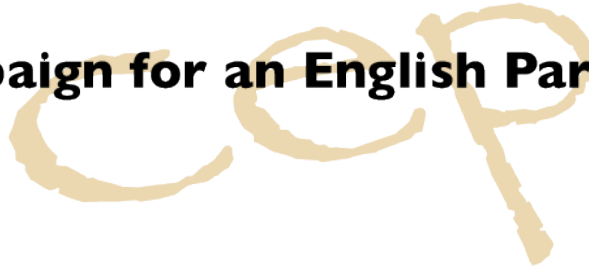


Campaign for an English Parliament



DEVOLUTION TEN YEARS ON

THE VIEW FROM ENGLAND

HOW IT COULD AFFECT DEVOLUTION FOR SCOTLAND

SUBMISSION TO THE DEVOLUTION COMMISSION

BY

THE CAMPAIGN FOR AN ENGLISH PARLIAMENT

DEVOLUTION TEN YEARS ON-THE VIEW FROM ENGLAND HOW IT COULD AFFECT DEVOLUTION FOR SCOTLAND

SUBMISSION TO THE COMMISSION ON SCOTTISH DEVOLUTION

INTRODUCTION

The remit of the Commission on Scottish Devolution is:

"To review the provisions of the Scotland Act 1998 in the light of experience and to recommend any changes to the present constitutional arrangements that would enable the Scottish Parliament to serve the people of Scotland better, improve the financial accountability of the Scottish Parliament, and continue to secure the position of Scotland within the United Kingdom."

This paper aims to address the final part of the remit; namely to continue to secure the position of Scotland within the United Kingdom (UK).

The Devolution Acts have had a profound effect on the constitution of the UK and the experience of government by all UK citizens, 85% of whom live in England. The future of Scotland within the family of nations that constitute the UK will be influenced not only by the attitudes of the Scottish people but also by those of the other constituent parts.

This overview and the attached paper explore the effects of the Devolution Acts in England, specifically the unequal treatment of England, the attitude of UK politicians, the British media and establishment to England. We have set out the injustices at length in the accompanying document. In summary they are as follows:

Constitutional deficit

CEP publication "The Constitutional Case for an English Parliament" (supplied).

- England, uniquely in Europe, has no national government and no constitutional or political existence
- The UK Government refers to England as the "regions of Britain"
- Uniquely in the UK and Europe, England's domestic affairs are governed by a hybrid government
- Ministerial Departments for domestic matters can be, and have been, controlled by those whose constituents are not affected. An affront to democratic accountability.
- The constituents of members of the UK Parliament Cabinet, which decides policy for England, are unaffected by those decisions.
- The constituents of a Prime Minister with power over internal English affairs, which account for the majority of UK Parliament business, are unaffected.
- MPs of English constituencies follow their party line and put the interests of the Union before the interests of England. Some have declared themselves by expressing views that are positively antipathetic to England.

- The people of England are under-represented in the UK Parliament compared with Scotland
- England has no separate voice either in the UK Government or in international affairs.
- The people of England can be and have been subject to the legislation of a Parliament in which they have no representatives.
- Asymmetrical devolution has created two classes of UK MPs; those who can only debate, influence and vote on their own country's domestic matters and those who cannot, but can debate, influence and vote on everyone else's.

Economic deficit

- England receives the least funding per capita of all the UK territories.
- The people of England see much greater benefits being afforded to Scots in the fields of health, welfare, education and business support.
- Internal taxation and other impositions such the ID card proposal are increasing in England but decreasing in Scotland.
- Business rates lower in Scotland.
- Scotland has proportionally greater benefit from EU funding.

Deficits in Health, Welfare and Education

- Class sizes smaller in primary and secondary education and more spent on school meals in Scotland.
- Minimal cost to students in tertiary education not available to the rest of the UK but available to EU students.
- Personal care for elderly and incapacitated funded in Scotland.
- Prescriptions cheaper, soon to be free in Scotland. Charges increased in England.
- National free bus travel for pensioners in Scotland. In England many restrictions.
- Supertram scheme scrapped in England, implemented in Scotland.
- Bridge tolls scrapped in Scotland

Cultural deficit

- Scottish Executive promotes pride in Scotland. UK Government promotes Britishness, not Englishness
- Scottish government promotes St Andrew's Day as a national holiday. Promotion of St George's Day left to private enterprise.
- Celebrations of English heritage and culture not recognised as special and denigrated or hedged about with restrictions
- Teaching of Scottish history promoted in Scottish schools; teaching of English history, downgraded in England, or referred to as British history.

