

Devolution

Russell Deacon

“The Government cannot just be consumed by Brexit. There is so much more to do”

Prime Minister Theresa May, quoted in Dejevsky (2016: 5)

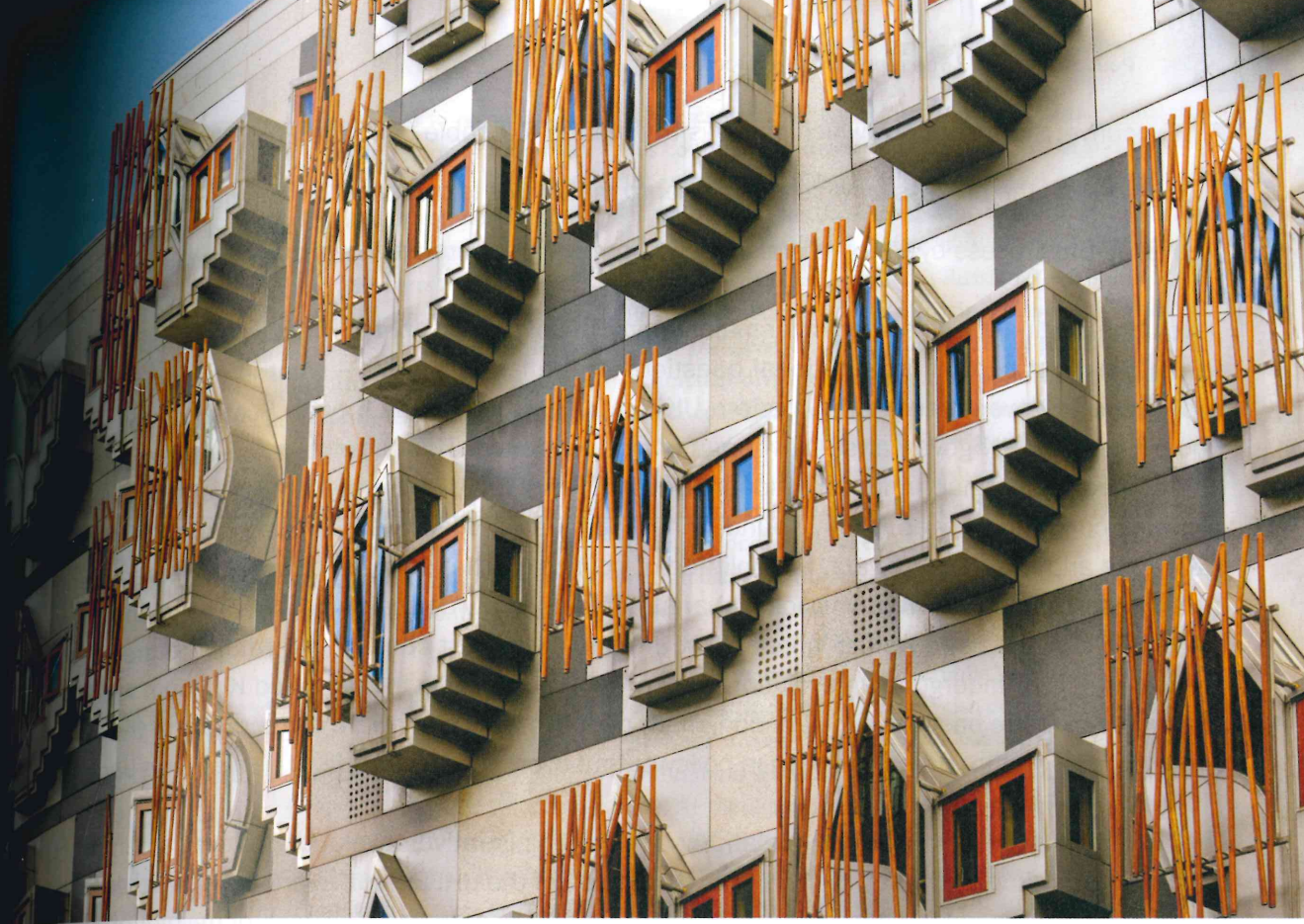
Learning objectives

- To define devolution and note the various devolutionary models.
- To explain the background and role of nationalism and the subsequent drive towards political devolution and independence within the UK.
- To cover the story of how devolution evolved across the United Kingdom and Northern Ireland.
- To assess some of the key events and developments in devolutionary politics in the more recent history of devolution.
- To explore some of the major impacts on the politics of the UK from the advent of devolution.

When Theresa May took over as Prime Minister from David Cameron in August 2016 the government's work became dominated by the operation of Brexit. Yet the United Kingdom was now a far different nation constitutionally to the one that had entered the Common Market in 1973. The nation was no longer a unitary state with legislative and tax-raising powers residing almost totally in Westminster. Now, each constituent state within the United Kingdom and Northern Ireland had its own legislative body, with its own autonomy. The UK in the intervening years had experienced considerable political devolution, which still continues to evolve and bring up unexpected constitutional changes.

What then is **devolution**? At a basic level devolution is simply the devolving of powers from the centre to the periphery. It is important to note that this does not involve transferring sovereignty from Westminster, which therefore makes it distinctly different from federalism. In the case of the United Kingdom devolution therefore means transferring powers from Westminster and Whitehall to the devolved bodies and administrative offices across the United Kingdom. The process of devolution can be categorised as four discrete processes:

- 1 *Administrative*: the process by which power is transferred to allow specific functions to be carried out



- 2 *Executive*: the process by which power is transferred to enable policy decisions to be made
- 3 *Legislative*: the process by which the power to make laws is conferred on another body
- 4 *Fiscal*: the process by which tax raising and borrowing powers are transferred to another body

Devolution, originally a side interest for mainstream UK politicians, prior to Brexit, it had brought forward one of the most central constitutional questions of the last 90 years – what is the exact structure and nature of government in the modern UK? In 2015 it looked as though Scotland may alter the whole nature of UK governance by voting for independence. This did not, however, occur, and the UK seemed to continue in its evolutionary devolutionary cycle. Yet, the topic of political devolution is not as contemporary as it may sound. It has dominated politics at various periods over the last 120 years and has caused wars, the splitting of political parties and the downfall of governments. It also continues to cause frequent political arguments. Since wide-scale political devolution arrived in the United Kingdom and Northern Ireland at the end of the last century, the whole nature of British politics itself has undergone an evolutionary change. As the media in the United Kingdom tends to be dominated by those based around London, many people may not be aware of the extent of the changes to our political system or the variation in policy output over the last decade until they were upon them.

The United Kingdom and Northern Ireland has had administrative devolution for over a century. This expanded over time so that by the 1990s it covered all of the UK. Executive and legislative devolution, outside of Northern Ireland, however, are of a more recent occurrence. This type of devolution has had a far greater impact on the politics of the UK. Since 2011 all of the nations in the United Kingdom, apart from England, have legislatures that can make their own primary laws. In addition, Scotland has its own tax-raising powers as does Wales. It is this sort of executive, legislative and fiscal devolution (often also referred to as political devolution) that is examined in this chapter.

Theory

Over a decade ago in the initial stages of devolution, Jennifer Todd, drawing upon the work of around 20 of the most prominent academics who had commented on devolution since the mid-1970s, highlighted three models of territorial politics which provide us with a way to assess devolutionary change.

The first model is that of 'state realism'. Within this model the state has adapted its power and sovereignty to take account of changing political realities. This new form of devolution is, therefore, simply the older dual polity whereby the centre allowed a certain practical autonomy on local issues to its peripheries, while retaining control over 'high politics'. Under this model, however, the divide between the centre and the periphery is not clear-cut and therefore the older 'mainframe' of the unitary state may be under intolerable strain and crack.

The second model considers devolution to be driven by 'European regionalism'. This model indicates that nations

within the UK move from 'state centred' to 'European determined linkage politics'. This means that, within a European context, nations such as Scotland, Wales and Northern Ireland need the UK Parliament less and less as they are able to interact directly with the European Union, without needing to go through Westminster. In turn, the European Union and European Commission require regions or nations in order to determine their policy output such as the establishment of European regional development funding or support for cultural and linguistic policies. In the case of the United Kingdom part of this packaging involves the identification and recognition of the constituent nations. The advent of Brexit has put considerable strains on this model. This was even more evident after Northern Ireland and Scotland voted to remain within the European Union whilst England and Wales did not. It has been made quite evident by the Scottish Government and Parliament that they wish Scotland to remain closely related to their 'European linkages', but at the

same time, the European Union continues to recognise the constituent nations of the UK as only regions rather than nation states.

The final model sees devolution as a 'renewal of imperial legacies'. Here the Westminster government, just as it did with its colonies in the last century, transfers more and more sovereignty and powers to the devolved nations. The strategy behind this is that in time they will become dominions independent in their own right. This may well soon be the case with Scotland, which is attempting a second referendum of devolution. Those advocating this model also point to Northern Ireland as an example of this. Here the Westminster government would be glad to be rid of its responsibilities for this troubled province. The main drawback to this theory, however, is that all mainstream British political parties constantly advocate their commitment to maintaining the union.

Nationalism and the drive towards political devolution

Nationalism in the United Kingdom is normally related to those groups that believe that either the nation or putative nation is at the centre of a political system of government. Due to the fact that political boundaries in the British Isles have been fairly constant for the last five centuries, national identities have had time to develop and take a firm historical root. Even in Ireland, where the political boundaries were only firmly established in 1922, the national identity focuses on whether its citizens feel themselves to be Irish or British Irish nationals. And each side forms its own brand of nationalism, accordingly.

One of the common misconceptions of both academics and historians is to label only those groups that desire independence for their own nation, such as Plaid Cymru in Wales and the Scottish National Party (SNP) in Scotland, as nationalists. This extends to *Mebion Kernow* in Cornwall or, in the case of Ireland, desiring union with another nation, either the Irish Republic or the UK. As many of us know, nationalism in the British Isles is both wider and more complex than this. In the nineteenth century the Liberal Prime Minister, William Gladstone, was the originator of 'Home Rule – all round', meaning in essence devolution for all of the nations of the British Isles. After this was defeated by the Liberal Unionists, who split from their own party and the Conservatives, Liberal nationalism emerged once more in Scotland and Wales in the late Victorian and Edwardian era. The Young Scot's Society and *Cymru Fydd* (Wales to be) were both Liberal Party nationalist movements that pursued devolutionary policies which sought to place their own nations

at the centre of their own political systems. Nationalism has continued in the Liberal Party and subsequently in the Liberal Democrat Party with a desire for a federal system of government for the United Kingdom. Within the Labour Party, initially supportive of devolution, this desire was much reduced, particularly after the Russian Revolution and the First World War produced left-wing proponents who advocated the need for international socialism and an end to nationalist divisions. It, nevertheless, maintained a distinct presence within the Labour Party from then on, despite the strong unionist tendency that existed in the Labour Party after the First World War. British and English nationalism have been ever present in the Conservative Party. There have even, on occasions, been elements of support for Scottish nationalism within the party. This, however, was never the case in Wales, and it was only after the Conservative Party had evolved in the Welsh Assembly for more than a decade that Welsh Conservative Assembly Members there became stronger advocates of further Welsh devolution. A number of prominent Welsh Conservatives, particularly at Westminster, still remain staunchly unionist in outlook (British nationalist). At the same time the rise of the pro-British nationalist party UKIP and the subsequent victory of the leave campaign in the 2016 referendum have highlighted British nationalism versus internationalism. With British nationalism, linked closely with English nationalism, appearing to be the victor in the overall battle between nationalisms.

In Ireland nationalism has always been viewed from a different perspective when compared to perceptions in England, Wales and Scotland. This is the nationalism, which on both sides had blood on its hands, through centuries of religious warfare and rebellions against the British crown. This did not occur anywhere else in Great Britain after the last Jacobean revolt in Scotland in 1745. First, Irish nationalism simply and unwaveringly demanded home rule. As this desire was rejected by the Westminster Parliament, so Irish nationalism became more violent. Irish nationalism then developed into Catholic nationalism pursuing the ideal of a united and independent Ireland. This was in turn countered by Protestant nationalism (Unionism) which sought to keep Ireland within the United Kingdom. The two then opposed each other in a bloody quasi civil war that lasted on and off for much of the twentieth century. Among certain sectors of the community this hostility still remains under the surface and can burst into bloody rioting, particular during the 'marching season'.

