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Why the beliefs of parliamentarians matter: an interpretive approach to legislative studies

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ABSTRACT

In this article, we argue, following the interpretive approach, that parliamentarians' beliefs, and the intellectual traditions on which they draw matter. Parliamentary behaviour and legislative practice is the contingent product of the historically discernible beliefs, values, and assumptions of legislators and officials. We argue more particularly that decentred theory can explain change, including transformational phenomena such as Brexit and the COVID-19 pandemic. Despite much fine legislative studies scholarship (dominated by institutionalism, rational choice theory, and historical institutionalist narratives), the importance of beliefs, traditions, and change can often be overlooked or taken for granted. The time is ripe for scholars to embrace an interpretive approach and decentred theory as fruitful agendas of research in the field of legislative studies.

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Introduction

The purpose of this article is to argue that scholars of legislative studies should embrace an interpretive approach and decentred theory. Representative institutions consist largely of the behaviour, and formal and informal practices, of legislative actors. This behaviour is itself a product of their beliefs, values, and assumptions, all of which are rooted in local traditions of thought. Much legislative studies scholarship utilises institutionalisms and rational choice theory to study and explain the actions of parliamentarians and officials. As a result, the beliefs, values, assumptions, and traditions of actors are often overlooked or taken for granted. Understanding why

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parliamentarians and officials believe what they believe is obviously relevant to legislative studies, simply because they act on their conscious and unconscious beliefs.

Because an interpretive approach recognises the importance of the beliefs of parliamentarians and officials, and seeks to identify their local traditions, it is particularly useful to social scientists who want to explain institutional change. Given that Brexit and the COVID-19 pandemic are the two principal phenomena in British and European Union politics of the last decade, and have wrought transformational change in UK governance and legislatures, an interpretivist approach is timely.

This paper will begin by highlighting the existing literature and dominant narratives in legislative studies. It will then locate the interpretive approach within social science methodologies, before making an argument for decentred theory in particular as a means to explain the change brought about by the phenomena of Brexit and the COVID-19 pandemic. Finally, it will conclude with a restatement of how an interpretive approach can be a useful tool for legislative studies.

Dominant narratives in legislative studies

Legislative studies has produced much fine scholarship often within one of a handful of dominant approaches such as the old institutionalism, historical institutionalism, and rational choice theory. There are, of course, different styles and emphases within each approach, leading to a broad diversity of theories, topics, and techniques. Space here does not permit a review article, nor a dedicated typological study, so what follows are extracts of papers from this journal by leading scholars of legislative studies who can be identified with some of the dominant approaches in the field. Our purpose is not to critique them but to highlight the main identifiable approaches and their respective methods. We seek to set the stage for our account of the interpretive approach, its uses, and the role of decentred theory in explaining change.

In his 1995 paper on 'Legislative Institutions and Institutionalism in the United States', Samuel C. Patterson concludes with the following illuminating statement:

> Legislative institutions present us with inveterate complexity - from micro to macro levels of analysis - so that understanding proceeds in a multi-handed and tentative way. We are learning some of the tricks we need in order to unpack these institutions to discover how they work. We investigate institutional arrangements - rules, norms, and organisation - to help us construct theoretical expectations and empirical evidence we can use to make claims about legislative or parliamentary operations, behaviour, performance, impacts. Naive theories, far removed from the real legislative worlds around us, are too abstract to give us much reliable help. But theory interacting with empirical inquiry can evolve in most fruitful way (Patterson, 1995, p. 25).

Patterson, a leading institutionalist scholar of legislative studies, moves beyond traditional institutionalist observational analysis and sees the advantage of constructing and testing theoretical assumptions pertaining to how legislatures work. Patterson's appeal is for theory and empiricism to be combined in pursuit of a fuller institutionalist picture of legislatures. And whilst, *prima facie*, this appears to be a sensible and moderate suggestion for a more complete agenda, it is dependent upon the type of theory that is postulated as a lens through which to analyse empirical data of a given aspect, of a specific legislature. If the selected theory is a positivistic one, it will ignore essential material of elite actors namely, ideas, beliefs, and traditions, which play a major constitutive role in the behaviour of institutions.

