

England in the Union

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Where does England fit in the increasingly devolved United Kingdom?

It is now over 10 years since the devolved legislatures and administrations were (re-) established in Scotland, Wales and Northern Ireland. Each arrangement has developed differently, but each has moved toward further devolution from Westminster. The evolving devolution settlement prompts questions about the representation of and funding for all parts of the United Kingdom.

THE WEST LOTHIAN QUESTION

The role of MPs from Scotland, Wales and Northern Ireland in the UK Parliament has become controversial now that there are devolved legislatures and administrations in those areas, responsible for subjects such as education, housing and health.

The so-called West Lothian (or English) Question asks why MPs from the non-English parts of the UK can vote on all English matters, while English MPs cannot generally vote on Scottish, Welsh or Northern Irish domestic matters (which have largely become the responsibility of the devolved bodies).

These issues came to the fore with the Government in the previous Parliament sometimes being dependent on the votes of MPs from Scotland, Wales and Northern Ireland to win votes in the House of Commons on legislation affecting England only. With the Conservatives winning a minority of seats across the UK but a majority of seats in England, and with the tight electoral arithmetic in the Commons, the salience of this question will increase.

ENGLISH VOTES FOR ENGLISH LAWS?

Could a system be introduced in the House of Commons whereby only English MPs would vote on 'English' bills or 'English' bills would pass only with the support of English MPs? The Conservative Party stated in its manifesto that a Conservative government would introduce new rules so that legislation referring specifically to England, or England and Wales, could not be enacted without the consent of MPs representing constituencies of those two areas.

Many challenges remain. *Precisely which bills are 'English'? A large proportion are a mixture of English and UK extent, as other measures are added during the passage of a Bill. What about 'English' bills that have public expenditure implications across the UK? Would such a system create two classes of MP?*

AN ENGLISH PARLIAMENT?

There is very limited mainstream political momentum for a separate parliament for England. It is hard to see how a UK federation of four parts would work, given the population size and wealth of England in relation to the rest of the UK. The Liberal Democrat Party stated in its manifesto that it would 'address' the status of England within a federal Britain, through its promised Constitutional Convention.

There are other outstanding devolution issues for the House of Commons:

- Is there a continuing role for MPs from Scotland, Wales and Northern Ireland in devolved, as well as reserved, matters at Westminster? Westminster can and

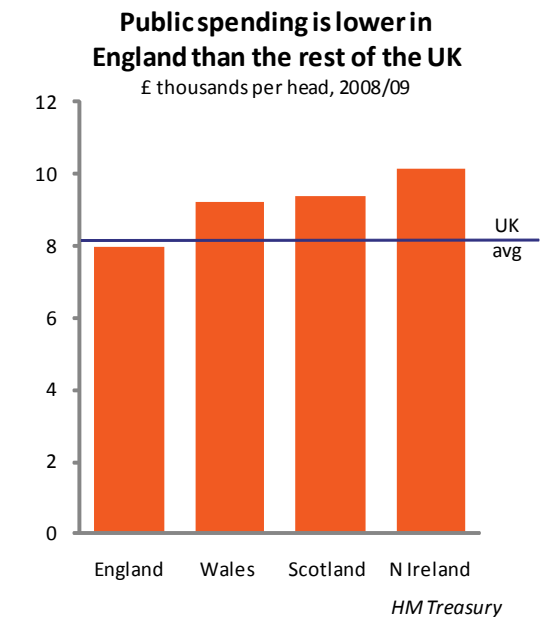
has legislated for Scotland, Wales and Northern Ireland on devolved matters (with the consent of the devolved legislature concerned) on a number of occasions since 1999 – much more often than originally expected. The Calman Commission has recommended closer working between the UK and Scottish Parliaments.

- Should the numbers of MPs from Scotland, Wales and Northern Ireland be reduced? Despite the devolved legislatures, they currently have disproportionate numbers of seats compared with their electorates.

IS IT TIME TO REPLACE THE BARNETT FORMULA?

The 30-year-old Barnett formula, which allocates public money to the devolved administrations, has been criticised on a number of grounds. The current arrangements are alleged to be unfair: public spending per head is 18% higher in Scotland and 16% higher in Wales than in England. With cuts to public spending widely expected, this disparity could come under even closer scrutiny. The current system has also been criticised for failing to give the devolved administrations responsibility for raising their own revenue.

Reflecting this dissatisfaction, there have been a number of recent reviews of the Barnett formula. These include the Calman and Holtham Commissions in Scotland and Wales respectively and a report by a House of Lords Committee. These reviews made a variety of recommendations for reform, including greater powers over taxation for the Scottish Parliament and replacement of the formula with



arrangements based on the relative need of the different parts of the UK. Gaining consensus on these relative public spending needs is likely to be a difficult task.

Will the spectre of public sector cuts result in more pressure for reform of the Barnett formula? Or will the influence of the nationalist parties in a hung parliament act in favour of its retention?