

We're taking back control – but who's going to wield it?

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By Democratic Audit UK

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*Britain voted to 'take back control' from the EU, and Theresa May's Lancaster House speech made the repatriation of power to Westminster a priority. But it is far from clear what kind of Brexit Britons want, nor how many of these powers will go to Scotland, Wales and Northern Ireland rather than the UK Parliament. **Katie Ghose** argues that with direct democracy on the rise, citizens' assemblies would help people grasp the trade-offs at stake and have a voice in these monumental decisions.*



NHS staff work on ideas for a Citizens' Assembly in 2013. Photo: [NHS Citizen](#) via a [CC-BY-NC-SA 2.0 licence](#)

Theresa May has now fleshed out her plans for Britain to leave the EU and become an independent, self-governing nation. With more detail emerging about the economic plan, it's time to look at the democratic implications.

Serious thinking about democracy can all too often get left behind and the public shut out of these debates, as we've seen with English devolution. How our democracy actually takes shape after Brexit goes beyond the two-year negotiating window, and it has to mean the public will have a strong say. After all, given the focus on 'where power lies' during the campaign (summed up the powerful slogan 'take back control'), it would be ironic if this wasn't a priority.

Theresa May says the vote was about restoring parliamentary democracy by bringing back sovereignty to the UK Parliament. This is uncontroversial – after all, many people identified the issue of laws 'being made in Brussels' as part of a more general unease. But it is only part of the picture. The transfer will take place at the same time as the ongoing transfer of powers from Westminster to Scotland, Wales and NI, as well as devolution within England. In other words, it will happen just as power is shifting between and within the nations of the UK – with obvious ramifications for our Union.

People feel a physical remoteness from Westminster, Holyrood and the Senedd, but that distance is knitted into a growing anti-establishment sentiment. So now is an opportunity to capitalise on the positive political interest stimulated by the vote, and convert it into a sustainable mode of political engagement – with genuinely powerful citizens.

So the first question is this: **what is the public role in shaping the form of Brexit?**

The referendum should be the beginning, not the end, of the public's involvement. True, the government is in a difficult position given the multiple interpretations of what Brexit means. And it is always a challenge to get a blueprint – after all, referendums are binary – and this case when the vote followed a short four-month campaign with both sides offering a wide range of potential outcomes. We are left with highly contested territory when it comes to the form of Brexit. Citizens' assemblies – representative gatherings of people who are given the time and information to properly discuss and debate the issues in light of the facts – can be a good way of dealing with this, and for citizens to face up to the trade-offs that government is grappling with.

The second question is this: **where will the powers 'repatriated' from Europe actually go?** Theresa May confirmed that a Great Repeal Bill will bring all the powers the EU currently holds back to the UK. But given that we are a multi-national democracy, and one with a rightful focus on devolution, who will these powers actually be given to?

The PM said that 'leaving the European Union will mean that our laws will be made in Westminster, Edinburgh, Cardiff and Belfast'. So it seems only right that the laws related to powers already devolved to the nations – Wales, Scotland and Northern Ireland – should 'go' there. And indeed May suggested as much. But could we go further? Is this a chance to rethink Britain's constitutional future as an increasingly diverse and semi-federal union?

We can learn from local devolution on this question. The public haven't had a strong role – and perhaps partly as a result of that, there is some evidence of devolution deals unravelling. So we should learn from what happens when powers are transferred without consulting on *what they're for*.

The 'where' and 'how' of political power is sometimes just as important as the 'what'. And that means Brexit is a great opportunity to involve the public in a conversation about where power lies within the UK.

So the final question has to be this: **is it time we clarified what kind of democracy we are?** Britain is holding more and more referendums. We therefore have to ask: how are different forms of democracy going to work alongside each other? It is time we had a clear plan for what happens after referendums – what Parliament's role will be, what public consultation there'll be on the next steps, and so on?

It's looking as if referendums have become part of our institutional settlement – which is interesting, because it suggests direct democracy has been grafted onto an essentially representative democratic model – with the resulting lack of clarity over Parliament's role leading to the most high-profile involvement of the judiciary in these decisions since the Supreme Court was created.

We are muddling through all of this. And how we handle it could affect many other decisions. As well as a clearer framework for future votes, a citizens' assembly could provide a practical way to trial the need for deliberation and nuance that has to follow any binary 'yes/no' ballot.

We have some big democratic questions to tackle over the next couple of years. Getting to the bottom of them might be difficult, but one thing's clear: all of us should be involved in answering these questions. The next two years, and potentially much longer than that, will be dominated by exit negotiations. Where power lies – for all of us as citizens – deserves every bit as much attention.

This post represents the views of the author and not those of Democratic Audit. It first appeared in a slightly different form at The Times.

Katie Ghose is chief executive of the Electoral Reform Society.

