


# The UK should take on board the lessons from Spain before embracing English devolution

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*The UK government has committed itself to solving the so called 'West Lothian question' whereby Scottish, Welsh and Northern Irish MPs can vote on 'English only' issues which have already been devolved to the other three countries. **Sonia Alonso** writes on devolution in Spain, arguing that the UK should learn from the Spanish experience. She states that Spain illustrates the dangers of adopting partisan solutions, which uniquely benefit one major party over another, to constitutional questions. However the country's recent history also shows that devolution can work if implemented correctly and that both Labour and the Conservatives would stand to benefit from a stable compromise on English devolution.*



The on-going constitutional debate in the UK is familiar to every Spaniard that follows, even passively, Spanish politics. We Spaniards are also immersed in our own constitutional debate, in much the same way as the Belgians and Italians have never really left behind theirs. This is the thing about centre-periphery conflicts, they never totally disappear. This stickiness is part of their very nature. It is naive to conceive centre-periphery conflicts as susceptible to being *solved* just as it is naive to think that state parties make concessions to their rebellious peripheries in the hope that this will appease peripheral movements' aspirations.

Every single time in the last 100 years that incumbent state parties have made a concession, they have done it to protect their state-wide pluralities, and aware of the risks involved in terms of encouraging demands for ever deepening devolution. As I argue in [Challenging the State: Devolution and the Battle for Partisan Credibility](#), the neutralisation of the nationalist threat requires a degree of inter-temporal consensus among state parties that the dynamic of electoral competition disincentivises. There will always be electoral benefits to reap from manipulating centre-periphery conflicts in one or another state party's benefit.

## Learning from Spain: the UK's experience with devolution

The most recent events in the UK, namely the Scottish referendum on independence and its aftermath, are a perfect illustration of what devolution, once initiated, entails. There must be a sense of *déjà vu* of the late 1990s and early 2000s for all but the youngest generations of Britons; only this time the stakes were higher. Today, as back then, we hear party leaders across the board talk about the democratic deficit, about fairness (back then toward Scotland and Wales; today toward England), and about the need to get politics closer to the people. Devolution would be the solution to it all.

Between 1979 and 1990, the years of Conservative hegemony, Labour supporters of devolution convincingly argued about the existing democratic deficit in Scotland and Wales. Scottish and Welsh Labour realised that despite the continued rejection of the Conservatives by Scottish and Welsh voters in Westminster elections, Scotland and Wales were doomed to be governed by the Conservative majorities in England. At the same time, the growth of the SNP, which also used arguments about the democratic deficit, was threatening Labour's pluralities in Westminster, so dependent on Welsh and Scottish votes. In reaction to this, the 1992 and 1997 Labour manifestos expressed a firm commitment to an extensive programme of devolution to Scotland, Wales – and the English regions.

All-round devolution was the option that made more sense. All-round devolution allowed Labour to present its devolution proposal as a benefit to the whole country and not exclusively as a concession to peripheral nationalism. All-round devolution gave credibility to New Labour's commitment to deepening British democracy and to bringing politics closer to the people.

At the same time, devolution to the English regions had a clear partisan advantage for Labour: the party was proportionally stronger in the northern regions of England (North-East, North-West, and Yorkshire & Humber). Labour could therefore aspire to have some regional power strongholds to compensate for the more than likely hegemony of the Conservatives in the southern regions (East Anglia, South-East, and South-West). Labour never considered devolving power to an English parliament. Apart from the fact that England is too large compared to the other three regions, which would make for a very unbalanced federal system, an English parliament would almost certainly be dominated by the Conservatives.

After Labour's landslide victory in 1997, however, devolution to the English regions was postponed for another five years and, when it was finally initiated, it lacked ambition and it exuded partisanship. Labour's proposal insisted that elected English assemblies would only be established according to demand from below. With hindsight, this looks like a huge strategic mistake. There was a good partisan reason behind this, since this condition would favour only Labour and not the Conservatives. The calculation was that only the northern regions, in which Labour was dominant, would ask for devolution. The strategy backfired. The 2004 referendum in North-East England failed to pass. As a result, the so called '[West Lothian question](#)' remained unchanged and contested, ready for a comeback.

And here we are again, the issue of English devolution resuscitated by the Scottish referendum, only this time with increased virulence. The fairness argument is a strong one and comparative grievance is the food on which centre-periphery conflicts thrive. We Spaniards know this too well. There is nothing surprising about the re-emergence of the West Lothian question right now. It is too electorally appealing to let it rest.

