4.2.<sup>8</sup> However, second placed candidates certainly did not do as well as their first placed counterparts.

The second analysis we can conduct is to compare what happened in those seats where a party started off first and was being represented by a constituency MSP with

those where it was not. (For this purpose we exclude those few cases where an incumbent was standing who represented a party other than the one who it was estimated would have won the constituency in 2007.) If an MSP's personal popularity mattered, then a party should typically have performed better in seats it was defending where the incumbent MSP was standing again than where a new candidate had been nominated. In general, as Table 4.3 shows, this does appear to have been the case. At the same time, however, we should also note that a party tended to perform relatively well on the constituency vote in seats that it was defending even where no incumbent was standing. This suggests some element of tactical voting was also taking place in the constituency contests.

Neither personal nor tactical support was necessarily sufficient to ensure that incumbents were able to ward off an unpopular tide for their party. Despite their relative success on the constituency vote as compared with the list vote, Liberal Democrat incumbents still found that on average their vote dropped by no less than 12.1 points compared with 2007, well above average drop for the party of 8.4 points. However, Labour incumbents, in general, saw their vote increase on average by 0.2 of a point, meaning the Labour vote fell slightly more heavily (by 1.4 points) in seats that the party was defending than it did across the country as a whole.

## The Impact of the Greens and Smaller Parties

There is another very different reason why a party might perform better on the

8. Although it does seem to be absent in the case of the SNP, if we confine our attention to seats where the party was starting off second to Labour, the party's share of the constituency vote was on average 2.4 points higher than its share of the constituency vote, somewhat higher than the overall mean of 1.3 points.

constituency vote than on the list vote – where it was inclined to secure the support of those whose principal motivation in the election was to support a party or candidate that was only contesting the list vote. Although we saw in Chapter 2 that some Green voters appear to have opted to cast a blank constituency ballot, most clearly did not. They may well have been more likely to vote for some parties than others on the constituency ballot.

**Table 4.4 Correlation between Performance of Smaller Parties on the List Vote and the Difference between the Larger Parties' Share of the Constituency vote and their Share of the List Vote**

	Correlation with Green % vote	Smaller Parties % Vote
Con Difference	-0.14	-0.19
Lab Difference	0.28	0.25
LD Difference	0.51	0.26
SNP Difference	0.06	0.03

Smaller Parties: Votes won collectively by parties smaller than the Greens.

This seems clearly to have been the case. In the first column of Table 4.4, we show the correlation between the Greens' share of the list vote in a constituency and the difference between the share of the constituency vote and the share of the list vote obtained by all four parties. Meanwhile, in the second column we show the same statistic for the share of the list vote won collectively by parties smaller than the Greens. In both cases we can see that there is a notable (and statistically significant) positive correlation with the relative success of both the Liberal Democrats and Labour on the constituency vote. Particularly strong is the relationship between the Greens'

performance and how much better the Liberal Democrats performed on the constituency vote than on the list vote, suggesting that many Green list voters in particular opted to back the Liberal Democrats on the constituency vote. In contrast the relative success of the Conservatives and the SNP on the constituency vote seems to have had relatively little to do with the performance of the Greens or other smaller parties.

## Conclusion

There appears to be considerable evidence that some voters voted for different parties on the constituency and the list vote in order to express personal support for an individual candidate. (Some notable individual examples of this phenomenon are listed in the Appendix to this chapter.) To that extent, some voters used an opportunity that some advocates regard as an advantage of the system. However, given the evidence that personal voting also occurs in elections to the House of Commons, we cannot be sure that voters are more inclined to vote in that way in a single member constituency election that takes place alongside a list ballot as opposed to one that takes place on its own. At the same time, it appears that some voters' choices in the constituency ballot of Scottish elections are influenced by the tactical situation in their area, while other voters find themselves forced to vote for a second choice candidate on that ballot because their first preference party is not standing locally.

