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Interpreting UK legislatures: an introduction

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ABSTRACT
The purpose of this special issue of the *Journal of Legislative Studies* is to explain and understand the era of profound change that has affected, and continues to impact, UK legislatures. This is an era of special change, wrought by the phenomena of Brexit, the Covid-19 pandemic, and forms of *nationalism*. The significance of these collected papers lies in the application of interpretive, decentred theory (Bevir, 2013; Bevir & Rhodes, 2003, 2010) as the framework through which each contribution interprets its particular subject - legislatures and elite narratives – in this era of rapid and tumultuous transformation.

KEYWORDS Interpretivism; decentred theory; legislative studies; parliament

Decentred theory and legislative studies

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Decentred theory is a post-foundational approach to explaining governance. When brought to bear on the field of legislative studies, it offers a novel and innovative style of interpretation for social scientists. This is because decentred theory challenges both modernist and post-modernist assumptions about the social world. In this study, UK legislatures are

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neither reified, as is the habit of modernist social science, nor relativised and delegitimised following the post-modernist disposition towards language and power. Decentred theory is not concerned with 'splitting the difference' between the aforementioned schools of thought, but rather with recovering *meanings* and interpreting webs of beliefs.

The historian E.H. Carr observed that the chief concern of the reader of history ought to be with the author of the work being read (Carr, 1990). In other words, the ideas, beliefs, rationalities, and presuppositions of elite actors are not merely germane, but are in fact an essential aspect of the story. The same is true for all disciplines, including legislative studies. The scholars present in this special issue are keen to move beyond institutionalist analysis, elite theory, and reflections on contemporary events, and to focus on the diverse meanings, social scientific rationalities, and the local traditions of officials and elected representatives.

The articles that follow give warrant to the importance of beliefs and values, governing practices, historical narratives, and traditions of thought. Sir Roger Scruton's account of T.S. Eliot's idea of 'tradition' in his essay, 'Tradition and the Individual Talent', demonstrates the interplay among intellectual inheritance, contribution, innovation and transmission:

> In this essay Eliot argues that true originality must be re-made by the original artist, in the very act of creating something new. A tradition is a living thing, and just as each writer is judged in terms of those who went before, so does the meaning of the tradition change, as new works are added to it. (Scruton, 2019, p. 193)

The nature of change examined in this special issue pertains to altered cultures and local practices of legislatures. This is because legislatures are institutions established, authored and re-authored by elite actors. These actors comprise two categories: officials and elected representatives who – directly or indirectly – author legislation, conventions, and constitutional practice.

As guest editors, our contention is that the field of legislative studies is especially ripe for decentred analysis. As a branch of political science, legislative studies has understandably been dominated by institutionalist methodologies. Whilst the papers here are not the first to utilise an interpretive approach as a lens to analyse legislatures (eg Geddes & Rhodes, 2020), this special issue breaks new ground by organising a collection of articles to bring decentred theory to bear upon a selection of national institutions. The fact that it is carried by the *Journal of Legislative Studie*s, one of the pre-eminent outlets in the field, under the editorship of Philip Norton, suggests that the time for a decentred analysis of legislatures has arrived.

Brexit, Covid-19 and *nationalisms*

The phenomena considered in this special issue are Brexit, the Covid-19 pandemic, and *nationalisms*. Brexit and the Covid-19 pandemic have been the two chief phenomena of the past decade in British politics. And the full ramifications of elite decision-making have not fully been mapped or measured. The role of legislators and legislatures was central to the authoring of the 2016 United Kingdom European Union membership referendum, the competing campaigns, the implementation of the result, negotiations with the European Union, the ensuing parliamentary gridlock, and the constitutional crisis that followed which resulted in the calling of a winter general election in December 2019.

The reason for the focus on these phenomena is partly due to their contemporary impact on the historical practices, elite-level beliefs and local traditions of UK legislatures and on individual legislators, and partly because of the connectedness and interplay of the three phenomena as a suite of notable, change-shaping, political occurrences.

Despite the UK voting to leave the European Union on 23 June 2016, Brexit in its formal, legal sense was not achieved until 23 January 2020. After three and a half years of stark ideological division, minority administrations and legislative inertia, a majority government led by Prime Minister Boris Johnson had sufficient support in the House of Commons – due to the Conservative Party's 2019 general election victory – to pass the European Union (withdrawal agreement) Act 2020.

The impact of Brexit on the British state (Beech, 2022) merged into the global Covid-19 pandemic, with the subsequent enforced lockdowns occurring less than two months later. Johnson made an emergency public announcement on 16 March stating that there should be a cessation in 'non-essential contact and travel' (Prime Minister's Office, 2020) and the following week, on 23 March, the first lockdown commenced. And a mere two days later, on 25 March, the landmark legislation, the Coronavirus Act 2020, was fast-tracked to receive Royal assent.

But what of the role of nationalism? Nationalism in United Kingdom politics is not new, but neither is it a singular, socio-cultural phenomenon. It is more accurate to speak of *nationalisms* and allegiances (Aughey, 2010). This is because the United Kingdom is an asymmetric polity comprising three national legislatures (in Holyrood, Cardiff Bay, and Stormont), no English legislature, and a UK capital assembly (in London). The effect of local traditions of *nationalisms* on respective legislators contributes to their interpretation of the laws that are proposed, scrutinised, amended and passed. Such local traditions of *nationalisms* are contingent and historicised, and have grown in political significance in British politics since devolution in the late 1990s. For this reason, considering the role played by traditions of

nationalisms is worthy of scholarly investigation when interpreting UK legislatures in light of the aforementioned phenomena.[1] In their respective contributions, colleagues seek to explain how officials and elected representatives reimagine and reauthor historical narratives, including traditions of *nationalisms*.