Thomas Saalfeld's paper 'Rational-Choice Theory in Legislative Studies: Models of Politics without Romanticism' praises the neo-institutionalist forms of rational-choice theory implying they are improved and innovative versions of traditional rational-choice theory which propose testable theoretical assumptions about legislative behaviour. His study is thoughtful and reflective as he is not blind to the limits of rational-choice as an essentially market preference framework of elite action and decision-making. Saalfeld argues the following:

> Students of political institutions can clearly benefit from the analytical tools of economic analysis. The reductionism of the rational-choice approach helps to generate explanations valid for a large class of phenomena. Thus, lessons from the theory of the firm can be applied to parliamentary parties. Hypotheses developed and tested in one field of the social sciences can be related to other areas of application, and it is this property which makes rational-choice models so valuable for the study of comparative politics - including the cross-cultural analysis of comparative legislative behaviour (Saalfeld, 1995, p. 59).

Despite some methodological progress, this neo-institutionalism does not consider the constitutive nature of elite actors (legislators and officials), whose local reasoning and webs of beliefs surely matter. For Saalfeld, the legislature is a thing in and of itself; it seems to be independent of the agency of those elite actors who have shaped and will continue to shape it through their beliefs, actions, traditions, and practices.

In his paper, 'Winning the War but Losing the Peace: The British House of Commons during the Second World War', Philip Norton adopts the historical institutionalist approach to legislative studies:

> The House reverted to its normal peacetime mode. The two main parties sat facing one another in the chamber. Labour was intent on achieving implementation of its 1945 manifesto, Let Us Face the Future. The Conservatives were engrossed in an attempt to revitalise their organization and their policies. The adversary politics of pre-war years returned. This reversion to partisan

> 'normalcy' was to herald a period of parliamentary quiescence. The House was still basking in the glow of its wartime reputation and it was held up as an institution to emulate, aided by the fact that the other parliaments of western Europe were having to start afresh (Norton, 1998, p. 49).

Philip Norton is arguably the preeminent scholar of the British Parliament and his historical institutionalist approach has been recognised by a number of organisations.[1] In the extract above, Norton describes the House of Commons in the immediate aftermath of the Second World War, highlighting the contrasting tasks faced by the two great parties of state and their respective roles as HM Government (the Labour Party under Clement Attlee) and HM Opposition (the Conservative Party under Winston Churchill). Norton's historical institutionalist approach considers agents as well as structures, behaviours and institutions. His scholarship is also distinctive in that he is a working peer in the House of Lords as well as a researcher of legislatures. Naturally this raises a different set of questions but his approach is pluralistic in that it utilises archival material, primary source data, and semi-structured elite interviews with legislators and officials. Nonetheless, Norton's approach does not regularly emphasise beliefs, ideas, and traditions of thought. It is not interpretive in the sense that we seek to use and apply the designation.

An interpretive approach

The interpretive approach has gradually gained multidisciplinary recognition. Interpretivism draws on hermeneutics, setting out to explain and understand the beliefs, values, and local practices of actors in the social world. Sometimes, but not exclusively, the actors analysed are elite-level legislators, parliamentary officials, civil servants, academics, and intellectuals in the wider sense. Interpretivism seeks to identify the beliefs that inform people's actions. In our view, the focus of interpretivism also falls on the study of the historical and contingent traditions of thought of elite actors within institutions (Bevir & Rhodes, 2003; Bevir & Blakely, 2018).

In this sense, interpretivism adds to the knowledge of the social world and its phenomena. It considers the origins, interrelationships, and the significance of the worldviews' of actors within established institutions. Interpretivism, as an approach, challenges the presupposition of positivist social science that human beings can be wholly apprehended and understood through scientific observation, study, and evaluation of behaviour alone. Many social scientists cling tenaciously to the positivist faith in explaining human behaviour by reference to ostensibly objective social facts about people. In doing so, they ignore interpretation of beliefs and meanings. When social scientists repudiate positivism, they are usually distancing themselves from the idea of pure experience without intending thereby to

repudiate the goal of a social science that eschews interpretation. They may renounce a narrowly defined positivism, but they remain firmly enmeshed in a broader modernism.