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## Appendix to Chapter 4

Constituencies where a party's share of the constituency vote was markedly higher than their share of the list vote in that constituency.

Conservatives	Remarks	
Ayr	13.4	Con incumbent defending seat
Ettrick	13.4	Con incumbent defending seat
Pentlands	11.7	Con incumbent defending seat
Galloway	10.1	Con incumbent defending seat
Eastwood	6.4	Party estimated to have come 1st in 2007
Dumfriesshire	5.2	Party estimated to have come 1st in 2007
Labour	Remarks	
Edin. North	17.4	Lab incumbent defending seat; large Green vote
Kelvin	12.8	Lab incumbent defending seat; large Green vote
Eastwood	12.3	Lab incumbent defending seat
Edin Central	12.3	Lab incumbent defending seat; large Green vote
Dumbarton	10.6	Lab incumbent defending seat
Liberal Democrats		
Edin Western	15.8	LD incumbent defending seat
Shetland	15.6	LD incumbent defending seat
Edin Southern	15.6	LD incumbent defending seat; large Green vote
Aberdeenshire W	12.9	LD incumbent defending seat
Midlothian S	12.7	LD incumbent defending seat
Skye	12.1	Open race in Liberal Democrat seat
Fife NE	11.2	LD incumbent defending seat
Edin Central	10.7	Party estimated 1st in 2007; large Green vote
Orkney	10.4	LD incumbent defending seat
SNP		
Glas Southside	12.3	SNP incumbent defending seat
Na h'Eileann	8.8	SNP incumbent defending seat
Dundee E	7.9	SNP incumbent defending seat
Perthshire N	7.7	SNP incumbent defending seat
Kelvin	7.4	SNP 2nd; large Green vote
Edin. Eastern	7.1	SNP incumbent defending seat
Glas Shettleston	6.3	Ex-SNP MP standing in seat
Falkirk W	5.8	SNP incumbent defending seat
Aberdeenshire E	5.8	SNP incumbent defending seat

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# Representation

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## Introduction

One of the arguments often put forward in favour of the use of some form of proportional representation is that it should result in the election of those who are more socially representative of the general population (Bogdanor, 1984; Darcy et al., 1994, IDEA, nd; Rule and Zimmerman, 1994). In particular, proponents feel that both women and members of ethnic minorities are more likely to be elected. If, as is necessarily the case under any system of proportional representation, a party is able to nominate more than one candidate in an electoral district, it can present a 'balanced' ticket, something that by definition is impossible to achieve when only one candidate is to be nominated. Indeed, by taking advantage of the opportunity afforded by multi-member districts to present a socially diverse slate of candidates, a party might hope to enhance its electoral appeal.

Thus we might anticipate that the party list element of Scotland's Additional Member System, at the very least, might have fostered the representation of both women and those of an ethnic minority background. Parties could nominate an equal number of male and female candidates on their lists, placing, for example, a woman at the top of their list, a man second, a woman third, etc. We might particularly expect this to have happened given that in the period leading up to the introduction of the Scottish Parliament there was a strong impetus towards trying to ensure that the new institution would contain a high proportion of women. Thus, for example, the steering group responsible for drawing up an initial set of procedures and standing orders for the new parliament recommended that it should adopt a

'family friendly' pattern of sittings, normally only sitting during the regular working day (Consultative Steering Group, 1998). On the other hand, the fact that no less than 73 MSPs are elected via single member constituencies would appear to have been a barrier to the emergence of a more representative legislature.

Yet if the party list element of Scotland's electoral system was thought to have its advantages, it was also far from uncontroversial. Influenced by a culture in which single member constituencies were the norm, and in which elected representatives prided themselves as advocates of the interests of 'their' constituency and 'their' constituents, some have been inclined to regard those elected as additional members as 'second class' MSPs. Particular irritation arose if additional members appeared to be trying to use their position to boost their chances of being elected in one of the component constituencies of their region at the next election (Arbuthnott 2006). Indeed it was sometimes suggested that it was simply unfair that someone who had lost a constituency contest could then secure election via the 'back door' of the party list.