Structure of the special issue

The scholarship published in the special issue – *Interpreting UK Legislatures* – came out of a funded workshop of the University of California, Berkeley's Center for British Studies, in partnership with the University of Hull's Centre for British Politics, on 23 September 2022. Scholars were selected based upon their expertise and interests and charged with producing papers which employ an interpretive approach and decentred theory to examine aspects of the impact of the phenomena of Brexit, the Covid-19 pandemic, and *nationalisms* on legislatures in the UK. The plurality of sub-disciplines and forms of academic expertise in this special issue contributes to the idea that a multidisciplinary approach can help to answer complex questions about the social world.

In the opening article, Matt Beech and Mark Bevir argue that the beliefs held by parliamentarians matter. They explain the interpretive approach and decentred theory as lenses to view and understand legislatures. Beech and Bevir argue that because legislatures are contingent constructions of elite actors (both legislators and parliamentary officials), themselves rooted in local traditions and in possession of webs of beliefs, they are subject to ongoing change and gradual ideational evolution. They suggest that this approach to legislative studies is especially helpful for explaining change wrought by phenomena such as Brexit and the Covid-19 pandemic.

Marc Geddes' paper seeks to ascertain what is revealed by using the interpretive concept of 'dilemmas' to explore the beliefs and values of parliamentarians towards parliamentary politics. He identifies the conservative, liberal and reformist traditions within the House of Commons and uses the case studies of two 'dilemmas' – the vote to leave the European Union and the Covid-19 pandemic – as a lens through which to interpret continuity and change in parliamentary politics.

Emma Crewe argues that standards of behaviour in Parliament have been declining for many years, and that the scholarship on the subject is incomplete as it tends to situate explanations either at the individual level (personal moral failure) or at the system level. Crewe posits a different theory of human actions which considers the constitutive meaning of rules between institutional actors in regular practice, and tests this new theoretical approach against two case studies: the 2009 expenses scandal and the rule-breaking

of Boris Johnson as Prime Minister, especially but not exclusively during the pandemic.

Margaret Arnott's central thesis is that it is necessary to consider both political cultures and narratives of constitutional governance and the future of the Union, if scholars are to properly explain the working inter-parliamentary relationship between the Scottish Parliament and the UK Parliament. Arnott's paper draws upon data in the form of documentary analysis and numerous interviews with parliamentarians and officials in both legislatures. She provides a critique of the idea of the decentred state, and argues that narratives play a central role in how political actors understand the constitutional arrangements between the two legislatures, especially given the result of the 2016 UK European Union Referendum (more so than the result of the 2014 Scottish Independence Referendum).

Cillian McGrattan's paper uses the theoretical framework of Rosanvallon (2008) to examine the impact of the Northern Ireland Protocol on the politics and governance of Northern Ireland, and surveys the traditions and beliefs of the key political parties vis-à-vis the Protocol. McGrattan argues that the contingent histories, cultures and politics of the two communities during the Troubles, and in the post-Belfast/Good Friday Agreement era, is necessarily characterised by mistrust. From here he advances an interpretation of Brexit, and the ensuing political actions which culminate in the Northern Ireland Protocol, and contends that longstanding mistrust between Unionists and Nationalists transforms into distrust and alienation at the institutional level of governance.

The focus of Edward Shepherd's paper is the debate in the House of Commons in response to the proposed reforms by the Johnson government to planning for housing delivery in England, between October 2020 and December 2021. Shepherd argues that because planning is essentially decentred and lacking a fixed core, competing ideological traditions within the Conservative Party were deployed to reinterpret planning to give legitimacy to a range of different arguments pertaining to house building and housing development.

This special issue makes an original contribution to the knowledge of legislative studies by advancing a set of papers that seek to interpret change in UK legislatures by highlighting the role played by local traditions, social science rationalities, and elite narratives. The papers examine Brexit, the Covid-19 pandemic, and nationalisms, as phenomena that have led elite actors – both legislators and officials – to reauthor ideological values and alter and amend their webs of beliefs. This edited collection offers a seam of scholarship by researchers seeking to move the study of parliaments beyond institutionalism and elite theory. The rigour to achieve such an objective is provided in the papers by conjoining decentred theory with

primary source data. Decentred theory arose in the study of governance. Scholars in the field of legislative studies might find it productive especially if they think that the beliefs of parliamentarians matter – that is, that their beliefs, intellectual traditions and historical practices are an under-examined variable. Greater scrutiny of the beliefs, actions and traditions of parliamentarians can surely lead to a clearer understanding about how legislatures work and change. This special issue seeks to illustrate as much with reference to Brexit, the Covid-19 pandemic, and forms of nationalisms. We believe that there is rich potential for follow-up projects using an interpretive approach and decentred theory to study parliaments in different regions of the world. And there is a strong case to bid for funding for a series of workshops focused on Interpreting Comparative Legislatures with evidence provided by parliamentary officials and practitioners, as well as by social scientists. Ultimately, however, the reader will be the final judge of the significance of this collection of papers.

Note

1. The focus in this special issue pertains to *nationalisms* in legislatures in Scotland and Northern Ireland.

Disclosure statement

No potential conflict of interest was reported by the author(s).

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