It is not that the positivist approach is wholly redundant and contains no explanatory utility, not at all. Simply put, it cannot tell the whole story. *Why not?* Because such an approach does not sufficiently account for how the worldview of elite actors makes a difference in behaviour, and thus in the case of institutions, in how decisions are made. Our point is that to explain the actions of elite actors, it is necessary to interpret their webs of beliefs, values, local traditions, and their consequent interests. A rejection of modernism implies that social scientists cannot properly explain people's actions by reference to ostensibly objective social facts about them. Instead, social scientists must explore theories and meanings against the background of which people construct their world, including the ways in which people understand their location, the norms that affect them, and their interests. Because people cannot have pure experiences, their beliefs and desires are nested within contingent traditions. Thus, social scientists cannot deduce beliefs and desires from ostensibly objective categories such as class. Instead they must interpret beliefs and desires by relating them to other theories and meanings.

It is because human minds have created institutions, that the interpretive approach attempts to uncover the webs of beliefs, ideological values, historic practices, and local traditions of thought that have authored and continue to reauthor institutions (Beech, 2022). Embedded within institutions are rules, norms, and conventions, contingent upon religious, moral, social, and cultural presuppositions, that is, narratives or stories. The interpretive approach is not the final word on social science methodology[2] and neither is it a panacea for the inherently complex problem of explaining and understanding human nature, motivation and behaviour.[3] It is not a substantive theory of human nature akin to those once offered by Christian philosophers (Augustine[4]).

Social scientists who utilise an interpretive approach are beyond easy classification. They are located in a variety of sub-fields in the humanities and social sciences with some at the more empirical end and others working in theoretical and philosophical areas. For all of them, interpretivism is a useful way to do social science precisely because it recognises the importance of beliefs, traditions, and practices.

However, this does not assume that all other approaches can live at peace (so to speak) with interpretivism. One of the appeals of interpretivism is that one does not need to fight old academic battles such as the structure-agency debate and the behaviourist-institutionalist debate. Each of these has their place, and scholars continue to apply methodological variants from these debates across the humanities and social sciences. In

terms of political science, interpretivism has made, and continues to make, an important and helpful intellectual contribution. Interpretivism views political ideas and traditions not as hermetically sealed, universal laws, but rather as traditions of thought which are interpreted, reinterpreted, applied, and reapplied by thinkers and politicians in different territories and at different times. Social scientists who utilise the approach of interpretivism are dissatisfied with analyses of political phenomena which fall into simple dichotomies.

Decentred theory, Brexit and COVID-19

As decentred theory draws on interpretivism, it contrasts sharply with the dominant positivist and modernist approaches to legislatures. Crucially, decentred theory is overtly historicist in its emphasis on agency, contingency, and context (Bevir, 2003, 2013). It rejects the hubris of mid-level or comprehensive explanations that claim to unpack the essential properties and necessary logics of social and political life. So, for example, it suggests that neither the intrinsic rationality of markets nor the path dependency of institutions properly determines whether policies are adopted, how they coalesce into patterns of governance, or what effects they have. Decentred theory, instead, conceives of legislatures and social life generally as contingent constructions of actors inspired by competing beliefs themselves rooted in different traditions. Decentred theory explains shifting legislative practices and outcomes by focusing on the actors' own interpretations of their actions and practices and by locating these interpretations in historical contexts. It replaces aggregate concepts that refer to objectified social laws with historical narratives that explain actions by relating them to the beliefs and desires that produce them.

Brexit

With the point about different traditions in mind, a useful illustration of divergent discourse and narratives within the two great parties of state is the euroscepticism and euro-enthusiasm of parliamentary politics in the 1970s. The Conservative Party under Edward Heath was regarded as the 'party of Europe' and his main achievement as Prime Minister was securing the UK entry into the Common Market on 1st January 1973. For euro-enthusiast Conservatives, European integration yielded not merely markets for goods in Western and Northern Europe, but constructed a form of partnership and mutual benefit during the Cold War which divided the nations of the continent on either side of the Iron Curtain. For such parliamentarians, the narrative about post-war prosperity and amity was the integrationist's tonic to traditions of Commonwealth preference on the one hand, and Atlanticism

on the other. The contrasting tradition – Conservative euro-scepticism – particularly strong on the Tory right, combined a sense of loss of empire and a reticence towards most things continental given that many of that generation had seen action (and lost comrades) in the European theatre of the Second World War. When the 1975 Common Market referendum was called by Labour's Harold Wilson, largely as a means to settle his party's own persistent divisions over Europe, most Conservative parliamentarians were generally supportive of the *Yes* campaign, given that the previous Conservative administration had pioneered entry, and the country had merely been a member for a year and a half. The Labour benches were divided broadly into pro-Common Market social democrats, led by Roy Jenkins, and anti-Common Market socialists, under the figurehead of Tony Benn (who famously shared a platform during the campaign with his friend, and fellow anti-Marketeer, Enoch Powell). Whilst vastly different economic theories were utilised by Benn and Powell, and each appealed to divergent ideologies, on the question of the role of Parliament in public life as the centrepiece of the British constitution, these unlikely friends were in concert.