Exactly how these strategic and cultural constraints played out, however, would depend on the nominating strategies of the parties. Parties could 'zip' their party lists with alternate male and female candidates should they so wish, but they were not required to do so. At the same time, despite the apparent constraints, parties could take steps to try and ensure that as many women as men were nominated for constituencies in which their party had some prospect of winning. Parties could decide not to allow those who were standing in a constituency contest to stand also on the list – or they could encourage

them to do so, not least perhaps because placing a well-known local MSP on the top of their list might help persuade voters to back that list. In this chapter we examine how these various opportunities and constraints played out in the 2011 election, and what impact the dramatic change that the election heralded in the political composition of the new parliament has had on the representative character of the new parliament.

## Constituencies, Lists and Parties

Labour did not simply lose ground at this election. The balance of its constituency and list members was transformed too. As Table 5.1 shows, even in 2007 when the party no longer came first, most of its representation came via the constituency contests. But in 2011 the party lost no less than three in five of the constituencies it was defending, and as those defeats were in part compensated for by the allocation of list seats, so the party found itself for the first time with more list than constituency representatives.

The SNP had the opposite experience. Even

in 2007 it had secured slightly more list seats than constituency ones. But this time around for every list seat that it was allocated, the party won more than three constituency seats.

The nominating strategies of Scotland's two largest parties reflected their differing historical experience. Labour had come to dominate constituency representation in Scotland and were well aware that, but for the introduction of party lists, it would have enjoyed an overall majority in the Parliament. It was thus particularly inclined to regard list MSPs as 'second class' members. So, for the most part the party eschewed nominating the same person for both an individual constituency and on its party list. In 2011, the party included only three of their existing constituency MSPs in their party's list, and in each case this appears to have been in recognition of the fact that the boundary redistribution had adversely affected the MSP's chance of re-election.<sup>1</sup>

As a result, relatively few incumbent Labour MSPs had a 'lifeboat' in place should they suffer an unexpected defeat, as happened this time around. Consequently the party found itself denuded of a number of senior figures, including shadow cabinet members

1. The three MSPs in question were Sarah Boyack (who contested Edinburgh Central and was placed first on Labour's Lothian list), Lewis MacDonald (Aberdeen Central, placed third on the North East list) and Elaine Murray (Dumfriesshire, placed first on the South of Scotland list). According to Denver (2011), in each case the new constituency they were fighting would have been lost by Labour in 2007. Meanwhile, just two of the party's existing list MSPs, Richard Simpson (Mid Scotland & Fife) and David Stewart (Highland & Island) contested a constituency seat while also remaining on the party's list.

**TABLE 5.1 Constituency and List MSPs by Party, 1999-2011**

Party	1999(C)	1999(L)	2003(C)	2003(L)	2007(C)	2007(L)	2011(C)	2011(L)
SNP	7	28	9	18	21	26	53	16
Labour	53	3	46	4	37	9	15	22
Conservatives	0	18	3	15	4	13	3	12
Lib. Dem.	12	5	13	4	11	5	2	3
Greens	0	1	0	7	0	2	0	2
Others	1	1	2	8	0	1	0	1

C – Constituency; L – List



2. These were the five existing MSPs mentioned in the previous footnote, less Elaine Murray who managed to win the new Dumfriesshire seat.