In Wales and Scotland a new type of nationalism developed in the years before the Second World War. This was the nationalism of independence rather than home rule. By the end of the century it would eclipse the nationalism which exists within the three mainstream UK parties. In 1925, Plaid Cymru was formed, and then in 1934 the Scottish Nationalist Party (SNP) was created. Both had had their origins in other

nationalist organisations, but it was these new parties that came to represent the mainstream independence nationalism of their respective nation states. Political scientists, however, do not always refer directly to them as 'nationalist' parties. This label they reserve for those anti-immigrant parties or groups, normally on the far political right such as the BNP and the English Defence League. Instead, Plaid Cymru and the SNP are referred to by them as 'ethnoregionalist' parties. This means that they represent a specific regional/national group within a larger nation state, in this context the Welsh and the Scottish peoples in the United Kingdom. In the political world and in the media, however, they remain defined as nationalist parties, but students of politics should be aware there is a clear distinction between nationalist and ethno-regionalist parties. Having stated this, however, they are still referred to by their commonly known label – 'nationalist party' – in this chapter.

While in Northern Ireland the nationalist parties fully displaced the mainstream British political parties, this has never been the case in Scotland or Wales. Here, for decades after their foundation, both Plaid Cymru and the SNP struggled to make any political progress. It was only with Plaid Cymru's by-election win in Carmarthen in 1966 and the SNPs similar by-election win in Hamilton in 1967 that the modern period of Scottish and Welsh nationalism associated with a drive towards independence started. This nationalist impact was seen to be so sudden and potentially damaging electorally to the Labour Party, which traditionally relied on their Scottish and Welsh seats to counteract the Conservatives majority of the English seats, that they set up a Royal Commission under Lord Kilbrandon to examine the issue of devolution. When Kilbrandon reported back in 1973 it was to a Conservative government under Edward Heath that was lukewarm to political devolution. It was some five years later, under the Labour Government of James Callaghan and after much political turmoil, that the referendums on Scottish and Welsh devolution were held. The devolution referendum was defeated in Wales in 1979, and in Scotland an insufficient majority was gained to carry it forward. The Labour Government then fell to a vote of no confidence. It became the first government to fall on an issue of devolution since William Gladstone's Liberal Government had split on Irish Home Rule almost a century before.

Two months later, in the 1979 General Election, the Conservatives won and the pro-devolution Liberals, Plaid Cymru and the SNP lost between them 13 of their 29 MPs. The SNP was reduced from 11 to just two seats in the process. The victorious Conservatives had honed their campaigning skills in the Scottish and Welsh referendums and increased their seats in these nations at the pro-devolutionists' expense. The new government under Margaret Thatcher was unashamedly pro-unionist. A month after their victory the

Conservatives reversed the devolutionary mechanisms. The political fortunes of the pro-devolutionists were now put on hold for two decades but when they took off again in Scotland they did so with considerable force.

Ireland

The historical events that resulted in the formation of the province of Northern Ireland (Ulster) already fill many volumes. Bearing this in mind, therefore, the historical elements so instrumental in understanding the politics of Northern Ireland can only be touched upon here briefly. Ulster has been a constant reminder of the British Isles' violent, sectarian and turbulent past transported into modern times. The religious wars between Catholics and Protestants that faded from the British mainland more than four centuries ago have yet to die in Northern Ireland. Politics there today therefore remains almost totally divided between political parties which were formed on a religious basis. The Catholic nationalists are republicans who seek a union with the Catholic Irish Republic, while the Protestants seek to maintain the union with the protestant United Kingdom (unionists). The only parties that are non-sectarian are the 'Alliance Party', which is linked to the British Liberal Democrats and attracts limited support in Northern Ireland and the Green Party. In short, therefore after the Anglo-Irish Treaty of 1922, Northern Ireland broke away from Southern Ireland (Eire) and from then onwards has developed a separate political identity. It was given its own parliament, known by the place in which it was prominently located – Stormont. Until 1972 Stormont ran the province, with near autonomy from Westminster, as part of the United Kingdom with its own Prime Minister, the last of whom was Brian Faulkner.

Stormont, however, was a Protestant-controlled parliament that supported the mechanisms of a protestant state while maintaining as strict a segregation as that occurring between black and white citizens in the southern United States until the late 1960s. The Catholics, inspired by the American black civil rights movement, sought their own civil rights during the 1960s, mainly through their own political party, the Social Democratic and Labour Party (SDLP). This movement was heavily resisted by the Stormont government and enforced by the almost exclusively Protestant-manned Royal Ulster Constabulary (RUC) and their auxiliary policemen (B Specials). This produced a situation that became ever more violent and began a period known as 'the Troubles'.

At its height in 1972, 467 people were killed, 323 of them civilians. The atrocities of that year became infamous in Irish history and included events such as: Bloody Sunday, Bloody Friday, McGurk's Bar, Kelly's Bar, Callender Street and Abercorn. For the next three and a half decades, while

the British Army and Royal Ulster Constabulary fought the Irish Republican Army (IRA), and the various other paramilitary organisations, the politicians (sometimes closely connected to paramilitaries, particularly Sinn Féin with the IRA), British and Irish Prime Ministers and the occasional American President, tried every 'carrot and stick' method they could conceive of to end the Troubles. Justice for those caught up in the Troubles would, however, never come for many and for others it would take decades. It would not be until 2010, for instance, that the truth behind Bloody Sunday was fully revealed in the Saville Inquiry – almost 40 years after the event. Even today more events of Northern Ireland's troubles can come at any stage and threaten to destabilise the peace once more.

The current Northern Ireland peace process began with the signing of the Good Friday Agreement (named after the day it was signed) and its subsequent approval by a Northern Ireland referendum in May 1998. This created the devolved Northern Ireland Assembly, which officially came into being in December 1999. Because of the previous problems with Northern Ireland politics, such as the **gerrymandering** of constituency boundaries, the Assembly's elections were under STV, the most proportional system possible. The Good Friday Agreement meant that all of the main political parties until the law was changed in 2016 would in future have to share power in any Northern Ireland government. The largest political party would take the most senior First Minister's post and the second largest that of Deputy First Minister. But within a short space of time after opening the peace process ground to a halt once more. A row in February 2000 between the political parties over weapons **decommissioning** led to a four-month suspension of the Assembly.

A further crisis came in July 2001 when David Trimble, the Assembly's First Minister and leader of the moderate Ulster Unionist Party (UUP), resigned out of frustration at the IRA's failure to decommission their weapons. He returned later that year when the IRA began to put its 'weapons beyond use'. The Northern Ireland Assembly then resumed business for a short period. Then, in July 2002 the IRA made an unprecedented apology for 'non-combatant' deaths. However, Trimble resigned again three months later after the discovery of incriminating documents in Sinn Féin's party offices. Britain then resumed direct rule of Northern Ireland with the Prime Minister postponing the next Assembly elections until November 2003. In these elections, the more radical unionist Ian Paisley's Democratic Unionist Party (DUP), which opposed the Good Friday Agreement, displaced the UUP as the biggest party in the Assembly. At the same time, Sinn Féin replaced the moderate SDLP as the main Catholic (republican) party. As the rest of British politics was moving towards the political centre, Northern Ireland's was moving to the political extremes.

For a long while after the elections there was stalemate once more. In December 2004, remarkably, it seemed as though Mr Paisley might become the new First Minister, with Sinn Féin's Martin McGuinness (the former head of the IRA) as Deputy First Minister. But a bank raid and a brutal murder, both blamed on the IRA, wrecked the deal.

In Britain's General Election of May 2005 the Democratic Unionists gained parliamentary seats at Mr Trimble's expense, and Sinn Féin escaped punishment for the IRA's misdemeanours by also increasing their share of the vote. But the British government's hasty welcome to the IRA's promise in July 2005 to 'end the armed campaign' enraged Unionists and pushed them further away from cooperation. Consequently, there was no devolved Assembly between the 2003 and 2007 elections. When the 2007 Northern Ireland Assembly elections occurred, the DUP and Sinn Féin were now the main political parties in Northern Ireland. It could therefore only be with their cooperation that Northern Ireland's Assembly would restart. Political progress was now stuck on the thorny issue of law and order in Northern Ireland. By now, via the 2006 St Andrews Agreement, the RUC had been disbanded and replaced with the Police Service of Northern Ireland (PSNI), which had a much larger number of Catholic officers in it. Yet, this still lacked the required republican support, something that was essential for Ulster's future.

In January 2007 Sinn Féin voted to support policing in Northern Ireland for the first time in the party's history. This broke the political log jam and enabled the DUP to remove a vital political barrier and join the government with them. At the same time Tony Blair was using the 'stick' of introducing water charges for Northern Ireland, which all Northern Irish parties opposed, and Gordon Brown, then Chancellor, offered the 'carrot' of £1 billion extra funding if an Executive was formed. The strategy worked, and the DUP leader Ian Paisley, at the age of 81, now saw his moment in history and finally joined with his lifelong republican foes in a joint administration. He became the First Minister and Martin McGuinness the Deputy First Minister. Considering neither had even spoken to each other prior to their agreeing to share office, they got on remarkably well. It seemed as though the threat of sectarian division had finally been removed from Northern Irish politics.

Then in May 2008 Northern Ireland got a new First Minister – Peter Robinson, the long-time deputy leader of the DUP, acceded, as Ian Paisley stood down. Sinn Féin then refused to nominate Martin McGuinness as Deputy First Minister unless the DUP agreed to the devolution of justice. Gordon Brown intervened and Gerry Adams was called to Number 10 to try and find a compromise. Between May and November the Executive did not meet, and during this period the image of devolution took a nosedive with the Northern Irish general public. An accommodation was eventually

reached in which the DUP agreed with Sinn Féin to make the police answerable to a Northern Irish justice minister in time, but both Sinn Féin and the DUP ruled themselves out of this post. In the event it was the former Alliance Party leader David Ford, who in April 2010 became Northern Ireland's first justice minister since 1972.

The main issue to threaten the DUP–Sinn Féin-led administration after 2008 was not one of political violence or sectarianism but was instead related to the personal life of the First Minister, Peter Robinson and his closeness to an anti-Islamic Tabernacle Pastor. He subsequently lost his Westminster seat but in the 2011 Northern Ireland Assembly elections however, he topped the STV list and was elected on the first count, restoring his support in his constituency, thus ensuring that he became the longest-serving Northern Irish First Minister (8 years) with his Sinn Féin Deputy Martin McGuinness an even longer-serving Deputy Minister (2008–present). Robinson, in what has traditionally been very much a male domain, was replaced by the former UUP but now DUP leader and Finance and Personal Minister, Arlene Foster. In the process Foster became the first female to be elected First Minister from Northern Ireland, leaving Wales as the only nation in the UK not to have had a female leader heading its government.

Before its suspension in 2017 devolution in Northern Ireland had been more stable than at any time since the early 1960s with a period of stable government and limited opposition. The all-party government of Northern Ireland remained united on issues such as condemning political violence, resisting financial cuts from Westminster and encouraging economic development in Ulster up until 2016. Together, they were able to do things not possible in the decades of conflict. They had, for instance, been able to promote a successful tourism industry in Northern Ireland. This has been done by harnessing their historic and cultural legacy not to 'the Troubles' but to events such as the centenary of the sinking of the ocean liner *Titanic* (built in Belfast) and the setting of popular TV shows such as *Small Island* and *Game of Thrones*. Northern Ireland has consequently become a popular cruise destination. Yet, despite this progress in opening up a troubled nation there still remains the possibility of instability in Northern Ireland:

- In the fifth Assembly all political parties were no longer obliged to join the government and work together. The three non-largest parties – the UUP, SDLP and the smaller Alliance party – therefore have chosen to go into opposition. The UUP had already left the government in the fourth Assembly after police said that Provisional IRA members had been involved in murdering ex-IRA man Kevin McGuigan. As a result the UUP felt they could no longer work with Sinn Féin, the former political wing of

Table 13.1 Northern Ireland Assembly results, 2003–16 (108 seats)

Party	2003	2007	2011	2016
Social Democratic and Labour Party (SDLP)	18	16	14	12
Ulster Unionist Party (UUP)	30(33)*	18	16	16
Democratic Unionist Party (DUP)	27(24)*	36	38	38
Sinn Féin	24	28	29	28
Alliance	6	7	8	8
Others	3	3	3	6

Note: *Three UUP defections to the DUP.