Decentred theory enables scholars to explain the occurrence of Brexit, which is arguably the most transformative phenomena in UK and European Union (EU) politics of the last decade. *Why so?* Because the governance of the British state altered fundamentally as the Conservative Government of Boris Johnson finally mustered sufficient parliamentary support, after winning a landslide general election in December 2019, to pass the European Union (Withdrawal Agreement) Act 2020. The exit of the UK in a formal sense, and the release of HM Government in a legal sense from the authority and legitimacy of the supra-national, federal polity of the EU, ended over forty years of co-produced legislation, ratified by treaty, superintended by the European Court of Justice. Gone was the swathe of Members of the European Parliament, their advisors and staff. And gone too was Britain's membership fee, which in the final year of UK financial contribution to the EU was £12.6 billion net (Keep, 2022). Both Conservative and Labour administrations, since 1st January 1973, had partnered with other EU members to author and reauthor governance of the federal political and economic community. And the method of co-production was not simply a rules-based process of negotiation, arguments over interests, compromise, and then a vote. The starting points of such elite actors, both ministers and officials (negotiators), are webs of beliefs, values, and other assumptions pertaining to the UK's integration into the rationalities and specific institutions of the European Union. As British governments evolve due to resignations, cabinet reshuffles, and election defeats, these starting points, beliefs, and arguments about Britain's place in the EU, change (Ashcroft & Bevir, 2021). This is most starkly illustrated when euro-enthusiast ministers and officials were replaced by eurosceptics.

The effects of the vote to Leave were profound upon the Conservative Party, costing David Cameron and Theresa May their prime ministerial careers, but not before May had overseen the loss of her party's majority at the 2017 general election and mass ministerial resignations from her Cabinets (Beech, 2023). In Johnson, eurosceptics within and without the Conservative Party had a parliamentarian committed to the UK's exit from the EU on the authority of the 2016 referendum result. And yet, Johnson's commitment to euroscepticism in general, and to exit in particular, is questionable. His position prior to the commencement of the formal campaigns could reasonably be interpreted as ambivalent. That being said, eurosceptic voters had a choice of two campaigns vying to be the official vehicle for Leave voters: *Vote Leave* and *Leave.EU*. Labour voters were overwhelmingly supportive of the UK remaining in the EU with 63% of electors who voted for the party at the 2015 general election voting Remain (Ashcroft, 2016) led by the *Britain Stronger In Europe* campaign. Over a third of its supporters voted Leave and as well as the cross-party mainstream *Vote Leave*, centre-left voters could also engage with *Labour Leave* who produced pamphlets and campaigned within the Labour movement.

COVID-19

The phenomenon of COVID-19 pandemic has no parallel in modern politics and therefore no analogy is available when looking at its affect and impact on UK legislatures. Unlike the phenomenon of Brexit, which was a gradual, drawn-out affair, the urgency of a response to a global pandemic meant that immediate action was necessitated resulting in shocks to legislative conventions, disruption of established practices, and ultimately a deep dilemma leading to a period of legal and political transformation between the citizen and the state. Interpreting local traditions towards state power is helpful yet challenging when studying the case-study of the UK parliamentary response to the COVID-19 pandemic. This is because the widespread reading in March 2020 and probably up until members of the public had been offered vaccinations, was a general sense that what HM Government was faced with was a public health emergency without precedent. The first lockdown met with little opposition within and without Parliament but this was not the case with succeeding lockdowns.