Damage to national and cultural identity

- No English cultural institutions. No English national gallery, museum etc. Abrogated for Britain.
- National arts and sport supported by the Scottish Parliament. Minimal support for specifically English arts and sport by the UK Government

- English Tourism Council subsumed into Visit Britain which also supports Scotland. Visit Scotland funded by the Scottish Parliament. Similar fate for Sport England.
- Britain and England and British and English consistently conflated by UK politicians and the media.
- Famous and notable English men and women consistently called British, whereas those from Scotland are called Scottish.
- False and insulting accusation that the English flag is racist. Harassment of those who display it. The Scottish flag flies unhindered.
- Scottish nationalism is accepted while English nationalism is derided or denigrated.

THE CONSEQUENCES

The inevitable consequence of this unequal treatment has been “a rising English national consciousness” (D Blunkett, March 2005), which the British political parties, with a perversity second to none, represent as a threat to the Union. The threat to the Union has been created by asymmetrical devolution. This has left the UK Parliament a hybrid body serving the UK in reserved matters and England in the domestic matters now devolved to the Scottish Parliament.

Scottish nationalism can be expressed in Scottish national institutions and government. For England, there is no collective political representation that allows for an expression of political will and many or most of our civic and cultural institutions have been appropriated for Britain.

English nationalism, as valid as any other nationalism, has no outlet but in sporting tribalism. This is dangerous and wrong. Moreover to liken English nationalism to racism, as many well known commentators have done, is to fan the flames of simmering resentment. However instead of listening and addressing the problem the British Government and Establishment is determined to ignore it. There are many examples of seminars and conferences about devolution or the values of Britishness where there have been no speakers representing England’s view. Indeed reports indicate that expressions of negativity towards England are acceptable. No one should be surprised if such negativity is being returned.

BRITISH POLITICAL PARTIES’ POLICIES

Conservative, Labour and Liberal Democrat: National government to be denied to England. A Critique of the Conservative Party Policy “English Votes on English Matters” is supplied with this submission.

If any future government ignores the genuine concerns about accountability and the lack of a national voice for England and merely pays lip service to those concerns their credibility and respectability will be irretrievably undermined.

ATTITUDES

The purpose of this paper is to bring to the attention of the Calman Commission how attitudes in England may affect those of Scotland to remaining in a United Kingdom.

Polls have shown that, when asked, the people of England are not concerned about independence for Scotland. The reasons may be a positive desire for the people of Scotland to be happy in an independent Scotland or the reasons may be ignorance or arrogance. That does not matter. What matters for those who wish to maintain a Union is that voters actually see an advantage in the continuance of a Union. At present neither the people of England nor those of Scotland are convinced that a 300 year old Union based on the pressures and priorities of those times is appropriate for the 21st Century. They hear British politicians assuring them that the Union is beneficial but no detailed reasons are forthcoming and it seems that this opinion is based more on sentiment than contemporary experience. Indeed continued membership of the European Union, the final goal of which is a union of European regions, seems to make a United Kingdom irrelevant.

The SNP has an interest in encouraging the desire for separation and also in fomenting resentment in England. It is also the purpose of the Campaign for an English Parliament (CEP) to ensure that the issues that discriminate against the people of England within the UK, as a result of devolution, are publicised and to educate and inform the people of England.

The disparity in provision constitutionally, economically, financially and culturally is more and more glaringly obvious. This is a continually unfolding situation that cannot hold. It is too unjust to last. Nothing can be a greater threat to the wellbeing, even the continuation, of the Union than what is being done to England and what it means to the people of England and the sense of grievance it is producing. The centre of the Union is the 85% of its population, if that is alienated, as it is being, and in no uncertain terms, as the accompanying document describes in detail, the Union is finished. But if the Commission is looking for the future of a devolved Scotland, then it is a necessity that it does not continue as a source of grievance, a thorn in the side, a cause of resentment in England. For devolution to succeed and progress in Scotland, it must be extended to England. England must stand in the same relationship to the Union and have all the self-government, institutions and benefits of devolution.

FURTHER DEVOLUTION FOR SCOTLAND

The remit of the Commission on Scottish Devolution includes a review the provisions of the Scotland Act 1998 in the light of experience and to recommend any changes to the present constitutional arrangements that would enable the Scottish Parliament to serve the people of Scotland better (*and to*) improve the financial accountability of the Scottish Parliament.