3. This case is Shirley Anne Somerville. Ms Somerville was placed third on the SNP's Lothian list, a position that would have been good enough to have secured her election if the outcome has been as it was in 2007. However, this time around the party was not allocated any list seats in the Lothians, after winning eight of the nine component constituencies (as it happens, Ms Somerville being the only loser in Edinburgh Northern). The SNP would have had to win two fewer seats in the region (other than Edinburgh Eastern and Linlithgow) for Ms Somerville to have been elected this time around. However, it should also be noted that Ms Somerville only became an MSP following the resignation of a colleague who had been placed higher on the list in 2007. One other person who became a SNP list MSP during the course of the last parliament, Anne McLaughlin in Glasgow, also failed to be re-elected, but she was placed too low on her party's list to have secured election even if the 2007 result had been replicated. The same is true of Bill Wilson who this time stood on the Lothians list after being elected in the West of Scotland in 2007.

4. Fiona Macleod, newly elected as the constituency member for Strathkelvin and Bearsden, was a list MSP for the West of Scotland between 1999 and 2003. The two former MPs are Annabelle Ewing (SNP) and Willie Rennie (Liberal Democrat).

Andy Kerr, Pauline McNeil, and Des McNulty. Those elected via the party's regional lists had typically not stood in a constituency and were for the most part new to the Holyrood chamber. Only four had also stood in a constituency,<sup>2</sup> and 14 had not previously been an MSP. Many of Labour's list MSPs were the unintended beneficiaries of their party's electoral misfortune.

In contrast the SNP's lists were dominated by those who were also standing in a constituency contest, many of whom, indeed, were already constituency MSPs. Every one of the party's eight lists was headed by someone who was also standing as a constituency candidate. As a result, in only one case can it possibly be said that the fall in the number of the list MSPs cost an individual MSP their seat.<sup>3</sup> No less than 15 list SNP MSPs in the previous parliament secured election as a constituency MSP this time around.

Given the change in the partisan balance of the Parliament, it was of course inevitable that the newly elected body would have a relatively large number of new and thus inexperienced MSPs. In the event, no fewer than 48 of those elected in 2011 fell into this category, though one had previously been a MSP in an earlier parliament, while two had previously been MPs at Westminster.<sup>4</sup> This figure is higher than the equivalent figures in both 2007 (41), of whom six had been MSPs between 1999 and 2003 and three were former MPs) and 2003 (just 26). However, both the scale of the turnover and its character were affected by the nomination strategies of the two largest parties. Despite the decline in its overall level of representation, 15 new Labour MSPs were elected, only one of whom was filling the shoes of someone who had retired. Meanwhile, although the SNP gained constituency seats and lost list ones,

12 of the 30 new nationalist MSPs that were elected came via the list.

Labour's strategy – and fate – also ensured that this time around far fewer of those elected as list MSPs had been defeated in a constituency contest. Only just over half (27) of list MSPs fell into this category, compared with 40 in 2007, 42 in 2003 and 46 in 1999. Nearly half of those who were defeated in a constituency were accounted for by the 12 Conservative list candidates who were elected; in contrast to Labour's reluctance to allow people to stand on both ballots, Conservative dislike of the electoral system has taken the form of not allowing anyone to stand as a list candidate for the party unless they also at least try to win a constituency. Otherwise, apart from the four Labour cases already noted, 10 defeated SNP candidates and one Liberal Democrat were elected via their party's list.

## Women and Ethnic Minorities

As Table 5.2 shows, at 35% the proportion of MSPs that are female was much the same as it had been in the previous parliament, though still somewhat below what it had been between 1999 and 2007. That proportion of course means that women continue to be under-represented in the Parliament, though not to the same extent as in the House of Commons, where the proportion currently stands at only 22%.<sup>5</sup>

As we might anticipate, the largest single group of women belong to the SNP. However, at 28%, the proportion of SNP MSPs who are women is far lower than the proportion of Labour MSPs (46%); ever since



**Table 5.2 Female MSPs by Party, 1999-2011**

	1999	2003	2007	2011
SNP	15 (43)	9 (33)	12 (26)	19 (28)
Labour	28 (50)	28 (56)	23 (50)	17 (46)
Conservative	3 (17)	4 (22)	5 (29)	6 (40)
Lib. Dem.	2 (12)	2 (12)	2 (13)	1 (20)
Others	0 (0)	8 (50)	1 (33)	2 (67)
<b>Total</b>	<b>48 (37)</b>	<b>51 (40)</b>	<b>43 (33)</b>	<b>45 (35)</b>

Main cell entries are absolute numbers; figures in brackets represent percentage of all MSPs in that category. Note that between 2003 and 2007 one SNP woman was replaced by a man after a constituency by-election, while between 2007 and 2011 two SNP women replaced men who had initially been elected via their party's list. Source: Scottish Parliament Information Centre.