Source: Deacon (2012)

the IRA. As a result this now makes the government in Northern Ireland similar to those elsewhere in the UK (government and opposition). It also, however, brings out the polarising nature of government and opposition politics.

- Some paramilitaries such as the Real and Continuity IRA continue to mount operations. The killing of soldiers, policemen and prison officers reminds Northern Ireland that some people seem to never wish to abandon the gun.
- The Assembly Members (Reduction of Numbers) Act (Northern Ireland) 2016 is set to reduce the number of MLAs (Members of Legislative Assembly) to 85, in line with the reduction in Westminster constituencies. The original electoral system, combined with the number of MLA positions available, ensured that virtually all political opinions were included in the Assembly. A reduction of MLAs, therefore, could lead to the exclusion of some parties, which may drive them back to political violence as a form of representation.
- Northern Ireland is the only nation in the United Kingdom to share a land border with another European country – Ireland. While the UK as a whole voted to leave the European Union by 52 per cent to 48 per cent, some 56 per cent of those in Northern Ireland voted to remain. This means that Brexit is a particular problem for Stormont, with its wish to see the maintenance of the Common Travel Area (CTA) with Ireland maintained, avoiding the reintroduction of border controls. There is therefore a concern that the border could once more become a source of instability in Northern Ireland.
- The DUP's entry into a quasi-coalition arrangement with the Conservatives at Westminster in June 2017 meant that, for the first time since devolution started, a Northern Ireland party had been drawn directly into supporting a UK government. The impact this has now on the so-called

even-handedness that Westminster has shown to all political parties in Northern Ireland, not favouring one over the other, has been called into doubt and the consequences of this remain unknown, especially during the period of Stormont's continued suspensions and quasi direct rule from Westminster.

Scotland

On 15 October 2012 the then British Prime Minister, David Cameron and the then First Minister of Scotland, Alex Salmond, signed a joint agreement allowing for a referendum on Scottish independence in the autumn of 2014. The event signalled the start of a process of events that could lead to the most important events in the history of the United Kingdom since the Anglo–Irish Treaty in 1921. If the Scottish people had voted for independence, it would have reversed the events of the past 500 years in bringing the nations of the United Kingdom closer together politically. In the event they voted to remain in the Union. Two years later, however, they also voted to remain in the European Union. But England and Wales did not. Scotland will now be forced to leave, much against the majority's wishes. This has therefore put the prospect of a future referendum on independence back on the political table.

Whilst Scotland's place in the European Union is just over four decades old, its place in the British Union is just over four centuries old. At the start of the seventeenth century Scotland and England became joined. In March 1603 the English Queen Elizabeth I died, and King James of Scotland became King of England and Ireland. This happened in a smooth transition of power quite different from most previous changes of monarch in both Scotland and England. James now concentrated his reign in England, and for the rest of his life, he only visited Scotland once more, in 1617. This demonstrated the start of a transition of power to England that went on for the next century and beyond.

When the Scottish Parliament was abolished with the Act of Union in 1707, the event was described by the Scottish Lord Chancellor, James Ogilvy, as like the 'end of an old song'. Yet, the distinctive tune of Scotland and Scottishness did not end with the demise of its parliament. The Scottish church, education and legal systems remained separate from those in England and Wales. From 1885 onwards there was also a separate government department and minister for Scotland. Unlike the positions of Northern Ireland and Wales, there was never any doubt over Scotland's existence as a country separate from England. Over time much of the government's business in Scotland was transferred from London to the Scottish Office in Edinburgh. From 1926 the Scottish Secretary also sat in the Cabinet. Therefore, by the time the

Second World War arrived, the Scottish Office already represented a substantially devolved administrative department.

For the first seven decades of the twentieth century there were sporadic attempts to push forward political devolution for Scotland amongst all of the parties in Scotland. This was strongest in the Scottish Liberals and the Scottish National Party (SNP), but there were also politicians in the Labour and Conservative (Unionist) parties who supported political devolution. They were, however, kept in check by a far more powerful unionist tendency in their respective parties that endured in Labour's case into the late 1970s and in the Conservatives into the late 1990s. The rise of the SNP and Plaid Cymru as a political threat to Labour, in particular, had led to the establishment of a Royal Commission under Lord Kilbrandon by Harold Wilson's Government in the late 1960s. The Kilbrandon Commission was set up to consider all aspects of devolution across Great Britain. It was to the Conservative Government of Edward Heath the recommendations of the Kilbrandon Commission were given in 1973. This led in turn to the failed devolution referendum of 1 March 1979. Confusingly, the referendum was actually won but failed to reach a vital 40 per cent threshold of the total Scottish population needed to vote in favour of a Scottish Parliament. In the event only 36 per cent of the total Scottish electorate had voted 'yes'. During this period some interesting questions were raised in respect of Scottish devolution that were never effectively answered until over three decades later (see Box 13.1).

The 1980s and 1990s saw a succession of unionist Thatcherite Scottish Secretaries who proved both unpopular and a boom for Scottish nationalism. The introduction of the hugely controversial and unpopular community charge (poll tax) in Scotland, a year before it occurred in England and Wales, also fuelled the feeling that the nation had become something of a testing ground for Thatcherism. Attempts by the last Conservative Scottish Secretary in the 1990s, Michael Forsyth, to increase and improve administrative devolution, while also giving a greater role to Westminster's Scottish Committees, did little to reduce the public and political mood for increased political devolution. From the mid-1980s onwards opinion poll after poll indicated that the Scottish population wanted a Scottish parliament, and as time went on, this idea became more rather than less popular.

In March 1989 the Scottish Labour and Liberal Democrat parties, together with a number of minor parties, trade unions, the churches and civil organisations formed the Scottish Constitutional Convention. As the body was only concerned with political devolution rather than independence, the SNP refused to join it. John Smith, George Robertson and Donald Dewar for the Labour Party and David Steel and Jim Wallace for the Scottish Liberal Democrats were the key political figures behind the move towards a Scottish parliament. The Convention published its report setting out the ground for a

BOX 13.1

Scotland Act 2016

The Act gives new powers to Scotland based on the recommendations of the Smith Commission. At its heart is the permanence of the Scottish parliament with a referendum now needed in order to abolish it. The Act allows Scotland to:

- set the rates of income tax on everything but savings and dividend income;
- control the stamp duty and land tax (devolution);
- control certain aspects of welfare and housing-related benefits, including DLA/PIP, Attendance Allowance, and Carers Allowance;
- to create new taxes;

- borrow about £5 billion of the budget;
- control the Scottish electoral system;
- be responsible for drink-driving, speed limits, rail franchises and onshore oil and gas extraction;
- have a role in appointments in broadcasting, British Transport Police and the Crown Estate;
- follow a new procedure for Scottish criminal cases that go to the UK Supreme Court; and
- receive half of the VAT raised in Scotland.

A number of these powers were not immediate and will have to await introduction from 2017 onwards.

proportionally elected primary law-making and tax-raising Scottish parliament in November 1995 entitled *Scotland's Parliament, Scotland's Right*. With the Conservatives and Unionists totally removed from Scottish Westminster politics after the 1997 General Election, a referendum was held in September, which saw a massive majority in favour of a Scottish parliament (of those who voted 74.3 per cent were for the parliament and 60.2 per cent supported tax-raising powers). The combined anti-devolutionist forces of both Scottish Labour and Conservative MPs present in 1979 had now gone, which was reflected in the size of the 'yes' vote.

The first Scottish elections were on 6 May 1999 and saw a turnout of 58 per cent. Some 73 Members of the Scottish Parliament (MSPs) were elected by the traditional Westminster-style, first-past-the-post system and an additional 56 MSPs elected through AMS (the proportional electoral Additional Member System) in eight Scottish regions. The results were significant because:

- these were the first elections to a Scottish parliament in three centuries;
- no one party gained a majority, which was not unexpected from the new proportional election; therefore, it was thought that a coalition government would always operate in future;
- it saw the UK's first Green Party parliamentarian, on the regional list for the Lothians;
- the first Scottish Socialist Party member was also elected – Tommy Sheridan – in the Glasgow region; and
- the rebel Labour MP Denis Canavan was elected in Falkirk

West. He had been deselected by his own party, then stood against them and won. His success would encourage other Labour members not selected to do the same, not only in Scotland but also in Wales and London.

After the election was held, the process of forming the first Scottish government began. The government in Scotland was initially referred to as 'The Scottish Executive' but later became the 'Scottish government' under section 12(1) of the Scotland Act 2012. It is legally separate from the legislature and similar to the position in the Westminster Parliament. For the first three terms no one political party gained an overall majority at a Scottish parliamentary election (see Table 13.2). In fact, the electoral system had been designed with this in mind, with those in the Scottish Constitutional Convention wary of using the same electoral system that had allowed the Labour Party to dominate Scottish elections since the 1950s. It was envisaged, therefore, that coalition governments would be the future of Scottish politics, thus forcing a moderation of any one political party's ambitions and ensuring more consensus politics. It was not a surprise to political commentators, therefore, that after the 1999 and 2003 Scottish elections it was a Labour–Liberal Democrat coalition which formed and signed two 4-year cooperation agreements. The first was called *Partnership for Scotland*, followed by the unimaginatively titled *A Partnership for a Better Scotland* in August 2003.

Labour's Donald Dewar became the first politician to take the title of First Minister in Scotland and the Scottish Liberal Democrats' Jim Wallace, was his Deputy. Dewar, who was seen as one of the 'fathers of Scottish devolution' died suddenly of a brain haemorrhage on 11 October 2000. He was

replaced by Henry McLeish in April 2001. McLeish, however, resigned on 8 November 2001 due to the so-called 'Officegate' expenses row, which centred on the sub-letting of his constituency office in Glenrothes. He, in turn was replaced by the Motherwell and Wishaw Member of the Scottish Parliament (MSP), Jack McConnell. For the next five and half years the Scottish coalition executive worked effectively together through a series of policy and legislative changes which saw Scotland pursuing significantly different policies to those in England. The problems over the introduction of university tuition fees, with both sides taking differing views (Labour for them, Scottish Liberal Democrats against) led to an independent commission being established that determined in favour of university tuition fees not being introduced. The new Parliament building at Holyrood also became something of a scandal, costing ten times its original estimate. Both the architect Enric Miralles and the First Minister Donald Dewar who had been responsible for the original proposals, however, were dead by the time Lord Fraser's inquiry into the building had been undertaken. This meant the key decision makers escaped any direct accountability.

From the outset the Scottish Parliament had been established with the power to create its own (primary) laws. This meant that laws could be made in three different ways via Executive Bills, Committee Bills and MSP's Bills. The vast majority of legislation, as with the Westminster Parliament, is through Executive Bills. These Acts have helped provide Scotland with laws as diverse as those giving free long-term care for the elderly to those abolishing fox hunting and establishing STV as a method of election for Scottish local government.