Devolution can be seen as a process and it is clear that not only the remit of the Commission but also of the Scottish government is to continue that process by claiming further rights and powers from the UK government and, in particular, further control over UK assets and increased fiscal powers.

A particular case is access to income from North Sea resources by setting the maritime border. The history of the maritime border between England and Scotland is a complex one. Suffice it to say that there is considerable debate about its appropriate alignment. Such considerations are

now important as further powers are likely to include access to North Sea revenues, fisheries and other assets located in UK waters.

Another case in point might be the ownership of Ministry of Defence (MOD) land and facilities as have been given to the Northern Ireland Assembly. The MOD facilities have been developed with UK taxes to which the major contributor is England with 85% of the taxpayers. Clearly giving up these assets impacts on England but who is to represent England's interests in any such negotiations?

A current case is the opportunity to purchase the two Titian paintings owned by the Duke of Sutherland and displayed in Edinburgh. The proposal is that both Scottish and UK funds are used. Will those paintings be appropriated for Scotland even though taxpayers from across the UK have funded the purchase?

Access to such assets will increase the fiscal independence of Scotland. However payments made to Scotland from UK taxes (the Barnett formula) must be extensively and transparently reviewed at appropriate intervals and seen to be fair to England. It is well known that England has always been the lowest beneficiary per head of population by this formula but the people of England see that Scotland enjoys much greater benefits without initiating its current 3% tax raising powers. Moreover it has been noticed that Alex Salmond was able to extract unspent funds from previous years that were lying unused in the British Treasury. In the preface to the Scotland Devolution Bill, the British Prime Minister, Tony Blair, wrote, "Scotland is a proud, historic nation". No proud nation can be satisfied by relying on undue financial aid and it should be an embarrassment for a mature nation, with its own national internal government to enjoy benefits denied to its neighbour. A neighbour that does not have its own national government, is allowed fewer benefits and less funding, when both nations are paying the same taxes.

Furthermore, if Scotland is to receive further fiscal independence then it must also take a share of the responsibility for the UK national debt and any other financial obligations as appropriate.

In the conduct of any negotiations, what will be the verdict of history on the independence in those negotiations of a PM who has an interest in maintaining the goodwill of those that elected him in his Scottish constituency or David Cameron who has expressly and explicitly stated that he does not want to be Prime Minister of England?

How may these issues be resolved?

A NEW UNION

The 1707 Act of Union is 300 years old. It solved the pressures and priorities that existed at that time. If the Union is to continue there must be a new Act of Union appropriate for the 21st Century, whereby all constituent parts of the Union, be they the countries of Great Britain or the Province of Northern Ireland stand in the same relationship to the UK government and in equality to each other. Let the UK Parliament deal with UK matters and national Parliaments with internal national matters.

AN ENGLISH PARLIAMENT

The CEP currently campaigns for an English Parliament modelled on that granted to Scotland in the devolution settlement, and thus within the confines of the UK. However it must be said that the CEP is not primarily concerned for the continuance of the UK and does not fear independence either for Scotland or England. The CEP seeks justice for England and to redress the balance of the UK by lobbying for an English Parliament, which includes an English Executive (government). However, opponents accuse us of trying to break up or unbalance the Union. The Union was always unbalanced and made more so by asymmetrical devolution, which, in itself, is fracturing the Union further. The people of England were not consulted in the devolution referenda and must not be held responsible for its consequences.

Objections to an English Parliament Answered

A Detailed discussion can be found in the CEP publication “Devolution in the United Kingdom-Answering the English Question”. (Supplied)

Some objections to an English Parliament suggest that it would be almost as big as the UK Parliament. That demonstrates a fundamental and unnecessary assumption that the UK Parliament would need to be of the same size as it is now. That assumption ignores or denies that the work of the UK Parliament would be very substantially reduced and thus a much smaller Parliament would be capable of representing the constituent parts of the Union. We already have the anomaly of the number of UK MPs from areas outside England, who cannot initiate, debate or vote on domestic matters that affect them and their constituents, yet they are being paid the same salary as UK MPs from English constituencies. Indeed the Scots, themselves, are asking why they, as UK tax payers, are paying for UK Government MPs who have no responsibility in the matters that most concern them as voters.