1999 Labour's proportion has consistently been the highest of any of the four largest parties. Indeed the SNP proportion even trails the Conservative proportion, which is now more than double what it was when the first parliament was elected in 1999.

Some of these figures would seem surprising, given what we know already about the trends in the degree to which the parties have been reliant on winning constituency and list seats. We noted earlier that it would seem to be easier for a party to achieve gender balance via the party lists rather than through the constituency contests. Yet Labour have consistently had the highest proportion of female MSPs even though, until 2011, most of its seats arose as a result of winning constituencies. Moreover, the proportion of the party's MSPs that are female actually fell below 50% for the first time in 2011, when a majority of the party's MSPs came from the lists.

The clue to this apparent conundrum lies in the nomination strategy that Labour deployed in 1999. It overcame the difficulties that single member constituencies place in the way of gender balance, by twinning constituencies

and requiring each pair to nominate one man and one woman – one then fought one of the paired seats while the other fought the other. Labour more or less anticipated correctly which seats it would win, and thus succeeded in achieving gender balance. And once women were ensconced as an incumbent in their constituency, they were able to retain that nomination for as long as they wished, albeit that some subsequently suffered defeat in 2003 or 2007.

At the same time Labour have pursued a policy of producing zipped and gender-balanced shortlists. Thus the fact that the party has now become more dependent on list seats has done little to change the party's gender balance. Indeed, exactly half of the party's 22 list MSPs in the new parliament are female; the party's overall proportion is now a little less than half because only six, or 40%, of its 15 constituency MSPs are women. This reflects the fact that as many as 13 incumbent female Labour constituency MSPs either stood down or lost their seats compared with only eight men.

This change in the nature of Labour's

5. Though we might also note that the proportion of women in the National Assembly of Wales now stands at 42%.

**Table 5.3 Female MSPs by Method of Election, 1999-2011**

	1999	2003	2007	2011
Constituency	30 (41)	32 (44)	25 (34)	20 (27)
List	18 (32)	19 (34)	18 (32)	25 (45)
<b>Total</b>	<b>47 (37)</b>	<b>51 (40)</b>	<b>43 (33)</b>	<b>45 (35)</b>

Main cell entries are absolute numbers; figures in brackets represent percentage of all MSPs in that category.

representation partly explains why, as Table 5.3 shows, women are now more numerous amongst list MSPs than amongst their constituency counterparts for the first time, both in terms of absolute numbers and as a proportion. Indeed the proportion of list MSPs who are women is now only somewhat short of the 50% mark. The only women to be elected outside of the ranks of Labour and the SNP were elected via the party lists and female MSPs constitute exactly half of all list MSPs outside those ranks. The general expectation that a party list system is more likely to promote female representation than a single member constituency one is now finally being realised.

