

Cameron and Miliband are both right on the constitution – But for the wrong reasons

By Democratic Audit UK

*As the constitutional fallout from the Scottish Independence Referendum campaign continues, **Stephen Barber** looks at how the two main party leaders down south are addressing ‘the English Question’. Cameron and Miliband may be acting from short term partisan motivations, but this doesn’t mean they’re wrong. While any plausible constitutional settlement is complex, it must be based on devolution to ‘cities and counties’, with any proposed ‘English Parliament’ failing to offer real devolution of powers closer to the people.*



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Westminster leaders need to put aside short-term party advantage in a similar way that Scottish politicians did during the referendum campaign. If they did, not only might they forge a constitutional settlement that will serve England well for a generation, they might also find they can enjoy the sort of ‘apathy free’ politics that was a highlight of the independence referendum. Whether they choose to engage seriously or not, it is clear that there needs to be real devolved power to England and if new institutional layers are to be discounted, the settlement needs to be one of ‘Cities and Counties’.

What a shame it is that the Westminster party leaders have reverted to type by putting narrow electoral advantage ahead of England and the United Kingdom’s constitutional future. The contrast in England to the sort of leadership Alex Salmond and Alistair Darling showed over Scotland is stark. Westminster should take note because it is this sort of politicking which is responsible for the cynicism of voters and poor turnout at elections: something entirely absent from Scotland where 86% turned out to vote in the referendum.

David Cameron favours ‘English votes for English matters’. Ed Miliband wants to delay changes for years and until a Constitutional Convention can report. It is clear why: Labour would likely suffer from the emasculation of Scottish MPs and whatever the chaos, the Conservatives (who only secured a single Scottish MP at the last election) would more often command Commons majorities on ‘English’ votes; irrespective of who formed the government. If anyone wanted a blueprint of how not to reform a constitution, this could well be it.

But that doesn’t mean that everything the Westminster elite have said is wrong. Cameron is surely right that new

powers for Holyrood must be balanced with a fair English Settlement. And Miliband is surely right that the position we find ourselves in demands more thought than enshrining two classes of MPs. They are right, but for the wrong reasons.

A better reason would be to forge a workable and legitimate constitutional settlement in England. And here Scotland has done the service of defining powers which need to be devolved from Whitehall not only to Holyrood in the wake of the independence campaign but also to England. As such, the English need to have a direct say over education, health, transport, welfare and the environment. Not only that, this power has to be balanced by the responsibility to raise taxation used to pay for those services. This ensures the new settlement isn't simply about Westminster throwing more money at poorer areas of the UK but is about genuinely devolving both power and accountabilities.

An English Parliament has its attractions as a replication of the sort of devolution seen in Scotland, Wales and Northern Ireland. But as home to 53 million of the 64 million population of the United Kingdom, it doesn't devolve power much of a step closer to the people. Moreover Miliband has already ruled out new government and new layers of politicians. Of course that could be solved by the John Redwood plan of English MPs doing two jobs; an English Parliament drawn from within the Westminster Parliament and two classes of MP. But that is so very messy with potentially rival governments created from a single chamber that it needs to be dismissed out of hand.

Consequently any new settlement in England needs to be forged from existing structures outside of Westminster. My proposal would be a combination of cities and counties plus a long overdue reform of the House of Lords.

This would mean empowering the great and small metropolitan areas of England perhaps comparable to what has happened in London. It would create figures accountable to the electorate and able to make policy in areas which matter to them. Such a move could both politically invigorate those parts of the country Westminster cannot reach and boost local economies left behind by the growth of the Capital. For those who do not live in or around the cities, the settlement should be accompanied by a new enabling of the existing twenty six County Councils of England and other council areas. The prize would be a new era for local government as real power is devolved from the centre.

One other overdue reform needs to be included in this settlement: the House of Lords [about which I have recently written](#). The upper house is an indefensible, antiquated constitutional muddle. It remains appointed by the Prime Minister, has grown too big and is full of party donors and factotums. With any new constitutional settlement, reform of the Lords should not be ignored, because it presents an opportunity for some democratic legitimacy in the upper chamber as it is slimmed down and given a role in the new constitutional arrangements of the whole of the United Kingdom.

A new positive English settlement embracing the Cities and Counties and a reformed Lords is possible, but it needs leadership from the top of our politics. Putting aside narrow party advantage might be difficult, but if it happens, not only will Britain have the constitutional arrangements it deserves, leaders might also find some of that 'apathy free' politics rubs off on them.

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