

Hung Parliaments: What you need to know



No general election in 36 years has returned a House of Commons without a single party majority. However, recent opinion polls suggest that a hung parliament is a possible result of the forthcoming election. This has been reported quite negatively and has generated predictions that unstable and ineffective government would be the result.

However, as argued in '[Making Minority Government Work](#)',¹ a recent report by the Institute for Government and Constitution Unit, this need not be the case. Indeed, minority or coalition government can even have advantages, though ministers, the opposition, the civil service and the media would all have to adapt their behaviour to make it work.

One key message from our report, and from the Institute's sister report on [Government Transitions](#),² is that preparation and planning by all these groups is key. We offer this brief guide to what the implications of a hung parliament would be. Where relevant, references are made to the draft Chapter 6 of the new Cabinet Manual that is being published by the Cabinet Office. This was also the subject of an evidence session by the House of Commons Justice Committee in February

Frequently Asked Questions

Background

What is a hung parliament?

When no single party has a majority of seats in the House of Commons it's described as 'hung'. At the 2010 election, a total of 650 MPs will be elected, so if the largest party wins fewer than 325 seats then there will be a hung parliament.

¹ At: <http://www.instituteforgovernment.org.uk/pdfs/making-minority-gov-work.pdf>

² At: <http://tinyurl.com/ifg-transitions>

What experience does the UK have of hung parliaments?

In recent decades, not much. The last election that returned a hung parliament at Westminster was in February 1974. Since then there were also hung parliaments after Prime Ministers James Callaghan (in 1976) and John Major (in 1996) lost their Commons majorities due to by-election defeats and defections.

What's the international experience?

Across much of the democratic world, hung parliaments are the norm rather than the exception. This is particularly true in countries that use a 'proportional' electoral system such as Germany, Holland, Sweden, New Zealand and Ireland. The devolved legislatures in Scotland, Wales and Northern Ireland also almost always return parliaments without a single party majority.

How likely is a hung parliament in 2010?

The usual formula for translating national opinion poll ratings into projections of seats won assumes a uniform national swing between the parties, and ignores regional and local variations, as well as the impact of tactical voting. On this basis, David Cameron would need an overall lead of at least 10% over Labour in terms of vote share to win a majority of seats (while Labour could win a majority with a lead of even 1% or 2% of the vote, for reasons explained at; <http://ukpollingreport.co.uk/guide/electoral-bias>). A single-digit Conservative lead, on this assumption, would therefore deliver a hung parliament. However, if there were a larger than average swing to the Conservatives in marginal seats, and/or a shift in the pattern of tactical voting, then a majority could be secured on the basis of a smaller overall lead. Recent opinion poll results can be found at; <http://ukpollingreport.co.uk/blog/>.

What preparations should be made for this outcome?

The most important thing civil servants and political parties can do is ensure they are thoroughly clear on the conventions surrounding a hung parliament and on the formation of governments, and have thought through the possible scenarios; and that the media and financial markets understand these conventions.

The Election Result

So if no single party has a majority and there is a hung parliament, what happens next?

If no party has an overall majority, the incumbent Prime Minister is entitled to remain in place until a new government is formed. If the party in power believe they can form a government they will have the first opportunity to do so by seeking approval for their programme in the Queen's Speech debate. Other parties will not have the opportunity to attempt to form a government unless and until the incumbent Prime Minister resigns. (See *The Cabinet Manual* (CM) chapter 6, paragraphs 16-20)

Doesn't the leader of the largest party automatically become Prime Minister?

No. That's a common misconception. Strictly speaking it is the party which can command the confidence of Parliament that is invited to form the government. This may be the second largest party, if it can do a deal with other parties (as occurred in 1924). Commanding confidence means being able to avoid defeat in Parliament on explicit confidence motions, and the Queen's Speech, and on matters which have always been regarded as confidence issues, in particular the passage of the annual Budget. (See CM Ch 6, para 14-15)

How is it determined who should become Prime Minister? Does the Queen decide?

No. Though, formally, the Queen invites one leader to form a Government, there is a strict convention that the Crown should not be brought into political controversy. It is for the political parties to work out who can command confidence in the new Parliament. The Prime Minister will advise the Queen whom to invite to form a government, after the political negotiations have made it clear who can command confidence.

How long is the process of forming a government likely to take?

It can be anything from a few hours to a few days, even, at maximum, several weeks. After the February 1974 election a minority Labour government was formed four days after the election, after a failed attempt to form a Conservative-Liberal coalition. In other countries, the government formation process often takes longer than this. For instance, governments in Scotland have typically been formed two weeks after elections. However, there have been examples in other countries of it taking many weeks to form a government, particularly where the result is especially finely balanced, such as in New Zealand in 1996 when it took two months to form a government.

Who is in charge of the country while a government is formed?