In part, this was luck. As Table 5.3 shows, amongst those parties that actually secured representation in the parliament, the only party apart from Labour that successfully pursued a policy of zipping its lists to produce a gender balance was the Green Party. In both cases, not only did women occupy more or less half of all places on the list, but they also occupied around half of the top three places on those lists – that is, those places that might be expected to give some chance of securing election. None of the other parties had any rules in place designed to deliver gender balance, leaving the decision about the order and composition of their lists to party members. Indeed in all three

**Table 5.4 Female party candidates nominated by the 5 largest parties, 2011 Scottish Parliament elections**

Party	Constituencies (%)	List (%)	Amongst Top 3 on List (%)
SNP	21 (29)	21 (27)	6 (25)
Labour	20 (27)	25 (46)	13 (54)
Conservatives	14 (19)	10 (18)	6 (25)
Lib. Dem.	21 (29)	19 (35)	8 (33)
Greens	0 (0)	20 (46)	13 (54)
<b>Total</b>	<b>76 (26)</b>	<b>95 (34)</b>	<b>41 (35)</b>

Main cell entries are absolute numbers; figures in brackets represent percentage of all MSPs in that category.

cases the total number of female candidates included in their lists was lower than in 2007 (for details see Kenny, 2009). However, as it happened, six of the 10 female Conservative candidates were placed as high as first or second on their party's lists, and consequently all six were subsequently elected, thereby boosting that party's female representation considerably.

At the same time, however, women were also noticeable by their absence as constituency candidates. All three of the four largest parties recorded some fall, but Labour experienced the largest.<sup>6</sup> The number of female Labour candidates fell from 32 in 2007 (a figure little different from that in 1999 and 2003) to just 20. Since 1999, Labour has not pursued its original policy of twinning constituencies or indeed of requiring some constituencies to select from all-women shortlists, as has been the practice in nominations in recent years for Commons elections. Rather, the party has simply required that its selection short-lists should contain an equal number of men and women. This has evidently proved an insufficient means of maintaining the level of female nominations once some incumbent women retire or are defeated and are replaced by a new candidate. Indeed both the Liberal Democrats (who simply require one person of each gender to appear on their shortlists) and the Scottish National Party (who have no such provision at all) both fielded one more female constituency candidate this time than Labour. In the absence of any new measures, it seems likely that the proportion of female Labour MSPs (and thus the proportion of female MSPs in total) will fall in any future election in which Labour's electoral fortunes are restored and the party regains many of the constituency seats it lost in 2007 and 2011.

6. Together with the decline in the proportion of list candidates who were female, this means that the overall proportion of candidates nominated by the five largest parties that were female fell from 35% to 30%. See also Kenny (2009).

7. In those seats where the Liberal Democrats did not start off in first place, male candidates on average outperformed their party's list vote by an average of 1.3 points, while female candidates did so by an average of 1.1.

8. Amongst such candidates, those who were female on average won an 8.7 point higher share of the vote than Labour secured locally on the list vote, while male candidates won a 9.0 point higher share.

**Table 5.5 Comparative Performance of Male and Female Constituency Candidates**

	Mean % share of constituency vote - % share of list vote where	
	Male Candidate	Female Candidate
Con	1.4	1.3
Lab	4.8	6.7
LD	3.2	1.9
SNP	1.2	1.3

Yet it appears that there is nothing for any of the four largest parties to fear in nominating a female constituency candidate. As Table 5.5 shows, both Conservative and SNP female candidates were just as successful as their male counterparts in outperforming their party's performance on the list vote in their constituency. True, Liberal Democrat female candidates appear, on average, to have been less successful, but that is wholly accounted for by the fact that fewer of them were fighting a seat where the party started off in first place.<sup>7</sup> Equally, the apparently better performance of female Labour candidates simply reflects the fact that more of them were sitting incumbents.<sup>8</sup>

The 2007 contest saw the election of the first ethnic minority MSP when Bashir Ahmad became one of the SNP's list members in Glasgow. Sadly, in 2009, Mr Ahmad died. However, this time around two new MSPs from an ethnic minority background were elected (both via Glasgow regional lists) – Humza Yousaf for the SNP and Hanzala Malik for Labour. Thus, as we would expect, the party list element of the electoral system has proven to be the mechanism through

which a degree of ethnic diversity in the parliament has been achieved. It should perhaps also come as no surprise that this breakthrough should have come in the region with the largest ethnic minority population in Scotland. In any event, it means that 1.5% of all MSPs now come from an ethnic minority background, only a little below the 2% of the country's total population that, according to the 2001 Census, comes from such a background.<sup>9</sup>