### **The dangers of a partisan solution to the English question**

Devolution *à la UK* is an odd creature. Unlike Northern Ireland, Scotland and Wales, England has no devolved parliament. England is governed by Westminster, which means that Northern Irish, Scottish and Welsh MPs intervene in English affairs but English MPs cannot intervene in the devolved affairs of Northern Ireland, Scotland and Wales. There is an embedded unfairness towards England that can be easily exploited in the electoral field and partisan interests, today as in 1997 and 2004, loom large when it comes to centre-periphery settlements.

Different options are being debated as "solutions" to the West Lothian question: a federal constitution with an English parliament, devolution of powers to the eight English regions, EVEL ("English votes for English laws") and the reform of the House of Lords to make it a chamber of territorial representation. Many Conservative backbenchers favour EVEL; others, such as Conservative MP John Redwood, prefer the federal solution. James Wharton, Conservative MP for Stockton South, declared on 22 September that EVEL is "a must and a *minimum* [my emphasis]". EVEL, therefore, is viewed more as a first step than as the final aspiration. From a partisan point of view, either EVEL or an English parliament would benefit the Conservatives, for they have a majority of votes in England, although neither "solution" seems to guarantee a stable uncontested settlement to the problem at hand.

Labour's leadership, on the other hand, is reluctant to engage in the debate and this is creating tension inside the party. A group of Labour MPs in Westminster is pushing for an English Labour party and for a more distinctive voice for England in the House of Commons. *The Guardian* on 22 September [quoted](#) Ben Bradshaw, Labour MP for Exeter, saying that the party had to be "clear we are fighting for England", to which he added: "we have to be



absolutely crystal clear there is an imbalance and unfairness in our constitutional settlement”. John Denham, Labour MP for Southampton, [wrote](#) on 19 September: “The challenge is to make sure we all have some of the same”.

Labour is facing a daunting challenge in the post-referendum scenario. For years it has been losing its grip over the Scottish electorate but Scottish votes still make for a large chunk of its seats in Westminster. If it wants to stop losing votes to the SNP, it must deliver on its promise to increase Scottish devolution. At the same time, it should act preemptively in Wales before Plaid Cymru decides to play the Cinderella card. And it must do all this while at the same time addressing the question of English devolution and the emerging voice of English Labour inside the party. Supporting either EVEL or an English devolved parliament would be a suicidal strategy for Labour. The party’s only hope is to press for devolution to the English regions, an opportunity that they had so close at hand in 1997 and that they managed to waste so clumsily after years of fiddling with the idea.

It is clear that a strictly partisan logic will lead the present situation into a constitutional crisis, ultimately benefiting the nationalists and UKIP, perhaps even opening up an electoral niche to be exploited by new comers with a regionalist agenda (if the SNP, PC and UKIP can all grow despite the obstacles of the first-past-the-post electoral system, why couldn’t others too?) At this point, UK leaders might be willing to look at the experience of all-round devolution in Spain and some of the lessons it has taught us. Three lessons in particular stand out as being the most important for the British case.

The first lesson is that constitutional settlements are never truly settled if based exclusively on partisan interests. The upcoming referendum in Catalonia proves this point. The second lesson is that all-round devolution paid off for many years. Until the Great Recession swept away their electoral pluralities, the [People’s Party](#) (PP) and [Spanish Socialist Workers’ Party](#) (PSOE) concentrated an increasing amount of national votes in general elections and were able to build enduring regional power strongholds to which they could retreat when they were voted out of office at the national level. Labour and the Conservatives should take note that both have something to gain by establishing all-round devolution and much to lose by trying to benefit exclusively from a new constitutional settlement.

The third lesson is not so much of a lesson but more of a moot point: we do not know what would have happened in Spain if the Senate had been reformed to make it a chamber of territorial representation. Spanish democracy would certainly have been less majoritarian than it has been, but it is unclear whether that would have been for better or worse. If a Spanish Senate in which Catalonia was represented as a territorial unit of a federal state had ever existed, would Catalonia be calling for a referendum on independence now? The UK would be well served by taking on board the lessons from the Spanish experience.



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**About the author**

**Sonia Alonso** – *Georgetown University*

Sonia Alonso is Assistant Professor of Government at Georgetown University's School of Foreign Service Qatar.



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