The incumbent government remains in place until it is clear who will form the next government. In this period there is an expectation that the government will avoid taking controversial decisions without consulting the opposition, under the 'caretaker convention'. The Cabinet Office is now clarifying the conventions for such a period (See CM Ch 6, para 20).

Who negotiates this formation of government?

It is for the political parties to determine and communicate who is likely to be able to command confidence. If a majority of political parties declare in advance that they would definitely not support a particular government being formed then that party cannot reasonably claim to be likely to command confidence. The political parties will negotiate amongst themselves, but this process can be supported in practical terms by the Civil Service, on the authorisation of the Prime Minister of the Day. The Queen's Private Secretary, the Cabinet Secretary, and the Prime Minister's Principal Private Secretary all play a role in ensuring that conventions are adhered to and that developments are clearly communicated.

What is the role of Parliament in the process of forming the government?

Although the support of a majority of MPs is necessary for a Prime Minister to take office, parliament does not play a direct, formal role in the process. Parliamentary support or 'confidence' in the PM is not explicitly tested until some weeks after the election by a vote on the Queen's Speech. In some countries there is a formal vote in parliament to select a Prime Minister. This approach might have some benefits over the more opaque British conventions in terms of transparency and public understanding.

If the vote on the Queen's speech is lost, is there an immediate second election?

It is generally agreed that only if there is no alternative leader available who could form a government should an immediate, second dissolution of parliament (a general election) be granted. An important consideration is the cost of a general election to both the country and for the political parties. (See CM Ch 6, para 18)

What different types of government can emerge out of a hung parliament?

The main options are either a coalition government formed of two or more parties (as in Germany and Sweden at present), or a minority government, typically formed by one large party which seeks to govern alone without a majority in parliament (as in Scotland and Canada). A minority government may therefore have to strike deals on an ad hoc basis on each piece of legislation it puts before parliament. Minority governments can also come to a formal agreement with opposition parties that falls short of a coalition, whereby in return for some policy concessions smaller parties commit to support the government on crucial 'confidence' issues that could bring down the Cabinet (this is common in New Zealand).

Given the current political context, what is most likely to happen if we have a hung parliament after this year's election?

The most likely outcome is that the largest party in a hung parliament will form a minority government. However, as noted, this is not bound to be the case. The second crucial factor is the position taken by the party or parties holding the balance of power (most likely to be the Liberal Democrats) and the nature of any deal that the larger parties put on the table.

Liberal Democrat leader Nick Clegg has stated that "the party which has got the strongest mandate from the British people will have the first right to seek to govern." This leaves open to interpretation whether the strongest mandate refers to the party with the most votes or the party that wins the most seats (which may not be the same thing).

Governing under a minority

Does a minority government necessarily mean weak and unstable government? How will a minority government tackle the budget deficit?

Minority governments in other countries have succeeded in governing effectively and tackling tough problems. For instance, in Canada it was a minority government which implemented universal healthcare in the 1960s, while in Sweden the country's severe budget crisis of the early 1990s was brought under control by a minority Social Democrat government.

Our research suggests that minority governments can be successful if they do not seek to govern as if they were in a majority. In other words, it becomes necessary to develop good relationships with opposition parties, and to be prepared to debate, to negotiate and to compromise.

If there is a hung parliament, will there be another election within a few months?

A Prime Minister leading a minority government may choose to govern for a short period before calling an early election in the hope of gaining a majority. This is what Harold Wilson did in 1974 for instance. Alternatively, a minority government may be defeated in a confidence vote in Parliament and forced into an election earlier than planned (as occurred in 1979) or the establishment of an alternative administration, for instance if the Leader of the Opposition were able to form a coalition with other parties in Parliament. However, a minority government can last a full term if it does manage to build alliances on key policies and compromises where necessary. In New Zealand, for example, minority governments tend to last a full term in office.

Are there any possible advantages of a minority government?

Minority government is often seen as undesirable because government is unable automatically to win votes in Parliament and may face delays in passing legislation. However, an alternative view is that under our current system the executive is able too easily to dominate parliament and pass legislation without sufficient scrutiny. From this perspective, the requirement for government to negotiate and compromise, and the greater ability of opposition parties to influence the policy-making process, can be seen as an advantage. This can mean that although it can take longer to reach a decision, this is then based on a broader consensus that will stand the test of time, and avoids the 'flip-flopping' that is sometimes seen when one majority government is replaced with another. Some argue that such consensual styles of government are actually better for tackling big, long-running policy challenges.

Where can I find out more about the implications of a hung parliament?

The Institute for Government and Constitution Unit report, [Making Minority Government Work](#), contains lots more information about this subject, including detailed case studies past experience of hung parliaments in the UK and elsewhere, and a series of targeted lessons for ministers, opposition, civil servants and the media. If you have any comments, or suggestions of other questions we should provide the answer to, please send these to akash.paun@instituteforgovernment.org.uk

The web version of this document can be found at:

www.instituteforgovernment.org.uk/content/131/hung-parliaments-what-you-need-to-know