## Conclusion

The pattern of representation produced at this election poses two important questions for Labour in particular. First, the party has paid a heavy price for its distaste for the party-list element of Scotland's electoral system, and its dislike of the fact that those who lose a constituency contest might still be elected via a list. There are far fewer constituency losers in the new parliament – because Labour largely refused to jump aboard the potential lifeboat provided by the list system. As a result the party has not only been battered and bruised, but is having to cope with the loss of senior talent and a relatively inexperienced parliamentary party. The party might well wish to ask itself whether it is in its own interests, let alone that of the parliament in general, to continue to pursue such a nomination strategy.

Second, with the demise of twinning, and the absence of all party short-lists, much of the party's achievement in 1999 in ensuring that the nomination of women was as likely as men for winnable constituencies has been dissipated. If the experience of 2011 is repeated it seems quite likely that many of the eight Labour MSPs who lost their constituency seats in 2011 (and did not then

secure election via the list) will be replaced by men in 2016. Meanwhile, the experience of all parties in 2011 suggests that whatever advances women may be making in other walks of life, there is no sign that party members have increasingly become more likely to select and promote a woman. Indeed, if anything, progress towards gender balance in the Parliament seems even more elusive now than it did a decade ago.

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9. Though it is to be anticipated that this figure will prove to be somewhat higher when data from the 2011 Census are released.



# Conclusion

The 2011 Scottish Parliament election was no routine event. It heralded a dramatic change, with potentially important implications, not only for Scotland, but also the rest of the UK. Almost immediately, the election has bequeathed Scotland a unicameral parliament in which a single party has an overall majority. The still relatively young institution now has to demonstrate that it can accommodate itself effectively to this unexpected scenario. Meanwhile, further down the track, the election has opened up the prospect of a historic referendum on whether Scotland should leave the UK and become an independent country.

Any election with such profound consequences is clearly worthy of critical scrutiny. In this report we have evaluated some of the key aspects of the electoral process that produced such a dramatic outcome. Central to our enquiry has been an examination of how the Additional Member System (AMS) shaped the behaviour of voters and the fortunes of the parties. In undertaking this task we have uncovered both successes and problems – and raised some important questions about the future.

## Successes

Perhaps the most important achievement of the electoral process in 2011 was that it enabled Scotland to put the fiasco of the 2007 spoilt-votes controversy behind it. Combined with what proved to be a narrow SNP victory, that controversy even raised questions in some people's minds about the validity of the result. The return to the use of two ballot papers rather than one saw the incidence of spoilt votes fall once more to a level similar to that in the first two elections in 1999 and 2003.<sup>1</sup> Of course, some may

well consider it unfortunate that the then Scotland Secretary, Douglas Alexander, ever took up the fateful suggestion of a government commission to make the switch to one ballot paper in the first place. At least the 2011 election confirmed that so long as they were presented with intelligible ballot papers, voters in Scotland could indeed cope perfectly well with the demands of voting under the AMS system.

At the same time, the election demonstrated that some voters are willing to take advantage of the fact that they have two votes to behave in accordance with some of the expectations of advocates of AMS. Some voters evidently use their constituency vote to back a candidate whom they like rather than a party. In particular, popular incumbent MSPs can develop a considerable personal vote that enables them to secure a substantially higher share of the vote than their party list manages locally. Moreover this phenomenon appears to have played an important role in enabling Labour to hang on to constituency votes and seats that it might otherwise have lost, thereby ameliorating somewhat the scale and extent of the reverse that it suffered.