The Conservative Party claim that we do not want another layer of politicians and bureaucrats and we cannot afford them but, of course, with a much reduced UK Parliament that would no longer be the case. The Conservative line would, nevertheless, engender more respect if they intended to abolish the 297 extra politicians (129 Members of the Scottish Parliament, 60 Welsh Assembly Members and 108 Members of the Legislative Assembly of Northern Ireland) that do not represent 85% of the electorate, who have been, without their consent or even consultation, expected to support since 1998.

Others say that there is no demand. Clearly, until a proper referendum, based on those of Scotland and Wales, takes place that assertion cannot be demonstrated. However, 12 of 14 polls since 2001 indicate that the majority of the people of England might vote for an English Parliament if asked the same referendum question as that for Scotland and Wales.

It is sometimes said that there is no need to campaign for an English Parliament because with the Welsh Assembly, Scottish Parliament and Northern Ireland Assembly, the UK Parliament is in effect an English Parliament. That is a mistaken view, voters of Northern Ireland, Scotland and Wales have dedicated elections at which domestic policies are decided, whereas English voters have no such facility and would remain a democratic deficit. The Westminster Parliament will continue to be the Parliament of the United Kingdom and it will continue to contain MPs from throughout the UK and be charged with pursuing the internal and external interests of the whole UK. It will be under no obligation to pursue specific interests relating to the whole of England and there will be no body through which those interests can be voiced.

As there is no English Parliament, the people of England are being governed by a UK Parliament that is designed to serve UK interests. The people of Northern Ireland, Scotland and Wales have their interests focused and represented but the people of England are unable to speak with one voice. An English Parliament will enable England to deal with other parts of the UK on equal terms.

CONCLUSION

The CEP believes that a new modern Union is possible but that time is running out. The possibility is that after the next general election Scotland will be represented in the UK Parliament by the SNP, whose obvious purpose is to further the interests of Scotland. If, in order to appease Scottish nationalist, England's interests are not protected, the consequences could be very serious and fatal for any loyalty to a United Kingdom. England is a proud, historic and ancient country and arguably the oldest unified country in Europe. It must not be regarded as a convenient parking lot, building plot, cash cow or theme park to be used or abused at will.

Devolved power to England in the same relationship to the UK Parliament as Scotland, Wales and Northern Ireland would have no more power over reserved matters than MPs of English constituencies currently have. Indeed reducing the size of the UK Parliament, which would be dealing only with reserved matters, would be the opportunity to reduce such disparity.

An English Parliament will solve the West Lothian question. It will end the injustice whereby UK Parliament MPs who represent constituencies in Northern Ireland, Scotland and Wales, are able to debate and vote on issues that affect only the people of England, while MPs elected to English constituencies are unable to debate or vote on similar matters affecting the people of Northern Ireland, Scotland and Wales. An English Parliament will bring greater fairness, equality and balance to a devolved United Kingdom.

The CEP makes the same assertion of the rights of the people of England as were accepted for Scotland not only enshrined in the UN charter but for the general principle of representative equality that all democracies claim. This was also a fundamental part of the 1707 Act of Union. We look to a future of equal nations in equality of relationship to each other and to the UK government. Only in that way can the Union be maintained. The alternative is an increasing clamour for independence from countries that already have some measure of self government and a runaway devolution process as the UK Government endeavours to appease nationalistic sentiments.

The affirmations of national identity that the devolved administrations of the other countries of Britain support are what we require for England. Equally England must have a forum in which to express such sentiments and to promote in its schools and other institutions, its culture and history precisely as the British Government has acted to encourage that of Wales and Scotland. Thus all people, for whom England is their chosen or inherited homeland, should be encouraged to take pride in England's history and culture and make the same distinction between England and Britain as Tony Blair's did in his statement about Scotland. English history for nearly 1000 years prior to union with the rest of the UK to form the British State in 1707, stands on its own and is no more British history or its monarchs British monarchs than the history and monarchs of Scotland.

If the injustices the workings of the Devolution Acts have inflicted on England are not addressed the result will be not to uphold the Union as was intended by those Acts, but to continue to undermine it and eventually to destroy it.

The objections to an English Parliament are facile and it seems that antipathy to an English Parliament is not based on logic and reason but sentiment and self interest. Where there might have been a British nation before 1998 there are now de facto if not yet de jure individual nations in Britain. The only way forward for a devolved Scotland is a devolved England.

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