The 2003 Scottish General Election had been significant for continuing the Lab–Lib coalition government and widening the number of political parties present in the Parliament to six, but the 2007 election saw an end to this, and the 2011 election would later consolidate this change. In the 2007 election the SNP gained 20 more seats. Its leader, Alex Salmond, returned to the Parliament after a four-year gap during which he had been leading his party at Westminster. The SNP's gains had been at the expense of the other political parties, in particular the minority parties who had lost 12 of their 14 MSPs. Just as after the previous two Scottish elections, the largest minority party needed a coalition partner. The Conservatives and the Labour Party, however, would not consider going into coalition with the SNP. The Scottish Liberal Democrats also refused to join them in coalition, because of their policy of not supporting a pro-independence party. The SNP, therefore, formed a minority government with Scottish Green Party support, but still 16 seats short of a majority. For the next four years the SNP minority government struggled on in trying to fulfil its own agenda, often only after lengthy negotiations with the opposition parties.

Table 13.2 Scottish General Election parliamentary elections results, 2003–16: constituency and regional list lists

Party	2003	2007	2011	2016
Labour	50	48	37	24
Scottish National Party	27	47	69	63
Conservative & Unionist	18	17	15	31
Scottish Liberal Democrat	17	16	5	5
Scottish Green Party	7	2	2	6
Scottish Socialists	6	0	0	0
Independents	3	1	1	0
Others	1	0	0	0

Source: Deacon (2012); Tonge (2016)

In the Westminster General Election of 2010, although the SNP now came second in terms of the popular vote, it was the Scottish Liberal Democrats who gained 11 seats to the SNP's 6. Labour once again remained the dominant political power in the Westminster election with some 41 seats (70 per cent). Despite the fact that in Scotland they won just one seat, in England, however, it was the Conservatives that won the majority of seats. The electoral arithmetic meant that they, together with the Liberal Democrats, formed the new Westminster Coalition. As the Conservatives were the minority Westminster party in Scotland, it would fall to the Scottish Liberal Democrats to fill the Cabinet posts from Scottish MPs. Amongst these Danny Alexander briefly became the first Liberal Secretary of State for Scotland since 1932. Because of a Westminster Cabinet resignation, Alexander then became Chief Secretary to the Treasury with Michael Moore becoming the new Scottish Secretary. Moore then set about trying to establish a Westminster Coalition political agenda for Scotland while also being squeezed between the increasingly acrimonious relationship between the SNP and Westminster Coalition governments' differing political agendas for Scotland's future.

While the 2010 Westminster elections had been good for the Scottish Liberal Democrats every subsequent election in Scotland was not and just like elsewhere in the UK the party struggled to survive as an electoral force, as in Wales the party became the fifth party in terms of size in the Parliament (see Table 13.2). Although there has been some revival at the 2017 general election with the party gaining four Westminster seats (a third of the party's UK total). The 2007 election had squeezed the minor parties in Scottish politics in favour of the SNP; the 2011 election had squeezed the three main British parties in favour of the SNP but the 2016 elections would see a comeback of one of these parties – the Conservatives. In the 2015 Westminster elections Labour and the Scottish Liberal Democrats had almost been wiped out in Scotland electorally as the SNP took all but three of the Scottish Parliamentary

seats. In the 2016 Scottish elections, Labour lost 12 of its 15 constituency seats with the SNP, Conservatives and Lib Dems all making net gains. When the proportional AMS element was added in, it was the Conservatives with a more than doubling of their SMPs to 31 and the Greens who now became the fourth party of Scottish politics with 6 seats that were the real winners. The Conservatives now for the first time since the 1950s had more seats than Labour in Scotland. They were the official opposition, with their independently minded and popular leader Ruth Davidson. The SNP lost their majority

and in the Brexit era avoided any formal pacts with other parties. At the same time, they sought to get the other parties working behind them to back a united Scottish position on a soft Brexit for Scotland.

Aside from a soft Brexit the issue that still remains at the core of the SNP's political agenda is independence. From the outset the 2011 Parliament the centrepiece of the SNP government's programme had been its commitment to having a referendum on independence, its so-called 'National Conversation' (see Box 13.2). There was, however, also a

BOX 13.2

Scottish influence on UK politics: the West Lothian Question

From the introduction of the *Authorised King James Version of the Bible* (1611), the standard text for the Church of England for more than 250 years, to the succession of Scottish Prime Ministers such as Sir Henry Campbell Bannerman, Ramsay MacDonald, Andrew Bonar Law, Sir Alex Douglas Home, Gordon Brown and the rise of the SNP as the third party of Westminster in 2016, Scottish influence on British politics has been substantial. There have been an even greater number of Scottish Cabinet ministers at Westminster and leaders of other British political parties such as the Liberals/Liberal Democrats (four of their seven postwar leaders and two of their four Westminster Coalition Cabinet members came from Scottish seats).

Yet the Scottish influence over British politics hasn't always been welcomed. In 1978 the anti-devolutionist Scottish Labour MP Tam Dalyell introduced what became known as *The West Lothian Question*. This concerned what right he had to vote on laws related to England and Wales, when English and Welsh MPs could not vote on issues related to 'West Lothian'. This was because they are devolved from the Westminster Parliament to the Scottish Parliament. This issue has remained contentious to this day. It even concerned Gordon Brown the former Prime Minister, and the Chancellor Alistair Darling whose constituencies are in Scotland. Later on it also impacted on the Liberal Democrats who had two Cabinet members with Scottish seats (Danny Alexander and Michael Moore). Their votes were used on the divisive issue of tuition fees for English students on a number of occasions by all of the main Westminster parties. This was done even though those Scottish MPs voting for these fees are unable to vote on the same issue in Scotland, which itself, does not levy

fees. In January 2004 the Labour Government only won a vote on top-up fees for England by the use of its Scottish MPs.

In 2005 the number of Scottish MPs at Westminster was reduced from 72 to 57, as part of the attempts to address the situation. This, however, did not end the problem, but only alleviated it. None of the three main political parties would end the right of Scottish MPs to vote on English-only bills. The Coalition Government, however, set up a West Lothian Commission in January 2012 under Sir William McKay in order to consider how the House of Commons might deal with legislation which affects only part of the United Kingdom, following the devolution of certain legislative powers to the Scottish Parliament, the Northern Ireland Assembly and the National Assembly for Wales. McKay recommended that mechanisms be set up at Westminster to ensure that Parliamentary decisions that just impact on England should enjoy the consent only with the majority of English constituency MPs. When the Conservatives returned as a majority Government in 2015 they amended the Standing Orders at Westminster to ensure that for 'England only legislation', only MPs with English constituency were allowed to take part in votes. This is called English Votes for English Law (EVEL). Deciding on whether a measure or law only impacts on England, however, is not always as simple as it seems. Some policies undertaken in England can have knock-on effects across the UK, such as the introduction of grammar schools in England, which can impact on education spending in Scotland. There is therefore still a great deal of argument about whether the West Lothian Question has been finally solved.

Commission being undertaken by Sir Kenneth Calman, Chancellor of the University of Glasgow (The Commission on Scottish Devolution). When the Calman Commission had reported back in June 2009, it indicated that after ten years, Scottish devolution could be declared to be a 'success'. Calman, however, also recommended that the Parliament should further evolve and that Holyrood should take charge over much more of its own revenue raising. In future half the income tax raised in Scotland as well as stamp duty, landfill tax and air passenger duty should be collected by the Scottish government and form a third of its budget. The Calman Commission also said the Scottish Parliament should control other areas such as national speed limits, drink-driving laws and airguns legislation.

The SNP Government criticised Calman for not giving the Scottish Parliament full fiscal powers, while the other parties criticised the SNP in turn for being selective in the parts of Calman they pushed to be implemented immediately. When the Coalition Government at Westminster came into power in 2010, they were quick to act on Calman and a new Scotland Bill was then scrutinised by both the Scottish and Westminster Parliaments. The bill, however, could not come into law until the SNP Government endorsed it. Despite the fact that the Westminster Government had refused a number of SNP demands, including the devolution of corporation tax, the Scottish Secretary Michael Moore was able to get the bill accepted by the SNP with some minor modifications to become the Scotland Act 2012. This then awaited the outcome for the 2015 referendum. With that referendum being won by the remain in the union side, the 2012 Act also partially transformed into the Scotland Act 2016 (see Box 13.1). This was done partly to honour the commitments of the pro union side in the 2015 referendum to ensure that if they won DevoMax (maximum devolution from Westminster) would be given to the Scottish Parliament and Government.

On the 18 September 2014, on the question 'Should Scotland be an independent country?' the nation voted so decisively that it was expected to end the question being asked again for at least a generation. In a high turnout of 84.6 per cent (in some areas more than 90 per cent), some 55.3 per cent of the population voted no and 44.7 per cent voted yes. In fact of Scotland's 32 electoral areas, only 4 voted yes. The referendum campaign had covered every conceivable area related to independence from North Sea Oil and Health to currency and the monarchy. In the event the whole of Scottish society became engaged in the campaign and over eight out of ten Scottish voters went out and told the nation what they thought of it all.

There were two major groups involved in the campaign. *Yes Scotland* was the main campaign group for independence, while *Better Together* was the main campaign group in favour of maintaining the union. *Better Together* combined

Labour, Conservative and Liberal Democrat parties together with other independence groups. Former SNP leader Alex Salmond led the independence *Yes Scotland* campaign and former Labour Chancellor of the Exchequer, Alistair Darling, the pro unionist *Better Together* group. It was these two politicians that took to the public platforms to oppose each other in the public debates. In the event, the result was heavily influenced by the uncertainty about what would happen if Scotland became independent. This became a bigger persuader than taking the opportunity to become an independent nation once again.

Whereas, therefore, the result meant that Scotland remained in the union for the time being there were some almost immediate impacts on the political parties in Scotland and the franchise itself. With respect to the franchise, as 16 year olds had been allowed to vote in the referendum, they were now also allowed to do the same in the next Scottish Parliamentary elections giving Scotland some of the youngest voters in the world. At the same time, however, as we have noted earlier, the Westminster parties' electoral fortunes continued so suffer adversely in Scotland and the SNP's fortunes rose. By 2016 Labour had gone from the dominant party of Scottish politics to a weak third party and the Scottish Liberal Democrats from the second party to an almost non-existent fifth or sixth party. At the same time most of the political characters from Labour and the Scottish Liberal Democrats that had dominated Scottish and UK politics for a generation, either retired to the House of Lords, were expelled from Scottish politics or had died. Scotland had entered a new political era in which the most nationalist party, the SNP, was in now government and where the main opposition was the Conservatives, the most pro-union party – something that few would have envisaged when the Parliament came into being less than two decades before. Added to these changes was the fact that due to Brexit the SNP government had also brought the issue of a second referendum on independence back onto the table once more. Scottish politics therefore remains a volatile arena for both politicians and spectators. The 2017 general election in Scotland saw something of a revival of the British political parties fortunes in Scotland over those of the SNP. Although, with some 35 seats the SNP still had almost three times the number of their nearest opponents the Conservatives (on 13 seats) the pro-union parties now had 24 seats in Scotland, overall. Specific Scottish campaigning in the 2017 General Election against a further vote on independence (IndyRef2) had galvanised the anti-independence vote effectively against the SNP. This in turn has moved the SNP away from pushing for another independence referendum as such a central part of their policy agenda.

Wales

Prior to the Acts of Union between 1536–42 under Henry VIII, Wales was not one nation but a patchwork quilt of crown lands and Marcher lordships. Therefore, until Welsh nationalism re-emerged in the latter half of the nineteenth century, Wales had always been integrated closely into England. To all intents and purposes Wales ceased to be a nation and instead became a series of counties almost fully assimilated into England. During the late nineteenth century the Liberal Prime Minister William Gladstone was the first British leader to accept that Wales was a nation distinct from England. Liberal MPs such as Henry Richard, Tom Ellis and David Lloyd George pushed forward Welsh nationalism, and consequently, the Liberal governments between 1905 and 1916 saw the establishment of many of the trappings of nationhood including a National Library, National Museum and the establishment of Welsh regiments and symbolism in the army.