## Problems

However, despite the fact that nearly everyone who cast a vote had it counted, and that some managed to vote in quite a nuanced fashion, we have to recognise the reality that once again around half of those who were eligible to vote did not bother to do so. The SNP may now rule the political roost, but in truth it secured the support of less than a quarter of all those who could have voted. More generally, it is now clear that Scottish Parliament elections are somewhat less suc-

1. Note that much the same happened in the Greater London Assembly election in 2008, when for the first time two ballot papers were used rather than one. In 2008, 2.5% of constituency votes were declared invalid, compared with 6.2% in 2004 and 9% in 2000. At the same time, 1.7% of the list vote was invalid, down from 2% in 2004 and 5% in 2000.

cessful than Commons elections in securing the participation of the Scottish public. That is probably not what most advocates of devolution anticipated would happen, but regardless of the electoral system used, it was probably inevitable given the experience of sub-state elections elsewhere.

The electoral system does though seem to have played an important role in shaping the nature of the choice put before voters. The tendency of proportional systems such as AMS to encourage smaller parties to stand is well known. Less widely appreciated is the fact that the system can prove more effective than First Past the Post at discouraging smaller parties from contesting single member constituencies. In 2011, a majority of constituency contests were only fought by the four largest parties. Not only was this in sharp contrast to the position on the list ballot, but it meant that most voters had far less choice in their local constituency contest in 2011 than they had enjoyed in the general election in 2010.

The relative absence of the smaller parties in the constituency contests had what might be regarded as an unfortunate side effect. Some voters are unable to back the party they most prefer on both ballots. As a result they are faced with the choice of either voting for a second preference party on the constituency ballot or else casting a blank or spoilt constituency ballot. In 2011 some Green voters, at least, appear to have opted to take the latter course of action. If the smaller parties maintain the same nomination strategy in future, then it is likely that there will continue to be some inflation in the incidence of invalid votes in future.

In contrast to the smaller parties, Labour's strategy in respect of the two parts of AMS

has been to spread, rather than concentrate, its resources. Unlike the other larger parties, and especially the Conservatives, the party has for the most part nominated one set of candidates on the list, and a different one in the constituencies. That approach satisfied the party's apparent distaste for 'winning losers', but on this occasion that distaste cost the party dear. More than half of its incumbent constituency MSPs crashed to defeat, and lacking a place on the party's list, saw themselves replaced in the chamber by parliamentary novices who unexpectedly won on the list. As a result, inevitably, questions have been raised about the party's ability to act as an effective opposition.

## Questions for the Future

Perhaps one of the most important questions raised by the experience of the 2011 election is whether action now needs to be taken to ensure that Scotland's electoral system can continue to meet the original aspirations and expectations of the advocates of devolution. One of those aspirations was for a more family friendly parliament in which, unlike the House of Commons, women would play a full role. That vision has never been fully realised, but thanks to the twinning policy adopted by Labour in its initial constituency nominations in 1999, the potential obstacle created by the constituency element of the AMS system was largely overcome. However, much of the impact of that policy has now dissipated, and women are now more reliant for their election on the list part of the system rather than the constituencies. Moreover, the level of defeat and retrial amongst female Labour MSPs in 2011 means that unless Labour reintroduces a strategy that secures gender balance in

its constituency nominations, any future recovery in the party's electoral fortunes could well be accompanied by a reduction in the overall level of female representation.

For now, however, that is a risk for the future. Today's reality is that the widespread expectation that the Scottish Parliament would be a multi-party parliament in which no party would ever have an overall majority has been dashed, even though the SNP came nowhere near winning 50% of the vote. In truth, although the electoral system bequeathed to the Scottish Parliament by Labour was far more proportional than First Past the Post, it was never one that was best fitted to the realisation of that original expectation. The fit could be made closer with relative ease by switching from the d'Hondt to the Sainte-Laguë method of allocating list seats, a method that has in recent years already been enshrined in other aspects of the UK's electoral arrangements. The trouble is, such a step would require politicians in larger parties to be willing to help those in smaller ones – and perhaps that will still seem like a step too far?