The Conservative Government, and the overwhelming majority of its backbenches, together with HM Opposition led by the Labour Party under Sir Keir Starmer, and other minor parties including the Scottish National Party led in Westminster by Ian Blackford, and the Liberal Democrats under Sir Ed Davey, were in broad consensus. Such agreement included expediting, in a mere two days, a wide-ranging bill granting historic peace-time powers to the state over its citizens, receiving Royal assent as, the Coronavirus Act 2020. But this concord between the parties also

held over the controversial lockdowns, and the fast-tracking of vaccines. *But what was happening here?* A plausible explanation is that the nature of the deep dilemma presented by the pandemic emergency led to a constrained suite of viable parliamentary options for the official Opposition and the other minor parties. And also, the pandemic presented itself as an existential threat, so not unlike in times of war, the political parties – and the traditions and factions that they comprise – decided to subordinate the common adversarial *modus operandi* temporarily replacing it (on particular matters, in specific debates) with an approach more typically found in legislatures beyond the Westminster model. This interpretation has a degree of reasonableness when one considers the personal and political animosity on record between HM Opposition benches and the Johnson administration on issues such as Brexit, the culture wars, and questions of parliamentary propriety (see Crewe, 2024 in this volume). One faction that was conspicuous in its criticism of the Government from the second lockdown onwards was the COVID Recovery Group. A state-sceptic tradition, perhaps one that could be interpreted as moderate libertarianism, is identifiable in the speeches and statements from autumn 2020 of this association of approximately 70 Conservative MPs, with influential figures including Steve Baker, Sir Desmond Swayne and the Chairman of the 1922 Committee, Sir Graham Brady.

Because decentred theory emphasises beliefs, agency, and contingency, it suggests that social scientists focus on a particular set of empirical topics. The papers in this special issue explore change and contestation in legislatures. Their empirical focus is on meanings in action. They explore various mixtures of elite narratives, social science rationalities, and other cultures that challenge them. They examine the traditions against which elites construct their worldviews, including their views of their own interests. Generally, however, they also remain open to the plurality of these narratives, rationalities, and cultures as well as to differences within them. Certainly, legislative elites need not be a uniform group, all the members of which see their interests in the same way, share a common culture, or speak a shared discourse. On the contrary, a decentred approach suggests that we should ask whether different sections of the elite draw on different traditions to construct different narratives about the world, their place within it, and their interests and values.

Conclusion: how interpretivism aids legislative studies

Interpretivism brings to legislative studies an analytical rigour that considers the role played by the beliefs, values, and local traditions of thought of parliamentarians and officials working in parliaments. In short, it makes the claim that the beliefs of parliamentarians matter on several levels. Firstly,

they matter on a personal level: parliamentarians, like all of us, have beliefs, values, and ideas about things. Secondly, they matter because parliamentarians, as elites, have a significant degree of influence, though varied and dependent on their rank and party, and they can meaningfully act upon such beliefs in a way that non-parliamentarians cannot, in the form of speeches, questions to ministers, votes, drafting bills, and the like. Finally, they matter because parliamentarians hold a representative public office: democratically mandated by a local community of electors.

The interpretivist approach in legislative studies is emerging in the field (Geddes & Rhodes, 2020) because up until recently scholarly enquiry has, it is reasonable to say, been dominated by various institutionalisms and rational choice theory. Legislative studies, when equipped with the interpretive approach, can ask different types of questions. These questions are philosophical and ideological. The philosophical questions, specifically the branch of philosophy concerned with knowledge and how one knows – epistemology – is vital for a field such as legislative studies which seeks to study the character and the practice of parliaments. The purpose of a parliament in the Westminster model is to scrutinise legislation, question ministers, and hold government to account. Such a business is ripe for epistemological reflection.

Decentred theory is, therefore, particularly useful as an analytical lens through which to explain change. Phenomena such as Brexit and the COVID-19 pandemic shocked and disrupted the beliefs, historical practices and the local traditions of UK legislatures. The consequences of such rapid change and the immediate challenge to established practices of parliamentarians (government, opposition, and to officials, as well as in wider formal politics) can be understood as a decentring effect. Confronted by these occurrences, political actors (parliamentarians and officials) authored and reauthored their webs of beliefs, ideological values and practices. Brexit decentred British and European politics and governance and its aftershocks continue to be experienced, whilst COVID-19 had an international impact.

Notes

1. Norton is a Fellow of the Royal Historical Society, President of the Study of Parliament Group, and Chair of the History of Parliament Trust.
2. Reasonable critiques of the interpretivist approach are found in the work of scholars including McAnulla (2006) and Wagenaar (2012).
3. Yanow (2003) makes interesting arguments about the different ground of positivist and interpretivist approaches and their contrasting research questions, that nonetheless add to the sum total of knowledge of political science in particular, and to the social sciences in general.
4. See, Augustine of Hippo (2003) *City of God* (London: Penguin Classics).

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