Mr Bill Noakes and Mr Rolf Smith—Written evidence (UDE0026)

How can we stabilise and strengthen the Union?

This is submitted by concerned citizens on an individual basis.

Sirs,

We welcome your enquiry and are concerned that the United Kingdom will remain a prosperous, outward-looking harmonious nation, with a significant role in world affairs, rather than a fragmenting, inward-looking nation with destructive and divisive nationalist feelings leading to a diminished and poorer future.

We would like to focus our submission on your question 6:

What is the effect on the Union of the asymmetry of the devolution settlement across the UK? What might be the impact of the further proposed devolution of powers to Scotland, Wales, Northern Ireland and English local government? Is the impact of asymmetry an issue that needs to be addressed? If so, how?

The impact of the current asymmetrical settlement is significant and destabilising to the Union:

1. The absence of any boundaries on how far devolution can be taken in any one part of the UK means that the Nationalists can always ask for more. They will never be satisfied by the current devolved settlement, because by definition they want independence not devolution. So, for example, the SNP will claim that Westminster has not delivered on “The Vow” made just before last year’s referendum, because they have a different interpretation of what was promised. And repeated claims by the SNP will start to be believed by the general population.

2. Similarly, the nationalists will always hold the initiative. Those wishing to preserve the Union are forced into a defensive position every time the nationalists make another demand for further powers. In the absence of a uniting structure holding us together, Westminster is made to look like it is clinging onto its own powers, rather than upholding the integrity of our great nation for the good of us all.

3. The fact that the current settlement provides increased scope for nationalism is resulting in weaker, unchecked and unbalanced government in parts of the UK e.g. in Scotland where traditionally balanced right wing/centrist/left wing politics seems to have been replaced by something like a “one party state”. This will have a destabilising effect on the whole of the UK.

4. In the parts of the UK with little or no devolution (most parts of England) there is a rising exasperation with the continual demands for more powers in the devolved regions. The nationalists encourage this as the more they can stoke up feeling in England, the more they can garner support from their own people.

Therefore in our opinion this issue undoubtedly needs to be addressed and we suggest that now is the time to consider how to establish a more stable settlement that will preserve and strengthen the Union as a whole. What then is the solution?
The current messy ad-hoc state of devolution is very much in line with how our unwritten constitution has developed over the years. And although there is nothing necessarily wrong with this, we feel that left to itself, the constitution may not be strong enough to counter the destructive forces currently operating. We suggest:

1. It is time to introduce a new Act of Union, dealing only with what is needed to hold our country together. We could define what powers need to be retained by the UK government to ensure we have a secure, prosperous future as a significant player in world affairs. This should be celebrated by all, as we are stronger working together, rather than looked at in resentment. All other powers are then open to negotiation. It is therefore made clear to each member state where the parameters lie.

2. The nations and regions that make up the UK in its current modern state could and should be clearly defined in any new Act of Union.

3. We could introduce some clear procedures as to how further devolution could happen. All nations or regions of the UK would follow the same procedures, wherever they are in the devolution pathway. This would remove some of the initiative currently held by the nationalists.

4. We could introduce a standard procedure for future referendums, with sufficient checks in place to ensure they are fair. Any referendum that deviated from these procedures would be illegal. Any changes to these rules would have to be agreed by all parts of the UK.

5. Give a symmetry of powers between the countries and regions that make up the UK. If one part is given a power, all the other parts automatically are given the right to apply for this power should they so wish, using standard procedures as described in points 3 and 4. Conversely, if some regions decide not to take up a particular power, they accept that Westminster will rule instead. In essence this means that the so-called “West Lothian Question” is being answered by the populace and not by politicians. By doing this we are effectively paving the way for the creation of a fairer, more federal United Kingdom.

In conclusion, the present asymmetrical nature of devolution presents a danger to our country because it can be exploited by nationalists for their destructive ends. The United Kingdom government needs to give some strategic thought into how they can introduce some simple structuring that will bring new clarity and symmetry to the Union and take the initiative away from the nationalists. And the time to do it is now, not in the heat of the next referendum campaign.

We are grateful to the House of Lords Constitution Committee for giving us the opportunity to submit this evidence.

1 October 2015