Despite the founding of Plaid Cymru (Party of Wales) in 1925, Welsh nationalism at a parliamentary level remained mainly in the Welsh elements of the Liberal or Liberal National Party. The Labour Party, which under the Merthyr Tydfil MP, Keir Hardie (1900–16), had been pro-devolution after the First World War, turned almost wholly against it. Those few Labour MPs who were pro-devolution did so against a rising tide of unionism. Nevertheless, despite this strong unionist stance, the Llanelli MP Jim Griffith, the deputy leader of the Labour Party, who was pro-devolution, was able to persuade Harold Wilson and the wider Labour Party to establish both a Welsh Office and a Welsh Secretary in the Cabinet in 1964. This began the period of significant executive devolution in Wales.

BOX 13.3

Barnett formula

The Barnett formula was brought in as a funding mechanism for the devolved administrations prior to their expected arrival in 1979. The funding formula from the Westminster government to the proposed devolved bodies was established by Joel Barnett, then the Labour Chief Secretary to the Treasury. It was based loosely on the population sizes of Scotland, Wales and England (10:5:85). The Barnett formula remains controversial, with politicians in England claiming it is over-generous, whereas those in Scotland and Wales claim that it actually reduces the amount provided for them as time goes on, the 'Barnett Squeeze'. Despite these claims, the Barnett formula has

The Conservatives in Wales always remained hostile to Welsh devolution, with no significant figure emerging as a pro-Welsh devolutionist during the twentieth century. Thus, with the vast majority of Welsh MPs being hostile or indifferent to Welsh devolution and the Welsh Liberals reduced to just one MP (Emlyn Hooson) by 1966, Welsh nationalism was only fully reignited when the Plaid Cymru President and their political hero, Gwynfor Evans, was elected to Carmarthen in 1966. From now on Plaid Cymru was seen as a direct threat to the Labour Party in Wales, who soon realised that it had to do something to combat the appeal of the rising nationalist tide. As we noted earlier, this resulted in the establishment of the Kilbrandon Commission in 1968 and the subsequent failure of the St David's Day devolution referendum in 1979. The referendum had only occurred in the first place because of the minority Labour government's reliance on Welsh Liberal and Plaid Cymru MPs to stay in power.

A few months after the 1979 referendum result, a General Election saw Margaret Thatcher's Conservative government elected. It then controlled politics in Wales from London for the next 18 years. Although they always remained opposed to political devolution, the various Conservative Welsh secretaries enhanced administrative devolution. This included establishing the use of the Barnett formula (Box 13.3) which determined government funding for Wales, the extension of administrative devolved powers in Wales and the reforming of Welsh local government into a system of 22 unitary authorities. Only Nicholas Edwards (1979–87), the first of the Thatcher–Major period Welsh Secretaries, however, was actually a Welsh MP and it would not be until 2012 that another Welsh Conservative MP, David Jones, would become Welsh Secretary again, with a Welsh constituency. During the last ten

only undergone slight alterations since it was introduced in 1979, but there is a consensus that this central funding needs to be reformed for the devolved nations. The Calman Commission in Scotland and the Silk Commission in Wales have both produced extensive recommendations on increasing their respective nations' fiscal autonomy. The Wales and Scotland Acts of 2016 have provided each nation with the ability to raise much more of their own expenditure, but the fiscal shortfall will mean that both nations remain reliant on the Westminster government funding for the foreseeable future.

years of Conservative rule in Wales on the Thatcher–Major government (1979–97) and the first two years of the Cameron coalition government (2010–5), therefore, the succession of Welsh Secretaries with English constituencies, including Peter Walker, John Redwood, William Hague, Cheryl Gillan (the only female Welsh Secretary), fuelled resentment of a new era of English colonialism by those 'unaccountable quasi-colonial governors' who ruled via a series of unelected quangos or remotely. During the first period (1979–97) the Welsh Labour Party continued to win the majority of Welsh seats but remained powerless against their Conservative foes. This was enough to persuade many within the Labour Party to support devolution and, accordingly, by the time of the General Election of 1997, the party had become committed to introducing an elected Welsh Assembly in its first term.

When the Labour Party included an element of proportional representation in its plans for the Welsh Assembly (the Additional Member System), it was enough to persuade Plaid Cymru and the Welsh Liberal Democrats to endorse their plans in the referendum. With the Conservatives routed in the 1997 General Election, losing all of their Welsh seats, and the Labour anti-devolution MPs silenced, there was no effective opposition to the Yes campaign. This helped them win a narrow victory, by just 6,721 votes (0.3 per cent of the total vote). Wales was then given a National Assembly of some 60 elected members (40 constituency members and 20 proportional members – list members). This Assembly, unlike that in Scotland and Northern Ireland, would only have the power to amend secondary legislation, rather than to originate its own primary legislation.

The first few years of the Welsh Assembly proved somewhat unsettled. The first First Secretary later called First Minister, Alun Michael, led a minority government in the Welsh Assembly. As his party lacked a majority by three seats, it was only a matter of time before they were defeated over a vote of no confidence concerning his ability to gain matched-funding from the Westminster government's Treasury to secure European Objective One funding to Wales. A resignation that would not be the first or last time in British politics that a senior politician had resigned over a matter related to the European Union. Michael was replaced by Rhodri Morgan in an unelected leadership contest. Morgan then formed the first of two coalition governments and one partnership government in the Welsh Assembly. This first coalition was with the Welsh Liberal Democrats led by Michael German (later Lord German). This was the Welsh Liberals' first taste of governing political power since 1945 and unlike their experience in the 2010–5 Westminster coalition government the party was not unduly rewarded or punished by the electorate over the experience of power sharing.

The Lab–Lib Welsh Assembly coalition government (2000–3), was significant mainly for introducing a limitation

Table 13.3 Welsh Assembly election results, 2003–16: constituency and regional list lists

Year	2003	2007	2011	2016
Labour	30	26	30	29
Plaid Cymru	12	15	11	11
Conservatives	11	12	14	11
Welsh Liberal Democrats	6	6	5	1
Independents/others	1	1	0	2*
UKIP	0	0	0	6

Note: *Nathan Gill UKIP MEP and Lord Elis Thomas Plaid Cymru AM became independent members shortly after being elected.

on top-up fees for students and free entry to museums in Wales. This began to distinguish Welsh government policy as being different from that of England. This first Welsh coalition government also established a number of commissions to examine controversial aspects of Welsh Assembly coalition policy. In the long term the most important of these was the Richard Commission (chaired by the Labour peer Lord Richard). This is because it laid the foundations for the Assembly gaining its own primary law making powers in 2011. Richard also recommended that the Welsh Assembly be formally divided on a parliamentary legislature and executive basis: the so-called 'separation of powers' familiar in most legislatures. This made it more like a Parliament.

The 2003 and 2011 Welsh Assembly elections saw Labour govern alone but never with a majority of seats. This meant a series of political compromises with opposition parties over the budget or support for legislative Acts. Initially, this involved Labour doing deals with either Plaid Cymru or the Welsh Liberal Democrats for extra spending on a specific area or the dropping or changing of a specific policy. In the 2011 Assembly, however, both Plaid Cymru and the Welsh Liberal Democrats got together to ensure that they could extract a higher price collectively off the Labour government. Whilst Rhodri Morgan governed alone as First Minister he was able to introduce some new policies that distinguished Wales for policies being developed in its English neighbour. These policies included the abolition of prescription fees in Wales and the introduction of a 5p charge on plastic shopping bags.

The Richard Commission had recommended that the Assembly be given full law-making powers and that it increase the number of Assembly Members to 80, to be elected by STV. While the Labour Party was happy to accept the last recommendation, it did not want to accept the first two. Accordingly, the electoral arrangements were ignored and the law-making powers were reduced to a complicated, staged implementation of primary powers which still had to go through Westminster before the legislative competence orders (LCOs) came into place. The LCO process gave the Westminster government the right to determine which Welsh

primary legislation was selected and how long it would take to go through Westminster. In the event the LCO process proved to be ineffective, with even non-controversial laws taking years to pass through the process and anything even slightly controversial not even getting past the starting block. The failure of the LCO process, however, did have one very important side effect. It convinced all the political parties' Welsh Assembly representatives that, for primary law making to be effective, it needed to be undertaken within Wales. Thus, when the March 2011 primary powers referendum took place in Wales, all the Welsh Assembly members supported the Yes campaign, which won by a majority of almost two to one. Wales, like Scotland now had its own primary law making powers.

The 2007 Assembly elections, now officially entitled the 'Welsh General Election', once again saw no one party gain a majority, with Labour remaining the largest party, but with five seats short of a majority. It was then a whole month before the parties examined fully the various possible combinations and the result was somewhat of a surprise for everyone including the political parties themselves. Labour joined together with its bitter political foe, Plaid Cymru, in what was termed the Red-Green Alliance (Red the colour of Labour and Green that of Plaid Cymru) under the agreed policy for government the *One Wales Agreement*. Rhodri Morgan once more became the First Minister and Plaid Cymru's leader, Ieuan Wyn Jones, the Deputy Minister. On 1 December 2009 Morgan was replaced by Carwyn Jones (see Profile), the Counsel General for Wales, in a three-cornered Labour leadership election. Morgan left office at the age of 70 with a popularity rating of 65 per cent (who thought he was doing a good job). Not only was Morgan's popularity much higher than that of his political opponents in Wales, it was almost unprecedented in British politics for a politician to leave office while still being so popular.

At the centre of the Red-Green Alliance agreement between the parties was the establishment of another commission – the All Wales Convention. This was to examine how the proposed referendum in Wales on obtaining full primary law making would be best won. The Commission was chaired by the former British Ambassador to the United Nations, Sir Emyr Jones Parry. Although the All Wales Convention reported back in November 2009, it would be another 16 months before the actual referendum was held. The Welsh Assembly unanimously passed the required trigger vote in February 2010, but the May 2010 British General Election and the arrival of a new coalition Conservative Welsh Secretary, Cheryl Gillan, delayed actual setting of the referendum date. Partly to save money and partly to enhance turnout for the British AV (alternative vote) referendum, it was decided to hold both referendums on the same day, in March 2011. As we noted earlier the desire for full law-making powers in

PROFILE

Rt Hon Carwyn Jones (1967–)



Held a number of Welsh Government Ministerial posts until becoming Welsh Labour leader and First Minister in 2009. Jones is a fluent Welsh speaker who was born in Swansea and was educated as a barrister. It was at Aberystwyth University that he joined the Labour Party, during the 1984 Miners Strike. Jones was elected to Bridgend County Borough Council in 1995 and became the Assembly Member there in 1999. Jones subsequently proved himself as one of the loyal Labour stalwarts during the minority Welsh Labour government 2005–7 and the Coalition Government between Labour and Plaid Cymru 2007–11.

In 2009, upon the resignation of Rhodri Morgan, Jones won the subsequent Labour leadership election in the first round with 52 per cent of the vote over his two opponents. Jones subsequently led his party in the 2011 and 2016 Welsh Assembly elections where in 2011 they gained exactly half of the seats and then formed a minority government and in 2016 gained 29 seats and formed a partnership with the one Liberal Democrat AM, Kirsty Williams. After the Coalition Government's win in Westminster 2010 and the Conservative wins in 2015 and 2017 the problems associated with the post 2008 economic crisis, austerity and later Brexit, relations between Cardiff and London became a lot more tempestuous than under his predecessor Rhodri Morgan. Jones has seen the Welsh Assembly evolve into a full parliament with primary law making and tax-raising powers. He is the longest serving First Minister of any of the devolved nations.

Wales has risen over the last quarter of the 2000s (see Table 13.4). The fact that all of the main Welsh political parties now also supported primary law-making powers for Wales helped produce a decisive victory for the Yes campaign and put Wales on a near par with Scotland and Northern Ireland for its primary law-making powers.

Initially, the Labour government in Westminster under Tony Blair had tried to control the policy outputs of the Welsh Assembly. Over time, however, this wish to control had diminished and Wales was allowed to very much go its own way. Here Labour worked with both the Welsh Liberal Democrats and later Plaid Cymru to pursue agreed policy agendas in a way that was still alien to the Labour

governments of Westminster. The ten years of Welsh devolution had also shown that there was a demand from within the Welsh Assembly and across the Welsh public for greater devolution. This, however, had been resisted and limited by the more unionist elements within the Welsh Labour Party rather than the British Labour Party, in the ways it had previously done. The Welsh Labour MPs, conscious of their loss of power and status, continued to resist further advances in devolution. Yet, the demand for increased powers remained solid in Wales and it is therefore likely that the Welsh Assembly will develop into a parliament similar to the Scottish model. By 2009 opinion polls were already indicating that the Welsh electorate now thought that the Welsh Assembly government had the greatest influence on their lives, itself an indication of just how much it had embedded itself into Welsh life. This didn't mean, however, that it should be the case. On the question of which elected body should have the most power, an ICM poll carried out in March 2012 by the Commission on Devolution in Wales indicated that the majority of the Welsh population still believed it should be the Westminster government (54 per cent) with only 31 per cent stating it should be the Welsh government.

The relationship between the Welsh and Westminster Coalition governments took a rapid downturn after the 2011 General Election. Wales became the only part of the United Kingdom still governed by the Labour Party. In the 2011 elections the party once more gained exactly half of the vote they had in 2003 and formed a minority government under Carwyn Jones. These elections also saw a significant fall in support for the Welsh Liberal Democrats and Plaid Cymru and a rise in support for the Conservatives, who now became the official opposition in Wales. Both Westminster and Cardiff became openly critical of each other's policies. Relations became hostile from the summer of 2012 when the Welsh Education Secretary, Leighton Andrews ordered the re-grading of the English GCSE papers in Wales, while his counterpart in Whitehall – Education Secretary Michael Gove – did not. This caused a national outcry, as did Gove's unilateral declaration to scrap the GCSE without first consulting the Welsh or Northern Ireland Education Ministers. This caused both nations then to set up a different education system from England. Wales, for instance, has retained its system of AS and A2 combined GCEs, whilst England has made the two quite distinct in terms of syllabus and examinations. The political tensions that had remained hidden or suppressed at the start of devolution when Labour were in control in both London and Cardiff have since become ones of constant and open disagreement. This again was highlighted post 2017 general election when the DUP was able to secure over a billion pounds more funding for Northern Ireland, outside of the Barnett formula, which meant that Wales gained no additional funding at all.

Table 13.4 The desire to see primary law-making powers for Wales

Institution	2007	2008	2009	2011*
In favour of turning assembly into full law-making parliament	47%	49%	52%	63.5%
Against turning assembly into full law-making parliament	44%	42%	39%	36.5%
Don't know	9%	9%	9%	–

Note: *March 2011 Referendum result on law-making powers.

Source: Based on data from BBC Wales/ICM polls, June 2007, February 2008, February 2009

As Labour had been re-elected to be the Welsh government in 2011 and again in 2016, it was their legislative agenda that formed the bulk of the new primary legislation in Wales. The first law to go through the Welsh Assembly was on 3 July 2012, entitled the Local Government Byelaws (Wales) Act. Interference from Westminster did not stop, however, as almost straightaway the UK Attorney General asked the Supreme Court to decide whether parts of the bill were within the Assembly's powers to grant. Although the Attorney General also has this power for Scotland and Northern Ireland, it had never been enacted with respect to their legislative processes. Labour has been the dominant political party in the Welsh Assembly since its inception. The political system in Wales can therefore be described as a dominant party system, in which one party Labour remains the most dominant. The proportional element of the Welsh Assembly elections, however, means that unlike at the Westminster elections Labour have never managed to achieve an absolute majority in Wales at the Welsh Assembly elections. The most they have gained is 50 per cent of the seats. This means that they either have to form a coalition/formal partnership arrangement with another political party or come to some other arrangement. If this falters it can become difficult, if not impossible, to pass legislation through. In March 2016 the Public Health Bill, which included a ban on e-cigarette use in some public places, was rejected when Plaid Cymru withdrew support from the Bill at the last moment. They had been angered by a public description of a previous deal by the Labour Public Services Minister, Leighton Andrews, as a 'cheap date'. Andrews, himself, lost his Rhondda seat to Plaid Cymru in the Welsh Assembly elections two months later to the Plaid Cymru leader Leanne Wood. Aside from illustrating the importance of Ministers not insulting political partners publicly it also ensured that after the next Assembly elections in 2016 also resulted in no overall Labour majority the party sought quickly to formally ensure co-operation with another party.

The 2016 Welsh Assembly elections were noticeable for three main factors. Firstly, there was a considerable drop in support for the Labour party, particularly in the South Wales Valleys, a traditional stronghold. The inbuilt bias toward Labour of the first-past-the-post electoral system in Wales, however, still ensured that they gained considerably more seats than its share of the vote would have indicated proportionally. The second issue was the collapse of the Welsh Liberal Democrats vote, which saw the centre ground of Welsh politics almost entirely removed. They lost four of their five AMs. Their one surviving member, Kirsty Williams was almost instantly brought into the Labour Government as Education Minister in order to shore up their Assembly Vote, to 50 per cent of the seats once more. It meant, however, that for the first time in a devolved legislature there were no longer any centre ground politicians as a group. One Liberal Democrat was not enough for Labour to retain power and they therefore made an arrangement with Plaid Cymru, the official opposition, to ensure that any future legislation and budgets could be settled in advance. Plaid Cymru was split over whether or not it should form an official coalition with Labour and therefore this did not occur.

The final new change was a shift in Welsh politics to the right with the election of seven UKIP members representing

the electoral regions across Wales. This also made Wales the most successful legislative area for UKIP and at the same time also provided a new political future for the former Conservative MPs Neil Hamilton and Mark Reckless, now reborn as Welsh UKIP AMs. With the election over the Welsh Government and wider Assembly also had to seek to assert its place at the Brexit table and also a legislature that was seeking to mature into a fully-fledged law making and tax-raising Parliament, Box 13.4.

At the 2017 General Election in Wales the opinion polls at the outset had indicated that the Conservatives were in line to win 20 seats and become the majority party in Wales for the first time ever. In the event, however, the polls slipped back for the Conservatives and although their vote rose by 6.3 per cent Labour's rose by 12.1 per cent. The result was that the Conservatives lost three seats to Labour, Labour's dominance with around 7 out of 10 Welsh seats was back to traditional levels. All of the other parties had their votes squeezed and the Liberal Democrats lost their last remaining Welsh seat to Plaid Cymru. In the process Wales no longer had a Liberal MP for the first time since the Liberal Party was established in 1859.

BOX 13.4

Government of Wales Act 2017

This Act builds on the Government of Wales Act 2014 and those proposals of the Silk Commission on the future of devolution that were accepted by Labour and Conservative politicians. This Act had given Wales considerable powers over new taxes, extending the Assembly's terms to five years, change its name to a Parliament and allowing it new borrowing powers.

The 2017 Act also allows legislative control over areas, such as:

- road signs,
- speed limits,
- onshore oil and gas extraction,
- harbours and rail franchising,
- consumer advocacy and
- control of its own electoral systems.

As is the case in Scotland the removal of the Welsh Assembly can only be done by holding another referendum.

Welsh law will now also be recognised as a separate body to English although jurisdiction between the two nations remains shared. Income tax powers will now be given to Wales without the need for a referendum.

The move to the reserved powers model where by Wales would be responsible for all areas but those explicitly retained by Westminster (as is already the case in Scotland). Although this has been widely criticised as providing too many reserved powers to Westminster compared to Scotland and Northern Ireland.

The new Act, however, suffered some delay in being approved by the Welsh Assembly (known as a Legislative Consent Motion) as there were concerns, firstly over removing the barrier on a referendum on income tax before the fiscal settlement (including the Barnett formula had been addressed) and secondly that powers over policing and law and order were not be devolved and finally because Westminster's role over vetoing some aspects of Welsh legislation remained unclear (reserved powers).

Devolution and the European Union (EU) and Brexit

Jennifer Todd's models of devolution, cited earlier in this chapter, sees devolution in the UK in part as a need to adapt to the EU's desire of 'European regionalism'. This EU view of the devolved nations, however, was somewhat shattered in June 2016 with the voting of the UK as a whole to leave the European Union. Whereas Northern Ireland and Scotland voted to stay in the EU, Wales and England voted to leave. The majority of politicians in every nation state wished to remain in the EU. Although aside from Nicola Sturgeon in Scotland who supported Remain, as did the majority there, the other leadership politicians had contrary ideas to their own national results (Table 13.5). Theresa May, officially for Remain, was accused of 'sitting on the fence', Wales' Carwyn Jones supported Remain, whilst many of his own Labour party's supporters went to the Leave vote and Northern Ireland's Arlene Foster First Minister supported Leave, whilst Northern Ireland as a whole supported Remain. The situation post referendum across all of the devolved nations, however, was one of seeking to ensure that their respective nation state had a place at the UK's Brexit negotiation table.

Table 13.5 How the nations voted on Brexit (percentage)

Nation	Remain	Leave
England	46.7	53.3
Northern Ireland	55.8	44.2
Scotland	62	38
Wales	47.5	52.5

In October 2016 the Joint Ministerial Committee (JMC), which includes all of the heads of government across the UK, agreed that the leaders of the devolved nations would be brought in directly to a new forum on the Brexit negotiations under the Brexit Secretary David Davies. Scotland and Wales, however, have demanded that the three devolved legislatures be given separate votes of the Westminster government's negotiating position. They have insisted that Article 50 should not be triggered until there is an agreed collective approach. There were now warnings by amongst others the Institute for Government that imposing a Brexit settlement could trigger a constitutional crisis by a breakdown of the devolved government-Westminster government relations. It is also likely to lead to a second independence referendum in Scotland. Therefore a referendum, that had been about, in part, regaining political and legal sovereignty from the European Union had now developed into one about whether the devolved nations had now got this same sovereignty and could use it to shape their respective nations destiny post Brexit.

BOX 13.5

Independence

There are no political parties advocating independence for Northern Ireland, whereas there are those who advocate it for Wales, Scotland and even England. In a YouGov/ITV Wales Poll in February 2012 only 10 per cent of those polled supported independence in Wales (Wales Online 2012). In similar polls this figure had stood at between 20 and 13 per cent in 1997, 2001, 2003 and 2009. In 2016 it rose to 28 per cent but only if Wales was allowed to remain a member of the European Union, without this it sank back to 17 per cent again. Even in Plaid Cymru, opinion is split as to whether the party should pursue independence or not. Some favour a federal solution to the UK's structure instead. This is not the case in Scotland, however. Here the SNP, as the government, have succeeded in bringing forward a referendum on the question of independence for Scotland for the autumn of 2014. All of the main UK parties reject full independence for Scotland. While Labour and the Conservatives would like to see enhanced powers

and fiscal responsibilities for the Scottish Parliament, the Liberal Democrats would like to see it with a central role in a federal parliament. In October 2012 the Sir Menzies Campbell (the former Liberal Democrat leader) Commission published *Federalism: The Best Future for Scotland*. It proposed 'a strong Scotland within the United Kingdom' with control over most domestic policy issues. Only the Liberal Democrats, however, see federalism as a viable alternative to independence across the UK. Labour, however, do not favour it in some areas such as Wales. The other political parties see it as a choice between enhanced devolution or independence. As part of the increased devolution there have been two main further choices on offer:

- 1 'Devo-max' which would put the Scottish Parliament in full control of income tax, corporation tax, most welfare spending and take a geographical share of oil revenues, or

- 2 'Devo plus' which would leave pensions, VAT and national insurance in the hands of the Westminster government but the Scottish Parliament in charge of all other taxes.

In October 2012 an agreement was made between the Westminster and Scottish governments, which paved the way for a referendum on Scottish independence in the autumn of 2014. As we noted the referendum failed to produce an independent Scotland but this does not mean that there will not be another one shortly. Much was discussed in the first referendum campaign and some answers found there still remain, however, a number of considerations to take into account for any UK nation to become independent. These are some of the main ones:

- 1 *What would the breakaway countries put in their new constitutions?* These would state the rights and obligations of the citizens of the newly independent country. The UK currently doesn't have a codified constitution, but any newly independent country would certainly need one.
- 2 *Who would be the head of state?* Would it remain the Queen or would they become a republic? Plaid Cymru remains a republican party, while the SNP is monarchist.
- 3 *Which currency would they use?* An independent country joining the European Union would almost certainly have to join the euro, although the SNP wishes to retain the use of sterling.
- 4 *Setting up new administration and legal systems.* Taxes would now all be collected within the independent country and the majority of laws would also be made there. This would mean creating a full administrative and legal infrastructure.

Whilst negotiations between Westminster and the devolved nations continued each nation also sought to set up its own internal Brexit consultation processes. Each state was keen to ensure that they kept as many of the benefits of being within the EU as possible. In Scotland there was an almost instant and well organised process whilst in Wales it was more slow and ponderous taking several months before the Welsh Government set up a consultation body, which consisted initially of only one pro-Brexit member. The 2017 Queen's Speech for the newly elected Conservative government, interestingly, stated that they would not seek to claw back any powers from the Welsh Assembly during the Brexit process. This in turn opened the possibility of new powers coming to the devolved nations.

- 5 *Rebalancing the remaining countries in the union.* Those countries that remain in the union may feel dominated by England, and may need to set up a federal system of government in order to enable the union to survive.

- 6 *TV and radio.* The independent nation would have to set up its own broadcasters. Would they still rely on a TV license or would they be paid for by other means?
- 7 *Border controls would have to be introduced.* The newly independent country would be obliged to join the European free travel area, which Britain has opted out of.
- 8 *The national flag.* The Union Jack would go and the new national flag would have to fly over all public buildings.
- 9 *What would the remaining countries be called?* They could no longer be called 'Great Britain'.
- 10 *Defence.* Would the independent countries create their own armies, air forces and navies and allow the British army to remain there? Plaid Cymru remains pacifist, while the SNP now favours joining NATO.
- 11 *Nuclear deterrent.* Would the newly independent country still rely on the British nuclear deterrent? Both the SNP and Plaid Cymru are opposed to the use of nuclear weapons.
- 12 *Member of the European Union.* Most importantly after Brexit would the newly independent nation become a member of the European Union – it may wish to but would the other European nations welcome them in?

England and its regions

England under the flag of St George is seen from the outside as being one homogenous nation. There are, however, strong regional identities, which politicians can only ignore at their peril. People in numerous English towns, cities and councils have their own distinct identities as strong as any national ones. Politicians have long been aware of this English regional distinctiveness that is particularly acute in counties such as Cornwall and Yorkshire and cities such as Liverpool, Manchester and London. Politicians, however, have been split as to how to deal with the distinctiveness. Over the past decade they have sought to tackle it by supporting it with regional political and administrative devolution. They have

embraced local identity through the local government authority reorganisation with the re-establishment of old counties such as Rutland and old county borough councils such as Reading and Oxford. Unionists within both the Labour and Conservative parties, however, have sought to have minimum English regional identity and instead retain a strong unitary parliament in Westminster.

The recent origins of English devolution go back to a Speaker's conference in 1920 which decided the best solution to the problems of the devolutionary pressures in Ireland was 'Home Rule all round' for all of the British Isles nation states. The Labour and Conservative governments of that period did not agree with this notion, however. Therefore, devolution of administrative power in England took on a slow process. In the 1930s came the embryos of devolved government from the Special Areas Act 1934 that classified specific areas of the England according to their economic deprivation. Then during the Second World War England was divided into regional government areas for defence and other administrative purposes under regional governors. In the 1960s the Regional Economic Planning Councils and Regional Economic Planning Boards were set up under Harold Wilson's Labour Government. In the 1970s the Kilbrandon Commission had suggested regional elected authorities for England, but the measure did not go forward after the failure of Scottish and Welsh devolution in 1979. Then, under Margaret Thatcher's Conservative Government, Urban Development Corporations were set up in the 1980s. All devolved some elements of administrative power from Whitehall to the regions, but the boundaries of the different organisations often did not coincide. At the same time the Thatcher government had become increasingly frustrated with the Labour-controlled metropolitan authorities and the Greater London Council (led by Ken Livingstone) acting as alternative centres of power and undermining their own government. They therefore abolished them all in 1986 leaving the large English metropolitan areas without an elected layer of government to control cross-borough activities.

In implementing the so-called 'European regionalism' model of devolution, it was the arrival of the EU's reforms to its Structural Funds (which provide economic assistance to specified regions) that required settled and administratively integrated regional offices. Therefore in 1994, under Prime Minister Sir John Major, the 10 Government Offices of the Regions were established with the purpose of bringing together those elements of central government that needed to be integrated in order to make use of the EU's structural funds. When Labour came into power they turned these Government Offices into Regional Development Agencies that had Regional Chambers (RCs) above them. The RCs in the English regions were made up of appointed local government councillors, people from business and industry and

other local notables. When they were established at the start of the century, it was thought that this would be a temporary measure and that in time they would be replaced by democratically elected members. The thrust beyond English devolution in Tony Blair's Government came almost wholly from John Prescott, the Deputy Prime Minister. English devolution fell under his direct remit.

When Jack Straw had been the Labour Home Secretary in charge of the devolutionary process at the start of New Labour's 1997 term in office, he had defined what was called 'the triple lock' on the progress of English political devolution. This stated that if an English region wanted political devolution:

- it would have to petition to become a directly elected assembly,
- Parliament would have to legislate for this and
- the electorate in the region would have to approve these measures in a referendum.

With Wales, Scotland and then Northern Ireland gaining devolution, England became one of the few countries in Europe without a form of regional government. This changed marginally in 2000, when a referendum was passed which established an elected mayor for London and an elected London Regional Authority (see Chapter 20). This did not apply to the rest of England, however. Prescott was therefore keen to see this spread to other English regions even if it didn't comply with Jack Straw's triple lock. Opinion polls had indicated that there was a demand for English regional government. This was highest in the North-east and North-west. In 2002 Prescott brought out the Government White Paper, *Your Region, Your Choice: Revitalising the English Regions* which was followed by the White Paper, *Your Region, Your Say*. This set out the case for elected regional chambers in the English regions but not all at once. Instead, it would be a step-by-step approach with the regions with the strongest identity going first. The Regional Assemblies (Preparations) Act 1993 went through Westminster and it was then planned to have all postal referendums in the North-west, North-east and Yorkshire and Humberside. Problems with postal voting during the European elections in June 2004 meant that the referendum on English devolution was scaled down to just one region – the North-west.

On the 4 November 2004 a referendum was held in the English North-east. The support for the concept of a regional assembly there failed by almost five to one. The two No campaigns which ran there had successfully defeated the Yes campaign on similar issues to those that had resulted in the Welsh people rejecting their Assembly referendum in 1979. These revolved around the perception that they didn't want any more politicians, the assembly wasn't powerful enough, their regional identity wasn't strong enough, most Labour

and Conservative politicians remained against it, as did local government, which feared being scrapped or marginalised. Yet there still remained a demand for some form of English devolution, in 2014 an ICM poll indicated that 65 per cent of voters in England favoured an English Parliament on a similar basis to those in the rest of the UK (Copus 2016). Virtually every political party, however, considered that an English parliament that represented some 47 million people, would be too large and no solution to the demands of regionalism. Federalism was also suggested as a solution to the problems of a lack of progress on devolution in England, Box 13.6. The concept of Federalism, outside of the Liberal Democrats, however, lacked a general understanding or widespread support. So other types of devolution would have to be considered.

The negative vote in the North-east of England in effect killed off English devolution in that format. The Regional Chambers were subsequently scrapped by the Labour Government soon after the negative North-east referendum result. Although the RDAs were initially kept by Labour, they were in turn scrapped in March 2012 by the Coalition Government, who regarded them as expensive bureaucratic bodies lacking any real sense of purpose. Committed initially to a policy of 'localism' rather than regionalism the Westminster Coalition Government decided to replace the RDAs with local enterprise partnerships (LEPs). These are voluntary partnerships of local government and business based on unitary authority or county level areas. There are currently some 39 of these LEPs replacing 8 of the RDAs. The ninth RDA, for London, was merged with the GLA. It is still too early to say whether or not the demise of the RDAs and the rise of the LEPs are beneficial for English economic development. A report by Lord Heseltine, *No Stone Unturned*, in October 2012 advocated that the government use the LEPs to stimulate the English economy at a local level and in the process transfer £49 billion of central government funding to a local level. The most obvious examples of these became the 'City Deals'. The first wave of City Deals was with the 8 largest cities and regions outside of London, known as the Core Cities. These included Manchester, Sheffield, Leeds, Liverpool and Birmingham.

The City Deals were mainly aimed at stimulating regional economic growth. Then in May 2015 the newly elected Conservative government provided an increased emphasis on

Table 13.6 Total identifiable expenditure on services by country and region per head 2010–5

Nation/region	2010–1 to 2014–5
United Kingdom	8,913
England	8,638
London	9,840
Wales	9,904
Scotland	10,374
Northern Ireland	11,106

Source: HM Treasury Country and Regional Analysis November 2015

Table 13.7 GDP per inhabitant UK countries and London, 2014

Nation/region	GDP per inhabitant, euros	GDP as a percentage of the EU average
United Kingdom	27,700	113.1
London	51,200	186
Wales	21,100	77
Scotland	27,700	101
Northern Ireland	22,400	82

Source: Eurostat, February 2016 (there is no separate figure for England)

trying to increase devolution to these core cities under their elected mayors. The concept took the title of: *The Northern Powerhouse*. It was backed by the then Chancellor of the Exchequer, George Osborne. The central idea would be to use the North of England's core cities population of 15 million as an economic resource base to rival that of London and the South East. It also involves devolution in other areas and as part of this process Greater Manchester also took over its own NHS budget of some £6 billion, in April 2015. The new Prime Minister, Theresa May in September 2016 publically stated her commitment to further devolution for Northern England and the former Chancellor George Osborne then set up a think tank, *the Northern Powerhouse Partnership*, to continue to lobby for further devolution. So it now looked as though some forms of devolutionary government were now developing on an incremental scale outside of London. Whether they would survive longer than the previous efforts, however, was still unclear.

BOX 13.6

Is federalism now the solution?

We have touched upon federalism already and noted how some political parties advocate it as an alternative to the current system of devolution. Originally the term 'federalism' described a loose alliance or union of states for limited purposes. These were usually military or commercial. With the establishment of the United States in the eighteenth century there was now a country with a model to follow. This provided the world with a form of power in which the central government and the governments of the various states had considerable powers but at the same time had certain rights and powers, which could not be overturned by the centre directly. Since then federalism has become a form of government that has been adopted by some of the world's most successful democracies including Germany, Canada and Australia.

So with increased devolution does the UK in reality now have federalism? The short answer is no. This is because devolution is not the same as federalism. Although it provides far more decentralisation of power than is common in Britain's unitary state. Here ultimate political and legal sovereignty remain at Westminster and not in the devolved nations. The devolved nations powers come from a series of inter-governmental departmental 'concordats' and relevant sections of the various statutes instead of written constitutional relationships between the assemblies, Scottish Parliament and the government in Whitehall.

There are also certain features that are common to most federal systems. The most important of these are that:

- *Two relatively autonomous levels of government.* Both central (federal) and regional (state) governments possess a range of powers, which the other cannot encroach upon. In the UK this can be vague and as is the case with Wales it may involve a judicial decision by the Supreme Court before there is certainty over whether the Cardiff Bay or Westminster has the power to undertake that policy/law.
- *Written constitution.* The responsibilities and powers of each level of government are defined in a written or codified constitution. The UK does not have a constitution in one document that can be easily referred to.

- *Constitutional arbitrator.* Any disputes between state and federal government can be settled by a supreme court. The role of the UK's supreme court, however, is coming close to matching this role but without a written constitution cannot do so fully.

- *Linking institutions.* To foster co-operation and understanding between federal and state-level governments each region is given a voice in the central policy making. This is achieved through a bicameral legislature (two chambers) in which the states normally have representation in the second, or upper, chamber. There is no regional representation in the UK's House of Lords, however.

Whilst the Welsh and Scottish nationalist parties still prefer independence to federalism, of the UK's main political parties it is the Liberal Democrat Party that have been the most pro-federal. Their recent political demise, however, has meant that federalism has had to find new champions. The Labour Welsh Government, for instance, now also favours federalism, in part as the most effective way to safeguard the UK's unity post Brexit. Federalism has also found favour with those demanding more regional autonomy in England and Unionists in the Conservative Party in both Scotland and Wales. These political voices see it as the most effective answer to retaining the unity of the UK in the Brexit era. Those that stand against federalism point to the fact that it is often not the political 'cure all' to constitutional problems and cite political chaos in Belgium as an example just across the North Sea in which federalism can cause as many problems as it solves. Federalism may also remove the flexibility that has kept Great Britain together as a nation state for longer than virtually any other country in Europe. In addition, the exact nature of what any federalism would be in practice remains unclear until a wider political consensus can be reached on the issue.

Conclusions

There has now been almost two decades of devolution in the United Kingdom from which we can measure its impact on the UK political system. The foremost of these are:

- Relations between central and devolved governments have become increasingly acrimonious, particularly with relation to the fall-out from the Brexit negotiations. The system of arrangements for dealing with Scottish, Welsh and Northern Irish matters, relying on departmental concordats, bilateral and informal links largely amongst officials rather than having an agreed structure for all communications means relations, can often sour.
- Devolution has not helped the nations and regions converge economically (Tables 13.7 and 13.8). These disparities have remained as wide as under the strictly unionist state.
- To date, the constituent parts of the United Kingdom have not broken away from each other as was predicted by the anti-devolutionists. In Scotland, where the SNP secured a referendum on independence for 2015, the referendum was lost, but Brexit may lead to a second referendum and the break-up of the United Kingdom still remains a distinct possibility.
- Most of the political parties who are represented in the devolved bodies were not happy with the initial product of devolution. There have therefore been constant revisions and proposals for revisions of the constitutional devolution settlements. We are moving to a process of what is known as 'Devolution Max' across a number of nations, which makes the UK far more federal in nature if not design than previously imagined.
- In 2011 the SNP became the first political party to gain the majority of the seats in a devolved government election. Elsewhere coalition government and/or electoral pacts have become the norm. The Northern Ireland Assembly is designed to be in a permanent coalition government but has become flawed and remains suspended. The Welsh Assembly has consisted of coalition governments for three of its five terms. This has moved the devolved governments and British politics closer to the previous Westminster coalition and European style of politics.
- The success of coalition devolved governments across all of the devolved executives has proved that proportional representation does not lead to unstable government, as had previously been claimed would be the case, if it was ever introduced in Westminster.
- A whole new generation of young and female politicians who would have been unable to progress through the existing political system to Westminster has emerged. This has greatly reduced the gender imbalance in British politics. Now two of the three devolved legislatures are headed by women. At the same time there has been the opportunity for the advancement of minor parties such as the Greens and UKIP, who had not been represented at Westminster prior to 2011, thereby increasing the diversity of the political system.
- With the proposals to devolve more fiscal powers and with the all-devolved bodies (excluding the GLA) having primary legislative powers, devolution has become more symmetrical. Although those in the Conservative and Labour parties would deny it, the UK appears to be evolving into a more federal-style system of government and away from the mainly unitary form that has existed for the past 200 years. Thus, although only the Scottish Parliament has the name 'parliament' within it, the Welsh and Northern Ireland Assemblies have also become parliaments.
- Policy and service differences between the devolved nations and England have intensified, particularly in certain aspects of healthcare and education. This has caused regional jealousy and animosity.
- City Regions – While devolutionary powers outside England have increased, in England devolution has moved towards a sub-regional level of localism. This means that the problems caused by not having effective devolution in England, such as economic inequality and the failure to fully solve the West Lothian question, still cannot be resolved effectively.
- Personality politics, particularly in London, has caught the attention of the media, thus creating unprecedented interest in devolved politics. This media obsession, however, often obscures the real nature of the politics involved. The personality politics of the 2017 general election with the battle being seen across the UK as being between Corbyn and May, also squeezed the other political parties in Scotland and Wales to an extent not seen in some constituencies since the 1950s, as the battle became one of Tory versus Labour.

Chapter summary

At the start of this chapter we looked at Todd's three models of devolution. Of those models the current type of devolution in Britain appears to be moving towards Todd's 'renewal of imperial legacies' model. As we have noted in this chapter, there has been a constant transfer of powers and policy areas to the devolved nations. This is set to continue with the devolution of tax-raising and borrowing powers, enabling these nations to develop in a similar way to the dominion models of Britain's imperial past. Whether this in time develops into a federal system or the splitting-up of the United Kingdom entirely, will probably be evident by what occurs with the negotiations over Brexit. Currently, Westminster maintains a strong presence over taxation, international affairs, commerce and the economy and many social welfare issues but slowly these are being devolved as well. It may well continue to undertake these roles in the 'imperial legacy model'. There will, however, need to be further adjustments to the structure of government in the United Kingdom. Currently the civil service, for instance, remains loyal to no single devolved government but instead to the crown. This would clearly alter substantially under a federal model or independence, which Welsh and Scottish governments are seeking to pursue.

Although the break-up of the United Kingdom, which was predicted to be caused by devolution, has not yet occurred it is more likely now than at any time since the 1920s. If Scotland does become independent with a future referendum, it will alter both the shape and very nature of British politics in a more radical way than virtually any event for the past 400 years. The same will be true if the UK moves towards a federal model of government. Whatever occurs, devolved politics has radically changed across the UK since the advent of devolution only two decades ago.

Discussion points

- How have policy differences affected the lives of citizens in the respective nation states in terms of issues such as education and health?
- Has devolution resulted in the end of the concept of Britishness and the rise of the individual nation state?
- Examine how Brexit may lead to the breakup of the United Kingdom.
- As three of the leaders of the UK governments are now female does this mean that gender equality in politics has finally been reached?
- What will be the likely evolution of devolution by 2030?

Further reading

Those who wish to have a brief overall picture of devolution and its developments should read *Devolution in the United Kingdom*, 2nd edition, by Russell Deacon. A more comprehensive coverage of Welsh Politics can also be found in *The Government and Politics of Wales*, Deacon et al. Those students who wish to examine the devolved politics of a particular region or nation now have a wealth of texts to choose from, including official publications and reports of the devolved bodies themselves. Edinburgh University Press, Manchester University Press and the University of Wales Press specialise

in these, as do publishers such as Welsh Academic Press. In particular, the reports produced by the Institute of Welsh Affairs, Gorwel and the Constitution Unit of the University of London are particularly useful.

Bibliography

- Aughey, A. (2007) *The Politics of Englishness* (Manchester: Manchester University Press).
- Cairney, P. (2011) *The Scottish Political System Since Devolution* (Exeter: Imprint Academic).
- Cash, J.D. (2010) *Identity, Ideology and Conflict: The Structuration of Politics in Northern Ireland* (Cambridge: Cambridge University Press).
- Commission on Devolution in Wales (2012) *Empowerment and Responsibility: Financial Powers to Strengthen Wales*, November 2012, <http://webarchive.nationalarchives.gov.uk/20140605075525/http://commissionondevolutioninwales.independent.gov.uk/files/2013/01/English-WEB-main-report1.pdf>.
- Copus, C. (2016) Talk to the National Assembly of Wales, Gorwel think tank on English Independence, www.gorwel.co/wordpress/?p=2615.
- Curtis, J. and Syed, B. (2009) *Has Devolution Worked? The Verdict from Policy Makers and the Public* (Manchester: Manchester University Press).
- Dawson, G. and Hopkins, S. (2016) *The Northern Ireland*

- Troubles in Britain: Impacts, Engagements, Legacies and Memories* (Manchester: Manchester University Press).
- Deacon, R. (2002) *The Governance of Wales: The Welsh Office and the Policy Process 1964–99* (Cardiff: Welsh Academic Press).
- Deacon, R. (2012) *Devolution in the United Kingdom* (Edinburgh: Edinburgh University Press).
- Deacon, R., Denton, A. and Southgate, R. (2018) *The Government and Politics of Wales* (Edinburgh: Edinburgh University Press).
- Dejevsky, M. (2016) 'At Theresa May's Brexit Awayday, Spats and Spin Must Be Put Aside', *The Guardian*, 31 August.
- Devine, T. (ed.) (2008) *Scotland and the Union 1707–2007* (Edinburgh: Edinburgh University Press).
- Dixon, P. and O'Kane, E. (2011) *Northern Ireland since 1969* (Longman).
- Eurostat (2016) 'Twenty-One Regions below Half of the EU Average... And Five Regions over Double the Average', news release, 30/2016 – 26 February 2016, <http://ec.europa.eu/eurostat/documents/2995521/7192292/1-26022016-AP-EN.pdf/602b34e8-abba-439e-b555-4c3cb1dbbe6e>.
- HM Treasury (2015) Country and Regional Analysis, November 2015, www.gov.uk/government/statistics/country-and-regional-analysis-2015.
- May, T. (2016), cited in Mary Dejevsky's article 'At Theresa May's Brexit Awayday, Spats and Spin Must Be Put Aside', *The Guardian*, 31 August, p. 5.
- McEvoy, J. (2008) *The Politics of Northern Ireland* (Edinburgh: Edinburgh University Press).
- Osmond, J. (2007) *Crossing the Rubicon: Coalition Politics Welsh Style* (Cardiff: Institute of Welsh Affairs).
- Todd, J. (2005) 'A New Territorial Politics in the British Isles?', in Coakely, J., Laffan, B. and Todd, J. (eds) *Renovation or Revolution? New Territorial Politics in Ireland and the United Kingdom* (Dublin: University College Dublin Press).
- Tonge, J. (2016). *The 2016 Devolved Elections in the UK* (Political Insight).
- Travers, T. (2004) *The Politics of London: Governing an Ungovernable City* (Basingstoke: Palgrave Macmillan).
- Veronica, L. (2016) *Northern Ireland Government and Politics for CCEA A Level* (Belfast: Colourprint Books).
- Wales Online (2012) 'Voters Would Say "No" to an Independent Wales: Poll', 2 February 2012, www.walesonline.co.uk/news/wales-news/voters-would-say-no-independent-2040972.
- Democracy Live BBC Politics coverage, detailed and up-to-date devolution coverage: <http://news.bbc.co.uk/1/1/5169200.stm>
- Devolution Matters: a blog by Dr Alan Trench that gives regular summaries and comment of the latest events in devolution across the UK: <http://devolutionmatters.wordpress.com>
- University College London's Constitution Unit's devolution programme: <http://constitution-unit.com>

England

- The Department for Communities and Local Government is the government department responsible for English devolution/decentralisation: www.communities.gov.uk/corporate/
- The Greater London Authority and London Mayor's official website: www.london.gov.uk/who-runs-london/authority

Northern Ireland

- Northern Ireland Assembly: www.niassembly.gov.uk
- Northern Ireland Executive (government): www.northernireland.gov.uk
- For more information about politics in Northern Ireland: www.belfasttelegraph.co.uk

Scotland

- The Scottish Parliament website: www.scottish.parliament.uk
- The Scottish Government's website: <http://home.scotland.gov.uk/home>
- The Audit Scotland website which also provides details of problems or areas of concern in Scottish governance: www.audit-scotland.gov.uk
- Site of the Scottish National Party (SNP): www.snp.org

Wales

- Gorwel, Welsh economic think tank that covers devolved issues relating to the Welsh economy and public affairs: www.gorwel.co
- Institute for Welsh Affairs (Welsh think tank): www.iwa.org.uk
- The National Library of Wales has a substantial website on Welsh political history: www.llgc.org.uk/ymgyrchu/map-e.htm
- National Assembly for Wales: www.assemblywales.org
- Welsh Government: www.wales.gov.uk

Useful websites

General

The BBC and national newspapers in Wales, Scotland and Northern Ireland offer a range and depth of the coverage of devolved politics that is not found in the UK press.